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Falling through the cracks of education: a comparative analysis of Canada's and the United States' use of standardized testing within the realm of public education

Micaela Baldner
University of Miami School of Law

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**FALLING THROUGH THE CRACKS OF EDUCATION: A COMPARATIVE
ANALYSIS OF CANADA'S AND THE UNITED STATES' USE OF
STANDARDIZED TESTING WITHIN THE REALM OF PUBLIC
EDUCATION**

*Micaela Baldner**

ABSTRACT

The education system is foundational to society. Public education is based on the concept of equal educational opportunities for all. Although the purpose of standardized testing is the elimination of bias to prevent certain segments of society's students from receiving unfair academic advantages, there is little empirical verification that suggests that standardized testing actually achieves its intended purpose. In fact, the evidence indicates that standardized testing negatively impacts low-income, marginalized, and English-learning students, as achievement gaps for these groups have remained the same or have even grown with the increased use of such tests. This article will discuss the intended goals of standardized testing and their direct implications on the United States' and Canada's public education systems. Moreover, the article will compare the United States' implementation of both President George W. Bush's No Child Left Behind Act and President Barack Obama's Every Student Succeeds Act to Ontario's creation of the Education Quality and Accountability Office and Alberta's implementation of Student Learning Assessments. Lastly, this article will argue that an education system that relies heavily on standardized testing to measure student achievement is conditioning students to become less creative and more automated, ultimately stagnating the development of young students' critical thinking skills.

* J.D. Candidate, Class of 2022, University of Miami School of Law; B.S. 2018, Nova Southeastern University. I would like to thank my mother for her unconditional love and support. This Note is particularly dedicated to my beloved students.

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1. INTRODUCTION

The concept of equality is fundamental to American democracy. The Declaration of Independence's statement that all men—and women—are created equal¹ laid the foundation for the belief that American citizens merit equal opportunities to participate in the creation and development of the country's democracy. The concept of equal opportunity becomes tangible as citizens attempt to obtain equal access to opportunities that would allow them to participate in the development of democracy and all the rights that derive from it. Accordingly, one of the main objectives of American public education is to prepare students to be productive individuals within a democratic form of government.² Within this premise,

¹ THE DECLARATION OF INDEPENDENCE para. 1 (U.S. 1776).

² Valerie Strauss, *What's the purpose of education in the 21st century?*, WASH. POST (Feb. 12, 2015 at 5:00 AM EST), <https://www.washingtonpost.com/news/answer-sheet/wp/2015/02/12/whats-the-purpose-of-education-in-the-21st-century/>.

however, a system that relies heavily on standardized testing undermines the importance of protecting diversity, inclusion, and creativity by transforming a well-rounded education into a competitive pursuit of competent numbers. Moreover, the marginalization of disadvantaged communities who do not have adequate means to prepare for standardized tests—e.g., the student who cannot stay after school because she has to take care of her younger siblings and/or can only obtain a ride home via school bus—leads to the formation of a socially polarized democracy where socioeconomically advantaged individuals are granted easier access to certain material privileges while the disadvantaged succumb to the effects of covert marginalization. As a result, in the presence of social disparity, it is evident that the initial yearning for equal access to democratic participation and its fruitful outcomes dissipates for the less privileged. As a matter of fact, the recent downfalls of the American public education system are reflected in the effects of two federal education laws passed in recent decades: President George W. Bush's *No Child Left Behind Act* and President Barack Obama's *Every Student Succeeds Act*.

In Part I, this article will discuss the history of public education in the United States. Part II will discuss the implementation and subsequent effects of President George W. Bush's *No Child Left Behind Act* as well as President Barack Obama's *Every Student Succeeds Act*. Part III will analyze the implementation and subsequent effects of Ontario's Education Quality and Accountability Office as well as Alberta's Student Learning Assessments. Lastly, Part IV will conduct a comparative analysis of the use of standardized testing in both Canada and the United States in order to demonstrate how a system that relies heavily on standardized testing to measure student achievement is conditioning students to become less creative and more automated, ultimately compromising such students' development of critical thinking skills during particularly formative years.

I. THE HISTORY OF PUBLIC EDUCATION IN THE UNITED STATES

A. Pre-Twentieth Century Pleas for Public Education

The Constitution does not explicitly authorize the federal government to contribute to the creation or implementation of public education.³ George Washington, however, argued in favor of widespread access to public education as he believed that educating the next generations would lead to a more prosperous citizenry and overall union.⁴ Thus, Washington advised American leaders to promote institutions for the broad dissemination of knowledge. While several for-profit higher learning institutions had already been established, Washington argued in favor of a National University whose purpose would be to bring together the masses—rather than solely the elite—and foster a common national ethos.⁵ While Washington passed away in 1799, before the implementation of a prevalent public education system, American policymakers continued to advocate for a uniform education system in future decades.⁶

During the nineteenth century, American education transitioned from an entirely private and elitist venture into a more accessible public commodity.⁷ In fact, informal means of education such as apprenticeships and clergies helped fill in the gaps created by the absence of public schools.⁸ On the other hand, private academies only admitted those who could afford to attend them and even some “free” schools charged tuition.⁹ Moreover, during this period, many

³ David Boaz, *Education and the Constitution*, CATO INSTITUTE (May 1, 2006, 10:25 AM), [https://www.cato.org/blog/education-constitution#:~:text=A.,matter%20reserved%20for%20the%20states.&text=Rodriguez%20\(1973\)%2C%20the%20Court,protection%20under%20our%20Federal%20Constitution](https://www.cato.org/blog/education-constitution#:~:text=A.,matter%20reserved%20for%20the%20states.&text=Rodriguez%20(1973)%2C%20the%20Court,protection%20under%20our%20Federal%20Constitution).

⁴ Ted Brackemyre, *18th Century, 19th Century Education to the Masses*, U.S. HISTORY SCENE, <https://ushistoryscene.com/article/rise-of-public-education/>.

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

⁹ Grace Chen, *A History of Public Schools*, PUBLIC SCHOOL REVIEW (May 22, 2020), <https://www.publicschoolreview.com/blog/a-history-of-public-schools>.

schools required prospective students to be literate,¹⁰ which ultimately served to isolate less privileged children from the schooling system.

Following the War of 1812, Americans became more attentive to the nation's disproportionate education system.¹¹ This period not only brought peace to a nation that had been battling outsiders for years, but it also brought an influx of immigrants, ultimately leading to a period of urban population growth¹² that amplified the need for the public school system to integrate the children of wealthy Americans with those of immigrants and lower class Americans.¹³ Without a widespread and uniform education system, the lower class children, whose families depended on them to contribute to the household income, faced difficulties with social mobility when compared to more affluent children who did not need to work to support their families. Overall, education pioneers promoted education reform to enhance economic opportunities for all Americans while integrating citizens of diverse populations.¹⁴

B. Twentieth Century Pleas for Public Education

The American education system faced many challenges during the earliest years of the twentieth century. The average American child attended only a few years of formal schooling where only the most rudimentary grammar and mathematical skills were taught.¹⁵ The "common schools," a term devised by education reformer Horace Mann, were one-room buildings located in mostly rural communities and staffed by teachers with limited formal training.¹⁶ As a result, the most common teaching methods were memorization and repetition.¹⁷ Unlike the students in rural schools who were all grouped together

¹⁰ *Id.*

¹¹ Brackemyre, *supra* note 4.

