

Testing opt-out/Refusal guide for UTAH

Form completed by United Opt Out Administrator (MM)

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Also see: www.utahnsagainstcommoncore.com/

List of assessments

Utah Performance Assessment System for Students (U-PASS).

U-PASS serves as an accountability program and as a system for evaluating individual student performance at all grade levels, although grade 12 students participate on a limited basis. Assessment accommodations are allowed on all components of U-PASS, but they vary test by test, and according to students' characteristics.

House Bill 15, passed during the 2012 Utah legislative session, (<http://le.utah.gov/~2012/bills/hbillenr/hb0015.htm>) modified the Utah Performance Assessment System for Students (U-PASS) to require school districts and charter schools to administer computer adaptive tests aligned with Utah Core Standards no later than the 2014-15 school year. The bill appropriated \$6,700,000 for its stated purposes and took effect on July 1, 2012. The deliverables are intended to provide a seamless transition from Utah's current summative Criterion-Referenced Tests (CRTs), Utah's current pilot computer adaptive tests, and current interim and formative assessments to a comprehensive assessment system which will support Utah's new Comprehensive Accountability System.

Update provided by Jennifer Baker Utah parent and teacher:

“The UBSCT no longer exists. It was cut in 2009 when the money fell apart. So at this time there is NO required class for graduation. All juniors must take the ACT, but nothing is attached to that score. Second, also because of finances, the Iowa Test of Basic Skills is also no longer given in Utah. Finally, the DWA (Direct Writing Assessment) is now given in grades 5 and 8, not grades 6 and 9. This was changed about 3 years ago.”

Special considerations for the above assessments

While scores on the tests and assessments required shall be considered in determining a student's academic grade for the appropriate course and whether a student shall advance to the next grade level, taking the tests until 12th grade is a not a requirement for grade promotion. While Utah policy states all students shall complete all tests, there is not language anywhere about such tests being required for graduation if a student can demonstrate proficiency by other means. See <http://www.rules.utah.gov/publicat/code/r277/r277-700.htm>

Student's score on the tenth grade basic skills competency test shall be recorded on the student's transcript of credits

<http://statutes.laws.com/utah/title-53a/chapter-01/53a-1-603>

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Next year may include the AIR/SAGE Adaptive tests.

Procedures for opt-out/refusal

Contact the child's teacher, notify them and the school administrators in writing of your refusal to take the tests. See Opt Out Sample letter below

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 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

According to Oak Norton, “Some teachers may use the state test in some way for student grading. You may want to include a statement such as, “if you plan to use this test in my child’s grade for some reason, I ask that you make an exception and not factor this state test into their final class grade.” www.utahnsagainstcommoncore.com

See the Parent Permission Withheld form: <http://www.utahnsagainstcommoncore.com/wp-content/uploads/2013/04/PARENTAL-PERMISSION-WITHHELD-2012-0429.pdf>

Sample Opt Out Letter

Retrieved from <http://www.utahnsagainstcommoncore.com/the-state-testing-opt-out-form/>

The opt out letter I sent my child’s teachers (I copied the Governor, state superintendent, local superintendent, and principal):

Dear _____,

____(my child)_____ thoroughly enjoys all of your classes. Thank you.

I am writing to let you know that ___(my child)___ will not be taking the CRT’s this year. I recognize that there is nothing new about the testing taking place this year but feel that I must take a stand. This is nothing personal with you or your teaching. You are excellent and I appreciate your willingness to spend time educating children.

I have been studying the increasing push for data. While I recognize that data has great value, I don’t agree with the blatant disregard by the Federal Department of Ed of parental authority. Last year’s changes at the Federal level to privacy laws cause me great concern.

January of 2012, the FERPA (Federal Education Rights and Privacy Act – governing what student records schools can share) laws were changed due to a request by Secretary of Education Arne Duncan.

- Page 52 of the new FERPA document outlines 11 different ways Personally Identifiable Information (PII) can be shared by schools without parental or student consent.

