



Yale-New Haven
Teachers Institute®

Curriculum Units by Fellows of the Yale-New Haven Teachers Institute
2000 Volume III: Constitutional and Statutory Privacy Protections in the 21st Century

How Public Should Public Education Be? Privacy in the Classroom and School: CAPT Interdisciplinary Practice

Curriculum Unit 00.03.02

by Jennifer Drury

Narrative

The Law

The Theories

Conclusions

The CAPT

Writing

The Unit

Works Cited

Teachers' Annotated Bibliography

Students' Annotated Bibliography

Narrative

United States Senator Samuel I. Hayakawa of California in 1978 warned "the schools have become vehicles for a heresy that rejects the idea of education as the acquisition of knowledge and skills and instead regards the fundamental task of education as therapy." (Schlafly, 13) He believed that "such inquiring into attitudes, beliefs, and psychic and emotional problems is a serious invasion of privacy." (Ibid) There is a controversy over certain methods of teaching, such as the Values Clarification method and Outcome-based Education. Both methods involve writing assignments, which probe students' personal life, and assignments that question students' values and opinions. These methods are attacked by some like Hayakawa and Schlafly as invasions

of privacy. The same charges could (but have not yet) be leveled against the Connecticut Academic Performance Test (CAPT), a state requirement that aims at improving students' academic performance.

The Fourth Amendment to the United States Constitution states "The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures..." (Harrison, 207) Does a teacher violate this guarantee by asking a student to write about his or her own personal beliefs? Teachers know that students write best when they are writing about personal experiences. Writing is an excellent tool for self-examination of beliefs and can serve as an excellent problem-solving tool. Every student needs to acquire problem-solving skills or the world would be a chaotic and dangerous place to live. Writing can be therapeutic and can bring order to a turbulent life. Many teachers utilize journal work as a way to keep students writing. However, this method is under fire because of its potential to invade student privacy.

In the debate regarding privacy in the classroom many issues arise. First, there are the cloudy current federal laws concerning privacy issues in the classroom and school. Next, two educational theories, Outcome-based Education (OBE) and the Values Clarification approach, involve seemingly personal issues in the classroom with the hopes of creating students who are aware of themselves, their surroundings and their own educational process. Opposition to these methods of instruction has naturally emerged because of parental concern involving the teaching of values. Several conclusions and suggestions can be made as to where the teachers and students can go next to achieve harmony between both sides of the debate. The main goals of the unit are as follows:

- The teacher will reflect on the types of questions asked in the classroom on a daily basis;
- The teacher will maintain the format for future writing assignments to promote consistency in the classroom.
- The students will be exposed to the writing process and experience it utilizing the topic of "Privacy in the Classroom";
- The students will recognize the importance of privacy and reflect on how they deal with it in their own personal lives;
- The students will write a concise and informed letter to their State Congress regarding the legal issue of privacy in the classroom;
- The students will begin a yearlong portfolio of written work.

To complete the above goals the students will utilize the John Collins writing program to successfully write a persuasive letter regarding the topic of privacy in the classroom. This will allow the students practice for the CAPT Interdisciplinary Exam. The second half of the paper deals with the CAPT (Connecticut Academic Performance Test) and the successful John Collins' writing program. Specifically, the Interdisciplinary portion of the test is examined and how it, though not yet, could be considered an invasion of student privacy. The unit is designed to not only prepare students for the CAPT exam by having them write on controversial issue but to show how teachers can explore sensitive issues in ways that address both legitimate and extreme

privacy concerns now being raised. The CAPT exam was created as an alternate to standardized “bubble” tests that do not test a student’s application of knowledge. With Outcome-based Education on the upswing, Connecticut created a test that allows students to apply their knowledge to real-life situations.

The real-life situations, according to Phyllis Schlafly and others who oppose such questioning, are the crux of the problem. Some people believe that teachers are going too far in their questioning of students. They believe that school is a place where knowledge, in the form of basic facts, is acquired. Students should not be asked their opinions on anything; students should not be forced to reveal personal information; students should be filled with facts. This is learning. However, studies show that students best learn when they apply what they already know (Bloom’s Taxonomy). So, how can students learn when it is presumed that they know nothing but memorized facts?

The Law

The word privacy appears nowhere in the Constitution of the United States. The closest this document comes to discussing privacy is the Fourth Amendment: “The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures...” (Harrison, 207). This leaves room for broad interpretation by the United States Supreme Court, which has upheld many privacy rights. However, when it comes to student privacy and students’ rights in general, the Court finds it easier to waive students’ rights in favor of most of the established rules of the public educational system. Case in point is the *Hazelwood v. Kuhlmeier* judgment. The Supreme Court ruled 5-3 in favor of the school officials who censored the school newspaper. The principal had deleted two articles he believed to violate student and parent privacy. The court said that the school officials had broad power over the administration of the school (*Ibid*, 138-153). However, in essence the court upheld the schools’ authority to decide that the people written about (the students and parents) had the right to privacy.

Federal Statutes Protecting Privacy

“A school district has no inherent powers of government. A school district has only the powers that are granted by statute...” (Drury, 90). The legal challenges to educational practices in the name of privacy can rely on the Constitution, on state statutes and common law doctrines, and on federal statutes. Federal statutes are the most extensive on the topic of student and parental rights regarding privacy, however, the issue dealt with in the federal statutes deals mainly with student records. Some of the information obtained under the Hatch Amendment might, however, be utilized by parents to claim that students’ constitutional or common law tort rights of privacy have been invaded. These statutes need to be examined and thought about carefully in order for the students to fully understand where parents might have cause for objection to some of the material discussed in the classroom. I have provided the information as thoroughly as possible in way that makes the statutes accessible to all.

