



OPT OUT? YES, YOU CAN!

Opting Out is an act of civil disobedience in protest of all that is wrong with public education. Your reason for finding us may be your own, but we must all unite to take back our classrooms, return professional autonomy to our teachers, remove the high stakes attached to testing and to insist on "all for ALL children."

Find your connection to the bigger picture. This IS about your child. But it is not JUST about your child. It is also about our teachers, our schools, our communities and the quality of education for all. We CAN stand in defiance for all children, teachers and schools and begin to take OUR schools back from those who would destroy public education in order to profit from the forced failures, which have ushered in the privatization of our public schools, in the name of so-called "education reform." Refuse them your consent.

Any act of civil disobedience may involve risks and potentially unknown consequences. Opting out of standardized tests is no different. We will never guarantee that you will receive no pushback or consequences to your standing up in protest. **We will never promise anything, except this... If you do nothing, nothing will change.**

You will be told that there is no opt out. There is no provision in the statutes for opting out in Florida. We do it anyway. And HAVE since 2012. Many thousands of students in Florida have NEVER taken the FSA or FCAT and have been successfully promoted through graduation, without incident. Students have been more harmed by a low FSA score than by having NO FSA score.

Testing is the steamroller and data is the fuel. When you opt out, you deny the data, with which the state reduces your child's 180 days in school each year to a single test score. **Deny them this data. Tell them with your protest that your child is more than a score.**

INFORMED CONSENT

It is EACH PARENT'S DUTY to investigate and to weigh the harm being done to their child's education by high stakes testing, and TO CONSCIOUSLY CHOOSE, whether or not, to allow their child to test, with the understanding that doing so provides the data with which the state ranks sorts and labels their children, teachers and schools... harming public education for all.

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STEPS TO OPT OUT

1. Have conviction in your reason to opt out. Your reasons might include:
 - a. The test is written with a built in failure rate of 30% every year.
 - b. The test is written with trick questions and distractors.
 - c. You advocate for multiple measures of meaningful assessments.
 - d. You disagree with the high stakes attached to a single test including teacher pay, a teacher's job security, school grades (real estate values), retention, remediation or the denial of a diploma.
 - e. You disagree with the federal intrusion on local decisions and policy.

Whatever your reason is, be committed to it. Opting out is an act of civil disobedience in protest of the destruction of public schools. Understanding this will help you to get through the process and any push back from your school or district.

2. Do your research and determine what tests you want to opt out of (FCAT, FSA, etc.). You will need to decide for yourself what level of risk is acceptable to you and your family. Understand the risk to GPA should you opt out of End of Course Exams.
3. Share with your child why you are choosing to opt them out of testing. Kids talk. They WILL get well-intentioned, but misinformed pressure from their friends about the test and about opting out. Your child opting out is the one with the most skin in the game and most 8- and 9-year olds can understand the issues if we talk to them calmly and frankly. Parents can remind their kids that we make these decisions as a family; and as the parents, we are responsible for them and WE make the decisions about what's best for our kids. If you're not sure how to start the conversation with your little one, check out the links in the [Third Grade Opt Out Toolbox](#).
4. Determine what kind of opt out will work for you. A student can refuse the test (see instruction to refuse a computer based and paper based test). Or, you can keep your child home during the testing window. If you keep your child home, research and be mindful of your district's truancy policy beforehand. The actual testing window can last as long as 4 weeks because of testing make-up days, and you do not want to be found truant.

Note1: A scheduled dentist or doctor appointment is considered an excused absence in many districts, so this might be a good time to plan those.

Note2: A student who opts out will receive an N score code, which is not the same as a "0." Historically, students who answered 5 or fewer questions have received NR2. HOWEVER, the FLDOE reserves the right to change what qualifies for any of the various N codes, at any time, without any notice.

5. If you plan to write an Opt Out letter, your letter should inform the school of your instructions to have your child refuse the test. You are not asking for permission to opt out. You are notifying them – as a courtesy. The only real reason to send a letter in advance is to gauge push back from

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school or district personnel or to see if they threaten you. You can still have your child show up on the day of testing and not take the test... but the teacher might appreciate a "heads up."

REMEMBER: You want cooperation from the teacher and principal, so if you choose to write a letter, be polite and respectful. Acknowledge that they (faculty, staff and administrators) have a job to do. Schools are not obligated to accommodate your wishes to opt out, nor to provide alternative activities for your child. The most successful opt outs result in the least disruption to other students. There's no need to get tough unless you get push back. Pick your battles.