In Utah we accepted \$9.6 million in Stimulus Funds to develop our State Longitudinal Database System (SLDS).

SLDS FAQ sheet: <http://www2.ed.gov/programs/slds/factsheet.pdf>

We have been assured that no one wants to release our children’s information but the fact is the State of UT does not currently have the proper protections in place to prevent Personally Identifiable Data to be released. Someone’s word isn’t good enough when it comes to our children, we must have the proper protections in place. Until there is a remedy to this problem my children will not be participating in end of year testing. Terms like “de-identified data” and

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“dis-aggregate” data are not acceptable. There are so many data points being collected assigning a child a number does not protect their identity.

Utah may not currently be releasing student level data to private interest groups or the Federal Department of Ed but we have a system set up making that possible. Utah must shore up our student privacy laws and reject the data push currently stemming from the Department of Education.

I've heard many teachers upset about the more stringent teacher evaluations and placing blame on the legislators for these laws. The fact is, before the law was written the State office and Governor's office accepted grants (see below) and waivers agreeing to such evaluations.

<http://www.ed.gov/news/press-releases/utah-receive-more-129-million-additional-recovery-funds>

<http://nces.ed.gov/programs/slds/pdf/Utah2009-ARRA.pdf>

<http://nces.ed.gov/programs/slds/state.asp?stateabbr=UT>

<http://www2.ed.gov/policy/elsec/guid/esea-flexibility/map/ut.html>

As a teacher you should also be aware that the SLDS grant UT (according to the SLDS FAQ page) accepted also called for tracking individual teachers, by name and linking teachers to students they teach and then tracking the student's performance. This is in order to "...help identify teachers who are succeeding...and find teachers who are struggling..." I do not agree with so much emphasis being put on high-stakes testing when evaluating teachers. I'll explain why below.

I have 7 very different and all very bright children. They all test differently. A test can never measure home life, stress in a child's life, parental support or lack thereof, or sheer determination on the part of a child. It just can't. I don't support the notion that schools and teachers should be graded on these high-stakes test scores. This narrows the curriculum as teachers are forced to teach to the test. The NCLB waiver did not solve this problem created from NCLB.

Just to be clear, I am not opposed to testing but I am opposed to high stakes testing especially when it is collecting so much data on our children and being so heavily used to determine the effectiveness of a teacher.

I thank you for honoring my wishes. ___(my child)___ can be sent to sit in the office or library during testing. I trust that you will not punish __ (my child)___ in any way, shape or form for my taking this stand. Please advise if the CRT was to be used toward his class grade. If this is the case, I hope we can come up with a solution at the local level without involving high-stakes testing.

You may want to take some time looking through the 200 page document from the Data Warehouse in UT <http://www.schools.utah.gov/warehouse/Specifications/Warehouse-Data-Dictionary.aspx>.

The National Center for Educational Data has scrubbed their site tonight so I can't send you to see the 500 data points they recommend.http://nedm.sifassociation.org/datamodel_review/eiebrowser/techview.aspx?instance=studentElementarySecondary

Thank you for your time,

(sign here)

Resources and organizations

Doni Faber, local organizer of the [Save Our Schools March and National Call to Action](#).

Common Core-education without Representation blog

<https://whatiscommoncore.wordpress.com/2012/06/20/yes-your-child-can-opt-out-of-standardized-testing/#comment-8406>

Utahns Against Common Core <http://www.utahnsagainstcommoncore.com/>

State specific watch-list

Tuning Initiative: Utah was one of three states funded by Lumina Foundation for Education to pilot a process called Tuning, in which academic disciplines meet to discuss transfer, articulation, learning outcomes, competencies, and assessment. http://www.aacu.org/leap/utah_initiative.cfm

Parents for Choice in Education <http://utahedu.blogspot.com/>

Students First-Utah <http://www.studentsfirst.org/page/group/UtahforEducationReform248>

Additional or miscellaneous information

Utah Teachers Rally to Save our Schools <http://www.sltrib.com/sltrib/news/52283685-78/schools-teachers-education-public.html.csp>