The code of Federal Regulations Title 34, Volume 1 part 99 is the Family and Educational Rights and Privacy Act (FERPA). In general, this act protects the privacy of students’ educational records. The regulations apply to, with some exceptions, educational institutions funded in part by the federal government and managed by the administration (principals, et al) ([HYPERLINK "http://www.clhe.org/3a2-1.htm"](http://www.clhe.org/3a2-1.htm) <http://www.clhe.org/3a2-1.htm> 5/22/00). The purpose of the regulations is to define the requirements for the protection of privacy of parents and students. The Act defines several key words and this is where

interpretation occurs. Disclosure means “to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records to any party, by any means, including oral, written or electronic” (Ibid). Education Records represents “those records that are directly related to a student; and maintained by an educational agency...”(Ibid). The term does not apply to other records including, but not limited to, those obtained or kept by the law enforcement agency of the school, or to employment records if the student works for the school. Personally Identifiable Information refers to several things including, “(a) The student’s name; (b) The name of the student’s parent or other family member...;(e) A list of personal characteristics that would make the student’s identity easily traceable; or (f) Other information that would make the student’s identity easily traceable.” (Ibid). Records are “any information recorded in any way, including, but not limited to, handwriting, print, computer media, video, or audio tape, film, microfilm, and microfiche” (Ibid).

The school must give all full rights of disclosure under the Act to legal parents unless provided with a court order or legally binding document relating to family members (i.e. divorce papers). The student preserves all rights given to the parent concerning disclosure of information (the student does not have full rights to access his/her own records until the age of 18); however, a school can grant other rights to the student not afforded to the parents. Parents are to be notified annually of their rights and in this notification must be stated that “they have the right to (i) Inspect and review the student’s education records; (ii) seek amendment to the student’s records that the parent or eligible student believes to be inaccurate, misleading, ore otherwise in violation of the student’s privacy rights; (iii) consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that the Act and Sec. 99.31 authorize disclosure without consent...” (Ibid). Section 99.31 deals with the conditions under which prior consent is not required. The disclosure must meet one of the following criteria: “(1) The disclosure is to other school officials, including teachers...whom the agency or institution has determined to have legitimate educational interests” (Ibid). Also, consent is not required if “the disclosure is to organizations conducting studies for, or on behalf of educational agencies or institutions to: (A) Develop, validate, or administer predictive tests; ...(C) Improve education” (Ibid). In addition, information in connection with a health or safety emergency or information that has been designated as directory information does not require consent. See the FERPA regulations for specifics.

The Hatch Amendment (WAC 392-168-120, Section 439 of the General Education Provisions Act (GEPA) is the “Protection of Pupil Rights Amendment” (PPRA) which states that information collected from students through surveys, research, analyses, or evaluations that are supported by the U.S. Department of Education must be available to parents for review (Schlafly, 8). The law specifies that the terminology used means “any program or project in any applicable program designed to explore or develop new or unproven teaching methods or techniques” (my emphasis) (Ibid) Schools need to get consent to gather information from students concerning several private issues including but not limited to sexual behavior, illegal behavior, family life, confidential information (i.e. lawyer/doctor privileged information), and family income (Ibid). The law does not give the right for parents to be given copies of surveys but they can inspect them. Parents must file a complaint with the Family Policy Compliance Office (FPCO) if they feel their child’s right to privacy has been violated under FERPA or PPRA.

The above-emphasized quote from the Hatch Amendment is where the problem exists. The vagueness of “new and unproven teaching methods or techniques” creates a rift between educators and concerned parents. The aforementioned Values Clarification and Outcome-based Education methods (to be discussed in detail) are not really new methods because such ideas, in different terms, have been around since the 1920’s. In some instances schools have chosen not to continue utilizing the methods; however, many schools and

school systems have been utilizing the methods with successful results. These methods require that teachers ask certain questions in order for the students to learn about themselves, their environment, their own educational process, citizenship, and many other aspects of being a well-rounded, productive member of society. The opposition feels that students go to school to learn facts and the bare mechanics of education, not to “get in touch with their feelings.” But how is that student, who learns just facts, going to be able to make real-life decisions?

The Theories

Values-Clarification

How many of you....

1. think teenagers should be allowed to choose their own clothes?
2. think there are times when cheating is justified?
3. regularly attend religious services and enjoy them?
4. enjoy smoking?

Raise your hands if you agree, put your thumb down if you don't agree, cross your arms if you are undecided and if you want to pass on the question don't do anything. This is part of strategy number 3 in Sidney B. Simon's *Values Clarification: A Handbook of Practical Strategies for Teachers and Students* (38-57). The purpose of the strategy is to allow the students public affirmation of their choices. Also the exercise is to show students that there are others who see the issues differently.

Originally based on the ideas of John Dewey, Louis Rath's formulated the educational approach of values-clarification that focused not on what people valued but on the process of valuing. He concerned himself with the way people come to hold certain beliefs. According to Rath's there are seven sub-processes of the values-clarification process, which are the following:

Prizing one's beliefs and behaviors

1. prizing and cherishing
2. publicly affirming, when appropriate

Choosing one's beliefs and behaviors

3. choosing from alternatives
4. choosing after consideration of consequences
5. choosing freely

Acting on one's beliefs

6. acting
7. acting with a pattern, consistency and repetition (Simon, 19)

The values-clarification approach is not interested in the instillation of values; it is interested in giving students the tools to make decisions. Values-clarification enables students to recognize the importance of making informed decisions and how those decisions affect their lives.

School is usually seen as something existing in isolation. Students attend school, are filled with facts and theories, and let go into a world where decisions need to be made. The facts learned in school have little relevance to their everyday world. However, children are faced more and more with decisions in today's global world. The choices have real-life consequences, which some times can be proved fatal. Values-clarification attempts to engage age-appropriate students in decision-making that has little real-life consequences in the classroom but enormous importance in every day life. This approach attempts to allow students to explore, change, manipulate, strengthen and defend their values without repercussions from authority (adults).

Simon underlines four reasons why the discussion of values is best dealt with in the public school system (15-19). First, he says, adults moralize, which is a direct yet sometimes subtle impression of the adults' values upon a child. People who moralize do not allow the young to create their own values system. Moralizing has become less and less effective in today's society. There are too many people inputting information into young people. Parents say one thing, the church says another, Hollywood says yet another and a peer group stands for another. A child is overloaded with ideas and has to make decisions on his/her own. Children brought up by moralizing parents are not prepared to make decisions the parents have disallowed the child to experience the process through which decisions are made.

