

White Privilege and Power in the NYS Opt-Out Movement

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Background: *Part of a special issue on the high-stakes testing opt-out movement, this article focuses its analysis on the movement within New York State, and examines white privilege and power within one specific organization, the NYS Allies for Public Education (NYSAPE). Specifically, I examine how the public-facing work of NYSAPE addressed (or ignored) race and/or racism in their efforts to resist high-stakes testing. I also ask, in what ways do their public stances affirm and reinforce white privilege and power?*

Purpose: *I explore the opt-out movement in New York State, and argue that it is a movement that has been largely dominated by white privilege and power. Employing critical race theory as analytical and methodological tools, I briefly examine the development and policy positions of NYSAPE, a coalition of grassroots parent, educator and community organizations.*

Research Design: *This qualitative case study focuses on NYSAPE and employs critical race theory as a methodological and analytical framework, with specific emphasis on whiteness as property (power) and interest convergence.*

Conclusions/Recommendations: *The paper aims to engage the opt-out movement in considering how its (in)actions are shaped by racism, a deeply entrenched element in our society, and pushes the movement to take a more liberatory stance for all children. Leaders within the opt-out movement, particularly in predominantly white and middle- to upper-class communities, have to examine their complicity in perpetuating racial inequities.*

Opponents of Common Core testing plan an “Opt Out, Shop Out” at Roosevelt Field Mall on Saturday morning to encourage boycotts of state standardized tests being given in April to students in grades three through eight. (Ferrette, 2016, para. 1)

The event described above was organized by Long Island Opt Out, a grassroots coalition of educators and parents in Long Island, NY, who advocate resisting the New York State (NYS) high-stakes exams. Jeanette Deutermann, founder of Long Island Opt Out, shared that teacher unions across the island were asked to promote the event to teachers and

parents. Participants were asked to wear “Opt-Out” t-shirts while shopping in Roosevelt Field Mall, which is located in the predominantly white suburban community of Garden City and features high-end stores like Nordstrom and Neiman Marcus, among others.

After reading the article, I called a scholar-friend who studies whiteness and we laughed at the image this conjured in our minds: primarily white, middle- to upper-class women walking into Lululemon with their Starbucks lattes, protesting the tests while spending considerable amounts of money. While this is clearly a generalized and exaggerated image, it caused me to consider who was likely excluded from the event by virtue of its location in an overwhelmingly white community. Although research has suggested time and time again that high-stakes testing policies are deeply flawed and have negative consequences, particularly for students of color (Amrein & Berliner, 2002, 2003; Au, 2011; Vasquez Heilig & Darling-Hammond, 2008), this event exemplified a larger disconnect between some movement organizers, many of whom are white, and communities of color who might not have the means to shop in that mall. There is a certain amount of privilege that is imbued in the act of shopping in a mall, and it is a fitting metaphor for the focus of this study, wherein I argue that the opt-out movement in New York State, while focused on a worthy cause, has been largely dominated by white privilege and power resulting from a lack of critical self-reflection on issues of race and racism.

To explore this important challenge within the movement, I employed critical race theory (CRT; Bell, 1980, 1992) as analytical and methodological tools (DeCuir & Dixson, 2004; Yosso & Solórzano, 2002), and examined the development and policy positions of one specific coalition of grassroots parent, educator and community organizations, the NYS Allies for Public Education (NYSAPE). Specifically, I explored the ways in which the public-facing work of NYSAPE addressed (or ignored) race and/or racism in their efforts to resist high-stakes testing, as well as how NYSAPE’s public stances affirm and reinforce white privilege and power.

To frame and contextualize the organization’s work and the development of the opt-out movement in New York State, I include a brief overview of New York State assessment history. I integrate my personal experiences with the movement, my connections to it as a self-identified Black Puerto Rican woman who has experienced attempts to be tokenized by the movement. I conclude with a discussion of the need for movement and school leaders to engage in critical race work.

CRITICAL RACE THEORY: AN OVERVIEW

CRT emerged in the early 1970s out of the field of critical legal studies and radical feminism (Delgado & Stefancic, 2017). Derrick Bell and other legal scholars recognized that the significant legal victories that had marked the previous two decades were not having the intended impact of rolling back centuries of racism in America. Rather, they argued, the law could not provide safe haven when racism was so deeply embedded into the structures of our institutions. For these scholars, the 1954 *Brown v. Board of Education* decision was a reminder that juridical victories were short-lived; history was already showing that the decision would be essentially nullified through creative legal noncompliance by local municipalities. Desegregation scholars like Horsford (2011) have long detailed efforts by schools to sidestep mandates to integrate schools, including redrawing district lines. Thus, CRT was born as a theoretical tool to help unpack and anticipate the ways that racism was omnipresent in U.S. society, including the field of education, writ large. Below, I provide an overview of the major tenets of CRT, including two that are particularly salient to the present study (i.e., interest convergence and race as a social construction that has implications regarding power).