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

¹⁵ Graham Warder, *Horace Mann and The Creation of the Common School*, VCU LIBRARIES (2015), <https://socialwelfare.library.vcu.edu/programs/education/horace-mann-creation-common-school/>.

¹⁶ Brackemyre, *supra* note 4.

¹⁷ *Id.*

from ages five to twenty,¹⁸ urban students were grouped according to age and had a longer school year.¹⁹ Although children had been educated under these conditions for decades, many progressive citizens began to realize that traditional schools were not proportionally serving all of its students.²⁰ Therefore, citizens increasingly demanded that American education be reformed in order to serve students of all classes and religions.

Moreover, many Americans were concerned that society was rapidly changing and that the nation's schools were failing to prepare students for the challenges ahead. For instance, in the 1920's, the nation's economy was drastically transformed by the age of mass production, which became central to the cultural changes that affected American society at that time.²¹ Large industrial corporations were gradually replacing agriculture and small manufacturing, which up to this point had been the most powerful economic pillars of the United States.²² As a consequence of the economic shift, rural populations gradually moved to the novel urban centers in search of employment. As a result, new urban workers were joined in the cities' factories by millions of immigrants, mostly from southern and eastern Europe, who fled their homelands in search of economic prosperity and religious freedom.²³ The lower classes were composed of uneducated Americans and non-English speaking immigrants.²⁴ The nation's leaders realized that in order to incorporate the millions of uneducated workers into the industrial workforce, they had to allocate resources to educate the masses and train them to perform skilled jobs.²⁵

As the desires of an evolving economy arose, American schools had to restructure their practices in order to accommodate the nation's needs. As a matter of fact, many education leaders modeled

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ Warder, *supra* note 15.

²¹ Kimberly Amadeo, *1920s Economy What Made the Twenties Roar*, THE BALANCE (Mar. 31, 2021), <https://www.thebalance.com/roaring-twenties-4060511>.

²² *Id.*

²³ Ran Abramitzky & Leah Boustan, *Immigration in American Economic History*, NCBI (Dec. 2017), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5794227/>.

²⁴ *Id.*

²⁵ *Id.*

their efforts after the standards set by successful corporations.²⁶ As such, more emphasis was placed on improving productivity and efficiency within individual learning departments and the connections between the nation's economic and learning institutions were strengthened so that schools could prepare individuals to succeed in a rapidly industrializing society.²⁷ In the early 1900s, vocational schools were founded across the nation to train students to enter industrial jobs upon graduation.²⁸ Although these institutions produced useful talent, those who opposed the use of such schooling argued that it was creating a profound division among social classes as students in vocational programs were much more likely to be from lower-income families with lower levels of education.²⁹ In fact, many educational scholars believed that the underlying role of vocational education was to segregate poor and minority students into occupational training programs in order to preserve the academic curriculum for higher-income students.³⁰

In the early 1900s, roughly 79% of all American children between the ages of five and seventeen were enrolled in schools.³¹ However, students spent a lot less time in school than they do today. For instance, in 1905, the average school year was 151 days long, and the average student attended school for merely 105 of those days.³² Looking to improve the attendance turnout, educators drove to increase class time and to create programs that could help students with special needs as well as non-English speaking immigrant students.³³ These programs were fruitful as they not only taught immigrants about the English language, but they also provided instruction regarding American customs and traditions, which served to facilitate the then-popular process of cultural assimilation.³⁴

²⁶ *Vocational Education*, BRITANNICA (July 20, 1998), <https://www.britannica.com/topic/vocational-education>.

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.*

³⁰ *Id.*

³¹ *The 1900s Education: Overview*, ENCYCLOPEDIA.COM, <https://www.encyclopedia.com/social-sciences/culture-magazines/1900s-education-overview>.

³² *Id.*

³³ *Id.*

³⁴ *Id.*

Another factor that positively influenced the quality of education was the progression toward the implementation of more rigorous standards when it came to the acquisition of instructors.³⁵ With the move toward mass production, this became critical in the first decade of the twentieth century as the economy was in need of a higher skilled workforce that had not been available to the nation as of yet.³⁶ However, despite these adaptations, many educators and policymakers stressed that traditional teaching methods were no longer useful as they did not take into consideration the evolving theories of child development. In fact, in the late nineteenth century, those who opposed traditional methods of education founded the movement known as progressive education.³⁷ This movement opposed the narrow and formal approach to early childhood education and argued for educators to take the “whole child” into consideration in order to foment physical, emotional, and intellectual growth.³⁸ Moreover, under this approach, students were encouraged to experiment, stimulate creativity, and learn how to think independently.³⁹

II. 21ST CENTURY AMERICAN FEDERAL EDUCATION LAWS

A. President George W. Bush’s No Child Left Behind Act

In 2002, Congress passed President George W. Bush’s *No Child Left Behind Act* (NCLBA).⁴⁰ Among other objectives, the NCLBA sought to revise Title I of President Lyndon B. Johnson’s Elementary and Secondary Education Act of 1965, which was a program created by the United States Department of Education to allocate funding to schools and school districts with a high percentage of low-income

³⁵ *Id.*

³⁶ *Id.*

³⁷ Matthew Lynch, *Educators: What The 20th Century Progressive Education Movement Did For You*, THE EDVOCATE (Sept. 2, 2016), <https://www.theedadvocate.org/educators-20th-century-progressive-education-movement/>.

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ See No Child Left Behind Act (NCLBA) of 2001, Pub. L. No. 107-110, § 101, Stat. 1425 (2001).

students.⁴¹ Specifically, Title I was designed to minimize the learning gap in the areas of Writing, Reading, and Mathematics between low-income students and their more affluent counterparts.⁴² However, despite its ambitious goals, Title I received hefty criticism from educators and society at large as empirical studies demonstrated that the program was not successful at minimizing the learning gap as a result of its allocation of financial resources.⁴³

Title I funding financed the appointment of teacher assistants as well as the creation of remedial classes for underprivileged students who typically came from single-family households or were the children of socioeconomically disadvantaged immigrants.⁴⁴ Unfortunately, although the intention behind the implementation of Title I was to provide additional support to students with low resources, it was common for such students to be removed from regular classrooms and be placed in less challenging academic environments with a weakened curriculum.⁴⁵ In 1994, President Clinton reauthorized Title I with the passage of *Improving America's School Act* (IASA).⁴⁶ With the IASA, Congress and President Clinton relied on standards-based reform—the concept that states should implement aspiring uniform academic standards and regularly evaluate students to measure their progress toward meeting those standards—in order to modify the existing Title I program.⁴⁷

Lawmakers emphasized that a standards-based approach would raise the academic bar by requiring all schools within a state to meet uniform standards while also promoting equity by requiring all students—rather than just those in privileged suburban schools—to

⁴¹ Elementary and Secondary Education Act (ESEA), Pub. L. No. 89-10, 79 Stat. 27 (1965).