Secondly, the laissez-faire attitude toward the instillation of values does the child no good. This attitude maintains that the child will make his/her own decisions, that there is no one correct value system. Therefore the child will do fine without any adult input. This leads to confusion and conflict for the child because he/she hasn't had any help making decisions. Children don't want adults running their lives, but they do want help.

Thirdly, there is the modeling approach. This is the idea that a child will pick up what it means to make decisions by watching another person with attractive values. Also, the approach allows for a young person to chose whom they wish to emulate. The problem with this approach is that the child comes in contact with so many people to utilize as models that he/she is overloaded and ultimately confused.

Finally, the values-clarification approach attempts to help students look at potential situations that require

decisions and build their value systems from their possible decisions. This is not a brand new idea. Teachers, parents, clergy and other educators have always looked for ways to help children think for themselves about what they value. In order to utilize the values-clarification approach many criterion must be laid down in the classroom. The students must feel free to express their opinions. They must feel that they are safe from ridicule. They also must feel that they have the right to pass not to answer the question. School might look or feel and safe as free as everyone wants it to be for this to work; however, it can be a safer place to make a life decision than in a tight--potentially fatal situation. The main idea is for students to have a good idea of their values before they are put into situations that have no safety net.

Outcome Based Education

Outcome Based Education (OBE) is the idea that education should be about the end product, result, or outcome not on what or how much information educators pour into students' heads. In designing the America 2000, President George Bush called for the "[expectation] to set aside all traditional assumptions about schooling and all the constraints under which conventional schools work" (20). The students are no longer seen as empty vessels waiting for information, but as capable learners that can give and take. For example, students in OBE are no longer taught where specific places are on a map. Rather, they are taught how to read a map on their own and given information they can find the location on their own. Outcome Based Education believes that students will acquire a love of learning through repeated success. In 1991 the National Education Goals were compiled in the pamphlet "America 2000: An Education Strategy" They stressed that by the year 2000 "all children in America will start school ready to learn. ...[and] every school in America will ensure that all students learn to use their minds well, so they may be prepared for responsible citizenship, further learning, and productive employment in our modern economy...." (Bush 3). Outcome Based Education's philosophy is that all students can succeed, given enough time. This means papers can be redone, tests can be retaken, homework could be handed in late. OBE was an "idea touted by educators as a way to raise academic standards and make schools more accountable" (Sykes 244) because one could actually see the outcomes, or results, of education. However, opposition has seen it differently.

Much of the material in OBE is about a student's "attitudes and feelings" (Sykes 241). "As we shape tomorrow's schools we should rediscover the timeless values that are necessary for achievement" (Ibid 25). Students need values to achieve the goals launched by the program. Values are based in how a person feels about situations and students need to recognize their values. Outcome Based Education certainly seems to have roots in values-clarification.

Opposition

"It's not a program that improves education; it's a program that rounds out education will all sorts of social goals. And it hurts a lot of children it's designed to help," complained one parent about Outcome Based Education (Sykes 245). Much of the problem with OBE is in the defining of it. Some people believe that it is "expanding the role of schools into the areas of student values and attitudes at the expense of learning" (244). Every student needs to learn to write. WHAT they write about is becoming more controversial. The controversy does not revolve around so-called hot topics, but around general, more family-related topics. Phyllis Schlafly's book *Child Abuse in the Classroom* was published after the U.S. Department of Education held hearing across around the country to hear parents' reactions on the Protection of Pupil Rights Amendment (Hatch Amendment). Parents and teachers criticized courses, teaching methods, and specific assignments. Schlafly, in her introduction to *Child Abuse in the Classroom*, refers to the ideas of former educator and Senator Samuel I. Hayakawa, who warned "the schools have become vehicles for a heresy that rejects the idea of education as the acquisition of knowledge and skills and instead regards the fundamental

task of education as therapy." (13). He believed that "such inquiring into attitudes, beliefs, and psychic and emotional problems is a serious invasion of privacy." (Ibid) The grieving parents objected to the invasion of private affairs the school was doing by asking them questions about their sex life, religion, drug and alcohol abuse, their parents' incomes, etc. Some of the parents protested any questions where the students had to express their feelings and/or opinions on anything. They believe that those questions do not serve an educational purpose and they intrude on a student's right to privacy.

Articles

Many articles exist espousing opposition to values-clarification and Outcome Based Education and general invasions of privacy in school. The Education Reporter published on the Eagle Forum website which is Phyllis Schlafly's organization, prints many articles regarding student privacy. The website holds conservative views of education. The articles in the Education Reporter range from examples of outrageous classroom assignments to book reviews to a look at the surveys and questionnaires students are asked to complete. Some of these articles would be beneficial for the discussion on privacy in the classroom ([HYPERLINK "http://www.eagleforum.org" http://www.eagleforum.org](http://www.eagleforum.org)).

One such article from The Education Reporter (April, 1996), "Yes, Schools Teach ValuesBut Maybe Not Yours" by Anne Haff describes a video shown in a 6th grade social studies class and how a parent has little opportunity for say in the matter of what his/her child is taught. A note was sent home asking permission so that the child could view a video series entitled "The Power of Choice." The parent wanted to view the tape before it was shown to her child. The video was scheduled to be seen that day (the day after the note went home). The parent was granted to view the film and was "very disturbed by what [she] saw" ([HYPERLINK "http://www.eagleforum.org/educate/1996/apr96/focus.html" http://www.eagleforum.org/educate/1996/apr96/focus.html](http://www.eagleforum.org/educate/1996/apr96/focus.html) 6/6/00) The first video was being used in a social studies class but after seeing most of the series the parent knew she didn't want her child seeing the series. The main focus of the series was values-clarification and the parent felt that the series "clearly seeks to erode parents' authority even further. The impression one gets from these films is that the values parents have tried to instill in their children are considered archaic, out of date, and not truly valid in today's society" (Ibid).

