Minimum competency testing: Where it's been and where it's going

Ronald L. Gumm
Minimum competency testing: Where it's been and where it's going

Abstract
At the present time thirty-seven states have passed enabling legislation forming some type of minimum competency testing (henceforth to be called MCT). These tests can cover all students kindergarten to high school and currently affect 75% of our country's population. Many of these programs were started by state legislatures, groups that are not often swift and consistent in their actions. Lazarus (1980) says, "it is remarkable to see so many states passing laws, which have at least some resemblance to one another, at a rate of several states per year. Competency testing must appear to hold special promise for so many states to climb on board so fast" (p. 6). What is this special promise? What brought about this rapid development? What has occurred in the MCT movement so far? Where is it going? All these questions are important to the understanding of the force this movement has been, and will continue to be in education. First, it is essential to explore what is meant by MCT.
MINIMUM COMPETENCY TESTING:
WHERE IT'S BEEN AND WHERE IT'S GOING

A Research Paper
Presented to
The Department of Educational Administration
and Counseling
University of Northern Iowa

In Partial Fulfillment
of the Requirements for the Degree
Master of Arts in Education

by
Ronald L. Gumm
August 1985
This Research Paper by: Ronald L. Gumm
Entitled: Minimum Competency Testing: Where It's Been and Where It's Going

has been approved as meeting the research paper requirements for the Degree of Master of Arts in Education.

Norman McCumsey

July 1, 1985
Date Approved
Advisor/Director of Research Paper

Donald L. Hanson

July 1, 1985
Date Approved
Second Reader of Research Paper

Norman McCumsey

July 1, 1985
Date Approved
Head, Department of Educational Administration and Counseling
INTRODUCTION

At the present time thirty-seven states have passed enabling legislation forming some type of minimum competency testing (henceforth to be called MCT). These tests can cover all students kindergarten to high school and currently affect 75% of our country's population. Many of these programs were started by state legislatures, groups that are not often swift and consistent in their actions. Lazarus (1980) says, "... it is remarkable to see so many states passing laws, which have at least some resemblance to one another, at a rate of several states per year. Competency testing must appear to hold special promise for so many states to climb on board so fast" (p. 6).

What is this special promise? What brought about this rapid development? What has occurred in the MCT movement so far? Where is it going? All these questions are important to the understanding of the force this movement has been, and will continue to be in education. First, it is essential to explore what is meant by MCT.

DEFINITION

A competency test is generally defined as a standardized examination designed to demonstrate the level of proficiency a student has reached in any one of several basic skills. Almost all states include
mathematics, reading skills and composition writing among their list of basic skills. Some states also require courses in citizenship and free enterprise.

These states require all students in one or more grades to take the same standardized test. An acceptable level of competence has been predetermined and if a student's score is below this minimum, various procedures follow. Some states provide for the results to be used for curriculum studies or diagnostic and remedial purposes. Others tie graduation or grade promotion to test results. A third use is to leave all decisions to the local school districts providing them the option of acting on the test results as they deem appropriate.

REASONS FOR MCT'S DEVELOPMENT

Credit or blame for the development of MCT can be generally traced to one factor or problem: the decline in student achievement. This decline has been documented in many ways; one of the most common is through the use of standardized test scores. James Tronge (1984) said that, "... equivalent scores on the 1964 and the 1973 editions of the Stanford Achievement Test indicated that a 'typical' student in the eighth grade in 1973 could read about as well as a 'typical' student in the middle of the sixth grade ten years earlier" (p. 217).
Besides the standardized test and others like it, concern was generated by the steady, consistent decline of scores from the Scholastic Aptitude Test and the American College Test.

The federal government also added to the movement with the 1975 estimates that one out of every five adults was functionally illiterate and HEW's statement that approximately one million children between the ages of twelve and fourteen were illiterate.

When Americans were made aware of these figures, an outcry was heard for educational reform. Many people wanted to get "back to the basics." MCT supporters pushed their idea as one way to start. As Logan (1984) put it, "Heretofore, there has been trust in the 'process model' of public education: put a child in at an early age, and the public school process will turn out a literate, competent young adult" (p. 38). The release of the HEW figures and standardized test decline destroyed this trust. To Logan (1984) the easy answer was, "... a switch to a 'results model': if what we want are literate, competent young adults, test for those factors that identify them" (p. 38).

Advocates claimed that the MCT movement would bring great benefits to education. They argued that it would provide a catalyst for examining what schools were
doing and force schools to deal with vital curriculum concerns. Students would now be held accountable for learning and performing to their varying abilities; teachers would benefit because more relevant instruction would be possible once competencies had been established. Poor teachers would be better identified; the high school diploma, which had little meaning, would be worth something again. In short MCT would restore public confidence in education.