NOTE: If you write a letter quoting constitutional laws or parental rights, expect to receive a response from your district's legal department. The school is not obligated to provide alternative activities for your child after (s)he refuses the test.

If you plan to pick up your child in the office after (s)he refuses, you should also notify the school of your plans to sign out and return your child to school and at approximately what time.

Once you notify the school of your plan, expect a stern letter in response telling you that opting out is not allowed. See link: [What Does This Bully Letter Really Mean?](#)

6. If you are opting out of the Third Grade FSA, you may choose to/need to ask the classroom teacher to keep a portfolio demonstrating your child's mastery of content standards (see [Letter to Request for a 3rd Grade Portfolio](#) for example). Portfolios are considered an acceptable alternative assessment for a Good Cause Exemption in the state of Florida.
7. Be prepared for test day. There are 2 options.
 - a. Option #1 - Refuse the test on test day:
Your child may go to school and refuse the test on test day. Florida gives paper tests and computer tests, and the refusal process is different for each one. Ask school personnel which test your child will be taking. See "instructions for refusing a paper test" or "Instruction to refuse a computer based test". Once a student breaks the seal on a paper test, or breaks the seal virtually on a computer test, the student will receive a score of NR2 or non-attemptedness.
 - b. Option #2 - Stay home on test day:
You may choose to keep your child home during test days, but if you do, ask school personnel how they handle testing make-up days. Some schools accept the family's wish to opt out, and they will not try to test your child during the make-up days. Other schools may try to test your child on every make-up day. If your school does this, you may choose to keep your child home during the entire make-up period. Review your district truancy policy, and remember that you may be able to avoid excessive unexcused absences by scheduling doctor and/or dentist visits. The State of Florida allows up to a 20-day window to administer the test.

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NOTE: Some tests last only one day. Some last two days. If your child is opting out of a paper based test that is scheduled to last more than one day, (s)he only needs to refuse it on the first day in order to get an NR2 for that particular test.

8. Every opt out case is different. Each school handles opt outs differently. Some schools make students sit and stare. Some allow them to go to other classrooms to read or do schoolwork. Some parents choose to pick up their students, once they have opted out. You will need to work this out with your school. However you choose to opt out, confirm your arrangement by email. Always communicate by email so you can keep a written record. YOU make the plan. Don't count on the school to do that for you. If you opt out it is YOUR responsibility to work all of this out.
9. Third and Tenth grades are "high risk" grades. Both of these grade levels have special circumstances. For third grade, please find Third Grade Resources within this guide.

When your student opts out of the tenth grade ELA FSA, they must take and pass either the SAT or ACT and achieve a concordant (passing) score.

See Alternative Assessments

Check the FLDOE website for the most current information.

For your student's cohort (graduating class):

See "Graduation Requirements for Florida's Statewide Assessments" FLDOE Revised July 20, 2018) <http://www.fldoe.org/core/fileparse.php/7764/urlt/GradRequireFSA.pdf>

REFUSING A PAPER BASED TEST (PBT)

Procedure letter for test refusal...used for third grade but could be any paper test. Send to teacher and principal two days before the test. Edit to serve your students needs.

"The procedure my student has been instructed to follow is:"

- He will sit for the test.
- He will politely refuse to sign the Test Rules Acknowledgement.
- He will "break the seal" on the FSA test.
- He will slide the test away.
- If he is prompted to sign the acknowledgement or to begin the test, he is to say "no thank you". Only one reminder is needed, anything more would be coercion.
- At that time, he should be sent to the office where I will be waiting to take him to his dentist appointment on the 14th and home on the 17th.
- Upon test refusal, he cannot be asked to make up the test. This will accommodate valuable instruction time.
- Because he will not take day 1 of testing, day 2 is automatically invalidated. Therefore, on day two, for each test, I will keep him home during the test window and bring him in late.
- I do not wish to cause any disruption to your testing procedures. I do need to know what time testing will end.

Notes: Some students may be asked to sign the outside folder and to fill in the name and district before they can get to the colored tab to break the seal. This is fine and does not interfere with a refusal.

This procedure will score his test as an NR2 or NT. As the FLDOE changes this annually, we will not speculate how they will score tests this year.