The video utilized group sessions during which a facilitator asked each person to describe a major problem. The topics were heated and charged. The parent viewing the video questioned whether or not her child could concentrate after one of these "highly charged, emotionally draining, privacy-invading sessions" (Ibid). She also expressed concern about family secrets being looked at from the view of an juvenile. The parent did find some good points in the video but also found that know-everything teenagers quickly invalidated these points. She certainly did not want her child listening only to her inner-self and peers. She finds fault in this approach. "With this kind of pap for guidance, how can we be surprised that many children no longer seem to know the difference between right and wrong?" (Ibid)

Conclusions

The debate between educators, bureaucrats, educational theorists, and parents about how American public schools should be run is far from over. Some parents have pulled their child(ren) from the system and begun home schooling because of the perceived deterioration and invasion of students' and parents' rights. Politicians are waving funds in the face of public school as a carrot to raise standards and test scores.

Teachers are lowering standards because “Success for every student” mantras are being heard all across the country. Educational theorists are bashing the system from all sides and calling for the abolishment of the federal Department of Education and state education departments (Sykes, 285). Sykes is even calling for the elimination of undergraduate schools of education in state universities (Ibid).

Moving on to the privacy issue, Sykes calls for a removal of mandates. “Schools should be free from requirements that they solve society’s social, environmental, economic, and sexual problems and be permitted to get back to the business of teaching children to read and write” (Ibid). Unfortunately, Sykes lays forth what is wrong with schools and gives little example on how to change the system. He asks teachers to break ranks with politicians, try honesty, quality, demand raises for excellence and allow for competition in the field of education (290). He sees that “the public expects too much from teachers because educationists have led it to believe teachers could be substitute parents, psychotherapists, cops, social workers, dieticians, nursemaids, babysitters, and nose wipers and still do a decent job teaching kids to read, write, and do math” (Ibid). He and others (Phyllis Schlafly, et al) believe that when teachers get back to the basics (reading, writing, and arithmetic) the teachers will no longer be invading student privacy because time will be spent on learning the basics rather than on how a child feels about war, abortion, what mommy and daddy did last night. He recognizes that students have been asked these questions for a long time in American education. Back in the 1920’s schools began adopting the “child-centered” classroom approach. So where does that leave us?

Trying to do both jobs at the same time: encourage students to utilize prior knowledge and real life experiences while not focusing on the content but on the quality of writing. Today, teachers want to encourage real life simulations, as will be shown in the CAPT, but have to be careful about what they publish. With the advent of the Internet and the desire to compete in the global world, students and teachers are excited about the opportunities to publish online; however, with privacy issues at hand it is hard to determine exactly what the law denotes as private and in need of consent. Is publishing a student’s name because it is part of his/her record an invasion of privacy? Does it become an invasion of privacy once it goes on the Internet? Is asking a student to write about his/her family life in preparation for learning about different types of families an invasion of privacy? These are all questions to reflect upon while teaching.

Some guidelines to avoid controversy might be to (1) create a blanket statement about what will be done in the classroom that parents will sign; in the letter encourage parents to come observe and even participate in the classroom, (2) never ask a student a question that you yourself wouldn’t want to answer, (3) always allow a student to pass his/her turn to speak on private issues but demand that work be done (grade amount/quality rather than content), (4) give an alternate writing assignment, (5) never share information with others unless required by law, (6) have the students keep a journal of personal experience and a portfolio of academic writing, and finally (7) make sure that the environment is safe and secure from sarcasm, put downs, and any negativity that might hamper learning and sharing. Edward Pauly, in *The Classroom Crucible*, delineates what he has observed about classrooms.

“Teachers’ and students’ actions are continually exposed to examination by every person in the classroom, in an unrelenting mutual scrutiny that gradually reveals each person’s sensitivities and limitations to everyone else in the classroom, and greatly increases their susceptibility to influence by their classmates.... Teachers and students know that their contact with the other people in their classroom will be lengthy and sustained. For the whole school year, the quality of teachers’ and students’ lives is controlled by a single group of people, those that make up their

classroom. They are always there” (40).

This alone leaves little room for privacy and is why teachers must create the feeling of a secure environment for interaction.

The CAPT

The purpose of this section of the unit is to allow students the opportunity to learn about privacy while preparing for the CAPT test, and to allow teachers the opportunity to learn how to teach sensitive issues in ways responsive to privacy concerns. Though never accused of invading a student’s privacy (yet) the CAPT (Connecticut Academic Performance Test) Interdisciplinary exam asks the students to do many things that may reveal personal and private opinions on controversial topics. The students are not only asked to discuss what they know about a topic and read differing positions on the topic, and to analyze graphs and pictures. They must also finally write a position paper on the topic that is likely to involve their personal values. The topics have ranged from the death penalty to government funding of space exploration. The CAPT Interdisciplinary exam is designed to allow students to utilize their acquired skills in real life situations. Students need not pass the CAPT exam to graduate but more and more districts are pushing the exam as the means for assessing whether or not the students are learning.

The CAPT exam was developed to hold secondary educational institutions accountable for the education of their students. It extends the Connecticut Mastery Test given in 4, 6, and 8th grades to the high school level. The CAPT, however, serves a different purpose than the CMT. The CAPT exam encourages improved student learning by:

1. Setting high performance standards on a comprehensive range of important skills and knowledge;
2. Emphasizing the application and integration of skills and knowledge in realistic contexts;
3. Providing timely assessment data regarding students’ strengths and weaknesses; and
4. Providing an expanded measure of accountability for all levels of Connecticut’s education system up to and including the high school. (High School Assessment and Testing Unit)

The first generation of CAPT, given prior to 2001, consisted of one piece of student writing. The second generation will be similar in that the students will read source material, take a position and write a persuasive response. However, this second-generation test will consist of two shorter tests that equal the amount of time of one test. The students will be given three short nonfiction pieces, including graphs and charts about one subject. Then they will be asked to write on one extended response, open-ended question to assess how well they write a persuasive essay. The students will be graded holistically by two readers and will be evaluated on how well they used the information from each of the sources. Each test will be completed in 55 minutes on two separate days.