One of the primary features of CRT includes, foremost, an acknowledgment of the permanence of racism; that is, it is real and pervasive in society. It is not merely isolated to the high-profile cases or periods in our history that indisputably point to racist acts or racism in our society. Rather, it is part of the normal way of operating in our country, not aberrational. A failure to acknowledge this primary tenet limits us to addressing only the most egregious and obvious acts of racism, distracting us from the fact that racism permeates all of our institutions.

Another tenet of CRT is the value of *counter* stories to provide an alternative to dominant (white) narratives that have historically served to maintain racial inequality. Besides providing a counter-narrative, counterstorytelling also gives voice to historically marginalized people whose own experiences with oppression are often absent from representations of “truth.” Moreover, hearing the stories can be a powerful tool that can disrupt the dysconscious racism that is prevalent in society by providing alternate perspectives and experiences to counter the construction of one version of reality (Ladson-Billings & Tate, 1995).

Of particular relevance to the present study, a third feature of CRT is the concept of “interest convergence,” which posits that racism is both materially and psychically beneficial to whites (Delgado & Stefancic, 2017; C. I. Harris, 1993) and, as such, dismantling racist structures is *disincentivized*. Instead, legal recourse or redress only happens when so doing

benefits whites, even after a great deal of effort on the part of marginalized groups. Bell's argument was that cases like *Brown v. Board of Education* had very little to do with moral outrage about segregation and more to do with the self-interest of elite whites who were concerned with the international image and reputation of the United States. Desegregation efforts, then, were essentially about saving face, not righting a wrong.

A final premise of CRT, also relevant to this study, is that race is socially constructed, not a biological determinant. This construction serves the purpose of advancing a false narrative of a genetically determined racial hierarchy that reinforces notions of white superiority over all other races. It is important to note that an acknowledgment that "race" is a social construct in no way diminishes the very real and concrete ways that race as a concept has been legitimized and transformed into power and privilege in both material and social frames. C. I. Harris (1993) notes,

Whites have come to expect and rely on these benefits, and over time these expectations have been affirmed, legitimated, and protected by the law. Even though the law is neither uniform nor explicit in all instances, in protecting settled expectations based on white privilege, American law has recognized a property interest in whiteness that, although unacknowledged, now forms the background against which legal disputes are framed, argued, and adjudicated. (p. 1713)

"Whiteness" has afforded whites, wittingly or not, with the privilege of shaping the way everyday life unfolds in ways that further the status and position of white people (Gillborn, 2013).

CRT IN EDUCATION

Given the ubiquity of racism (Bell, 1992), CRT scholars in education have long argued that research must start with the premise that institutionalized and systematic racism are woven into the fabric of educational policy and, by extension, in the responses to policy (Ladson-Billings, 1998; Ladson-Billings & Tate, 1995). Of particular import is examining the extent to which policy and resulting pushback is grounded primarily in the interests of whites. As Gillborn (2013, 2019) notes, white privilege and power permeates all aspects of society, leading to systemic policies that maintain the white dominance status quo, often at the expense of communities of color. Not surprisingly, the notion that whites are most likely to advocate for equity causes on behalf people of color only when it is in their own best interest to do so, or "interest convergence" (Bell, 1980, 1992; Ladson-Billings & Tate, 1995), is of particular import. It is

only when the interests of the oppressed converge with those of whites that a common cause will be pursued.

This is true of educational policy, which is, as Milner (2008) argues, often driven by the needs and interests of white students and their families. In the same vein, grassroots reform efforts targeting harmful educational policies like high-stakes tests must be examined through the lens of interest convergence in order to better understand the motivations at the heart of the movement. As López (2003) reminds us, “many times, we miss opportunities to identify and name racism, largely because we do not see it in the work we do and/or because our respective lenses are not attuned to recognizing it in our daily lives” (p. 86). Naming the privilege and power in the opt-out movement that is born out of racism is crucial to understanding the limits and possibilities for achieving equity through this kind of activism and reform.

CRITICAL RACE THEORY AS METHOD

Grounded in CRT, my methodological approach was based on the premise that racism is pervasive in all aspects of life and, as such, it should be central to my line of inquiry (DeCuir & Dixson, 2004; Yosso & Solórzano, 2002). To that end, my analysis of the data explicitly examined the extent to which NYSAPE, and by extension the organizations it represented, centered issues of race and the impact of racism on students of color in their advocacy and activism around testing and the opt-out movement. Given that the organization’s steering committee includes representatives from various groups, including the New York City-based organization Change the Stakes (CtS), Long Island Opt-out, and other groups from central and upstate New York, NYSAPE’s positions can reasonably be considered as generally representative of the platforms of allied organizations. While not representative of all opt-out coalitions, the nature of NYSAPE and its prominence in national opt-out discourse makes it a case that is worthy of study (Yin, 2013).

