

Kohn et al. v. Massachusetts DOE

August 2006

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By Alfie Kohn

Back around the turn of the century (ca. 2000), I was invited to deliver the keynote address at an education conference in western Massachusetts that brought together people from regular public schools and charter schools to address issues they all faced. The organizers decided that one such issue was the pressure on students and teachers caused by MCAS, the state's standardized test, and they asked me to speak on that topic. When officials from the state's Department of Education discovered this, they contacted the conference organizers and effectively threatened to shut down the event if I was permitted to speak – even though a grant from the state helping to fund the event wasn't paying for the speakers' fees. When a reporter broke the story in the spring of 2001, the Massachusetts chapter of the ACLU filed a lawsuit on behalf of me and several attendees who had wanted to hear me. It's taken half a decade, but a ruling was finally issued on July 28, 2006: A State Superior Court Judge agreed that the Department of Education's action was an illegal attempt to silence those who disagreed with its protesting policies.

Just as standardized tests interfere with meaningful learning, so the DOE attempted to interfere with a free exchange of ideas about education. Happily, the court caught them at it, determined that they'd violated the Constitution, and will now issue an order to stop them from trying to do it again.

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