In this rapid and fast paced world, students need to acquire critical thinking skills, problem solving skills and communication skills in order to survive. They need to be able to make informed decisions, and communicate their ideas to the world around them. The aim of the Interdisciplinary exam is to promote the acquisition of these skills. The test assesses the students' ability to employ these skills in a realistic and interdisciplinary context. Basically, they are to take everything that they have learned through their educational experience and apply it to one or two real-life situations. For example, people need to make informed decisions about the world around them (through newspaper articles, editorials, documentaries, etc.) and communicate their opinion to others (write an editorial or letter to a congressperson). In a real-life situation, however, people are allowed as much time as warranted to think about an issue; they are allowed to talk more about the issue; and, they are allowed to make the decision as to whether or not they want to write that letter to the congressperson. The students are given a limited amount of time to think, discuss and write. The papers are, however, viewed as rough drafts.

Every 10th grade student in Connecticut with little exception (based on disabilities or limited English proficiency) must take the CAPT exam. The areas of testing include English, Math, Science and Interdisciplinary, which requires the students to utilize knowledge from across the curriculum. Eleventh and twelfth grade students who have not passed the CAPT exam (or portions thereof) may voluntarily retake part of the exam. As stated before, according to state law, the CAPT exam is not a prerequisite to graduation and cannot be made a prerequisite unless the law is changed. Instead, students receive Certificates of Mastery for each part of the exam they pass. Their scores become part of their permanent record, at which employers and colleges can look.

Each year, the press is allowed to publish CAPT results. The results are utilized in "evaluating the annual progress of particular educational programs and are the primary basis for assessing the annual progress of schools and school districts as specified under Title I of the Improving America's Schools Act." (High School Assessment and Testing Unit) The CAPT can be reported several ways. Some reports highlight individual success, some provide information of the strengths and weaknesses of a school's program, and some reports are fashioned to hold schools accountable for the academic achievement of their students. A student's performance on the CAPT is made a part of their permanent record and official school transcripts. The results are recorded on a sticker that cannot be legally removed from students' records. School districts and individual schools receive in the form of a School Roster Report information regarding the performance of each of their students. District CAPT results are public information and are shared with the press.

CAPT like tests are spreading across the country. Parents, taxpayers and politicians are demanding that the schools be held accountable for the education of their students. The exam, however, may be seen by some as in itself an invasion of privacy. Across the nation many teachers and many students are disgusted with the trend of standardized testing. Some students have refused to take standardized tests. Some teachers believe that we are becoming more of a "learn it for the test" society. However, it looks as if the CAPT exam is here to stay. The main question is "How can students prepare for the CAPT in a way that respects legitimate privacy concerns?" The answer is in a writing program.

Writing

With writing about feelings and opinions under fire in parts of the country it is difficult to think about what will be taught in the English classrooms of America. It is difficult to think about a way to teach the CAPT exam (especially the interdisciplinary part) because the exam asks for a student to evaluate his/her feels and state an opinion. But as it will be shown, even though these solutions raise privacy concerns, this topic is a good way to get students thinking about the sacredness of privacy.

E.D. Hirsch, Jr. of the University of Virginia states, "writing is difficult no one will deny" (Hirsch, 39). Students need to be taught the writing process before mastery can be achieved. There are many steps involved with the process and handing the paper to the teacher for a grade is not the final step. For a simple explanation of the writing process that is accessible to students see *This Book Is Not Required* by Inge Bell (pages 128-144). This paper utilizes the John Collins' method of writing, which is similar to that explained in Bell's book. Collins' books are readily available as Bell's book is not. All of the material presented below on the writing method came from a seminar given by John Collins on April 4, 2000 and can be found in *Developing Writing and Thinking Skills Across the Curriculum: A Practical Program for Schools*. For the purpose of this unit, it is presumed that students know some grammar and spelling rules, which the John Collins method dismisses as a blockade to student writing. Teachers who wish to emphasize spelling and grammar may do so in an FCA (for example, one FCA, worth low points, may be no more than 5 spelling errors. Then have the students check each other's spelling.)

The first step is to introduce the FCA's (Focus Correction Areas, later explained). The next step in the writing process is to brainstorm on a "general" topic. For example, the students will be writing about privacy in school. They may be given the topic of PRIVACY and asked to brainstorm or web. The teacher webs out on the board the ideas generated by the class. Then the students are asked to write freely about "What does privacy mean to you?" In this stage the students are free to draw, doodle, write without worry of mistakes. Next, the students are asked to share ideas (In keeping with the topic of privacy, the students are asked to volunteer information.) Then, the words "Should students expect privacy in school?" are written on the board and the teacher asks students to brainstorm on that subject. The first two exercises get the students to concentrate on PRIVACY. The third exercise asks the students to narrow their focus. Now, the students are asked to organize their ideas--put the most important first and think of three supporting details. Then continue with the other two ideas. Soon, a first draft is completed.

Now the students are ready to get busy. Have them read their paper aloud in a one-foot voice a voice that can be heard from one foot away-- (see John Collins Program) looking for the FCA's. They can also take this time to correct any thing else in the paper. They will find errors naturally as they read aloud. Next, have the students exchange papers and read the paper they have to the author. They are to comment on the FCA's. Then the student is asked to take the paper home and type it out with the revisions. The paper is handed in and the teacher grades only according to the FCA's. This saves much time. The paper is returned with a second draft grade and comments. The student is asked to revise one more time and hand in the final, "to be published" paper. Then, when returned to the student, it is placed in the cumulative writing folder to be revisited upon learning a new FCA.

More often than not the students are asked to turn in work that has not been revised. The unrevised paper may be so due to a number of factors: laziness, forgetfulness or "just wasn't told to revise." Moreover, students were never taught HOW to revise. Students generally hand in their work; their work is graded using

some obscure grading system; they receive the paper back with a grade and lots of red marks; they look at the grade and may read the comments; then, the paper ends up in one of two places, stuffed in the notebook forgotten or in the trash. However, the John Collins writing program promotes revision and particularly the improvement of past works.

