

Testing opt-out/Refusal guide for: Kansas

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List of Assessments

From the Kansas Dept. of Ed. website <http://www.ksde.org/Default.aspx?tabid=420> :

The State of Kansas administers five statewide assessments in the areas of: 1) math; 2) reading; 3) science; 4) history/government; and 5) writing. The math, reading and science assessments are required by the Elementary and Secondary Education Act (ESEA) and No Child Left Behind (NCLB). Both math and reading are given every year in grades 3-8 and once in high school. Science is given every year in grades 4 and 7 and once in high school. The history/government and writing assessments are given on an every-other-year schedule with writing scheduled for this year (2013) and history/government scheduled for 2014. The history/government and writing assessments are state assessments but not required by ESEA or NCLB. Given this, the State Board of Education has more flexibility and discretion with these two assessments. An example of this flexibility was in 2008 when the State Board voted to suspend the 2009 writing assessment and the 2010 history/government assessment due to the pressures of NCLB and changes taking place in Kansas.

They also state:

2013 Kansas Writing Assessment VOLUNTARY

*On Tuesday, January 15, 2013, the Kansas State Board of Education unanimously approved making the 2013 Kansas Writing Assessment voluntary. Following you will find the history, rationale and additional information the Board considered in making its decision. For those schools and districts choosing to administer the state writing assessment, please follow the normal schedule. **Be sure to go to their website for full explanation of the voluntary writing assessment***

<http://www.ksde.org/Default.aspx?tabid=420>

KELPA Kansas English Language Proficiency Assessment

<http://www.ksde.org/Default.aspx?tabid=2450>

KAA (Kansas Alternate Assessments) and KAMM (Kansas Assessment of Modified Measures) <http://www.ksde.org/Default.aspx?tabid=2384>

Special considerations for the above assessments

Because the writing assessment is voluntary for 2013, we consider this to be an opportunity to refuse/opt out of the writing assessment (see above).

Special Education and Parental Rights

https://svapp15586.ksde.org/regs_statutes/Stat_Reg_Results.aspx?statute=72-988&rpttype=2&search=&maxres=10&andor=AND

We recommend reading through the parental rights for parents with special education students and consider the implications for your child – could you include refusal to participate in the state test on the IEP?

The Kansas Assessment Examiner's Manual for 2012-2013 can be downloaded here <http://www.ksde.org/Default.aspx?tabid=420> and lists parent refusal and student refusal (found on page 27 and 28 if you are using the PDF pages, or, page 19 and 20 if you are looking at the bottom/center of each page). They contradict themselves by saying the student must be tested, but then, if they are not tested it will count against the school for participation – therefore, they obviously can refuse to be tested. The schools are required to offer the test, however, a student can refuse a test, as noted in their coding. Please note that this is the test manual for 2012-2013 – we were not able to locate the test manual for 2013-2014.

We are aware of opt out/refusals in Kansas that were successful. We have yet to see a school shut down due to non-participation on a high stakes test. We have indeed seen many schools shut down due to participating in high stakes tests.

We have not found any information that states negative academic consequences for refusing to take the state test in Kansas. We have read of students being excluded from parties at school if they do not take the state test – this is unacceptable in our opinion.

We suggest considering refusing the state test and other corporate district tests used in KS that do not inform teacher instruction. Teachers already know how to assess their students. Additional tests to consider for refusal: DIBELS, MAP and Acuity.

Procedures for opt-out/refusal

We have not located any information stating that high school graduation or promotion to the next grade is connected to state testing in Kansas. We have not found anything that states that there is a negative consequence for refusing high stakes testing, with the exception of school participation rates.

Urgency for opt-out/refusal

High Stakes Testing:

Is not scientifically-based and fails to follow the U.S. Government's own data on learning.

·Fosters test driven education that is not meeting the individual/intellectual needs of students.

- Presents a racial and economic bias that is beneficial to white middle/upper class students and detrimental to second language students, impoverished students, and students of color.
- Is in opposition to the corrective action in gaps in opportunity and resources sanctioned by the Fiscal Fairness Act.
- Supports complicity of corporate interests rather than democracy based on public concerns.
- Fosters coercion over cooperation with regards to federal funding for public education.
- Promotes a culture of lying, cheating, and exploitation within the school community.
- Has used the achievement gap to foster a “de facto” segregation that has resulted in separate and unequal education for minorities.

Additionally, data collection of student's private information cannot be guaranteed security or that it will not be abused in some way by third party entities.

Low/poor test scores, which are likely to occur with more frequency with Common Core and PARCC and SBA will be used to fire teachers, create more online learning scenarios even in elementary schools, and close more public schools to be replaced with for profit charter schools.

Sample language to include in opt-out/refusal

Dear _____:

I am writing on behalf of _____ to opt him/her out of the (test name). He/she is neither permitted to take the exam during mandated testing days nor during designated make-up sessions. Additionally, I am requesting that the school make accommodations for meaningful alternative activities or assignments that will continue to promote his/her academic and intellectual growth. My child will not be in attendance if academically viable alternatives are not available. Furthermore, I must be guaranteed in writing that whatever option is taken, either alternative assignments or absence, my child will not face any negative consequences to, for example, course grades, social or behavioral evaluations, workload, promotion, or future classroom assignments.

Strict adherence to state and federal high-stakes standardized testing, including the extensive classroom preparation that occurs prior to test administration, prevents my child from receiving a well-rounded and engaging educational experience. Until focus on testable skills diminishes to a reasonable extent, I will continue to withhold my child from participation in the testing program, and I ask that you honor that decision.

I do apologize in advance for the inconvenience or scrutiny that this decision may cause the administration, the school, and staff.

Sincerely,

For more examples of opt out letters please check here: <http://unitedoptout.com/opt-out-letters/>

Resources and organizations

Supportive blogger: <http://www.educationfrontlines.net/newspaper/0230.html>

State specific watch-list

<http://www.kansaspolicy.org/>

Additional or miscellaneous information

We suggest demanding that National Assessment of Educational Progress (NAEP) be used for those who feel a need to administer a standardized test. Read here to find out more: http://www.sdkrashen.com/articles/NUT_No_Unnecessary_Testing.pdf

Additionally, if your school is participating in any field tests, these can easily be refused. Field tests are created to determine which questions to use on future tests, and, in essence, place students in a position of working for the corporations who develop these tests. We suggest refusing them.

If your child brings home homework in the form of test prep booklets, consider refusing these as well. Ask your child's teachers to provide alternative activities or creative projects in place of test preparation.