

2014-2015 District Guidance Regarding Parental Inquiries about Exemptions to Include State Testing-Parent/Guardian

Oregon Administrative Rule (OAR) 581-022-1910 allows districts to excuse students from a state required program or learning activity to accommodate students' disabilities or religious beliefs. Oregon law also requires that public schools/districts provide instruction and assessment aligned to the State Board of Education-adopted academic content standards, as well as implement a statewide assessment system in English language arts, math, and science.

Parent Responsibility

Parent or guardian may request to excuse a student from testing by submitting in writing to the district a request:

- A. Listing the reason for the exemption, and
- B. Proposing an alternative individualized learning activity for the student which
 - a. Substitutes for the period of time exempt from testing;
 - b. Meets the same goals that would be accomplished by participation in state testing in English language arts, math, and/or science;
 - c. Is consistent with the student's educational progress and career goals as described in OARs 581-022-1670 and 581-022-1510.

District Responsibility

Test exemption evaluations and decisions must be individually developed and implemented by school districts. School district personnel must determine the parameters for:

- A. What constitutes sufficient evidence for an exemption based on disability;
- B. What constitutes sufficient evidence for an exemption based on religion;
- C. What constitutes sufficient evidence for options for alternative individualized learning activities

School and/or Teacher Responsibility

Note that given the priority of test administration, the school may have limited staff available to supervise and facilitate alternative learning activities for students not participating in state testing. Upon approval of an exemption, the core content teacher and/or special education specialist is responsible for the supervision and facilitation of the alternative learning activity for the student to include how the student met the same goals that would have been accomplished by participation in state testing. Refer to page 5, ORS 329.485 section (5)(a), subheading (A).

Sufficient Evidence for an Exemption Based on Disability

Parents of students who have an IDEA or Section 504 identified disability that interferes with their ability to participate in standardized testing, *even with accommodations made for their disability*, may consider requesting a disability exemption to state tests. If approved, the student who receives the disability exemption will be excused from state testing.

Sufficient Evidence for an Exemption Based on Religious Beliefs

Students who have sincerely held religious convictions against standardized testing may consider asking their parents to request a religious exemption to state tests. A religious exemption must be founded on a sincerely held religious belief, as opposed to a personal, political, or sociological belief without a religious basis. If approved, the student who receives a religious exemption will be excused from state testing.

Sufficient Evidence for Options for Alternative Individualized Learning Activities

The criteria for options will be evaluated based on state and/or district requirements that could include criterion-referenced assessments including performance-based assessments, content-based assessments, and other valid methods to measure the academic content standards and to identify students who meet or exceed the standards. ORS 329.485(2)(a). Some options for alternative individualized learning activities may be guided by and evaluated based on the requirements outlined under State Assessments in Oregon Revised Statute 329.485—Oregon Educational Act for the 21st Century Educational Improvement and Reform.

Will a student be sanctioned for not taking state tests?

Students for whom there is an approved exemption will be excused. Students who miss school during state testing, but do not have an approved exemption and whose absence is not otherwise excused as provided by district policy will have an unexcused absence reflected on their student record.

High school students who do not participate in the state testing (with or without an approved exemption) will need to participate in an alternative assessment to demonstrate proficiency in Essential Skills requirements in reading, writing, and math to graduate with an Oregon Diploma.¹

What happens to requests received after test administration begins?

Requests for exemptions received after testing has begun will not be accepted. Test results for students administered state testing will be housed in the district's and Department of Oregon's assessment data systems to be used in accordance with the state's assessment and accountability measures for inclusion in participation and performance reporting.

¹ Excerpted from [http://www.cosa.k12.or.us/events/oacooase-winter-conference/Opting Out of State Testing: Frequently Asked Questions Fact Sheet](http://www.cosa.k12.or.us/events/oacooase-winter-conference/Opting%20Out%20of%20State%20Testing%3A%20Frequently%20Asked%20Questions%20Fact%20Sheet)

What are the consequences for students who opt out of state tests?