An essay is an easy thing to write once one has mastered the basic form: topic sentence, three supporting details, and a concluding sentence. Sometimes, however, it is a frightening thing to revise. Revision is just that--looking at it again. With the John Collins method, students learn to look for specific areas of improvement called FCA's (focus correction areas). Before beginning this unit the students are expected to have mastered basic writing skills such as forming complete sentences, staying on topic, the five-paragraph essay form, etc. Three basic FCA's will be used in completing the five paragraph persuasive essay: Did the writer clearly state his/her position? Did the writer use at least 3 supporting details that originated in the source material? Did the writer have a strong introduction and strong conclusion? These will be the areas assessed when the work is revised and then when the work is graded. These will be the only areas that are of concern to the student and to the teacher. The FCA's will unbind the student from the tediousness of "fully" revising his/her essay. The student will focus on the main areas of writing and still have time to actually write (without worrying about spelling, punctuation, etc. unless the teacher wishes to make these part of the FCA's. Then, the teacher must introduce a rule that he/she wishes to focus on. For example, subject/verb agreement may be an FCA after the subject/verb agreement rule has been taught. Then, the FCA for subject/verb agreement may be worth 10 points if the student has no more than 2 s/v errors.)

CAPT assessment is based on the idea of holistic scoring. The scorers will be looking at the work as a whole--not the little pieces that might receive red ink in a school (spelling, grammar, punctuation, etc). The scorers are highly trained individuals. Two people using a range of 1 - 6, with 6 being exceptional, score each answer. The student receives a total score of 2 - 12, with 8 currently being a passing grade. The scorers utilize anchor sets (what a 1 looks like, what 4 looks like, what a 6 looks like, etc.) to gauge what the student will receive. The second-generation interdisciplinary test assessment has added that the students must utilize information from the three sources in order to pass.

The Unit

The Lesson Plans

As described above the lessons will be mainly on the writing process. The students will be given opportunity to utilize prior knowledge on the subject. They will discuss the subject. Then, they will free write. Then they will re-discuss the subject and compose a first draft. All of the source materials are of the teacher's choice. I have compiled a list of articles pertaining to the privacy issue. Many of the articles are available via the Internet and EBSCO host. See annotated bibliography.

Sample Lesson 1

Introduction of FCA's

Objectives: The students will

- show awareness of FCA's
- be able to explain the importance of FCA's
- be able to explain the John Collins writing method and its importance
- utilize the John Collins method of writing to complete a simple writing task

Initiation

Don't you hate it when you get back a paper and there are all of these red marks all over your paper? Don't you hate not being able to read the comments because they seem to be about something you have no idea about? Well, that will all change. I'm not going to circle your misspelled words anymore. I'm not going to comment on a misplaced period. I'm not even going to look at your use of "to be" verbs. Unless, of course, I cannot even read your work because it is unclear due to numerous spelling and grammatical errors.

Today, we are going to learn about FCA's. They are Focus Correction Areas. Can anyone guess as to what that means? It means I am going to look for specific things in your essay and not worry about all those other little annoyances. For the next few weeks we are going to deal with three main FCA's. They are the following: Did the writer clearly state his/her position? Did the writer use at least 3 supporting details that originated in the source material? Did the writer have a strong introduction and strong conclusion? These are the three things I am going to look for in all of your writing when grading papers. These are the things you are going to look for in your own writing and your peers' writings.

Can anyone tell me the reason we are going to use FCA's? Less work, we are more focused on major components, we don't have to worry about spelling and grammar, and we know what is expected and how much each is worth.

Does anyone know what a one-foot voice is? Well, right now I am talking in a 30-foot voice because I want ___ to hear me in the back of the room. A one-foot voice is a voice that carries only one foot in front of you. When do you think we might use this voice? Editing, revising papers. Why do you think we use this voice? Keep to ourselves, hear mistakes. Why might someone read your paper in a one-foot voice? Hear mistakes, pick up things we might have missed, fresh eyes. Have you ever noticed that when you put your hands over your ears and talk things sound louder? Try it. When might this be handy? Testing time, after I finish writing during class. Believe it or not, a guy named John Collins has written many books on this subject. That is why it is referred to as the John Collins method of writing.

Now to recap, what is a FCA? Why is it important? What is a one-foot voice? Why is it important?

Who wants to try this out? I am going to give you a simple topic and your FCA for the day. You are then going to write about it, use your one-foot voice to revise, then use peer edit to revise again. The topic is "My Summer Vacation" and the FCA is Eye-catching Introduction. So that means what? I am looking only for an interesting introduction. You get 100 points for having an interesting introduction. You have ten minutes to complete this task.

Time's up. Now, as a class we are going to read aloud, in our one-foot voices, the essay. This may seem really weird but when you see the results--watch out! Begin.

The class should all begin. Encourage them to speak. You may want to start it off like a race (1, 2, 3 start!). Go around the room and say, "I can't hear you." When they are finished ask them to rate their own introduction. Is it a 100-point, WOW introduction, or a 50 point OH MY GOODNESS, I'M TOTALLY LAME beginning?

Next, have them peer edit. Switch papers ONCE. One person reads while the other listens. Grade. Switch.

Now, just for fun, I want you all to read your papers with your hands over your ears. I want you to experience this fully. Anyone notice anything? I noticed that I barely heard you.

Closure For the next few weeks we will continue our look into the dark realm of FCA's. We will exercise our vocal cords with our one-foot voice. I know a lot of you will be practicing tonight on the telephone so don't tell me you can't do it. FCA's are valuable. Anyone tell me why? Review.

Sample Lesson 2

Objectives: The students will

- utilize prior knowledge to brainstorm on the topic of privacy;
- utilize prior knowledge of privacy to complete a free writing exercise;
- utilize speaking skills to communicate ideas about privacy.

Write "Privacy" on the black board. Ask the students what images the word conjures up in their minds. Using a web design, diagram their responses. Ask them where certain things may go (i.e. headings, support). One such heading may be FAMILY, under which the idea of secrets may go.

Next, ask the students to free write about the following question, "What does privacy mean to me?" A FCA might be to write one full page. The students are given a set amount of time (10 - 15 minutes) to write as much as they possibly can on the subject. As they write, you should sit down among them and write on the topic also. You may wish to grade this based only on amount, not content.

Next, ask someone to volunteer to share. Be prepared for silence. Students must feel free to remain quiet. We are talking about privacy here. Then, share what you have written. This can be a formulated/fictional account but you may wish to be as honest as possible--you are in a PUBLIC school. You may end on the idea of privacy in a public school. This will help start the next phase of the process.