REFUSING A COMPUTER BASED TEST (CBT)

Computer Based Test Refusal Instructions:

1. Log onto test.
2. When prompted to adjust preferences such as font size, volume, etc., fill out appropriate information
3. When prompted, hit: "Yes, start my test."
4. Go to question 1
5. Hit "End Test"
6. In the event that the "End Test" does not appear, type one letter and the button should be visible, then hit "END TEST"
7. If you receive a prompt like, "Are you sure you want to submit this test?", Hit "YES"
8. You have successfully "Opted Out" AND "participated"

Link to video on how to opt out of a computer based test:

<https://www.youtube.com/watch?v=mAiYnFtGI6c>

At this point, you must decide if you will pick up your student or if they will sit and stare. Some districts have directives to allow students to leave the room or to read a book. It is your responsibility to work this out.

ALTERNATIVE ASSESSMENTS

Students need alternatives to the FSA for many reasons – disabilities, absences, illness, mishaps. Therefore Alternative Assessments are mandated by the State of Florida.

- Check your district Progression Plan for details on what your district has adopted.

THIRD GRADE - Portfolio

Many districts, by policy/progression plan, do not start a portfolio until the student shows reading deficiency. For purposes of opting out, you want this started as soon as you make your decision to opt out. Ask nicely. Some districts have refused to provide a portfolio until after a student fails the test, some districts are now embedding portfolio into their third grade curriculum.

Additional tests approved by the FLDOE for alternative assessment:

Alternative Assessment	Requirement for Good Cause Exemption
SAT10	45 th Percentile
Terranova	50 th Percentile
ITBS (Iowa Test of Basic Skills)	50 th Percentile
NWEA MAP	50 th Percentile
STAR Enterprise	50 th Percentile (must use Enterprise version)
i-Ready	50 th Percentile (Must use Table 6 from 2016-17 Norms to determine percentile)
i-Station	50 th Percentile

In case of more recent updates, always check the FLDOE website for the latest approved assessments and percentile required for promotion.

TENTH GRADE

Cohort	Scheduled Graduation Date	Concordant Scores
Those who entered 9 th grade in 2018-2019 and beyond	Spring 2022 and beyond	Students can only use newly adopted scores For Grade 10 FSA ELA: <ul style="list-style-type: none"> • 480 on SAT EBRW or • An average of 18 on ACT English and Reading For Algebra 1 EOC: • 430 on PSAT/NMSQT* or • 420 on SAT Math** or • 16 on ACT Math
Those who entered 9 th grade between 2010-2011 and 2017-2018	Spring 2021 Spring 2020 Spring 2019 Spring 2018 Spring 2017 Spring 2016 Spring 2015 Spring 2014	Students can use last-adopted scores For Grade 10 FSA ELA: <ul style="list-style-type: none"> • 430 on SAT EBRW*** or • 24 on SAT Reading subtest or • 19 on ACT Reading For Algebra 1 EOC: <ul style="list-style-type: none"> • 97 on PERT Mathematics Students can also use the newly adopted scores

(Office of Assessment, Florida Department of Education - June 13, 2018

<http://www.fldoe.org/core/fileparse.php/5663/urlt/Rule6A109422Ann-FAQ.pdf> (Page 3)

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Be sure to check the FLDOE website for the most current information as there has been discussion about making changes to the scores required.

These tests can be taken anytime during the four years of high school. If you plan a 10th grade opt out, the student can achieve these concordant scores before and after the FSA and Algebra I EOC.

Check with your district to confirm when these concordant scores will be applied to the transcript. In most districts, students will still need to opt out before the scores are applied. Take them early and you will be prepared.

The Opt Out Florida Network

Working With Your School And District – One parent’s story

This is one parent’s experience dealing with a school in Orange County. The principal obtained this information from Cyndi Landers, OCPS Assessment Department.

Thank you in advance for your cooperation with my request. I received a call yesterday from my children’s school. Next week, they will only be made to refuse two days, not all four. This is how it must happen if a student is to be considered to have refused:

1. The proctor will read the test instructions.
2. Students will be asked to sign the Test Rules Acknowledgement, which reads:

“I understand the testing rules that were just read to me. If I do not follow these rules, my test score may be invalidated.”

Prior to testing, test administrators will read the rules to students, and students must acknowledge that they understand the testing rules by signing their names under the statement. The last portion of the testing rules read to students before they sign the acknowledgment reads, “After the test, you may not discuss the test with anyone. This includes any type of electronic communication, such as texting, emailing, or posting online, for example, on websites like Facebook, Twitter, or Instagram.” If students are found sharing information about test items, even without the intent to cheat, their tests will be invalidated. All students are required to sign this contract. Even 8 year olds.

