

# In Education Misconceptions: Policies and Politics. *Delaware Public Affairs Reports* (2001, #3) Edited by Robert Hampel

Are “the  
 standards”  
 really the  
 standards?  
 by Tony Whitson

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Newspapers across the United States (including here in Delaware) trumpeted the news that a report by a national education “think tank” had found history standards in most states to be seriously flawed. Delaware was reported as among the worst: the report gave our state’s new standards a grade of “F,” or “useless.”<sup>1</sup>

It would be easy enough to dismiss the whole report as a (very successful) publicity stunt by the ideologically driven Fordham Foundation; but it may be more constructive to see what we can learn from this episode, by considering how recurring problems in the design and implementation of standards may stem from misconceptions concerning the basic nature of

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According to the Fordham report, Delaware’s history standards “are superficial and contain little content,”

and “are also vague and unmeasurable.” In other words, our standards would supposedly be better if they were less vague, more measurable, and contained more specific content. I would like to consider the conception of standards that is implicit here by looking at the specific example of standards concerning “due process of law,” including “due process” in the Delaware standards as well as those of Virginia (graded as “A,” or “exem-

plary" in the Fordham report) and the national standards for civics education.

Delaware's standards for social studies consist of just four broad, general standards in each of the four "core disciplines" of history, geography, economics, and civics. There are four general standards in civics, for example, running through all grades from K through 12. For each of these standards, the document states that "The complexity of the standard will increase at each succeeding grade cluster," and then provides a list of benchmarks for achievement of the standard at each of the grade clusters. "Due process" is addressed in a benchmark for Civics Standard Two, grades 4-5:

- ◆ Students will understand that the principle of "due process" means that the government must follow its own rules when taking action against a citizen.

I would argue that this is, indeed, a seriously flawed benchmark; but I would also argue that the problem is that it is too specific, rather than not being specific enough.

One problem with this benchmark is that it suggests an understanding of "due process" that is simply not correct, insofar as it suggests that due process has been afforded so long as the government has followed its own rules. That is not the essential idea of due process. It is easy to imagine examples of governments following their own rules without due process: in South Africa under Apartheid, for example, or in mainland China today. Indeed, the government of China protests against our insistence on human rights by claiming that our principles of "due process," "the rule of law," etc. are principles peculiar to our Western culture that have no place in China. The U.S. government insists that these are universal principles of universal human rights. Many have expressed alarm that young people in this

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country are apparently succumbing to a cultural relativism that would accept the Chinese government's position on these matters (to the extent that college students reportedly resist even the possibility of judging the Nazis' genocidal policies as morally wrong, except as an expression of our own culturally relativistic biases).

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understand this one, specific, limited aspect of due process, and that the standard will be satisfied even if they don't understand the more basic (and more general) principles involved. We might be tempted to take this route in order to make our standards more specific and measurable than they could ever possibly be if we were aiming for more adequate understanding of the underlying principles. In that case, however, students will not have any basis for understanding the difference in principles between the U.S. and Chinese government positions on human rights, or the difference between relativistic and more universalistic stances on these issues.

The Delaware standards themselves seem to call for an understanding that is more adequate (and, hence, necessarily more general) than the specific gloss on “due process” found in the grade-cluster benchmarks. Expanding on Civics Standard Two, for example, the standards document explains:

The American political system was intentionally created to rest on a foundation of individual liberty, freedom of religion, representative democracy, equal opportunity, and equal protection under the law. These principles and ideals are codified in the United States Constitution, the Bill of Rights, and other significant documents. Understanding, achieving, and upholding them represents a major challenge to each succeeding generation of American citizens.

The benchmark for understanding “due process,” at least, seems to fall short of the target indicated by this explanation of the standard itself.

Perhaps now we should turn to the Virginia standards, which the Fordham report holds out to us as an exemplar for emulation by other states. Virginia standards address due process in the seventh and twelfth grades. In seventh grade,

The student will compare the Charters of the Virginia Company of London, the Virginia Declaration of Rights, the Virginia Statute of Religious Freedom, the Declaration of Independence, the Articles of Confederation, and the Constitutions of the United States and Virginia, as amended, with emphasis on their treatment of . . . fundamental liberties, rights, and values including religion, speech, press, assembly and petition, due process, equality under the law, individual worth and dignity, majority rule and minority rights, etc.

