

## Testing opt-out/refusal guide for: LOUISIANA

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### List of Assessments

iLEAP <http://www.louisianabelieves.com/assessment/annual-assessments>  
-grades 3,5,6,7 – Norm referenced – used to rank children

LEAP <http://www.louisianabelieves.com/assessment/annual-assessments>  
-grades 4 & 8 – criterion based and tied to standards

LAA1 & 2 <http://www.louisianabelieves.com/assessment/alternate-assessments>  
-LAA1 – Certificate of Achievement NOT Standard Diploma  
-LAA2 - fewer questions, less reading and writing, different scoring rubrics, and a modified format with fewer items on a page with larger print.

EOCT <http://www.louisianabelieves.com/assessment/end-of-course-tests>  
- Algebra I, Geometry, English II and III, Biology and U.S. History  
- count as part of final grade  
- must earn a score of Fair or above on three End-of-Course tests, including one in each category – Algebra I or Geometry, English II or English III, and Biology or U.S. History to graduate.

PARCC (2014-15) <http://www.parcconline.org>  
- given grades 3-11

### Special considerations for the above assessments

High School Graduation Requirements -  
<http://www.louisianabelieves.com/academics/graduation-requirements>

Special Education and Parental Rights  
<http://www.louisianabelieves.com/academics/students-with-disabilities>

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?

**Pupil Progression Plan** <http://www.louisianabelieves.com/academics/graduation-requirements>

The State Education Agency is required to develop a Pupil Progression Plan for review. Each agency may have slightly different procedures related to retention, advancement, promotion, and graduation.

[http://www.louisianabelieves.com/docs/special-school-district/policy---pupil-progression-plan-2012-2013-\(current\).pdf?sfvrsn=2](http://www.louisianabelieves.com/docs/special-school-district/policy---pupil-progression-plan-2012-2013-(current).pdf?sfvrsn=2)

High Stakes Testing Policy - **Bulletin 1566 §701**

### **Procedures for opt-out/refusal**

According to the High Stakes Testing Policy (**Bulletin 1566 §701**) only children in grades 4 and 8 can be retained for failure to pass the LEAP/iLEAP. If criteria are met as outlined in the High Stakes Testing Policy, students can be placed in a transition program for remediation while beginning curriculum for the next grade. ALL other grade level promotions are based only on grades.

The transition program includes summer school, but a parent CAN in written form opt their child out of summer school (see R.S. 17.7; R.S. 17:24.4. - <http://www.legis.state.la.us/lss/lss.asp?doc=80356> ). Waivers are available for students to be administratively placed in the next grade but students must sit for the LEAP/iLEAP.

I don't see any options for grades 4 & 8 but to take the test. My suggestion would be to withdraw the student from school during testing.

### **Other Opt Out Possibilities**

Other options that have worked in other states include:

1. refusal for religious reasons (I am not sure what religious organization feels this way but I am sure there is one)
2. refusal to sign the internet agreement at the BEGINNING of the year (this will work best once PARCC is put in place and all testing moves to computers)
3. withdrawing the child before the test and re-enrolling them once the testing is complete.

I would NOT put it past any state to slip some sort of parental permission for testing into all the forms at the beginning of they year. BE AWARE!!

### **Current Legislation**

H.B. 901 was put forth in March giving parents the right to Opt Out of state testing. Sadly it died in committee on May 2, 2012

## Urgency for opt-out/refusal

### Sample language to include in opt-out/refusal

This parent is opting out of data sharing which should be done by EVERY parent. She offers a sample letter as well. Letter should be sent to your child's school as well as the parish and state level.

<http://crazycrawfish.wordpress.com/2013/06/23/how-my-original-opt-out-letter-was-converted-to-a-form/>

### Sample Opt Out Letter

My name is **(PARENT'S NAME)** and I am a parent of children in Louisiana public schools. This is to formally inform you that you do not have my permission to share my children's personally identifiable student information with any external agency, researcher, non-profit group, vendor or government or quasi-government agency under any circumstances (specifically, name, DOB, SSN). They are public students in the **(parish/city/parochial)** school system and you have not asked my permission to share their information as required by law. I am purposefully informing you that you do not have permission to share their information unless I provide appropriate parental guidance. Their/his/her name(s) is/are **(STUDENT'S OR STUDENTS' NAME[S])**. If you already have, I would like you to promptly request that his/her/their information be expunged from any data set you have already shared.

Mr. White, on the basis of your e-mails it appears you are planning on sharing this data and I will hold you personally responsible for any subsequent violations. I will be recommending that other parents likewise notify you if they do not wish their information to be shared with corporations/vendors whom you have agreed to not hold liable for any security breaches or unauthorized releases (which I don't believe you have a legal right or authority to do). Moreover, any such release of personally identifiable information without each parent's express permission will be a direct violation of the Family Educational Rights and Privacy Act (FERPA) and a willfully unnecessary one since you have non-personally identifiable student identifiers and have taken great pains to claim FERPA exclusions for all other releases of de-identified student data to the media, researchers, and the general public.

Please note the section in the last paragraph below. Schools may disclose, without consent, directory information. But you must notify us when doing so. You, however, do not have my consent and you are not a school. You have my absolute, unequivocal, official refusal on record.

You also do not have a legal right to require social security numbers from any student in Louisiana. I will be recommending parents and school districts to promptly stop providing them as you seem unwilling to guard this information as required by law.

Thank you for your prompt attention to this matter.

**(PARENT'S NAME)**

### **Resources and organizations**

Crazy Crawfish blog <http://crazycrawfish.wordpress.com/>

Karran Harper Royal <https://www.facebook.com/pages/Karran-Harper-Royal-Education-Advocacy/121987134562006>

Journey to Justice <http://blogs.clarionledger.com/jmitchell/>  
Geaux Teacher <http://www.geauxteacher.net/2013/03/opting-out-of-standardized-testing-is.html>

### **State specific watch-list**

Bobby Jindal <http://www.aft.org/newspubs/news/2013/030513louisiana.cfm>

inBloom <http://crazycrawfish.wordpress.com/tag/inbloom/>

Students First Louisiana  
<http://www.studentsfirst.org/page/group/LouisianaforEducationReform>

### **Additional or miscellaneous information**

There is none available at this time