Drawing from the publicly available information on NYSAPE’s website, I downloaded, read and systematically coded the organization’s press releases ($n=51$) spanning from August 2013 to March 2017, the period during which this study was undertaken, drawing from the traditions of qualitative research methods (Miles et al., 2013). As I was explicitly interested in the extent to which the organization foregrounded issues of race and racism in alignment with CRT, those two words formed the start list of codes (Saldaña, 2012). I deductively coded for concepts and themes explicitly related to *race* and *racism* (Miles et al., 2013). In the second round of coding, I looked for themes related to the demands of the organization

and the rationale for their demands. Finally, using the search feature on NYSAPE's website, I looked for explicit references to *race* and *racism*. I focused on these terms, specifically, because using the word "race," albeit a social construct, implies a basic awareness of difference among groups of people and its related power dynamics. The term "racism" implies an understanding of the ways that institutions and systems work to create and reproduce inequality and inequity between whites and people of color.

To be clear, the goal of this research was to better understand how NYSAPE *explicitly* engaged in race work. As such, terms like "diversity," "multicultural," and similarly benign substitutes for race were not included as codes. In short, the analysis of the extant data was unapologetically in alignment with the research questions focused on race and racism in the traditions of CRT. The research questions guiding the study were: 1) In what ways has the public-facing work of NYSAPE addressed (or ignored) race and/or racism in their efforts to resist high-stakes testing? 2) In what ways do their public stances affirm and reinforce white privilege and power? Although focusing on public documents provides a great deal of insight into the organization, further research might include interviews with leaders of NYSAPE and allied activists, including individuals who frequently lend their words to press releases.

RESEARCHER STANCE

My interest in the opt-out movement is very much a personal one. I have three children who attend New York State public schools where high-stakes tests are routinely given. My understanding of the harmful impact of punitive testing policies on students, educators and schools is informed by my positionality as a person of color who is both a parent and a researcher who works closely with underserved urban schools. While I have opted my own children out of the state tests, as a person of color, I am acutely aware that not all communities have the social capital to withstand the pressures and potential pitfalls of so doing. For example, many New York City middle and high schools consider students' results on state English language arts (ELA) and math exams as part of their admission criteria, and others use the scores to determine placement in accelerated classes. While there are exceptions to this rule, those options are limited. My interest in the opt-out efforts stems from my experiences working with and giving presentations to white people *within* the movement who, from my experiences, seemed unaware of the need to examine their own power and privilege in choosing to opt-out.

STANDARDIZED TESTING IN NYS: A BRIEF HISTORY

Beginning in 1999, New York State began administering ELA and math assessments to all 4th and 8th graders, and this policy continued until 2006, when the assessments were administered to students in grades 3–8 (New York State Education Department, n.d.). The ELA exam was 75 minutes in length, while math was 85 minutes. Shortly after the Common Core State Standards (CCSS) were implemented in June 2010, New York State was awarded nearly \$700 million in federal Race to the Top grant (RTTT) funding (Medina, 2010). Like other states, in exchange for the grant NYS committed to linking teacher evaluations to standardized assessments aligned with the CCSS. By the following year, the ELA and math test times were increased to over 100 minutes and, as a result of new state education regulations, teacher and principal evaluations were based, in part, on the state assessments (New York State Education Department, 2012). Beginning in 2013, the assessments were CCSS-aligned, had increased in length to 270 minutes and were administered over a period of three consecutive days.

As the shifts in NYS educational policies driven by RTTT began to take shape in 2010, grassroots parent, educator and community organizations across the state began organizing in response to the increases in the administration and length of the ELA and math exams (Solnik, 2015). By spring 2013, at the same time the tests were aligned to CCSS and had increased substantially in length, roughly 10,000 students were reported to have opted out of the state exams (NYS Allies for Public Education [NYSAPE], 2014). Organizations across the state, led by parents, school leaders, teachers and community members, began emerging in opposition to state accountability policies. Finally, in August 2013, after the first NYS CCSS-aligned assessments were administered, NYSAPE was formed as an umbrella organization comprising over forty-five groups from all over the state (NYSAPE, 2013).¹ The press release announcing the formation of NYSAPE opened with a call to action to protest the NYS Commissioner of Education's appearance at a Rochester public school (NYSAPE, 2013).