⁴² *Id.*

⁴³ Alyson Klein, *No Child Left Behind: An Overview*, EDUCATION WEEK (Apr. 10, 2015), <https://www.edweek.org/policy-politics/no-child-left-behind-an-overview/2015/04>.

⁴⁴ James E. Ryan, *The Perverse Incentives of The No Child Left Behind Act* Vol. 79, 932, 937 (2004).

⁴⁵ *Id.* at 938.

⁴⁶ IASA § 6311(a)(1).

⁴⁷ Robert B. Schwartz et. Al., *Goals 2000 and the Standards Movement*, JSTOR (Nov. 3, 2000).

meet the same rigorous standards.⁴⁸ This modification was pivotal in education law because it solidified the notion that to receive Title I funds states had to generate challenging content for all students in core subjects such as Reading and Mathematics.⁴⁹ Moreover, states would be responsible for developing examinations that were in conformance with those standards and devising plans to abet as well as sanction non-abiding schools.⁵⁰ Under this approach, the federal government expected to ensure that states would be incentivized to hold all schools, and thereby students, accountable to equally challenging standards regardless of socioeconomic status among several other factors.

With similar considerations in mind, Congress passed the NCLBA to continue incentivizing schools to develop a challenging curriculum while eliminating the achievement gap among students of different backgrounds.⁵¹ To accomplish these goals, the NCLBA required states to establish “challenging” academic standards for all schools and to test all students regularly to ensure that they met the outlined standards.⁵² After testing, schools that received federal funding and failed to meet their targets faced increasingly harsh financial sanctions for every year that they failed.⁵³ Although the NCLBA’s goals were commendable, in application, it created financial incentives that increased socioeconomic segregation and pushed low performing students out of high performing schools.

Moreover, with the NCLBA, Congress placed a greater constraint on the states as it specifically delineated certain criteria in regards to testing, accountability, and teacher eligibility.⁵⁴ For instance, when it came to teacher employment, the NCLBA required that Title I schools only hire “highly qualified” teachers and that existing teachers demonstrate that they are “highly qualified” in order

⁴⁸ *Id.*

⁴⁹ *Id.*

⁵⁰ *Id.*

⁵¹ See No Child Left Behind Act (NCLBA) of 2001 § 1111, 20 U.S.C. § 6301 (Statement of Purpose).

⁵² NCLBA § 1111(b)(3).

⁵³ See NCLBA § 1116; see also Klein, *supra* note 43 (summarizing consequences for schools that miss the “adequate yearly progress” standards in consecutive years).

⁵⁴ Klein, *supra* note 43.

to continue with their terms of employment.⁵⁵ Within this realm, a teacher was considered to be highly qualified if he or she was licensed and demonstrated proficiency in his or her teaching subjects by either majoring in that subject matter in college or by passing a state exam that tested such teacher's knowledge in that subject matter.⁵⁶

Furthermore, as for standardized testing and accountability, the NCLBA required annual testing in Reading and Mathematics in grades three through eight, whereas, previously, the IASA required testing in those subject areas merely three times in a student's academic career.⁵⁷ Additionally, under the NCLBA, students were required to take one standardized test in both Reading and Mathematics during grades ten through twelve, and beginning in the 2007-2008 academic year, students were required to be tested in science at least three times between grades three through twelve.⁵⁸ Demonstrably, the practice of standardized testing was at the core of the NCLBA. In fact, schools were assessed based on their "adequate yearly progress," which was a term used to determine how every public school district in the country was performing academically according to the standardized test results of its students.⁵⁹ However, as many educators soon realized, the fact that the law required states to use a single accountability system to determine whether all students—including subgroups of students such as socioeconomically disadvantaged students, students with disabilities, and English-language learners—were making progress toward meeting state academic standards was problematic as it failed to take the above-mentioned disparities into consideration.⁶⁰

To combat the disparity within the education system, lawmakers argued that states had the flexibility to define what constituted yearly progress for each of its school districts. There were several elements, however, that were non-negotiable. For instance, state standardized exams had to be the primary factor in a state's measure of its adequate yearly progress even though states were

⁵⁵ *Id.*

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ NCLBA § 1111 (b)(3)(II)(aa)-(cc).

⁵⁹ *Id.*

⁶⁰ *Id.*

allowed at least one other academic marker to evaluate overall school performance.⁶¹ When it came to high schools, the other academic indicator was required to be the school's graduation rate,⁶² which again, disproportionately harmed schools who provided education to disadvantaged minority students much more than it did to schools who served an affluent Caucasian population.⁶³ Furthermore, to reach adequate yearly progress, at least 95% of students, including 95% of students who fell within academic subgroups, were mandated to take state standardized exams and to meet or surpass the quantifiable annual goals set by the state for each academic year.⁶⁴ Consequently, if an individual school or a particular school district failed to reach its adequate yearly progress for two consecutive years, then it was considered a school needing improvement.⁶⁵ This determination carried severe negative financial and social consequences for schools that received Title I funds.

The NCLBA also mandated that parents of children who attended underperforming schools in receipt of Title I funds be given the option to transfer to another public school within the district while being provided with additional services such as tutoring.⁶⁶ As adequate yearly progress requirements continued to increase, the number of schools failing to meet those requirements also increased. For example, in 2007, 28% of schools failed to meet their adequate yearly progress.⁶⁷ By 2011, that number had escalated to 38%.⁶⁸ The schools that failed to make adequate yearly progress for four consecutive years were required to either replace faculty and staff or establish a new academic curriculum.⁶⁹ Moreover, if a school failed to reach the minimum annual progress requirement for five years or more, it faced having to relinquish control to the government, ultimately allowing the government to restructure the school as a

⁶¹ Education Week Staff, *Adequate Yearly Progress*, EDUCATION WEEK (Sept. 10, 2004), <https://www.edweek.org/policy-politics/adequate-yearly-progress/2004/09>.