These arguments had a great impact upon the general public. They looked upon any measure which could be implemented quickly and cheaply as being better than doing nothing. Other choices called for great increases in spending as well as patience. They began to demand quick reform and very soon state legislators and governors responded to the pressure. Many found MCT the perfect solution.

What were the views of most teachers and administrators? Walstad said it best when he wrote, "Perhaps at no time in the history of American education have we ever had an idea adopted so quickly by so many states--an idea supported by non-educators and opposed by educators" (Walstad, 1984, p. 261).
OBJECTIONS

Many opponents view MCT as the wrong reaction to the problem. They see the decline of test scores as the result of requirements put on education much like MCT. They point to additions such as guidance, sex education, computer skills, and many programs to meet minority needs. These all require time which, in the past, had been spent on core or basic courses. Most of these opponents do not want these additions eliminated but only wish to point out that when education is added to it is often diluted.

Opponents also argue that the drop in SAT and ACT tests scores have been misread. They point out that many more people now go on to college than ever before. Those members of the educational elite have always made it to college. They argue that the addition is made up, for the most part, from middle and lower ability students. It's been the scores of these new students which has created the decline in test scores.

Besides the argument that the tests are needed, opponents also see many negative effects on education. The first, and most important, deals with discrimination. Critics argue that the test cannot fairly test black students who have suffered centuries of educational inadequacy. They also argue that withholding advancement
or diplomas discriminates by punishing the victim. Placing such weight on one exam may permanently create anxiety and stigmatize a student as well as limit his/her career chances.

Critics see the test being used to discriminate by segregating. They believe MCT will be used to identify problem students. These students will then be placed with poor teachers or in less effective curriculum tracks. This would form an academic segregation if it was not tied to an effective remediation program monitored by sensitive administrators.

Opponents also feel that MCT will discriminate against slower students. Many states do not require those students classified as educable mentally retarded to take the test. But critics point out that no such exception is made for those students whose capabilities are judged to be slightly greater than the maximum allowed for this classification. As Palardy put it, "... how significant the difference between 69 and 71 I.Q.!!" (Palardy, 1984, p. 404).

Looking at the other side of the spectrum, critics see the test as a detriment to average and above-average students. They think teachers will begin to feel pressure to achieve high rates of student success on the MCT exams. This will lead to teachers devoting a great
deal of time "teaching" the test to the neglect of advanced learning and other school-taught skills. This neglect will impede the learning progress of average and above-average students, denying them the right to having their individual educational needs met.

RESEARCH

From 1976 to 1978 thirty states joined five others in requiring some sort of MCT be given to their school children. This tremendous growth was followed by two more states in 1979, since then there have been no additions or subtractions. What caused this sharp change? Why have the thirteen remaining states held back? Logar (1984) suggests "that the states that have not yet enacted such legislation are proceeding more slowly, doing more studies and in general being more cautious" (p. 39).

From this one would assume that current research articles would be easily found; the opposite is true. At this time the states are publishing very few empirical studies. The reason for this, perhaps, lies with the legal challenges the movement faced during the late seventies. These challenges found MCT to be legal but put new requirements and limits on how it was to be implemented. Further discussion will be found in the next section.
States have been forced to delay certain parts of their programs in order for certain requirements to be met. Longitudinal studies were begun and many will be completed during the next two years. MCT, at the present, is in somewhat of a holding pattern, a pause to catch its breath after the huge growth of the 70's.

The two current research studies do not address many of the MCT critics' charges. They do offer some information on existing MCT programs.

The first came from the Austin Independent School District of Texas (AISD). Its findings were from the fifth administration of the Texas Assessment of Basic Skills (TABS). This test was given to all Texas school children in the third, fifth, and ninth grades. From the ninth grade test, a student had to demonstrate reading, mathematics and writing competencies equivalent to a ninth grade level.

Those who failed to meet this minimum competency were provided with tutorial courses of which they were required to attend at least one. At the completion of this course the student again took the competency test. This process continued until the student showed mastery or completed his time in school. Graduation was contingent upon the mastery of the exit level tests (ninth grade)
but mastery was not required for promotion at the third or fifth grade levels.

The AISD had the following results for 1984:
(1) at the third grade level mastery was up 2% in math to 82%, up 3% in reading to 89%, and down 1% in writing to 66%; (2) the fifth grade mastery in math was up 4% to 79%, in reading up 2% to 81%, and down 1% in writing to 87%, and (3) in the ninth grade math was up 3% to 81%, reading was up 7% to 86% and writing was down 21% to 66%.

From these results the AISD drew the following conclusions: (1) the trend is toward higher levels of mastery of the TAB objective, and (2) writing scores were affected by a change in scoring standards at the state level and therefore are not indicative of actual change.