Nearly three years later in Spring 2016, over 200,000 NYS parents refused to allow their children in grades 3–8 to take the ELA and math assessments (Ravitch, 2016). This number represents a tremendous growth in the opt-out movement in New York State, given that refusal numbers had totaled only 10,000 just three years before (Doran, 2015). This increase can likely be attributed to heightened efforts by NYSAPE and their allied organizations' grassroots organizing methods via social media and town hall events to inform other parent communities about their view of the harms of NYS assessment policies. Still, the growth in opt-out numbers continued to represent an overwhelmingly white, middle-class majority. While some of the

opt-outs were concentrated in New York City, a large majority were from white communities in Long Island, Westchester County and districts across upstate New York that were middle to upper class. Although 20% of students were opted out of NYS ELA and math statewide in 2015, in New York City, where roughly 67% of the student body is Black and Latinx, only 1.4% of students opted out (Harris & Taylor, 2016). Here, too, the numbers were similar to statewide and national data on test refusals (Pizmony-Levy & Green Saraisky, 2016): those opting out were generally concentrated in whiter and more affluent parts of the city.

Chatter in a few opt-out email groups to which I belonged suggested that local NYC organizers, in particular, were recognizing that they needed to increase opt-out numbers in Black and Latinx communities, and efforts to explicitly engage communities of color at the margins began to take shape in 2014. These efforts were aimed at increasing the number of families of color opting out of high-stakes tests. In informal conversations I had with NYC organizers, there seemed to be an understanding that the movement was perceived to be a “white” movement, rather than a child-centered effort to address flawed educational policies. At around this time, I was asked to speak on a panel at an event sponsored by the Network for Public Education, an organization run by Diane Ravitch, a now-outspoken critic of standardized testing and CCSS. The panel was chaired by Dr. Carol Burris, a white woman who was then the principal of a majority white high school in Long Island and who was also a vocal opponent of the CCSS and NYS testing policies. In my talk, I directly addressed the issue of power and privilege in the opt-out movement and challenged the audience, and the movement and school leaders in particular, to consider how they might be complicit in perpetuating inequality in their resistance to the tests (Rivera-McCutchen, 2014). At one point in the speech, I highlighted the fact that the event was being held in the gentrified Brooklyn community of Carroll Gardens, rather than in the Bronx or in other historically marginalized communities, where testing policies had long been harmful. Students of color and the schools they attend have so often been subject to many of the same consequences bred by test-and-punish policies—including the loss of visual arts, music and play to support more test prep—long before they reached suburban white communities. Yet there had been no high-profile groundswell of support for those communities in years prior or in the current opt-out efforts.

The talk was well received, and I began to receive invitations to meet to discuss diversifying the movement within New York City. At one point, I was asked to broker a space at my institution, Lehman College, which is located in the Bronx, for an opt-out informational event, the goal of which was to get the word out among Black and Latinx parents about their right to refuse the tests. Along with Bronx principal Jamaal Bowman,

a Black man who had attended New York City public schools for most of his youth, I assisted in coordinating the event, and the opt-out leaders reached out to parents of color who had opted their children out to speak to the audience. In addition, Bowman and I spoke to the group, drawing from our perspectives as parents of color and professionals in the field. We highlighted the dilemmas faced by schools in communities of color, in particular acknowledging that opting out might lead to the loss of already scarce resources. Fundamentally, the “stakes” for schools in Black and Latinx communities were higher than those in primarily white and wealthier communities where families could supplement the loss of funding or, even more likely, exercise their considerable social capital to buffer schools from harm. Further, we noted that standardized tests frequently presented access to otherwise limited opportunities for academic advancement. In addition to the outreach meeting in the Bronx, email chatter on opt-out email listservs to which I belonged began to highlight the need to do outreach in communities of color across the city.

Some individuals within the movement, including members of “NYC Opt-out,” which is based in New York City, were able to articulate a broader racial analysis in the context of high-stakes testing. Some understood the complex issues of power that existed within wealthier and whiter communities in NYC, like Park Slope, Brooklyn, where parents could tap into their considerable social capital to resist testing, in contrast to other low-income communities and communities of color, where the perception was that schools had the power to demand that students take the tests. However, while some individuals within the movement, particularly those based in New York City, were able to articulate a broader racial analysis in the context of high-stakes testing, the broader movement within NYS, widely acknowledged to be represented by NYSAPE, was largely silent on the issues of race and racism.

THE OPT-OUT MOVEMENT IN NYS AND THE DEAFENING SILENCE OF WHITE PRIVILEGE

As noted earlier, NYSAPE emerged as a grassroots organization whose mission included resistance to high-stakes testing in NYS. In their inaugural statement documenting the formation of the group, NYSAPE leaders declared, “Organizations from every region of the state have now joined forces to oppose these exams, the time and money spent preparing, giving and scoring them, and the invalid results, which one Long Island superintendent recently said were so unreliable he would ignore them” (2013, para. 9). Their website’s “Who We Are” section includes the following statement about the organization:

NYS Allies for Public Education are parents, educators and community members who firmly believe in the power of public education and its fundamental link to the success of a thriving community and a transparent, democratic government. We believe excessive testing and inappropriate sharing of private student data without parent consent threaten the future of our students, our schools, and our state. While meaningful assessments are an essential component of a world-class education, the NYS Common Core standardized assessments are aligned with unproven reforms neither supported by vigorous research nor vetted by educators and parents. (n.d.-a, paras. 1–3)

As NYSAPE’s inaugural press release and “Who We Are” statement makes clear, the issues that are important to the organization are the importance of public education, student privacy, and over-testing.

