

Opt Out Idaho

Parent's Guide to Refusing the Test
How to say "No" to testing overkill!

Frequently Asked Questions

- What is SBAC?
- Why Opt Out?
- Why opt my child out of SBAC?
- How do I opt my child out of SBAC?
- Suppose I'm told "No opting out"?
- What happens if I opt my child out?
- What if I don't opt my child out?
- Am I the only parent doing this?

What is SBAC?

- Smarter Balanced Assessment Consortium
- High stakes test
- Scheduled for April 2014
- Tied to student data collection
- Used to rank schools
- Aligned to Common Core national standards

Why Opt Out?

Reasons to opt your child out of high stakes tests

- Destructive to children, educators, and communities
- Not supported by educational research
- Turns classrooms into test prep centers
- Narrows the curriculum – less art, music, recess
- Teachers teach to the test
- Money goes from classrooms to testing companies
- Scores are misused - lever to close local schools

Reference: United Opt Out National Brochure for Parents
<http://unitedoptout.com>

Why opt my child out of SBAC?

SBAC will violate three principles that should guide student testing

- **Test Transparency.** No tests should be given which do not guide instruction. All tests must be returned to teachers and parents after they are taken so their results can be reviewed with those who have taken them
- **Data Sharing:** No test results should ever be sold to private vendors and no results should be shared at all, even with state educational departments, without parental permission
- **Test Based Teacher Accountability.** No student test results should ever be used to rate teachers and schools, or determine the professional status of any educators.

Reference: Three Principles That Should Guide Testing in Public Schools presented at PS 8 Testing Forum in Brooklyn
By: Dr. Mark Naison

How do I opt my child out?

- Send a letter to your school principal
 - Sample letters are available at <http://unitedoptout.com>
 - Remember, it is your decision as a parent
- You may get an email or phone call
 - You do not have to explain your decision
 - Be simple and direct
- Understand your rights
 - SBAC tests are not mandated by law or rule

Reference: State of Idaho Rules Governing Thoroughness page 21.
<http://adminrules.idaho.gov/rules/current/08/0205.pdf>

Suppose I'm told "No Opting Out"?

- Ask for a copy of the law of rule in writing
- Document all communication in writing
- Know parental authority is supported by the Supreme Court and you can defend your action

Reference: "A Guide to Exercising your Parental Rights" Angela Engel.
http://www.angelaengel.com/files/csap/final_parent_guide_u4k.pdf

What happens if I opt my child out?

- Professional ethics
 - Administrators should make a firm commitment to the fair and kind treatment of children whose parents have opted them out of testing.
 - Children will have an alternative setting with educational activities
 - Staff will in no way act in a punitive manner
- Opting a child out of testing is a serious decision
 - This decision is grounded in a belief system

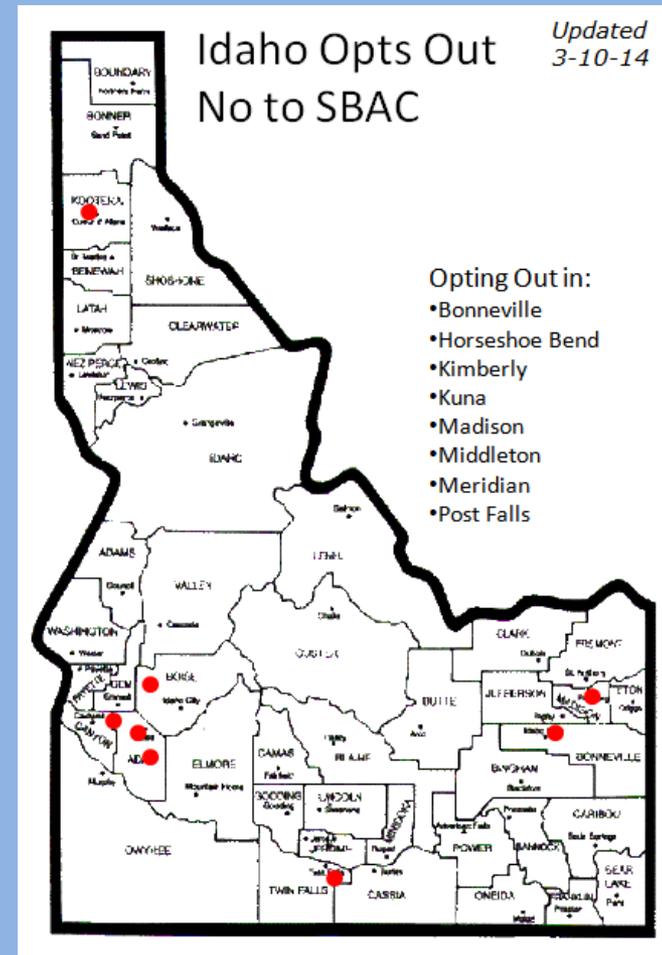
School administrators should honor opting out with the same level of respect as a family's religious observances.