⁶² *Id.*

⁶³ *Id.*

⁶⁴ *Id.*

⁶⁵ *Id.*

⁶⁶ *Id.*

⁶⁷ *Id.*

⁶⁸ *Id.*

⁶⁹ *Id.*

charter school, turn over executive control to a private corporation, or take over the school itself.⁷⁰ In order to veer away from the above-mentioned sanctions, many schools began to lower their student proficiency cutoff scores in an effort to remain above the minimally acceptable test score range.⁷¹ With a similar purpose in mind, several other school districts took advantage of the safe harbor provision⁷² even if they failed to meet that year's benchmark objective.⁷³

Overall, although the NCLBA's goals were commendable, in application, it served to encourage states to decrease their academic standards while promoting the removal of disadvantaged and principally minority students from the mainstream public education realm.⁷⁴ Moreover, the federal law implicitly discouraged hardworking educators from seeking positions in challenging school districts where it would take longer for students to reach the acceptable adequate yearly progress cutoffs mandated by federal law since a more challenging student population would likely correlate with a higher possibility of losing employment as a result of "poor" student standardized test scores.⁷⁵ By the end of President Bush's second term, it was evident that the NCLBA's uniform and rigid quantitative measures of academic success were not adequately serving the nation's diverse student population, and as such, the following administration looked forward to devising reform policies.

B. President Barack Obama's Every Student Succeeds Act

On December 10, 2015, Congress passed President Barack Obama's *Every Student Succeeds Act* (ESSA),⁷⁶ which essentially

⁷⁰ *Id.*

⁷¹ *Id.*

⁷² The safe harbor provision provided schools with the required commendation for making adequate yearly progress if they observed a 10% decrease in the proportion of students who were not considered to be competent within a particular subgroup.

⁷³ *Id.*

⁷⁴ Linda Darling-Hammond, *Evaluating 'No Child Left Behind'*, Stanford Ctr. For Opportunity Policy in Educ., <https://edpolicy.stanford.edu/library/blog/873>.

⁷⁵ *Id.*

⁷⁶ See *Every Student Succeeds Act*, Department of Education, <https://www.ed.gov/essa?src=rn#:~:text=President%20Obama%20signs%20the%20Every,success%20fo>

reformed the NCLBA by providing states much more flexibility in their tactics toward accountability. In fact, the ESSA was passed in an effort to remedy the downfalls within an unequal public education system that undermined low-income and minority students.⁷⁷ The ESSA modified—but did not eliminate—the provisions relating to periodic standardized testing as the new law stipulated that states were allowed to consider more than student test scores when evaluating academic performance.⁷⁸ Yet today, the public education system still relies on a testing scheme that rewards and punishes schools, and thereby students, primarily based on standardized test results. Unfortunately, this system fails to address the reality that socioeconomic disadvantaged students traditionally perform lower on standardized tests than their more affluent counterparts.⁷⁹

The ESSA—due for reauthorization after the 2020-2021 academic year—is divided into nine titles: (1) Improving Basic Programs Operated by State and Local Education Agencies, (2) Preparing, Training, and Recruiting High-Quality Teachers, (3) Principals, and Other School Leaders, (4) Language Instruction for English learners and Immigrant Students, (5) 21st Century Schools, (6) State Innovation and Local Flexibility, (6) Indian, Native Hawaiian, and Alaska Native Education, (7) Impact Aid, (8) General Provisions, and (9) Education for the Homeless and Other Laws.⁸⁰ Although the NCLBA and the ESSA serve similar purposes—to provide all children with the opportunity to receive a fair, equitable, and high-quality education as well as to close educational achievement gaps⁸¹—the ESSA initially tackled such objectives differently.

r%20students%20and%20schools.&text=Requires%E2%80%94for%20the%20first%20time,succeed%20in%20college%20and%20careers.

⁷⁷ Executive Office of the President, *Every Student Succeeds Act: A Progress Report on Elementary and Secondary Education* (Dec. 2015).

⁷⁸ *Id.*

⁷⁹ Gwyne W. White et. al., *The Increasing Impact of Socioeconomics and Race on Standardized Academic Test Scores Across Elementary, Middle, and High School*, 86 (1) AM. J. ORTHOPSYCHIATRY (2016).

⁸⁰ Every Student Succeeds Act Overview, National Association of Secondary School Principals, <https://www.nassp.org/a/every-student-succeeds-act-essa-overview/>.

⁸¹ See Andrew M.I. Lee, *Every Student Succeeds Act (ESSA): What you Need to Know, Understood*, <https://www.coordinatingcenter.org/files/2018/09/Every-Student-Succeeds-Act-ESSA-What-You-Need-to-Know.pdf>; see also Andrew M.I. Lee, *No Child*

For instance, the ESSA eliminated the Adequate Yearly Progress and High Qualified Teacher requirements imposed by the previous law and replaced such measures of student performance with broader procedures implemented by each state after careful consideration of its student population and its overall needs.⁸² Under the new law, in order to satisfy the federal accountability standards, both elementary and middle schools are permitted to rely on state standardized tests in reading, math, science, English language learner proficiency, one other academic measure, and one non-academic measure.⁸³ Comparably, high schools are allowed to use the same accountability measures as elementary and middle schools with the addition of graduation rates.⁸⁴ Under this approach, every three years, states must use the information gathered by their accountability programs to label the schools “in need of improvement,” which include the lowest-performing five percent of all schools in the state, schools where one or more subgroups are underperforming, or high schools with graduation rates of less than 67 percent.⁸⁵ Once the schools that need improvement are identified, the ESSA requires school districts – with the assistance of educators and parents alike – to develop and implement evidence-based strategies to strengthen such under-performing programs.⁸⁶ By involving the parents of underperforming, low-income Title I-participating students into the decision-making process, the ESSA aims at receiving direct feedback from the families of those affected, instead of solely from removed law and policymakers, to develop remedies that better serve such indigent populations.

Along these guidelines, districts must also identify any inequitable distribution of resources, such as school funding

Left Behind Act (NCLB): What you need to know, <https://www.understood.org/en/school-learning/your-childs-rights/basics-about-childs-rights/no-child-left-behind-nclb-what-you-need-to-know>.

⁸² *Every Student Succeeds Act (ESSA): ESSA Implementation Resources for Educators*, Education Advocates, https://www.ascd.org/ASCD/pdf/siteASCD/policy/ESSA-Accountability-FAQ_May112016.pdf.

⁸³ *Id.*

⁸⁴ *Id.*

⁸⁵ *Id.*

⁸⁶ *Id.*

amounts.⁸⁷ For example, a state must interject with more demanding improvement arrangements if low-performing schools do not reach the state's improvement criteria within four years of being labeled as "in need of improvement."⁸⁸ Moreover, under the ESSA, the School Improvement Grant (SIG)—a program that distributed funds to state and local educational agencies that demonstrated the highest need and commitment to provide resources to raise the achievement gap of students at the lowest-performing schools⁸⁹—has been eliminated. States, however, are still required to allocate seven percent of Title I funds, rather than four percent under the NCLBA, for school improvement purposes.⁹⁰ Overall, although the ESSA permits states to select how much weight to give their accountability factors, it still requires that academic factors be given more influence than nonacademic factors.⁹¹

However, as for what criteria constitutes non-academic indicators is left entirely up to state decision-makers.⁹² In fact, even though the ESSA provides a list of possible measures—school climate and safety, access to advanced coursework, or postsecondary readiness—the federal government is legally forbidden from advocating for certain nonacademic measures and must leave it to each individual state to decide what factors it is willing to implement to satisfy this requirement.⁹³ It is important to note that although the federal government does not play an active role in the decision-making of such factors, the ESSA requires that the selected state measures be applied uniformly in all schools within the state.⁹⁴ The incorporation of nonacademic indicators was accepted as a colossal triumph for many policymakers, educators, and parents who advocated against the NCLBA due to its stringent adherence to standardized test scores in its evaluation of both student and school performance.

