

Myth vs. Fact Parental Opt-Out from Assessments

Myth: The *Every Student Succeeds Act* does not let parents opt their children out of standardized tests required by the Act. Plus, even if states allow parents to opt out, the requirement for 95% of students to take the test undermines parental control.

Fact: Rather than allowing the federal government to dictate to states and local school district whether or how parents may opt their children out of ESEA-required tests, the *Every Student Succeeds Act* returns control of such decisions to the states and school districts. It also requires each school district to notify parents that they may request and must be provided information about any state or local policy about opting out of assessments, which must include how parents may proceed to opt their child out.

While the Every Student Succeeds Act does require 95% of students to take the state-designed assessments in reading or language arts and math in grades 3-8 and once in high school, and a science assessment once in elementary, middle, and high school, the Act also leaves it up to states how much weight that 95% requirement will have in the school accountability system. A state could, for example, count the 95% participation requirement as 0.1% of a school's grade.

In addition, states may use Title I funds to conduct a review of all the tests required at the federal, state, and local levels and provide public information about the purpose of each test, stakeholder feedback about how useful and timely the test results are, and more.

SEC. 1111. STATE PLANS.

(b) CHALLENGING ACADEMIC STANDARDS AND ACADEMIC ASSESSMENTS.—

(2) ACADEMIC ASSESSMENTS.—

(K) RULE OF CONSTRUCTION ON PARENT RIGHTS.—Nothing in this paragraph shall be construed as preempting a State or local law regarding the decision of a parent to not have the parent's child participate in the academic assessments under this paragraph.

SEC. 1112. LOCAL EDUCATIONAL AGENCY PLANS.

(a) PLANS REQUIRED.—

(e) PARENTS RIGHT-TO-KNOW.—

(1) INFORMATION FOR PARENTS.—

(2) TESTING TRANSPARENCY.—

(A) IN GENERAL.—At the beginning of each school year, a local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the local educational agency will provide the parents on request (and in a timely manner), information regarding any State or local educational agency policy regarding student participation in any assessments mandated by section 1111(b)(2) and by the State or local educational agency, which shall include a policy, procedure, or parental right to opt the child out of such assessment, where applicable.

SEC. 1202. STATE OPTION TO CONDUCT ASSESSMENT SYSTEM AUDIT.

(e) AUDITS OF STATE ASSESSMENT SYSTEMS AND LOCAL ASSESSMENTS.—

(Beginning on page 212 of http://edworkforce.house.gov/uploadedfiles/every_student_succeeds_act_conference_report.pdf.)