What if I don't opt my child out?

- SBAC tests are scheduled for Idaho Schools
 - April 2014
 - The test is a field test
 - No information is given to parents or teachers
 - Tests are estimated to take 6-8 hours
 - Your child will take a Math and English test on the computer
 - Your child may be asked to enter personal information
 - Contact your child's school for details

Finally...you are not alone!

- Parents across the country are opting kids out of high stakes tests.
- Opt Out is a national movement.
 - Parents are fed up with extreme testing
 - Parents are making a moral and philosophical decision to no longer let their children be used as pawns
 - Parents are standing up against the use of test scores to hurt kids and to close local schools
- Idaho parents are standing up for their children because *“To refuse is to protect!”*



What if I have more questions?

- Idahoans for Local Education

idahoansforlocaleductation.com

Opt Out Idaho (on Face Book)

United Opt Out National

<http://unitedoptout.com>

Uniting 4 Kids

http://www.angelaengel.com/files/csap/final_parent_guide_u4k.pdf

- Test Refusals Hit Main Street.

- <https://www.youtube.com/watch?v=URkNzkADnIM>

Extra-1

- Parental rights are broadly protected by Supreme Court decisions (Meyer and Pierce), especially in the area of education. The Supreme Court has repeatedly held that parents possess the “fundamental right” to “direct the upbringing and education of their children.” Furthermore, the Court declared that “the child is not the mere creature of the State: those who nurture him and direct his destiny have the right coupled with the high duty to recognize and prepare him for additional obligations.” (Pierce v. Society of Sisters, 268 U.S. 510, 534-35) The Supreme Court criticized a state legislature for trying to interfere “with the power of parents to control the education of their own.” (Meyer v. Nebraska, 262 U.S. 390, 402.) In Meyer, the Supreme Court held that the right of parents to raise their children free from unreasonable state interferences is one of the unwritten “liberties” protected by the Due Process Clause of the Fourteenth Amendment. (262 U.S. 399). UOO Toolkit page 16.

Extra-2

- **Is opting out legal?**
- There is no federal law, under No Child Left Behind in particular, that prohibits parents from opting their children out of high-stakes-tests. At the same time, there is no specific statute that permits it, and the law was written in such a way as to provide great incentives for compliance (by instituting the 95% participation mandate). [Fair Test, “How NCLB Relates to Opting Out of Tests”]
- An opt-out group in Colorado, Uniting4Kids, prepared this helpful information about parental rights and testing: “Parental rights are broadly protected by Supreme Court decisions (Meyer and Pierce), especially in the area of education. The Supreme Court has repeatedly held that parents possess the “fundamental right [to] direct the upbringing and education of their children. Furthermore, the Court declared that ‘the child is not the mere creature of the State: those who nurture him and direct his destiny have the right coupled with the high duty to recognize and prepare him for additional obligations.’” (*Pierce v. Society of Sisters*, 268 U.S. 510, 534-35)”
- “The Supreme Court criticized a state legislature for trying to interfere ‘with the power of parents to control the education of their own.’ (*Meyer v. Nebraska*, 262 U.S. 390, 402.) In Meyer, the Supreme Court held that the right of parents to raise their children free from unreasonable state interferences is one of the unwritten ‘liberties’ protected by the Due Process Clause of the Fourteenth Amendment. (262 U.S. 399). In recognition of both the right and responsibility of parents to control their children’s education, the Court has stated, ‘It is cardinal with us that the custody, care and nurture of the child reside first in the parents, whose primary function and freedom include preparation for the obligations the State can neither supply nor hinder.’ (*Prince v. Massachusetts*, 321 U.S. 158)” [Uniting4Kids, “A Guide to Exercising Your Parental Rights”]
- Finally, Uniting4Kids points out this line from the U.S. Supreme Court (in *American Communications Association v. Douds*): “It is not the function of our government to keep the citizen from falling into error; it is the function of the citizen to keep the government from falling into error.”

3/26/14

- http://www.angelaengel.com/files/csap/final_parent_guide_u4k.pdf