- **Information:** Valuable information about your student's K–12 learning progress will be lost. Assessment is an important part of teaching and learning. State tests provide parents and educators with meaningful information about a student's progress in mastering certain content and skills. The redesigned state tests in math and language arts (beginning in 2015) are expected to provide even more useful information. A significant consequence of not taking these tests is the loss of valuable information about your student's progress toward meeting or exceeding academic content standards at the student's current grade level, and the lost opportunity to shape future instruction accordingly.
- **Preparation:** Statewide assessments provide key information about whether your student is on track for graduation, and where he or she may need more help. Additionally, your student may be disadvantaged if his or her first exposure to standardized tests is in high school.
- **Graduation:** In order to graduate from high school in Oregon, your student must meet standards on the statewide assessment or an alternative assessment. Oregon's graduation requirements include demonstrating proficiency in the essential skills of reading, writing, and math. Most students do this by meeting standards on the state test. If they do not take or do not pass the state test, they must demonstrate proficiency either by meeting standards on another approved standardized test, or through work samples, which likely would require taking an additional class in place of another chosen course or elective.
- **College placement:** Some colleges and universities now use students' performance on the Smarter Balanced assessment to determine whether a student is ready to take credit-bearing college courses or must take remedial classes that cost the same as college courses but do not count toward a college degree. Students who go to a college using Smarter Balanced scores for placement purposes may be required to take additional college placement tests if they have not completed the Smarter Balanced assessment.
- **School rating:** If too few students are assessed, your school's rating on the state school report card will be negatively impacted. A school's rating can influence how a school is perceived and how well it attracts and retains student enrollment and neighborhood residents. Under Oregon's school accountability system, schools and districts that have state testing participation rates below the minimum requirement, 94.5% of all students and 94.5% of each subgroup of students, will have their overall school rating lowered by one level (out of five) per each consecutive year participation rates are not met.²

² Excerpted with minor edit from [http://www.cosa.k12.or.us/events/oacooase-winter-conference/Opting Out of State Testing: Frequently Asked Questions Fact Sheet](http://www.cosa.k12.or.us/events/oacooase-winter-conference/Opting%20Out%20of%20State%20Testing%3A%20Frequently%20Asked%20Questions%20Fact%20Sheet)

What accommodations or supports are available to meet student's needs?

A large part of the state assessment of language arts and math is computer adaptive testing. This means that it's not a one-size-fits-all test. The computer program adjusts the difficulty of questions throughout the test based on your student's responses. For example, a student who answers a question correctly will next be asked a more challenging question, while a student who answers a question incorrectly will next get an easier question. By adapting to your student as the test is taking place, this assessment can present questions targeted to your student's knowledge and ability level, making it less stressful for students who struggle to answer some questions.

For students with particular needs, the Smarter Balanced assessment includes opportunities for universal tools, designated supports and specific accommodations. For every student with an individualized education program, the individual accommodations and supports are identified and listed as part of the annual IEP process. If parents have already had an IEP meeting and they feel that accommodations and supports for state testing were not fully addressed, advise them to contact the student's case manager.³

What student test administrations is the responsibility of the district to the state?

The following procedures apply to all schools in the Reynolds School District, including charter schools, alternative school settings, and special programs. Approved exemption requests are only valid for one school calendar year. The requests for exemption from state testing must be completed annually for the following state tests for Oregon students.

Assessment	Who	When
Math	All students	Grades 3–8 and at least once in high school
English Language Arts	All students	Grades 3–8 and at least once in high school
Science	All students	Grades 5, 8 and at least once in high school
Social Studies (optional for schools)	All students at schools that choose to participate	Grades 5, 8 and at least once in high school
Extended Assessment	Certain students with disabilities whose IEP teams have determined they should not participate in the standard assessment	Grades 3–8 and at least once in high school
Kindergarten Assessment	All students	Entering kindergarten
English Language Proficiency Assessment (ELPA)	Students learning English language	Grades K–12
Preliminary Scholastic Aptitude Test (PSAT) or ACT PLAN	All students	One time in high school

4

³ Ibid, page 2.

⁴ Ibid, page 1.

Are there ways for me to share my comments/concerns about state tests other than opting out?