In grade twelve,

The student will summarize landmark Supreme Court interpretations of the United States Constitution and its amendments, with emphasis on basic freedoms, due process, equal protection of the law, and government powers, and will analyze the historical trends and contemporary patterns of United States Supreme Court decisions.

While these standards appear to name activities through which students are likely to gain some understanding of due process, etc., it is in fact student activities that are described, rather than the knowledge, ability, or understanding that should constitute the standard, or the measure by which we would want to judge the effectiveness of such activities in achieving

their intended learning outcomes. Since students can find ways to “compare” and “summarize” without understanding, we need standards that can help us assess the learning achieved by our students against the target of achievement we are aiming for; a description of learning activities does not provide us with a standard that can help us in that way.

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The national standards for civics education do focus on understanding as the target we are aiming for. One of the civics standards for grades 6-8 will be met when the student

Understands the basic concept of due process of law (i.e., govern-

ment must use fair procedures to gather information and make decisions in order to protect the rights of individuals and the interests of society).

This standard is written in terms of learning outcomes (in this case, the “understanding”) that we are aiming to accomplish with our students; and it is not written narrowly in ways that render it inadequate to the broad principles of due process that students need to understand.

Yet, although this standard is more adequate to the true meaning of “due process,” it lacks the specificity and measurability called for by the Fordham Foundation. There seems to be a necessary trade-off: We can have specific, measurable standards that fall short of our real purposes or, it seems, we can have more adequate standards that are less specific and measurable.

To solve this problem, I propose that we begin by correcting a misconception about standards in general: We need to understand why “the standards” are not really the standards (or, at least, why they should not be). If our real standards are understood to be the targets we are actually aiming for — the levels of substantial knowledge, understanding, and ability that we are striving for our students to achieve — then these real standards will

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be too complex, too multi-faceted, and too nuanced to be fully and adequately expressed in finite statements of the sort that can be printed in a “standards” document. We do, of course, have the option to abandon our striving for real understanding, and to reduce our aspirations to more limited and measurable achievement by our students even if it means that they won’t really understand the actual meaning of due process or other topics “cov-

ered” by the school curriculum. In that case, then the printed “standards” could actually be the real standards we are aiming for (or settling for) at the cost of serious reduction in the learning that our students might attain when instruction is reoriented by standards that have been reduced in this way.

As an alternative, we can maintain more ambitious and more adequate standards expressed in less specific and less measurable terms in the standards documents, while understanding these explicit, official statements of the “standards” not as a full and complete specification of the standards, but as necessarily a partial definition of the standards of learning that we are aiming for our students to achieve. In this sense, “the standards” are not in themselves the real standards, but merely partial expressions and partial specifications of those real standards, which can and must be defined further as they are elaborated through other elements of the standards-oriented process.

The most salient of these other elements is likely to be the assessment used to determine whether standards have been met. Even where the standard is made more specific, as in the Delaware benchmark calling for fifth

graders to “understand that the principle of due process’ means that the government must follow its own rules when taking action against a citizen,” there is still the need to determine what will be accepted as evidence that

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this “understanding” has been achieved. Will it be enough for the student to connect “due process” with “government follows its own rules” on a matching test, or to reproduce this statement when asked for a definition of “due process”? Will the student be prompted to classify a number of scenarios as being examples or non-examples of due

process? Or will the student be expected on her own initiative to recognize examples of due process violations without being prompted to do so, or to include due process as something that needs to be considered in an open-ended problem-solving situation used in a performance assessment?