Although a significant historical body of research points to the harms brought about by high-stakes testing, especially in communities of color (Au, 2016; McNeil et al., 2008; Vasquez Heilig & Darling-Hammond, 2008), a review of the NYSAPE materials generated between 2013–17 clearly demonstrates that the impact of testing on Black and Latinx students was not explicitly identified as a central concern or area of focus. In fact, explicit mentions of *race*, or possible proxies for the term like *students of color* and *ethnicity*, were only found in 6 of the 51 press releases comprising over one hundred pages. In all but one of those instances, the press releases were quoting individuals who raised the issue of race. For example, an April 1, 2016 NYSAPE press release titled, “Next Fall School Districts Will Lose State Aid if Flawed Teacher Evaluation Plans That Drive More Testing Are Not in Place—Andrew Cuomo Refuses to Fix His Own Mistake” opens with the following statement:

Despite the backlash and outcry of hundreds of thousands of parents across the state against the fatally flawed test and punish law forced into last year’s budget by the Governor, Cuomo and the Senate Majority refused to delink the financial consequences for this harsher plan in today’s budget bills. After the current State Education Department waiver expires, tests this upcoming Fall will increase to 50% of teacher and principal evaluations. (2016a, para 1)

Highlighting flaws in the NYS policy that temporarily waived the linking of test scores with teacher, principal and school evaluations, the press release continued:

While the Board of Regents put a “temporary” emergency moratorium to delink just the “state” tests scores from teacher and principal evaluations, it remains that teachers and principals will STILL be evaluated based on student test scores which will increase to 50% this Fall. This essentially is a “no moratorium” moratorium. (para. 3)

Among individuals quoted in the press release, Jamaal Bowman, the Black Bronx middle school leader discussed earlier shared: “Continuing to drive education on these failed reforms is ‘educational malpractice.’ Educational gaps by race are widening in this test and punish culture as it continues to strip teachers of the ability to meet the holistic needs of their students” (para. 7). In this press release, where a school leader specifically highlights the damaging effects of testing in communities of color, the organizational voice is silent on the impact of the testing policies on race, focusing solely on issues related to the broader community. This is an example of the how white privilege allows the NYSAPE to discuss policy while ignoring the pervasiveness of racism in policy decision and impacts (Gillborn, 2013).

The single time NYSAPE published a press release that directly mentioned race without quoting a source like Mr. Bowman came directly after the November 2016 presidential election. The opening paragraph states the following:

Considering last week’s historic election and ensuing reports of bullying, harassment, and intimidation, NYSAPE reaffirms its commitment to public schools where all children feel safe, no matter their race, gender, religion, sexual orientation, nationality, socio-economic status, disability, or immigration status. We remain committed to child-centered and equitable public education for all students and maintain that children thrive best in inclusive communities and schools where they feel that they and their families are not only safe, but valued and respected. This vision for inclusive and equitable public schools requires that each of us call out intolerance and injustice and stand with those most affected by the various forms of oppression. (2016b, para. 1)

Here, NYSAPE explicitly mentions race by asserting the organization’s commitment to safeguarding the safety all students, regardless of their backgrounds. They highlight the need for “inclusive and equitable schooling”; however, this statement falls flat given that discussions of race are virtually absent from their earlier—and subsequent—press releases. Further, noting that the organization was “reaffirming” its commitment to equity suggested an existing commitment that was not evident in the documents

I reviewed. Significantly, since race is mentioned in this context alongside a lengthy list of several other identity markers, the mention of race at all is somewhat neutralized.

The lack of explicit attention to *racism* is even more illuminating because it underscores NYSAPE's failure to focus on systemic racial oppression in education. In fact, the only mention of racism on the website is found in the text describing the mission of an allied organization, the Alliance for Quality Education (AQE). A portion of their description reads as follows:

[AQE] is a coalition mobilizing communities across the state to keep New York true to its promise of ensuring a high-quality public school education to all students regardless of zip code. AQE is working to end the systemic racism and economic oppression in New York's public schools that continues to shortchange generations of Black, Brown, low-income and immigrant students. (NYSAPE, n.d.-b, "Statewide" tab, para. 1)

In stark contrast to NYSAPE's description of its organization, AQE calls out systemic racism explicitly and powerfully, placing it at the center of their platform. Yet, even though this is an allied organization, there is no evidence from the press releases or the NYSAPE website that AQE was asked to do more than lend their name to NYSAPE's list of allies. In fact, AQE staff members were not quoted in any of the press releases spanning from August 2013 to March 2017 that I examined.