⁸⁷ *Id.* at 2.

⁸⁸ *Id.*

⁸⁹ *Id.*

⁹⁰ *Id.*

⁹¹ *Id.*

⁹² *Id.*

⁹³ *Id.*

⁹⁴ *Id.* at 1.

Unfortunately, when considering the big picture, it appears that the ESSA did not break with the long-established educational paradigm that both it and its predecessor, the NCLBA, yearned to free themselves from. As it turns out, when it comes to addressing the lowest-performing schools, policymakers continue to wait for them to collapse before implementing needed conditions for long-term reform.⁹⁵ Therefore, studies show that the ESSA's state-mandated accountability systems—much like the NCLBA's federally mandated systems—lead schools and school districts to narrow the curriculum, reduce student engagement and instructional time regarding non-tested subject areas, and over-teach test preparation materials with the hope that some students will do slightly better on the tested multiple choice sections.⁹⁶ Furthermore, a heavy reliance on quantitative standardized measures causes educators to primarily focus on the short-term goal of escaping the “in need of improvement” title, which leads to actions that make the long-term goal of decreasing the knowledge gap more unattainable. For instance, some teachers are so absorbed with the need to increase test scores that they become impeded from seeing each student as an individual with his or her own set of environmental factors that play a role in his or her academic journey.⁹⁷ Within this premise, some relevant environmental factors may include socioeconomic status, mental health issues, whether the student has two working caregivers, the English language proficiency of the student and of his or her caregivers, and whether the student comes from a single-parent household.⁹⁸ Educators should be made aware of these factors in order to help students and their families navigate the public education system while providing an equitable education to all students.

⁹⁵ Andrew Saultz et al., *Why ESSA has been reform without repair*, 101 PHI DELTA KAPPAN 18, 18–19 (2019).

⁹⁶ *See id.* at 20.

⁹⁷ *See id.*

⁹⁸ Sadiya Qamar, *How Does the Environment Influence A Child's Growth And Development?*, MOM JUNCTION (Aug. 23, 2019), https://www.momjunction.com/articles/environment-influence-on-child-growth_00332016.

III. CANADA'S APPROACH TO PUBLIC EDUCATION

Canada, a country inhabiting roughly 40 million people, does not have a federal education department.⁹⁹ Instead, the nation relies on the local governments of its ten individual provinces and three territories to provide public school education to its school-aged students.¹⁰⁰ Currently, the education system in every Canadian province and territory uses some form of standardized testing.¹⁰¹ Considering that each province handles its education policies somewhat differently, this article will focus on the public education programs and strategies of both Ontario and Alberta with a focus on each province's reliance, or lack thereof, on standardized testing as one of the main tools used to determine both student and overall school performance.

A. Ontario's Creation of the Education Quality and Accountability Office

In 1997, the use of standardized testing was first introduced in Ontario after the findings and recommendations of a 1994 report by the Royal Commission on Learning.¹⁰² This proposal led to the creation of a third-party organization for the production and administration of large-scale literacy and numeracy tests.¹⁰³ As a result, in 1996, the Ontario government established the Education Quality and Accountability Office (EQAO) as a Crown agency with the mandate to develop and report on province-wide tests aimed at determining student achievement.¹⁰⁴ The EQAO requires students in

⁹⁹ *Learn About Education in Canada*, GOV'T CAN. (July 7, 2021), <https://www.canada.ca/en/immigration-refugees-citizenship/services/new-immigrants/new-life-canada/enrol-school.html>.

¹⁰⁰ *Id.*

¹⁰¹ Tim Johnson, *The Future of Standardized Testing in Canada*, Canadian Living (Aug. 11, 2014) <https://www.canadianliving.com/life-and-relationships/family/article/the-future-of-standardized-testing-in-canada>.

¹⁰² Thomas G. Ryan & Anthony Whitman, *The Inequity and Effect of Standardized Literacy Testing for First Nations Students-An Ontario (Canadian) Outlook*, 46 *The Journal of Educational Thought*, No. 2 163, 164-72 (2013).

¹⁰³ *Id.*

¹⁰⁴ *Id.*

grades three, six, nine, and ten to participate in large-scale reading, writing, and mathematics assessments.¹⁰⁵ In grades three and six, students are required to take Reading, Writing, and Mathematics assessments, whereas in grade nine, students are only required to take a Mathematics assessment. Lastly, in grade ten, students are required to take the Ontario Secondary School Literacy Test (OSSLT), which serves as a graduation requirement for all students wishing to receive their Ontario Secondary School Diploma (OSSD).¹⁰⁶

This large-scale assessment program was developed to support standards-based education reform on the premise of setting high standards and establishing measurable goals in order to improve learning outcomes in education.¹⁰⁷ However, much like in the United States, educators and policymakers alike began to notice that the EQAO's strict use of standardized testing did not reach the office's intended goals. In fact, there is empirical evidence that demonstrates that the program actually hinders student learning outcomes, particularly those of marginalized populations as there is a direct correlation between low test scores and low socioeconomic status.¹⁰⁸ This correlation occurs because socioeconomic status impacts language development, which for students with low resources leads to a decrease in vocabulary, phonemic awareness, and an overall ability to read and comprehend text.¹⁰⁹

Standardized testing is meant to serve as an objective and unbiased measurement tool. However, the effects of imposing large-scale assessments on students, teachers, and the education system might not always be as positive as organizations such as the EQAO acknowledge. The EQAO's assessments are used to provide information about all of the students in Ontario and their achievement of curriculum standards.¹¹⁰ Yet, the assessments conducted by the EQAO do not always adequately represent the distinct learning processes that take place within the classroom. Classroom grades include a large number and variety of assessment methods, not limited

¹⁰⁵ *Id.*

¹⁰⁶ *Id.*

¹⁰⁷ *Id.*

¹⁰⁸ *Id.*

¹⁰⁹ *Id.*

¹¹⁰ *Id.*

to standardized tests, that target diverse aspects of a single subject, whereas the OSSLT is mostly assessed based on answers to multiple choice, short answer questions, and writing passages regarding literacy content.¹¹¹ The different approaches used to evaluate students' knowledge and comprehension of the curriculum essentially limit those students whose strengths are unrecognized by the assessment methods used by the EQAO.¹¹²

