

Testing opt-out/Refusal guide for: WISCONSIN

Form completed by Meg Norris

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List of Assessments

WKCE - http://oea.dpi.wi.gov/oea_parents

-grades 3-8 & 10

WAA-SwD - http://oea.dpi.wi.gov/oea_parents

SBAC (2014-15) <http://www.smarterbalanced.org>

- given grades 3-11

- this test is MUCH more difficult

Special considerations for the above assessments

High School Graduation Requirements –

<http://graduation.dpi.wi.gov>

Special Education and Parental Rights

http://sped.dpi.wi.gov/sped_tm-spedtopics

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?

Wisconsin has begun a four year transition from its current paper/pencil based WKCE to the SMARTER Balanced Assessment System. The WKCE will continue to be administered during the development of the new assessment system. By 2014-2015 SBAC will be fully operational summative assessment administered in all SMARTER states; final achievement standards verified and adopted across states. The summative assessment will be an online, adaptive test comprised of multiple choice questions, computer-enhanced items, and performance tasks. The benchmark/interim assessments will also be online and adaptive. Formative strategies are resources for educators to use within a unit or lesson to gauge student learning in real time.

http://oea.dpi.wi.gov/oea_faqsbc

Procedures for opt-out/refusal

In Wisconsin, you have a right to opt out of standardized testing during the testing window. The opt out request is to be granted by the local district.

Parent request is all that is needed to opt out in Wisconsin. Be aware of possible changes in 2014-15 when SBAC is introduced.

Under Wisconsin statute 118.30 Titled Pupil Assessment – Subparagraph 2b3-6

“Upon the request of a pupil's parent or guardian, the school board shall excuse the pupil from taking an examination administered under sub. (1m).”

Additionally, non-participation will not be held against the testing school (118.30 sub 5m)

“When determining the percentage of pupils participating in the program under s. 119.23 who performed at designated proficiency levels on the examinations administered as required under sub. (1s), the department shall consider only the pupils participating in the program under s. 119.23 to whom the examinations were administered at each grade level, and shall exclude from consideration those pupils participating in the program under s. 119.23 who were excused from taking the examinations under sub. (2) (b) 5.”

<http://docs.legis.wisconsin.gov/statutes/statutes/118/30>

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!!

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

“Upon the request of a pupil's parent or guardian, the school board shall excuse the pupil from taking an examination administered...”

When a parent or guardian requests that the student be excused from participating in the WKCE or the WAA-SwD, this request must be honored at grades 4, 8, and 10, per Wis. Stats. 118.30(2)(b)3. This request may come at anytime during the testing window. While not directly addressed by state statutes, districts may choose to honor parent requests to excuse their child from the WKCE or the WAA-SwD testing at grades 3, 5, 6, and 7, at their discretion on an individual basis. All students excused by parent opt-out count as “not tested” students for determining school and district accountability. The parent opt-out excuses the student from participation in the entire WKCE or WAA-SwD.

Please note (and double check!!!) however (www.unitedoptout.com):

PJ on **April 11, 2013 at 4:13 am** said:

I opened the link for Prescott Wi. I noticed the date on the district's web page as 2006. It stated in the specific grades for opting out that specific grades can NOT opt out because of mandates placed because of NCLB. How does this change when a state has applied for and been granted the waiver from being subjected to the rules under NCLB? It seems that this district needs to review and update this info, as probably many other districts across our state and across the country do, who were granted the waiver.

See more about Opt Out clauses at:

http://greatlakescenter.org/docs/early_research/pdf/wisconsin.pdf

Sample Opt Out Letter

To Whom It May Concern:

Please be advised that our child will not be participating in state standardized testing during the current school year. Furthermore, we ask that no record of this testing be part of our child's permanent file, as we do not wish our child to participate in standardized achievement testing for promotion, graduation, or school/state report cards.

We believe the following of forced, 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
- Violates the United States Constitution's ESEA 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

We understand that federal law provides the parent or guardian the right of choice regarding standardized testing when such testing violates spiritual beliefs. In contrast to our spiritual beliefs, which are firmly rooted in a moral code that embraces equity and fairness, we believe such testing is not in the best interests of our child since it fosters competition instead of cooperation, contributes to separate and unequal education for minorities, and belies our child's intellectual, creative, and problem-solving abilities, while presenting a fictitious picture as to the impact of the pedagogy provided by our child's individual educators.

Ultimately, our state is required to provide our child with an education in a least restrictive environment that does not force us to go against our spiritual beliefs. My child should proceed to learn and develop at an individual pace following education standards that are imparted under the guidance of education professionals, not market-based

reformers, who are able to provide quality pedagogy without fear of reprisal if students – who mature at vastly different levels and come from diverse backgrounds that may or may not be supportive of intellectual pursuit – do not hit the bulls’ eye of a constantly moving achievement target.

Therefore, we request that the school provide appropriate learning activities during the testing window and utilize an alternative assessment portfolio or concordant college testing score to fulfill promotion and or graduation requirements, as our child opts out of standardized testing.

Sincerely,

Child’s Name _____

ID# _____

Resources and organizations

Save Our Schools Wisconsin

<http://saveourschoolswisconsin.wordpress.com/2012/06/12/high-stakes-low-stakes-no-stakes-the-testing-dilemma/>

Great Lakes Center http://greatlakescenter.org/docs/early_research/pdf/wisconsin.pdf

Teachers Fight Back

<http://teachersfightback.com/2012/05/10/let-the-wisconsin-battle-begin/>

Tim Slekar @thechalkface <http://www.blogtalkradio.com/chalkface>

Julie Underwood, University of Wisconsin Madison www.alecexposed.com

Fair Test <http://www.fairtest.org/node/1700>

State specific watch-list

Gov Scott Walker <http://walker.wi.gov/Education/Education-Reform>

Students First Wisconsin

<http://www.studentsfirst.org/page/group/WisconsinforEducationReform>

Additional or miscellaneous information

See <http://marquetteeducator.wordpress.com/2012/04/27/fight-back-opt-out-of-testing-an-open-letter-to-parents/>

2011 saw a huge push back from the Wisconsin Teachers Union. There IS strong resistance in this state! <http://www.examiner.com/article/wisconsin-teachers-continue-to-fight-back>

DO NOT EDIT United Opt Out