Public schools are required by state and federal law to assess students' learning. To share your comments or concerns about testing requirements with decision-makers, you can write a letter to or speak with:

- Oregon's Superintendent of Public Instruction Kate Brown, oregon.gov/gov
- Oregon's Deputy Superintendent of Public Instruction, www.ode.state.or.us
- Oregon Department of Education or State Board of Education, www.ode.state.or.us
- Oregon's Education Investment Board or Oregon's Chief State School Officer, education.oregon.gov
- Local representatives to the Oregon Legislature, www.oregonlegislature.gov
- Local representatives to the U.S. Congress, house.gov/representatives/find & senate.gov/senators
- U.S. Department of Education, www.ed.gov⁵

If you have a question or comment specifically about how state tests are administered in Reynolds School District, talk to your principal or contact the Coordinator of Assessment and Accountability at 503.661.7200.

How do I request a testing exemption to accommodate my child's disability or religious beliefs?

After an initial conference with your school principal, an administrator and other school team members assembled to address your concerns,

- Request the district-approved exemption request form from the district office. Specify if the exemption request is based on your child's disability or religious beliefs.
- Complete the exemption request form and submit it to the Superintendent's Office by March 30th or two weeks prior to summative test administration, whichever is earlier.
- The request will be evaluated and a determination to approve or not approve will be made. The district will respond to the request in writing within 10 working days. If the request is denied, you may appeal the decision to the superintendent's office within 10 working days.

Only the district-approved form will be accepted for consideration subsequent to a meeting with parents, principal, and/or other team members.

⁵ Ibid, page 3.

LEGAL REFERENCES

OAR 581-022-1910

Exemptions

(1) The school district may excuse students from a state required program or learning activity, where necessary, to accommodate students' disabilities or religious beliefs:

(a) Approval of the exemption shall be based upon and shall include:

(A) A written request from the student's parent or guardian or the student, if the student is 18 years of age or older or a legally emancipated minor, listing the reasons for the request and a proposed alternative for an individualized learning activity which substitutes for the period of time exempt from the program and meets the goals of the learning activity or course being exempt;

(B) An evaluation of the request and approval by appropriate school personnel (the alternative should be consistent with the student's educational progress and career goals as described in OARs 581-022-1670 and 581-022-1510).

(b) Following approval by the district school board, and upon completion of the alternative, credit shall be granted to the student.

(2) The school district may approve and grant credit to a student for the alternative to a state required program or learning activity if the procedures in section (1) of this rule are followed.

Stat. Auth.: ORS 326.051 Stats. Implemented: ORS 326.051 Hist.: EB 18-1996, f. & cert. ef. 11-1-96

Additional guidance from the 2014-2015 Test Administration Manual, section 4.7, pg. 44.

Parents may request that their student be exempted from state testing based on either **disability** or **religion**. OAR 581-022-1910 allows school districts to excuse students from a state required program or learning activity, including state testing, to accommodate a student's disabilities or religious beliefs. In order for a school district to excuse a student from testing under this rule, the student's parents must submit a written request to the school district, listing the reasons for the request and proposing an alternative individualized learning activity for the student that meets the same goals that would be accomplished by participation in state testing. Appropriate school personnel must evaluate and approve the parent request.

When reviewing a parent's request for exemption, school district personnel should first discuss the use of accommodations with the parent to determine whether the use of any appropriate accommodations during testing might address the parent's concerns and allow the student to participate in state testing. **Students who are enrolled in school during the statewide test window who are not tested due to a parent-requested exemption must be counted as non-participants.**

Oregon State Legislature website:

https://www.oregonlegislature.gov/bills_laws/Pages/ORS.aspx

Excerpt from Oregon Revised Statutes (ORS), 2013 Edition

Chapter 329—Oregon Educational Act for the 21st Century Educational Improvement and Reform, (State Assessments):

329.485 (4)(a) Each year the resident district shall be accountable for determining the statewide assessment system in mathematics, science and English. In addition, school districts and public charter schools may implement the statewide assessment system in history, geography, economics and civics.

(b) School districts and public charter schools may implement the assessment system described in subsection (3) of this section.

(5)(a) Each year the resident district shall be accountable for determining the student's progress toward achieving the academic content standards. Progress toward the academic content standards shall:

- (A) Clearly show the student and parents whether the student is making progress toward meeting or exceeding the academic content standards at the student's current grade level; and
- (B) Be based on the student's progress toward becoming proficient in a continuum of knowledge and skills.