3. Students refusing may push the Test Rules Acknowledgment away AND SHOULD NOT SIGN IT. The Test Administrator is supposed to notify the school’s Test Coordinator, so there may be a little commotion if the school has not been prepared for this. PER the test Instruction Manual - If they ask the student to sign it and they refuse, they should make a note of the refusal to sign and move on.
4. After they are instructed to open their test and start testing, they must break the seal on the test and refuse – they should simply push the test away and say, “No thank you.” Any additional prompting from test administrators may be considered coercion or intimidation. The test security breach is what precludes them from having to sit for the makeup test. The student should NOT write on the test.
5. a) ****At some schools**** after a student has refused, on the two days they refuse, they may be removed from the classroom (the parent must request the child in person), signed out of school for about an hour or more and returned in time to resume class after testing is completed for the day. Especially for the younger children, there’s no sense making them sit and stare just because they can cope. Parents need to determine how their child will cope for the four days, if required.

OR

b) Some students use “sit and stare” as their own “silent protest” in the name of their own education.

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6. Because refusing Day 1 testing invalidates Day 2, my children's school will not require the kids to refuse on Day 2. I could also just take them to school late, since they would not be made to refuse. But they will be allowed to go to a non- testing classroom – Kindergarten, First grade, etc., so they'll just go to school and actually learn and be useful during testing. So I will not have to keep them out of school for the entire testing window and they won't have to miss regular instruction. Sanity.

AND – Per our school administration, “This is from Cynthia Landers,” - in charge of the OCPS Student Assessment Dept. This is a pretty big deal considering how literally OCPS has interpreted the test administration rules until now. It's a pleasant surprise to see common sense being put into practice, especially with younger students.

WHAT ABOUT THOSE NR2 AND NT CODES?

“While students who had an NR code recorded in lieu of a score count toward participation, these codes are not used to calculate a school's grade”

“How districts incorporate NR or NT codes in any local accountability measures is entirely up to them”

“Some of you asked this year about the rule for "attemptedness" that generates the score code of NR2. How data codes are determined is subject to review and revision each year. For this year's tests, students answering at least one but fewer than six items in a test session had the code of NR2 assigned. For the purposes of School Grades, students assigned a code of NR2 count as “participants” in the calculation of the percent of students tested. This policy, too, is subject to review and revision each year.”

“Currently, students receiving an NR or NT code do not impact VAM calculations.”

The FLDOE has maintained that, each year, they will review and determine what generates a specific data code and the NR2/NT designation is “fluid.”

The email thread that follows on the next page is the source of these quoted statements...

Subject: RE: FSA Scores
From: Verges, Vince (Vince.Verges@fldoe.org)
To: [REDACTED].com;
Date: Tuesday, December 20, 2016 8:58 AM

Good Morning,

I forwarded to the appropriate office your question regarding VAM calculations. The response is as follows:

“Florida’s VAM models are grade and subject specific, and make use of all data available to generate accurate model coefficients. Teachers will receive a teacher effect (which is part of the VAM score) if they have at least 2 students at the same school and in the same grade during the same year. If there are enough data to compute a school effect as well for ELA and Mathematics, the teacher will receive a VAM score. For Algebra 1, the VAM score does not incorporate the school component, so if a teacher effect is generated a VAM score will be too. However, State Board Rule 6A-5.0411, F.A.C. allows districts to use an alternate measure of student performance for teachers with VAM scores that contain scores based on fewer than 10 assessments.

In order to count in the school grades percent tested calculations, a student must have attempted to take the test. An NR means not reported. In this case it is presumed that the student sat for the test and will be counted as tested, even though there is no score. An NT means that the student did not test. In these cases, the student would count in the denominator, but not the numerator, of the percent tested calculation. In order to count for achievement and learning gains, a student must have a valid test score. NT and NR are both excluded from these calculations. In order to be included in the VAM calculation, a student must have a valid score and a valid prior score.”

No final decisions have been made regarding timelines for review and revision of the policies for this year.

Regards,

Vince Verges
Assistant Deputy Commissioner
Division of Accountability, Research, and Measurement
Florida Department of Education

From: Jennifer [REDACTED].com]
Sent: Tuesday, December 13, 2016 11:21 PM

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To: Verges, Vince
Subject: Re: FSA Scores

Thank you for that information.