Although promoting racial equity and justice may not have been a central goal of the organizers of the opt-out movement, that they were unaware of how their power and privilege might actually reinforce educational inequities for marginalized racial groups underscores the importance of shining a light on how racism exists in seemingly race neutral contexts (Gillborn, 2010, 2019; López, 2003). As Gillborn (2013) notes, "White supremacy is understood not in terms of the crude and obvious fascistic groups that operate at the fringe of capitalist societies but as a system of taken-for-granted beliefs and practices that saturate the everyday mundane reality of society, supporting and extending the dominant position of White people" (p. 478).

Rather than centering the work of the opt-out movement on the disparate and inequitable consequences of high-stakes testing policies, the data suggests that NYSAPE's concern with race was essentially nonexistent. There was no evidence of more than a cursory or passing commitment to explicitly address race and, most importantly, structural racism.

Further, the trends within the opt-out organizations' enlistment of supporters in communities of color in the last year, given their lack of

attention to matters of race from the onset, is a prime example of interest convergence (Bell, 1980; Milner, 2008). Opt-out organizers' very limited efforts to build a more inclusive base did not appear to be grounded in a genuine attention to understanding and addressing fundamental inequities in educational policy that predated the implementation of high-stakes accountability frameworks. They only addressed it loosely when doing so benefited the movement's efforts to increase their size and legitimize their efforts in the face of critiques about their overwhelming whiteness. Interest in galvanizing the Black and Latinx communities seemed to be rooted in an interest in bolstering their numbers, and not in engaging authentically with the specific needs and concerns of those communities and their unique relationship with high-stakes testing.

CONCLUSION AND IMPLICATIONS

In November 2013, then-Secretary of the U.S. Department of Education Arne Duncan infamously said the following in a speech delivered to school superintendents: "It's fascinating to me that some of the pushback is coming from, sort of, white suburban moms who—all of a sudden—their child isn't as brilliant as they thought they were" (Strauss, 2013). Not surprisingly, the backlash was instantaneous, and he apologized. Yet, Duncan's call out was only slightly off the mark. It was, in fact, noteworthy that the white suburban moms were only activated to resist the excessive test and punish policies when the harms of strict accountability policies, long a scourge in marginalized communities, were finally visited upon predominantly white and middle- to upper-class schools. It was only then that the same policies were called into question.

To be clear, and as noted earlier, research has indeed suggested that these organizers' concerns about the tests are well-founded; heightened accountability policies that rely heavily on high-stakes tests do little to improve the educational experiences of students (Darling-Hammond, 2010; Ravitch, 2014). From an equity perspective, resistance to high-stakes tests is, in fact, worthwhile because of the deleterious effects these policies have on historically marginalized communities who have limited access to the critical resources that might yield improved outcomes (Thompson & Allen, 2012; Vazquez Heilig & Darling-Hammond, 2008). Still, regardless of the potential merits of the resistance to high-stakes exams for communities of color, the evidence here suggests that NYSAPE's resistance had little or nothing to do with redressing racial injustices or inequity in schooling practices. Interest in galvanizing support from communities of color seemed to have been grounded in a desire to combat perceptions that this was a "white" movement, rather than movement organizers'

reflection about their prior lack of inclusion and attention to the long-standing needs and challenges of communities of color.

Going forward, leaders within the opt-out movement, particularly in predominantly white and middle- to upper-class communities, have to examine their complicity in perpetuating inequities when they fail to integrate a racial analysis in their resistance. They must be called out on their silence when it comes to matters of race and racism, or else the movement reinforces the structural inequalities that permeate our schools. White school leaders, especially those who are vocal in their support of the opt-out movement, have a responsibility to engage their communities in the work of analyzing the structures, policies, and procedures within their schools and educational policy, beyond testing, through a critical race lens (Horsford, 2014). Finally, organizations like NYSAPE, that wield so much power, must be pushed to take a more liberatory stance so that all children might have equitable opportunities. Leaders of NYSAPE and similar organizations must resolve to enact resistance in ways that will cross the boundaries of their own communities in order to engage in the kind of equity work that can counter the impact of systemic and institutional racism.

While this study is limited in that it focuses solely on examining the press releases of one opt-out organization over a specific timeframe, it is a useful example for how employing a CRT framework to analyze a grassroots movement can be a powerful tool for moving organizers to engage in race work, especially when movement organizers seek to engage communities of color. There would be value in interviewing key leaders in NYSAPE and observing NYSAPE-sponsored activities to assess if race is featured in the operations of the organization in ways that were not evident in the present analysis. Further, while my personal experiences in closed groups informed my positionality and understanding of the limitations of the movement, systemic analysis of the opt-out email and social media outlets should be undertaken.