The use of standardized testing also adds pressure on educators to boost student performance, ultimately decreasing the amount of non-testing material that gets incorporated into the Ontario teaching curriculum.¹¹³ With a practice so heavily reliant on the success rate of students, standardized testing can impose a heavy focus on test scores, which has been shown to produce both positive and negative results for student success in the classroom and on exams.¹¹⁴ While widespread equality in the realm of education seems appealing in theory, in reality, in a province such as Ontario, where immigrants—many non-English speaking and/or of low socioeconomic status—make up roughly 40% of the population, such equal treatment actually leads to large scale discriminatory results.¹¹⁵ Difficulty performing on standardized tests has been correlated with gender and ethnicity in that female students and ethnic minority students often perform lower on standardized tests compared to males and Caucasian students.¹¹⁶ The introduction of both standardized testing and the EQAO in Ontario has arguably cemented the primacy of student success on large-scale assessments, which can lead to the well-known phenomenon of “teaching to the test” to increase student performance, ultimately diminishing the diagnostic goals of the large-scale assessments and inhibiting the success of certain students.¹¹⁷

¹¹¹ Haley Langlois, *Behind the Snapshot: Teachers' Experiences of Preparing Students in Lower Socioeconomic Status Schools for the Ontario Secondary School Literacy*, ONT. INST. FOR STUD. IN EDUC. OF THE UNIV. OF TORONTO (2017).

¹¹² *Id.* at 8.

¹¹³ *Id.* at 8–9.

¹¹⁴ *Id.*

¹¹⁵ *Id.*

¹¹⁶ *Id.* at 9.

¹¹⁷ *Id.*

B. Alberta's Implementation of Student Learning Assessments

In 1892, Alberta imposed the concept of standardized testing onto its public schools with the goal of comparing student achievement in Alberta with that of Canadian students in other provinces.¹¹⁸ Throughout the 1960s, many academics and education leaders alike joined the masses in their opposition to the use of standardized testing as the primary method of student performance.¹¹⁹ In 1972, as a result of the movement, standardized testing in Alberta was removed under the new Progressive Conservative Government led by Peter Lougheed.¹²⁰ However, over time, the taxpaying public began to demand that standardized testing be brought back to demonstrate accountability in the realm of education. As a result, an expert panel made up of assessment experts, academics, and other leaders in the field of education gathered to debate whether standardized testing was the most efficient method of student achievement that the province could implement.¹²¹

After much debate, the panel recommended against bringing standardized testing back to Alberta.¹²² In 1985, despite the expert panel recommendation, Alberta instituted the Diploma Exams—a high-stakes standardized exam that certifies the level of individual student achievement in Grade 12 courses—and eventually the Provincial Assessment Tests (PATs).¹²³ Regardless of the specific standardized methods in place, the assessment programs follow similar patterns: (1) provincial assessments occur annually but only include specific grade levels, (2) provincial assessments in the elementary program are not included in the determination of students' grades although students do not receive individual results, (3) secondary examinations typically have some direct impact on

¹¹⁸ Dan Scratch, *Challenging High Stakes Standardized Testing in Alberta*, MEDIUM (Nov. 11, 2020), <https://medium.com/pencils-down/challenging-high-stakes-standardized-testing-in-alberta-e90ece619d93>.

¹¹⁹ *Id.*

¹²⁰ *Id.*

¹²¹ *Id.*

¹²² *Id.*

¹²³ *Id.*

students' graduation or grades, and (4) the results of the assessments do not have a direct consequence for teachers.¹²⁴ As previously mentioned, these exams, much like any other large-scale standardized test, narrow the curriculum, pedagogy, and assessment methods that teachers use within the classroom to target the subjects that will be tested on the exams.¹²⁵

In 2013, the Government of Alberta announced that it was replacing the Grade 3 Provincial Achievement Test (PAT) program with a new Student Learning Assessment (SLA) program that would begin in the 2014–2015 academic year.¹²⁶ The objective of the new SLA program was to improve student learning, enhance instruction for students, and assure Albertans that their education system was meeting the needs of students while achieving the outcomes of the Ministerial Order on Student Learning.¹²⁷ The shift from the PAT program to the SLA program represented a radical change in the culture surrounding large-scale assessment practices in Alberta. Distinctly, the new program represented a paradigm shift from summative assessments – exams that evaluate *how much* someone has learned throughout a course – to formative ones, which evaluate *how* someone is learning material throughout a course.¹²⁸ Moreover, unlike summative assessments that provide information about student performance at the end of a term or academic year,¹²⁹ formative assessments provide ongoing feedback regarding student progress as well as the overall effectiveness of instruction.¹³⁰ This method of evaluation takes the entire individual into account and measures each student's overall progress unrelated to specific grades or scores on standardized exams.¹³¹

¹²⁴ *Id.*

¹²⁵ *Id.*

¹²⁶ David Slomp, Alberta's Student Learning Assessment Program: An Integrated Evaluation (2017), <https://open.alberta.ca/dataset/1c10d0c7-1e62-45cb-b1be-6dec60c88ba1/resource/f0fe618e-08ff-4115-a936-3df7f73425fa/download/sla-research-executive-summary.pdf>.

¹²⁷ *Id.*

¹²⁸ *Id.*

¹²⁹ *Id.*

¹³⁰ *Id.*

¹³¹ *Id.*

In 2017, under the New Democratic Party (NDP), SLAs were made optional for teachers; however, in the 2019-2020 academic year, the tests continued to be optional but at the discretion of the school board, not the individual teachers.¹³² Moreover, before the Covid-19 outbreak, the NDP had announced that it would be making SLAs mandatory in the 2020–2021 academic year in order to track student performance and determine success rates among students in core subject areas.¹³³ Lawmakers encouraged the reimplementation of standardized testing by suggesting that such methods of evaluation would allow Albertans to measure the new curriculum’s progress while ensuring that learning outcomes are being met across the board.¹³⁴ However, in the implementation of this mandate, lawmakers are failing to take into account that such methods of evaluation are a step backward for teacher autonomy within the classroom and a one-size fits all format of evaluation that disregards the individuality of each student as an independent learner and processor of information.

IV. A COMPARATIVE ANALYSIS BETWEEN THE AMERICAN AND THE CANADIAN PUBLIC EDUCATION MODEL

The United States and Canada are two democratic nations that share a common ideological framework: all citizens have a right to individual freedom and equal opportunity.¹³⁵ However, both nations tackle the implementation of such values differently. Particularly, within the educational realm, the United States—a federal constitutional republic—divides the responsibility of public education between the federal and state governments,¹³⁶ while Canada—a constitutional monarchy—delegates the responsibility of upholding

¹³² K-12 Learning During Covid-19, Alberta.ca, <https://www.alberta.ca/k-12-learning-during-covid-19.aspx>.