Ask for the students' reactions to what you just read. Emphasize that these are your personal feelings and are not to be criticized. No one's ideas are to be criticized in this project. Their attempt at explaining the ideas may be reviewed, but never their own personal ideas. Some students might be encouraged to change their views through a study of the material.

Next, write "Privacy in School" on the board and ask them to brainstorm on this idea. List their ideas on the board. Ask them to group ideas together. Choose the three main things that interest them and create supporting examples (minimum of three each). Now they are ready to write an essay based on prior

knowledge.

The easiest way for them to write this essay is by constructing an outline and plugging in the information. You may wish to write a sample outline on the board. Topic sentence, detail one, detail two, detail three, concluding sentence. Next paragraph deals with detail one (then three supporting details and concluding sentence. Third paragraph deals with detail two and so on.

Sample Lesson Plan 3

Objectives: The students will

- utilize higher order thinking skills to discuss and debate information presented in articles
- utilize higher order thinking skills to discuss and debate the legal information given on student's rights and privacy
- utilize material and discussion to create an informal persuasive essay
- utilize acquired information about FCA's to complete task
- utilize one-foot voice to self-assess the essay

Using the list from the annotated bibliography have students look up information on the Internet or give them copies of the articles. One thing I have learned is that the Internet is not a stable place and material quoted in the paper cannot be guaranteed to be where it is stated to be. Do searches for key words before hand and maybe give the students an updated list of websites. (Good opportunity to discuss the Internet.)

First, have the students discuss the legal issues behind privacy and students' rights. Next, allow them to discuss the opinion pieces and articles. Ask them to back up their own opinions, and opinions of others, with facts. These points might be used in the writing of the paper. Ask the students to identify out three good points in the articles. These will be used for the paper and can be plugged into their outlines. They must utilize information in the articles. Then, they are to create introductions, body paragraphs, and conclusion based on the FCA's.

After the first draft is completed have the students utilize their one-foot voice to check for mistakes. Have them focus on the FCA's. Afterwards, have them peer edit with the one-foot voice.

For homework have the students type a second draft.

Sample Lesson Plan 4

Objectives: The students will

assess work based on an anchor set that exhibitions the criteria for each level (1 - 6)

Now, this is the tough part for the teacher. An anchor set must be created. What does a 1 look like? What does a 2 look like? And so forth. The students should be aiming at 3 or a 4 with a 4 and 5 (9 total) being passing for the state requirements. This is where each FCA is worth the same amount of points. Your anchor sets should reflect the scale of 100 = 6, 80 = 5, 70 = 4, 60 = 3 and F = 2 and 1. This is totally your decision.

Copies of the anchor set should be given to the students. Discuss the anchor sets. What distinguishes each? Have them assess their work based on the anchor set. Collect second draft and grade/make comments. Have the students refine their work so that it is perfect. Perfect paper goes (along with other drafts) in portfolio.

Sample Lesson Plan 5

Objective: The students will

utilize knowledge gained throughout the unit to reflect orally and in writing upon the first writing assignment.

Initiation

Now students, the main question for today is "Was the first assignment I gave to you for the beginning of this unit an invasion of privacy? Why or why not?"

Have the students debate for ten-fifteen minutes. Remind them of what the assignment was. Ask probing questions that do not contain your own opinion. Allow the students to form their own opinions. Next, have the students free write. Then have them write a formal paper to you. Return to the John Collins method (one-foot voice). Grade based three FCA's.

Works Cited List

Bell, Inge. *This Book Is Not Required*. Fort Bragg, CA: The Small Press, 1985. Bush, George. *America 2000: An Education Strategy*. (rev) 1991. Collins, John. "A Writing Program that Works," seminar, April 4, 2000. Collins, John. *Developing Writing and Thinking Skills Across the Curriculum: A Practical Program for Schools*. Drury, Robert L. and Kenneth C. Ray. *Essentials of School Law*. New York: Meredith Pub. Comp., 1965. Haff, Anne. "Yes, Schools Teach Values But Maybe Not Yours," *The Education Reporter*. <http://www.eagleforum.org/educate/1996/apr96/focus.html> , (6/6/00). Harrison, Maureen, Steve Gilbert, eds. *School House Decisions of the United States Supreme Court*. California: Excellent Books, 1997. High School Assessment and Testing Unit. Connecticut Academic Performance Test. Bureau of Research, Evaluation and Student Assessment. Connecticut State Department of Education. Hartford, Connecticut. Hirsch, E.D. Jr. "Some Principles of Composition from Grade School to Grad School," *The English Curriculum Under Fire: What are the Real Basics?* George Hillocks, Jr. ed. Illinois: National Council of Teachers of English, 1982. Pauly, Edward. *The Classroom Crucible*. New York: BasicBooks, 1991. Schlafly, Phyllis, ed. *Child Abuse in the Classroom*. Illinois: Pere Marquette Press, 1984. Simon, Sidney B. and Leland W. Howe and Howard Kirschenbaum. *Values Clarification: A Handbook of Practical Strategies for Teachers and Students*. (Revised). New York: Hart Pub. Co. Inc., 1978. Sykes,

Charles J. Dumbing Down Our Kids. New York: St. Martin's Griffin, 1995. U.S. Government Printing Office via GPO Access, The FERPA Regulations, <http://www.clhe.org/3a2-1.htm> (5/22/00).