NOTE

1. At the time of this study, NYSAPE indicated that their allies numbered over 50.

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REFERENCES

- Amrein, A. L., & Berliner, D. C. (2002). High-stakes testing, uncertainty, and student learning. *Education Policy Analysis Archives*, 10(18). <https://doi.org/10.14507/epaa.v10n18.2002>
- Amrein, A. L., & Berliner, D. C. (2003). The effects of high-stakes testing on student motivation and learning. *Educational Leadership*, 60(5), 32–33.
- Au, W. (2011). Teaching under the new Taylorism: High-stakes testing and the standardization of the 21st century curriculum. *Journal of Curriculum Studies*, 43(1), 25–45. <https://doi.org/10.1080/00220272.2010.521261>
- Au, W. (2016). Meritocracy 2.0: High-stakes, standardized testing as a racial project of neoliberal multiculturalism. *Educational Policy*, 30(1), 39–62. <https://doi.org/10.1177/0895904815614916>
- Bell, D. A. (1980). *Brown v. Board of Education* and the interest-convergence dilemma. *Harvard Law Review*, 93, 518–533. <https://doi.org/10.2307/1340546>
- Bell, D. A. (1992). *Faces at the bottom of the well: The permanence of racism* (Reprint ed.). Basic Books.
- Darling-Hammond, L. (2010). *The flat world and education: How America's commitment to equity will determine our future*. Teachers College Press.
- DeCuir, J. T., & Dixon, A. D. (2004). “So when it comes out, they aren’t that surprised that it is there”: Using critical race theory as a tool of analysis of race and racism in education. *Educational Researcher*, 33(5), 26–31. <https://doi.org/10.3102/0013189x033005026>
- Delgado, R., & Stefancic, J. (2017). *Critical race theory: An introduction* (3rd ed.). NYU Press.
- Doran, E. (2015, April 16). NYS opt-out stats by district (search): At least 155,000 don't take tests. Syracuse.com. https://www.syracuse.com/schools/index.ssf/2015/04/opt-out_movement_in_state_reports_participation_more_than_doubled.html
- Ferrette, C. (2016, March 10). Common Core foes plan “Opt Out, Shop Out” at Roosevelt Field. *Newsday*. <https://www.newsday.com/long-island/education/common-core-foes-plan-opt-out-shop-out-at-roosevelt-field-1.11561347>
- Gillborn, D. (2010). Reform, racism and the centrality of whiteness: Assessment, ability and the “new eugenics.” *Irish Educational Studies*, 29(3), 231–252. <https://doi.org/10.1080/03323315.2010.498280>
- Gillborn, D. (2013). Interest-divergence and the colour of cutbacks: Race, recession and the undeclared war on Black children. *Discourse: Studies in the Cultural Politics of Education*, 34(4), 477–491. <https://doi.org/10.1080/01596306.2013.822616>
- Gillborn, D. (2019). Hiding in plain sight: Understanding and addressing whiteness and color-blind ideology in education. *Kappa Delta Pi Record*, 55(3), 112–117. <https://doi.org/10.1080/00228958.2019.1622376>
- Harris, C. I. (1993). Whiteness as property. *Harvard Law Review*, 106(8), 1707–1791. <https://doi.org/10.2307/1341787>
- Harris, E. A., & Taylor, K. (2016, April 6). Big question on state tests: How many will opt out this year? *The New York Times*, p. A20.
- Horsford, S. D. (2011). *Learning in a burning house: Educational inequality, ideology, and (dis) integration*. Teachers College Press.
- Horsford, S. D. (2014). When race enters the room: Improving leadership and learning through racial literacy. *Theory Into Practice*, 53(2), 123–130. <https://doi.org/10.1080/00405841.2014.885812>
- Ladson-Billings, G. (1998). Just what is critical race theory and what's it doing in a nice field like education? *International Journal of Qualitative Studies in Education*, 11(1), 7–24. <https://doi.org/10.1080/095183998236863>