When scores were broken down by race the AISD identified the following trends:

1. Indians and Asians were too small a group to be properly identified; results are therefore only valid for white, black and Hispanic students.

2. In all three areas of tests, at all grade levels, whites scored higher than blacks and Hispanics.

3. Although minority students scored lower than non-minority students, their gains were somewhat greater.
4. Those students at the ninth grade level taking the test for the first time have had a higher mastery percentage every year of the test than those who failed and had to retest.

From this data, the following conclusions were formed:

1. Critics who claimed the tests would discriminate against blacks and minorities seem to have a case based on the AISD results.

2. Those who claim that MCT will improve education also seem to have a case from these results.

3. The gap between white and minority students seems to be narrowing with each testing.

The second research study originated in Missouri using the Basic Essential Skills Test (BEST). It was an attempt to discover whether specific policy changes in a district's curricula, testing programs, or teacher training, resulting from the state mandated test, had any influence on the percentage of students passing the test. It also examined district characteristics and their effects.

This study contained many obvious findings. Family background was seen as a major determinant of achievement levels as well as time spent in school. The surprising
finding came in the area of changes made by districts in an attempt to improve test scores. The only factor to have any significant effect was pretesting.

The authors of this study speculated that the pretest program might have given teachers and students the most direct message about the importance of tested performance. They also thought that pretesting might be the most efficient and easiest way for a district to use its limited time and resources to improve scores. They cautioned that some educators might be upset about this idea. Pretesting has been viewed in the past as a form of "cramming" and of limited educational value.

The evidence gathered from these two studies, although of unquestionable value, allowed very few conclusions to be made. Both studies could be used by advocates and critics of MCT to support their cases. What is needed are studies which speak directly to the negative charges made by MCT's critics. If these programs are a benefit then all is well and good, but if they are doing students and education harm then no time should be lost in making this discovery. Education has been very slow in doing this and now the courts have stepped in and forced the issue. MCT and the law is the next area to be examined.
MCT AND THE LAW

Since 1978 only two states have added MCT to their educational programs. It is generally believed that the halt in new programs is the result of two major court cases which took place during the late 70's and early 80's. Most authorities believe that lawsuits and challenges have only just begun; in fact, the whole area of educational malpractice may be closely tied to the competency testing issue for years to come.

Before examining the results of these two milestone cases, the legal provisions which have been and will be used in any challenge of MCT must be considered.

Some of these provisions can be found in federal and state constitutions. The most often used is the Fourteenth Amendment of the U.S. Constitution. It provides that no state deprive any person of life, liberty or property, without due process of law. Due process may be examined from either a substantive or procedural aspect.

Substantive due process in essence deals with protecting the individual from arbitrary and unreasonable action. Procedural due process on the other hand requires that a person be given the chance to be heard and given reasonable notice of any action in which his/her rights are to be affected.
Besides state and federal constitutions, laws, policies, rules, and regulations of a states' education, authorities have and will play an important legal role. These state and federal statutes, such as Title VI and VII of the Civil Rights Act of 1964, as well as Title IX of the Education Amendments of 1972, were all created to provide standards more protective or in greater detail than those established in a constitution.

These statutes may prove to be the most common avenue of MCT challenge. They can be brought before an administrative agency rather than a court of law, thus saving all parties money. It is also thought by some to be an approach in which a claimant may have a better chance of succeeding.

The question now is: what is it about MCT that has and will lead to legal challenge? McClung (1979) believes that "tests will be legally vulnerable if they include items that involve 1) coerced belief, 2) invasion of privacy, 3) unteachable or unmeasureable content, 4) content that is not sufficiently matched with a school's curriculum and instruction, and 5) content that is culturally biased" (p. 9).

To date most court decisions have been concerned with how the test results have been used, the withholding of a high school diploma for example. A rule of thumb
might be that if the test results are used in such a way that someone is hurt, the hurting may trigger a legal analysis.

The two milestone legal cases of the MCT movement include Debra P. v. Turlington and Anderson v. Banks. Debra P. was first and, of the two, most important.

The background for Debra P. v. Turlington was established when Florida enacted the Educational Accountability Act in June of 1976. The act provided for a statewide assessment test to provide a system of accountability for reading, writing and mathematics basic skills. The first trial run was held in October of 1977. Of those who failed, 78% were black, even though blacks constituted only about 20% of those taking the exam.