Teachers' Annotated Bibliography

Due to the instability of the Internet, the teacher may have to do a key word search to find articles mentioned. I tried to give as much information as possible. Alderman, Ellen and Caroline Kennedy. *The Right to Privacy*, Knopf, 1995. An easy to read book about general privacy issues. Does not deal with privacy in the classroom but it does deal with personal privacy. Bell, Inge. *This Book Is Not Required*. Fort Bragg, CA: The Small Press, 1985. Excellent book that talks about writing in a down-to-earth method. Can be ordered for the classroom. Bonville, Bill. "What is Outcome Based Education," <http://www.prophezone.com/search/database/is42.5.html> , (7/4/00). Slightly slanted view of Outcome Based Education but will allow students to view another's point of view. Bush, George. *America 2000: An Education Strategy*. (rev) 1991. This is a government document that allows the reader to understand the reasoning behind many of today's programs. Collins, John. "A Writing Program that Works," seminar. I highly recommend. Collins, John. *Developing Writing and Thinking Skills Across the Curriculum: A Practical Program for Schools*. Excellent source for all the information given at the seminar. Haff, Anne. "Yes, Schools Teach Values But Maybe Not Yours," <http://www.eagleforum.org/educate/1996/apr96/focus.html> , (6/6/00). Article focusing on parents' issues with the value-clarification method. Also view HYPERLINK "<http://www.eagleforum.org>" www.eagleforum.org and do a search through The Education Reporter High School Assessment and Testing Unit. Connecticut Academic Performance Test. Bureau of Research, Evaluation and Student Assessment. Connecticut State Department of Education. Hartford, Connecticut. A must for all teachers. Up to date information regarding the CAPT. Can be contacted at CT State DOE, P.O. Box 2219, Hartford, CT 06145-2219, (860)-566-1687. Hirsch, E.D. Jr. "Some Principles of Composition from Grade School to Grad School," *The English Curriculum Under Fire: What are the Real Basics?* George Hillocks, Jr. ed. Illinois: National Council of Teachers of English, 1982. A source for understanding the difficulties in writing. Jenkinson, Edward. "Writing Assignments, Journals, and Student Privacy." ERIC Digest. EDO-CS-94-01 Jan 1994. http://www.indiana.edu/~eric_rec/ieo/digests/d88.html , (7/5/00). Excellent source for immediate information on privacy in the classroom. Gives suggestions as to how to deal with the topic in daily assignments. Good source for students gives pro's and con's. Legal Information Institute, "Education Law: an overview," <http://wwwsecure.law.cornell.edu/topics/education.html>, (4/13/00). This site is excellent for all legal questions. New York State Education Department, "Protection of Pupil Rights Amendment," <http://www.nysed.gov/rscs/puprghts.html> , (5/22/00). A brief explanation of the amendment. Pauly, Edward. *The Classroom Crucible*. New York: BasicBooks, 1991. Deals with the functioning of the classroom. Protecting the Privacy of Student Records, Section 2 full text,

http://nces.ed.gov/pubs97/p97527/SEC2_TXT.htm , (4/13/00). Another excellent site for finding information about educational law.

Richtel, Matt. "Privacy Concerns Aside, Consumers and Schools Rush to Get Free PCs," *New York Times* Feb. 25, 1999. . <http://www.nytimes.com/library/tech/99/02/circuits/articles/> , (6/6/00). Good article for the debate on commercialism vs. privacy. Schlafly, Phyllis, ed. *Child Abuse in the Classroom*. Illinois: Pere Marquette Press, 1984. The official transcript of the proceedings before the Board of Education regarding the Hatch Amendment. This is the foundation of the argument against the invasion of privacy in the classroom. Very difficult to find the text which documents parental concerns about what is discussed in the classroom; however, many articles in the Eagle Forum's Education Reporter reflect the attitudes and beliefs of the parents opposing the invasion of privacy in the classroom. Simon, Sidney B. and Leland W. Howe and Howard Kirschenbaum. *Values Clarification: A Handbook of Practical Strategies for Teachers and Students*. (Revised). New York: Hart Pub. Co. Inc., 1978. Practical guide for teachers who wish to use this approach. Gives purpose and instructions. "Student Privacy Protection Act," HYPERLINK "<http://rs9.loc.gov/cgi-bin/query/D?c106:7:./temp/~c106zHmzZ9>" <http://rs9.loc.gov/cgi-bin/query/D?c106:7:./temp/~c106zHmzZ9:> , (6/6/00). The Federal site has documentation for all bills

introduced to Congress. Sykes, Charles J. *Dumbing Down Our Kids*. New York: St. Martin's Griffin, 1995. Eye-opening account of American public schools. U.S. Government Printing Office via GPO Access, The FERPA Regulations, HYPERLINK "<http://www.clhe.org/3a2-1.htm>" <http://www.clhe.org/3a2-1.htm> (5/22/00). Full documentation of the regulations.

Students' Annotated Bibliography

Search for articles through the Internet, ERIC, and library search. These articles will help you understand the controversy surrounding privacy in the classroom.

Bonnville, Bill. "What is Outcome Based Education," <http://www.prophezine.com/search/database/is42.5.html> , (7/4/00). Slightly slanted view of Outcome Based Education but will allow students to view another's point of view.

Haff, Anne. "Yes, Schools Teach Values But Maybe Not Yours," <http://www.eagleforum.org/educate/1996/apr96/focus.html> , (6/6/00). Article focusing on parents' issues with the value-clarification method. Also view HYPERLINK "<http://www.eagleforum.org>" www.eagleforum.org and do a search through The Education Reporter. Jenkinson, Edward. "Writing Assignments, Journals, and Student Privacy." ERIC Digest. EDO-CS-94-01 Jan 1994. http://www.indiana.edu/~eric_rec/ieo/digests/d88.html , (7/5/00). Excellent source for immediate information on privacy in the classroom. Examines the pro's and con's in the privacy debate. New York State Education Department, "Protection of Pupil Rights Amendment," <http://www.nysed.gov/rscs/puprghts.html> , (5/22/00). A brief explanation of the amendment. Protecting the Privacy of Student Records, Section 2 full text, http://nces.ed.gov/pubs97/p97527/SEC2_TXT.htm , (4/13/00). Another excellent site for finding information about educational law. Richtel, Matt. "Privacy Concerns Aside, Consumers and Schools Rush to Get Free PCs," New York Times Feb. 25, 1999. . <http://www.nytimes.com/library/tech/99/02/circuits/articles/> , (6/6/00). Good article for the debate on commercialism vs. privacy. U.S. Government Printing Office via GPO Access, The FERPA Regulations, <http://www.clhe.org/3a2-1.htm> (5/22/00). Full documentation of the regulations.

<https://teachersinstitute.yale.edu>

©2019 by the Yale-New Haven Teachers Institute, Yale University

For terms of use visit <https://teachersinstitute.yale.edu/terms>