

I am responding to your recent letter requesting or advising me that your child, [REDACTED], should be scored as "refusal" and/or your child should be excused from participation in all state testing. I recognize that there are many different perspectives regarding standardize and statewide testing programs, and I appreciate your position and concern. I also applaud your interest and attention to your child's education. While I understand that as parents, you may prefer your child's skills and abilities evaluated through different means instead of through a statewide testing program, I do not have the legal ability to grant your request to exclude her.

As a Superintendent of a public school district in New York State, I am required to comply with New York State and Federal requirements and policies which mandate student participation in state testing. The Federal No Child Left Behind Act, as well as several other New York State and Federal policies and requirements mandate that all students in elementary and secondary schools must participate in the state testing program. Standardized state testing is considered an important part of the course of study for our students, assessing students' mastery of skills and content in a variety of subjects, in addition to contributing to our curriculum improvement. The results of each statewide assessment is reviewed and analyzed by the State Office of Assessment and is used to develop and improve our curriculum, and help direct future instruction to New York's students.

There is no provision in either state or federal statute or regulation which allows parents to have their children "opt out" of the state testing program. If a student is absent on a testing day, he or she will still have to sit for the examination on one of the pre-established make up dates of testing. Each district is required to have at least 95% participation rate in the state testing program.

If a student refuses to participate (or the parent/guardian so directs the student) or sits for state testing but refuses to participate, there are negative implementations for the District's and teacher's overall accountability and performance. The result of these assessments also provide valuable information regarding each student. This information is used by our teaching staff to fine tune instruction to meet students' individual needs. Student participation and performance also have a direct impact on funding, program development and planning, and use of District resources. Each district is held accountable for the performance of its students, which may impact the District's overall standing and rating within the state. Thus, while I understand your position, I hope that you can now understand mine as well.

In conclusion, I cannot agree to waive your child's participation in standardized testing as you request as there is no legal basis to do so. Therefore, I ask for your support with the District's compliance with federal and state requirements and ask that you encourage your child to attend school on test day and to do their best.