¹³³ *Id.*

¹³⁴ *Id.*

¹³⁵ “So you’re an American?”: A Guide to Answering Difficult Questions Abroad, <https://www.state.gov/courses/answeringdifficultquestions/assets/m/resources/DifficultQuestions-AmericanValues.pdf>; *What Are Canadian Values?*, DURHAM IMMIGRATION PORTAL, <https://www.durhamimmigration.ca/en/moving-to-durham-region/what-are-canadian-values.aspx>.

¹³⁶ U.S. Dep’t of Educ., *The Federal Role in Education*, <https://www2.ed.gov/about/overview/fed/role.html>.

and perpetuating public education to each of its provinces.¹³⁷ However, despite the structural differences, the two nations' shared belief in respecting individual freedom and upholding equality has paradoxically landed them in a common paradigm: modern public education stagnates independent thinking by standardizing not only its evaluation tools but, most importantly, its students.

Lawmakers and educators fail to recognize that by use of standardized testing – whose original purpose was to hold educators accountable to increase student achievement – a large sector of mostly minority and/or low socioeconomic status students are falling through the cracks of modern-day public-school education. Within this educational disparity, equality and equity are often mistakenly used interchangeably as equality refers to equal treatment regardless of need¹³⁸ while equity refers to different treatment dependent on need.¹³⁹ Hence, those who argue in favor of equality in the realm of education believe that, in order to be nondiscriminatory, all students must receive the same treatment. On the other hand, those who argue in favor of education equity suggest that fairness must be achieved by treating students according to their differing needs. The paradox of the first argument is that at times, the education system must treat students disparately in order to grant equal opportunities. For instance, English as a Second Language (ESL) students are granted additional time to take standardized tests to account for heightened challenges resulting from their lack of fluency in the English language.¹⁴⁰ Moreover, students with ADHD or anxiety are also permitted additional time on standardized tests to account for lower processing speeds, difficulty expressing thoughts in writing, and poor

¹³⁷ Gov't of Can., *Learn About Education in Canada*, <https://www.canada.ca/en/immigration-refugees-citizenship/services/new-immigrants/new-life-canada/enrol-school.html>.

¹³⁸ *Understanding Equality*, EQUAL. AND HUM. RTS. COMM'N (Aug. 2, 2018), <https://www.equalityhumanrights.com/en/secondary-education-resources/useful-information/understanding-equality>.

¹³⁹ *Equity in Education: What It Is and Why It Matters*, THINKING MAPS, <https://www.thinkingmaps.com/resources/blog/equity-education-matters/>.

¹⁴⁰ Bronwyn Coltrane, *English Language Learners and High-Stakes Tests: An Overview of the Issues*, ERICDIGESTS.ORG, <https://www.ericdigests.org/2003-4/high-stakes.html>.

memory.¹⁴¹ Although some argue that granting ESL and students with certain disabilities additional time on standardized exams serves to ensure equality among test takers, such exceptions do little to help certain segments of society—e.g., the underprivileged and the excelling students who are simply bad test-takers to name a few—who do not meet the exception criteria and who suffer at the mercy of standardized testing. The intended purpose of standardized testing is to hold teachers and administrators accountable for imparting knowledge within the academic setting while enhancing achievement.¹⁴² Nonetheless, in application, the use of such methods of evaluation have arguably transformed into academic operant conditioning by sustaining a learning system that rewards students who perform well on standardized tests while punishing those who do not.¹⁴³ The method of evaluation that was originally intended to bridge the knowledge gap among students has instead turned into a tool that divides students into categories of learners.

Within this premise, it is relevant to discuss B.F. Skinner's developments in the field of behavioral psychology, particularly his work relating to the theory of operant conditioning. In 1948, B.F. Skinner proposed a method of learning known as *operant conditioning* that employed rewards and punishments for behavior.¹⁴⁴ Through operant conditioning, an association is made between a behavior and a consequence, whether positive or negative, for that behavior.¹⁴⁵ B.F. Skinner tested his theory by conducting the "Skinner Box" experiment on rats.¹⁴⁶ As the first step in his experiment, Skinner placed a hungry rat inside the box. Upon exploration within the box, the rat realized

¹⁴¹ *Standardized Testing and Students with Disabilities*, FAIRTEST (Mar. 30, 2017), <https://www.fairtest.org/standardized-testing-and-students-disabilities>.

¹⁴² Aaron Churchill, *Bless the Tests: Three Reasons for Standardized Testing*, THOMAS B. FORDHAM INST. (Mar. 18, 2015), <https://fordhaminstitute.org/national/commentary/blest-tests-three-reasons-standardized-testing>.

¹⁴³ Nesa Sasser, *How Schools Motivate Students for Testing*, THE CLASSROOM (Sept. 26, 2017), <https://www.theclassroom.com/schools-motivate-students-state-testing-13290.html>.

¹⁴⁴ Saul McLeod, *B.F. Skinner—Operant Condition*, SIMPLY PSYCH. (2018), <https://www.simplypsychology.org/operant-conditioning.html>.

¹⁴⁵ *Id.*

¹⁴⁶ *Id.*

that food would become available after the rat pressed on a lever.¹⁴⁷ After satisfying its hunger, the rat would continue to explore its surroundings, ultimately returning to the lever when hungry.¹⁴⁸ After several attempts at this process, the rat, once placed in the box, would automatically go to the lever.¹⁴⁹ At that point, conditioning was said to have been completed. Within that context, the action of pressing on the lever served as an operant response as food would be released as a form of reward for having pressed on the lever.¹⁵⁰ The reward – food becoming available – served as the positive reinforcement given to the hungry rat for having performed the action of pressing on the lever.

Similarly, the experiment was also conducted to produce a negative reinforcement. In an alternate version of the hungry rat experiment, Skinner placed a rat in a box, but instead of keeping it hungry, he subjected the box to an unpleasant electric current.¹⁵¹ The rat, having experienced the electric shock, began to move around the box until it accidentally collided with the lever. This time, pressing on the lever immediately seized the flow of the electric current. After several versions of the above-mentioned events, the rat learned to go directly to the lever and prevent the shock all together.¹⁵² In this case, the electric current served as the negative reinforcement. The rat reacted to this negative reinforcement by avoiding it and heading directly to press on the lever, which served as the reward by seizing the electric shock.¹⁵³

Following this experiment, when it comes to the use of standardized testing within the public-school setting, it appears that we have turned back the clock to 1948. Using a specific example within the United States, in Florida, third grade public school students are mandated to begin taking the Florida Standards Assessment (FSA) in the subjects of Mathematics and English Language Arts.¹⁵⁴ Teachers

¹⁴⁷ *Id.*

¹⁴⁸ *Id.*

¹⁴⁹ *Id.*

¹⁵⁰ *Id.*

¹⁵¹ *Id.*

¹⁵² *Id.*

¹⁵³ *Id.*

¹⁵⁴ *Florida Standards Assessment*, FLA. DEP'T OF EDUC., <http://www.fldoe.org/accountability/assessments/k-12-student->

begin training their students to become good test-takers months in advance¹⁵⁵ while reminding them that those who do not pass the FSA will have to be retained and re-do the third grade. In theory, studying for the FSA and passing it with a high score, which allows students to take advanced courses that are not offered to lower-scoring students, would serve as positive reinforcement, while failing the exam and having to repeat the academic year or passing it with a low score and being placed in non-advanced courses would serve as negative reinforcement. Applying Skinner's model, over time, students would learn to pass the exam because doing so would carry a reward while failing it or passing with a low score would carry a hefty negative reinforcement.