- Ladson-Billings, G., & Tate, W. F. I. (1995). Toward a critical race theory of education. *Teachers College Record*, 97(1), 47–68.
- López, G. R. (2003). The (racially neutral) politics of education: A critical race theory perspective. *Educational Administration Quarterly*, 39(1), 68–94. <https://doi.org/10.1177/0013161X02239761>
- McNeil, L., Coppola, E., Radigan, J., & Vasquez Heilig, J. (2008). Avoidable losses: High-stakes accountability and the dropout crisis. *Education Policy Analysis Archives*, 16(3). <https://doi.org/10.14507/epaa.v16n3.2008>
- Medina, J. (2010, August 24). New York wins Race to the Top grant. *City Room*. <https://cityroom.blogs.nytimes.com/2010/08/24/new-york-wins-race-to-the-top-grant/>
- Miles, M. B., Huberman, A. M., & Saldaña, J. (2013). *Qualitative data analysis: A methods sourcebook* (3rd ed.). SAGE Publications, Inc.
- Milner, H. R. (2008). Critical race theory and interest convergence as analytic tools in teacher education policies and practices. *Journal of Teacher Education*, 59(4), 332–346. <https://doi.org/10.1177/0022487108321884>
- New York State Education Department. (n.d.). *Timeline and history of New York State assessments*. <http://www.p12.nysed.gov/assessment/timeline-historyrev.pdf>
- New York State Education Department. (2012, October 17). *New York State teacher and principal evaluation 2012–13 and beyond*. <https://www.engageny.org/resource/summary-of-revised-appr-provisions-2012-13-the-purple-memo/file/401>
- NYS Allies for Public Education. (n.d.-a). *About us*. <https://www.nysape.org/about-us.html>
- NYS Allies for Public Education. (n.d.-b). *Our allies*. <https://www.nysape.org/allies.html>
- NYS Allies for Public Education. (2013, August 23). *Education advocacy groups from across New York unite to form NYS Allies for Public Education* [Press release]. <https://nysape.org/education-advocacy-groups-from-across-new-york-unite-to-form-nys-allies-for-public-education/>
- NYS Allies for Public Education. (2014, August 14). *Parents and educators reject the tests, the scores and corporate agenda of NYSED and Pearson* [Press release]. <https://nysape.org/parents-and-educators-reject-the-tests-the-scores-and-corporate-agenda-of-nysed-pearson/>
- NYS Allies for Public Education. (2016a, April 1). *Next Fall school districts will lose state aid if flawed teacher evaluation plans that drive more testing are not in place—Andrew Cuomo refuses to fix his own mistake* [Press release]. <https://nysape.org/next-fall-school-districts-will-lose-state-aid-if-flawed-teacher-evaluation-plans-that-drive-more-testing-are-not-in-place-%e2%80%8bandrew-cuomo-refuses-to-fix-his-own-mistake/>
- NYS Allies for Public Education. (2016b, November 17). *The good, the bad, and the ugly—What does it mean for NYS public education and our country?* [Press release]. <https://nysape.org/the-good-the-bad-and-the-ugly-what-does-it-mean-for-nys-public-education-and-our-country/>
- Pizmony-Levy, O., & Green Saraisky, N. (2016). *Who opts out and why? Results from a national survey on opting out of standardized tests*. Teachers College, Columbia University. https://www.tc.columbia.edu/media/news/docs/Opt_Out_National-Survey—FINAL-FULL-REPORT.pdf
- Ravitch, D. (2014). *Reign of error: The hoax of the privatization movement and the danger to America's public schools* (Reprint ed.). Vintage.
- Ravitch, D. (2016, July 7). *Why the opt out movement is crucial for the future of public education*. HuffPost. https://www.huffingtonpost.com/diane-ravitch/opt-out-movement_b_10856550.html
- Rivera-McCutchen, R. L. (2014, October). Privilege and power in the movement to resist high stakes tests. *Living in Dialogue*. <https://www.livingindialogue.com/privilege-power-movement-resist/>

- Saldaña, J. (2012). *The coding manual for qualitative researchers* (2nd ed.). SAGE Publications Ltd.
- Solnik, C. (2015, August 3). Education's Erin Brockovich. *Long Island Business News*. <https://libn.com/2015/08/03/educations-erin-brockovich/>
- Strauss, V. (2013, November 16). Arne Duncan: "White suburban moms" upset that Common Core shows their kids aren't "brilliant." *The Washington Post*. <https://www.washingtonpost.com/news/answer-sheet/wp/2013/11/16/arne-duncan-white-surburban-moms-upset-that-common-core-shows-their-kids-arent-brilliant/>
- Thompson, G. L., & Allen, T. G. (2012). Four effects of the high-stakes testing movement on African American K–12 students. *The Journal of Negro Education*, 81(3), 218–227. <https://doi.org/10.7709/jnegroeducation.81.3.0218>
- Vasquez Heilig, J., & Darling-Hammond, L. (2008). Accountability Texas-style: The progress and learning of urban minority students in a high-stakes testing context. *Educational Evaluation and Policy Analysis*, 30(2), 75–110. <https://doi.org/10.3102/0162373708317689>
- Yin, R. K. (2013). *Case study research: Design and methods* (5th ed.). SAGE Publications, Inc.
- Yosso, T. J., & Solórzano, D. G. (2002). Critical race methodology: Counter-storytelling as an analytical framework for education research. *Qualitative Inquiry*, 8(1), 23–44. <https://doi.org/10.1177/107780040200800103>

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