

School Board of Brevard County

2700 Judge Fran Jamieson Way • Viera, FL 32940-6601

Desmond K. Blackburn, Ph.D., Superintendent



February 6, 2017

MEMORANDUM

TO: School Administrators and Testing Coordinators

FROM: Neyda Francis, Assistant Director
Office of Accountability, Testing, and Evaluation

RE: School Board Directive Regarding Opting-Out

"Florida Statute 1008.22(3) clearly states "Participation in the assessment program is mandatory for all school districts and all students attending public schools..." and Florida Statute 1008.25(4)(a) states "Each student must participate in the statewide, standardized assessment program ..."

Commissioner Pam Stewart has made it clear that state law requires students to participate in the state assessment system. "There is no opt-out clause or process for students to opt-out or for parents to opt-their-children-out."

1. Brevard will comply with state law and Commissioner Stewart's guidance by following these procedures:
 - a. The expectation is that students who are present during any testing window in which statewide assessments are being administered will sit for the test.
 - b. If students are not present during a regularly scheduled test session, they will be expected to sit for a make-up test that will be administered during the testing window for that assessment.

However, based on discussions from the Brevard School Board at the February 24, 2015 meeting, we have direction on how we will deal with students who refuse to test. The opt-out procedures provided will assist you in accomplishing this without disrupting the testing environment.

Additionally, the Principal or designee will communicate the Board's opt-out-policy with parents who have communicated their desire to exclude their student from participating in state mandated assessments.

Attachments: Opt-Out Procedure
Parent Letter

NF/jc


Approved by: K. Jane Cline, Assistant Superintendent,
Elementary Leading & Learning

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Opt-Out Procedure

1. All students should report to the testing site and be seated for testing. Begin by assuming that all students will test, as required by law.
2. If the student does not log-in, does not follow other start-up directions, or does not begin working on the test, once testing has begun, simply ask the student, **"DO YOU NEED HELP?"**
3. If they say no or there is no answer, then quietly ask, **"IS THERE A REASON YOU HAVE NOT STARTED THE TEST?"**
4. If the student responds in any way that they do not intend to take the test - that a parent has directed them not to take the test, that they are opting-out, etc., then have a plan in place for the test administrator to contact someone who will quietly remove the student from the testing room and escort them to a designated holding space or back to the class from which they have been pulled for testing. (Follow your usual procedure if a student tells you they do not feel well, or gives a reason not connected with a refusal to test.)
5. If a school administrator has had previous contact with the parent who has told you they have directed their student not to take the test, the student will be assigned to a holding space until the test session ends or returns to the regular class from which they have been pulled to test.
6. If there has been no previous contact with the parent regarding the student NOT taking the test, phone the parent to explain that the student has refused to test (the child may be present).
 - a. If the parent tells you they expect the student to take the test, have them remain in the holding space until the original test session ends and reschedule them for a make-up test.
 - b. If the parent tells you they instructed their student to NOT take the test, have them remain in the holding space until the original test session ends and DO NOT reschedule them for a make-up test.
 - c. If you are unable to reach the parent by phone, please send a sealed letter home asking the parent to contact you to indicate whether they intended for the student to take the test. (A short letter follows that you may use on your letterhead. Feel free to create your own if you prefer.)
 - d. Please be sure to make parents aware of the implications of non-participation in state assessments. See the box below.
7. If a parent tells you the student will minimally participate, then have the student log in and begin the test. After the student has logged in, have someone escort them to the designated area. The computer will time out after a period of inactivity.
8. As is always the case, if any student becomes disruptive during the test, follow your school's plan for removing them from the testing environment.

Please keep in mind that we will always respectfully treat students who refuse to test. In many cases, the refusal to test is not a decision made by the student. There should be no disciplinary consequences for students imposed by the schools. You are not obligated to provide non-testing activities during the time students should be testing.

Sample Parent Letter

Date

Dear Mxxxx;

This letter is to inform you that your student refused to participate in a Florida state assessment today when offered the opportunity to do so. We tried to contact you by phone, but were unable to reach you. Please contact XXXXX at XXX-XXXX as soon as possible so that we may determine whether to administer the test at another time.

Please keep in mind that Florida Statute 1008.22(3) clearly states, "Participation in the assessment program is mandatory for all school districts and all students attending public schools ..." and 1008.25(4)(a) states, "Each student must participate in the statewide, standardized assessment program ..." Depending on the grade level of your student and the test being administered, there may be consequences for not taking the test. At a minimum, it will mean that you and your child's teachers will not have current or complete information about academic progress this year.

Please contact us as soon as possible.

Sincerely,