However, what lawmakers and educators have not accounted for is that each child, unlike a rat, comes with his or her own set of external factors that affect his or her development and learning outcomes: socioeconomic status, language proficiency, stress management skills, and mental health issues, to name a few. Therefore, the application of an operant conditioning model by use of standardized testing does not serve all students alike. In fact, the use of such evaluation tools minimizes the importance of diversity of thought, ultimately segregating the higher scoring students as the "smart" group who gains access to advanced courses, while the "struggling" group loses opportunities to academically advance. Interestingly, the group of higher achieving students is often called "advanced" while the lower achieving ones are labeled as "regular."¹⁵⁶ Not surprisingly, the connotations associated with such linguistic adoptions may not only affect a student's academic career, but they may also affect such student's self-esteem, which could ultimately hinder his or her performance in future standardized tests and continue to perpetuate the problem. On another note, this method of evaluation fails students as a whole by stagnating educators' creativity as teachers become consumed with teaching to the test, forcing them

assessment/fsa.stml#:~:text=With%20the%20Florida%20standards%20in,measuring%20education%20gains%20and%20progress.

¹⁵⁵ See Craig Jerald, *Teach to the Test?: Just Say No*, READING ROCKETS (Jul. 2006), <https://www.readingrockets.org/article/teach-test-just-say-no>.

¹⁵⁶ See *5 Benefits of Taking AP Classes in High School*, THE PRINCETON REV., <https://www.princetonreview.com/college-advice/ap-classes>.

to skim over lessons in the areas of social studies, science, music, and art, which are not tested as often as mathematics and language arts.¹⁵⁷

In contrast, although Canada also relies on the use of standardized testing, the individual provinces do not use its exams to positively or negatively reward its students as heavily as the American model. In Ontario, tenth grade students are mandated to pass the Ontario Secondary School Literacy Test (OSSLT) as a graduation requirement.¹⁵⁸ The OSSLT covers the English language and communication skills that students ought to have learned in the years up to and including the ninth grade.¹⁵⁹ While the Canadian goal is to pass the OSSLT on the first try, students who do not may retake the exam as many times as needed to successfully pass it.¹⁶⁰ Moreover, although passing the exam still serves as a positive reward mechanism – graduating from high school – the fact that students are able to re-take the exam if needed alleviates much of the initial stress regarding the profound consequences of under-performing.¹⁶¹ Ultimately, granting students the flexibility to re-take the exam several times before the end of high school minimizes the stress of the exam itself, and it allows students to perform without the burden of negative reinforcement.

Today, the world, and the United States in particular, is engaged in a fierce debate involving issues of social and racial inequality within its core institutions. This debate is most publicly represented in the Black Lives Matter movement that gained global recognition after the brutal deaths of George Floyd and Breonna Taylor at the hands of police officers in the states of Minnesota and Kentucky, respectively. The systemic racism that still lives within the United States and abroad is representative of the topic of inequality and minority marginalization. As society organically evolves as the overarching sphere that breeds its citizens, the many microspheres

¹⁵⁷ Kate Barrington, *How Does Standardized Testing Affect Teaching Quality?*, PUB. SCH. REV. (Jul. 10, 2019), <https://www.publicschoolreview.com/blog/how-does-standardized-testing-affect-teaching-quality>.

¹⁵⁸ *High School Graduation Requirements*, ONTARIO, <https://www.ontario.ca/page/high-school-graduation-requirements#section-3>.

¹⁵⁹ Brenna Quigley, *Remixing the Ontario Secondary School Literacy Test (OSSLT)*, 1 J. OF GLOB. CITIZENSHIP & EQUITY EDUC. 164 (2011).

¹⁶⁰ *Id.*

¹⁶¹ *Id.*

that are pivotal during the process of socialization are tinted with specific sets of values, largely the ones underlying the laws and policies that represent the interests of the majority. Thus, as the microspheres—schools, community centers, law enforcement, libraries, and the workplace, for example—impart the majority's values, a large sector of society, represented by minorities and marginalized citizens, dissipates among the tumultuous roar of lawmakers who reinforce values that primarily represent their own interests.

Hence, it is fair to assert that standardization is a tool employed by those who lie in the racial and cultural majority not only to impart their own set of values, but most importantly to control the process of socialization of other citizens. Therefore, when it comes to standardized tests, the use of operant conditioning to evaluate and socialize school-aged children serves as one more tool that represents the educational values and expectations of a majority group who for decades has been in control of education policy making, curriculum setting, funds allocation, and overall student evaluation. Interestingly, the standardized tests used in public schools are not implemented within the private school setting, which poses the question: is critical thinking and creative development within the classroom a privilege granted only to those who can afford it?

V. CONCLUSION

Socialization is the process of learning how to become suitable for society. School is the microsphere in which children get exposed not only to knowledge but also to the social norms and skills that will allow them to continue developing into well-rounded citizens within the macrosphere. Yet it would be narrow minded to assume that children who do not receive a stimulating academic education during their formative years are doomed for life. As a matter of fact, socialization and overall learning have their nuances and derive from different sources: exposure to various art forms, athletic activities, travel and immersion into diverse cultures, extracurricular activities, volunteering, quality time with family, witnessing and participating in enlightening conversations at the dinner table, movies, books, the media, and of course, long-lasting friendships. Within this construct,

the disparity that comes into play when a child sits in a classroom and begins filling in the bubbles of a standardized test also covers several spheres of a person's life, including all the various sources of socialization.

It is important to recognize that there exists a child who cannot reap the benefits of positive vicarious learning within society's various microspheres. What happens to the child of immigrant parents who do not speak English and are thus impaired from helping with his or her homework, or the child whose mother is an immigrant victim of systemic discrimination or domestic violence? What about the child exposed to the lashes of addiction or the child whose parents work two or three jobs to put food on the table and cannot afford tutoring, vacations, extracurricular activities, aftercare, internet, or laptops? How about the child who has to complete homework while caring for his or her younger siblings while the household adults are at work? What about the child whose skin color marginalizes him or her on the playground and beyond, or the child who suffers from stigmas and ongoing unresolved trauma? That child does not have a solid foundation to stand on in order to get As and Bs at school. That child cannot reap the full benefits of positive vicarious learning. Inequality within the public school setting ultimately sheds light into the most intrinsic illness of society: "no child left behind" is a paradox when the child's parents themselves are left behind by a system that overlooks the gaps that leave them marginalized and eventually falling through the cracks of standardization.