I'd like to seek further clarification. Is it true that the state will calculate a teacher's VAM score based on as few as two students? And, while you addressed how NR codes affect participation, school grade, and VAM, would you clarify how a 'score' of NT affects the school grade as well? Based on my understanding of your previous replies, it seems that NT does affect the participation rate, but has no effect on VAM. If my understanding is incorrect, please let me know.

Finally, since you mentioned that these policies are subject to review and revision each year, do you expect this information to change for the 2016-17 test administrations? If so, when would a decision about that be made, before or after testing?

| Jennifer [REDACTED]

From: "Verges, Vince" <Vince.Verges@fldoe.org>
To: Jennifer [REDACTED] <[REDACTED]@[REDACTED].com>
Sent: Friday, December 9, 2016 3:15 PM
Subject: RE: FSA Scores

Good Afternoon,

While students who had an NR code recorded in lieu of a score count toward participation, these codes are not used to calculate a school's grade. These codes only affect a school's grade to the extent that the students' performance would have increased or decreased a school's grade, had these students had a valid score.

How districts incorporate NR or NT codes in any local accountability measures is entirely up to them.

Vince Verges
Assistant Deputy Commissioner
Division of Accountability, Research, and Measurement
Florida Department of Education

From: Jennifer [REDACTED] <[REDACTED]@[REDACTED].com>
Sent: Wednesday, December 07, 2016 11:56 AM
To: Verges, Vince
Subject: Re: FSA Scores

Thank you for your prompt response. Would you confirm that, if the code NR2 counts towards the participation requirement, is it also included in calculating the school grades? In other words, does a NR2 bring the school grade down? If so, what numerical value is NR2 assigned in the formula for school grades?

Has the state provided any guidance to districts as to how they could incorporate NT or NR2 into their local VAM calculations? If so, what guidance was provided?

| Jennifer [REDACTED]

From: "Verges, Vince" <Vince.Verges@fldoe.org>
To: Jennifer [REDACTED] <[REDACTED]@[REDACTED].com>

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Advice from a veteran teacher:

“TEST” QUESTIONS EVERY PARENT NEEDS TO ASK”

For principals:

1. How many standardized tests does my child have to take this year?
2. Where do these tests originate?
3. What is the specific academic purpose for each one?
4. How will these tests affect my child's academic future or standing?
5. For each test, does the teacher see individual student results and have a chance to adjust individual instruction to help each student?
6. Who sees the scores, where will they be recorded, and for what purpose?
7. How soon after testing does the teacher receive results?
8. Do the scores become part of my child's record?
9. Who in the district instructed you to give these tests?

For school superintendents:

1. Identify by name and frequency each standardized test your district requires in each grade.
2. Explain where these tests originate and, for each, explain its specific academic purpose and the year it started.
3. Which tests are State mandated and which are required by the District?

For school board attorneys:

Explain your district's policy on opting out of/refusing standardized tests and cite its legal foundation.

For school board members:

1. How do you view the academic purposes for standardized testing?
2. Are you familiar with all the standardized tests your district requires and their academic purposes?
3. Are you willing to initiate a parent/teacher review of the use of testing in your district?

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RESOURCES

Florida Education Statutes can be found online.

<http://www.fldoe.org/policy/edu-laws-legislation>

The Opt Out Florida Network on Facebook for statewide news and information

<https://www.facebook.com/TheOptOutFloridaNetwork>

The Opt Out Florida Network on Wordpress - find local district Facebook groups

<https://theoptoutfloridanetwork.wordpress.com/find-your-opt-out-group-in-fl/>

Opt Out Toolbox: <http://bit.ly/OptOutToolbox>

Check your district website:

- Student/Pupil Progression Plan
- District Testing Calendar

Check the FLDOE.org website:

Current Florida Statewide Assessment Program

THIRD GRADE RESOURCES

Opt Out Florida Third Grade - Facebook group for information and support

<http://bit.ly/OOFL3rd>

Third Grade Opt Out Toolbox

Important FLDOE Progression documents; Links to support if your child is remediated or retained, and alternative assessments/Good Cause Exemptions; Help with talking to kids about opting out.

<http://bit.ly/Gr3OptOutToolbox>

Just Read Florida

<http://www.fldoe.org/academics/standards/just-read-fl/third-gradeguidance.stml>

Successful Opt Out with links to supporting documents:

Sammy Addo: "I Did My Job As A Third Grader."

<http://bit.ly/SAddo3>

Additional information on the portfolio and research can be found at:

<https://theoptoutfloridanetwork.wordpress.com>

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