In 1978 the act was amended to require the passing of a functional literacy test prior to receipt of a standard diploma. That same year ten black students who failed the exam filed a complaint in the U.S. District Court contending that the test violated the Equal Protection and Due Process clauses of the Fourteenth Amendment. The case came to trial in 1979. By that time the test had been given three times. The failure rate was 36%, of which 76% were black.
The Anderson v. Banks case is much the same as Debra P. v. Turlington. It took place in a Georgia school system which was 30% black in 1981. From the first testing 57% of all black students failed. After three years only six students failed but all six were black.

In both cases the students claimed that the tests were racially discriminatory and were a violation of substantive due process. The courts of both found that discriminatory impact was not enough to sustain a challenge of the testing program because some evidence of discriminatory intent was required.

The plaintiffs of both cases were successful in another substantive due process claim. They attacked the test on the grounds that it lacked instructional validity. This is the measure of how well the content of a test matches the content of the actual classroom instruction. The students claimed that topics tested had not always been covered in class.

The court required the state to provide proof of instructional validity. The plaintiffs prevailed when the defendants did not present adequate proof. This decision established the responsibility of the state to demonstrate instructional validity in any test in which a passing score is required for high school graduation.
Both cases claimed their tests violated procedural due process. Each claimed that they did not receive adequate notice of the test being a requirement for graduation. In Debra P., the students were told during the spring semester of their eleventh grade year; therefore, each student was given a year and a half warning. The students involved in the Anderson case received two years warning.

The Debra P. court reasoned that students may have studied differently and teachers taught differently had they been aware of the requirement earlier. A violation of procedural due process was found. The Anderson court, however, found two years to be adequate notice and no procedural due process problem.

Each case provides us with a unique challenge to MCT. In Debra P., the plaintiffs pointed out that some students had spent the first years of their education in segregated schools. They argued that since these schools had been inferior it was a violation of the equal protection clause to require them to take the same test as white children who had the benefits of superior schools. The court ruled in the students' favor and ordered an injunction on the test being used for graduation until the 1982-83 school year. At this time all students would have been exclusively in
desegregated schools. This would provide the time necessary "to purge the taint of past segregation" (Debra P., 1979).

Only the Anderson court looked at the tests themselves to see if they were so arbitrary and capricious as to violate substantive due process. They found the state to have shown a national relationship between the test and the concededly legitimate state interest of improving education.

In summary, the tests were in themselves constitutional but the implementation of both tests was postponed until the state provided proof of instructional validity. In addition students must have at least two years notice before tests can be used for high school graduation. Lastly, the court in Debra P. required all students to have spent their school years in a unified, desegregated school system.

CONCLUSION

MCT is here and is not likely to leave in the near future. The Debra P. v. Turlington and the Anderson v. Banks cases have given educators and legislatures new problems to solve such as how to prove instructional validity.

At the present time there is an inadequate case law to establish a precedent on what appropriate and
sufficient evidence is needed to prove instructional validity. A statewide survey of teachers is one possible method but critics point out that for self protection, teachers may hesitate to admit that they have failed to teach certain competencies.

Some people fear that any attempt to prove instructional validity might lead to a mandated statewide curriculum specifying when each competency is to be taught. Anyone connected with education can understand the implications of this movement. However, it is questionable if all students can be measured by the same test when each receives a different education.

MCT may soon place some schools in a "Catch 22" situation. Lately schools have been brought to court by students claiming that they received diplomas even though they were functionally illiterate. On the other hand, schools that do not award full diplomas to students who fail the MCT may face charges of statutory and constitutional discrimination.

Courts, up to now, have been hesitant to question the adequacy of educational programs or the validity of professional judgments about academic performance. With the standards for academic performance clearly identified, the courts will no longer be hesitant to enter the academic domain.
On the positive side is the emergence of a middle ground: a group of teachers, parents, and legislators who see that MCT is no panacea but is here to stay. They recognize the dangers, but also believe that testing can have positive results.

If this happens there may be new programs and studies designed to use and build on existing MCT programs. This is of the utmost importance because as Lazarus (1980) put it, "a test by itself cannot effect change; it can only record whether change is taking place. One might as well expect to cool a room by putting a thermometer in it" (p. 7).
REFERENCES

Minimum competency for graduation, AISD 1983-84. 
High school graduation minimum competency requirements, 
final report. (Report No. AISD-ORE-83.51). Austin, 
Texas: Office of Research and Evaluation. (ERIC 
Document Reproduction Service No. ED 252 591)

Austin Texas: Office of Research and Evaluation. 
(ERIC Document Reproduction Service No. 252 596).

competency testing and its impact on minorities. 

Iowa City, IA: University of Iowa. (ERIC Document 
Reproduction Service No. ED 241 515).

A report of an instructional validity study for the 
Alabama High School examination graduation. Journal 
of Educational Measurement, 21 (3), 291-301.

look at minimum competency testing. Boulder, CO: 
Westview Press.