In other words, what will be deemed to count as student understanding of “due process”? The important thing to notice here is that this is not just a matter of deciding how to assess a standard that is fully defined in advance. The assessment decision about what counts as understanding of due process is part of the process of defining the real standard itself, insofar as this decision is part of the process of specifying or defining what this standard actually means. The only way to avoid this is to adopt standards that are so limited in their specificity that they can be fully expressed within the standards document itself; but, as we’ve seen, this generally requires a reduction of the goals that we are aiming for, or the abandonment of more adequate stan-

dards that are truly worthy of the best efforts of educators, students, and the public.

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Two points can be observed in the issue of how to assess student understanding of “due process”: First, we can see what might be called the elasticity of meaning in the standards as they are partially expressed in

official standards documents; and second, we see that the real standards are only partially defined in those official expressions, and require further definition. These general points have several implications, two of which are raised below.

One implication of the elasticity of standards in official statements has to do with consequences of timing in the implementation of standards-based reform. Some in this state have argued persistently that any delay in the implementation of high-stakes consequences would be a retreat from the original intention of the standards reform movement. Without indicating a position on when consequences should be implemented, I would point out how the elasticity of official standards means that the real standards can be

watered-down or compromised as a result of too much haste in attaching high-stakes consequences.

Consider the state standards in economics as an example. A benchmark for Economics Standard One calls for eighth-graders to be able to "analyze how changes in technology, costs, and demand interact in competitive markets to determine or change the price of goods and services." What kinds of performance would be counted as demonstrating this ability? The bench-

mark is elastic in the sense that it remains to be defined, and can be defined anywhere on a continuum from sophisticated analysis of complex situations to trivial applications of rehearsed formulas and definitions.

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**How do we know what we should recognize as the understanding of "due process" that we should be aiming for our 5th-graders to achieve? One way of coming to know this is through professional communication reflecting the efforts and successes of students and teachers in the elementary school classrooms themselves.**

Those who drafted the standards had in mind a level of performance and ability that students should be able to achieve after nine years (starting in Kindergarten) of systematic instruction in economics, with each year

building on the years before. The standard as conceived by its authors was not something that a thirteen-year-old could be expected to achieve after only two years of economics learning. Yet some have argued that two years is long enough to prepare students once the standards have been put into effect, and that the standards will be compromised by any longer time-frame for holding students accountable. One response might be that no less than nine years is required, once teachers have begun teaching economics in the elementary grades, before 8th-graders can achieve the benchmark; but the elasticity of standards allows a different answer: Assessment for the 8th-grade benchmark can be set to measure two years of economics learning, with the result that this standard has been defined down to a level below

that intended by its drafters.

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This example also illustrates the second point considered here: since the real stan-

dards are only partially defined in the official "standards," they require further definition in the processes of implementation and assessment. This example shows how those designing the assessment for 8th-graders on Economics Standard One are actually involved in specifying the meaning of the standard itself. Participation is not limited, however, to those involved in drafting standards and designing their assessment. Everyone involved has a potential part to play, not least the teachers who are implementing standards-based reform through their instruction in the classroom.

In this view, teachers are not necessarily just following standards that are fully defined in advance and handed down from above. How do we know what we should recognize as the understanding of "due process" that we should be aiming for our 5th-graders to achieve? One way of coming to know this is through professional communication reflecting the efforts and successes of students and teachers in the elementary school classrooms themselves. Efforts are underway throughout the U.S. to explore ways that

teachers can learn from the collegial study of student work-products, or (inspired by Japanese examples)<sup>2</sup> painstaking and protracted study and development of individual lessons by collegial “lesson-study” groups. Standards-based reform might prove more substantially effective if viewed as the work of our entire profession, from the ground up. This approach will be all the more necessary once we recognize why “the standards” are not really the standards (or, at least, why they should not be).

## Notes

1. The report can be found online at <[www.edexcellence.net/standards/history/history.htm](http://www.edexcellence.net/standards/history/history.htm)>. For Delaware see <[www.edexcellence.net/standards/history/history.htm#Delaware](http://www.edexcellence.net/standards/history/history.htm#Delaware)>.
2. See *The teaching gap: The best ideas from the world's best teachers for improving education* by James W. Stigler and James Hiebert (New York: The Free Press, 1999).