



Opting Out of the State ELA & Math Tests in NYC: FREQUENTLY ASKED QUESTIONS

For information from the NYC Department of Education (DOE), please see [Frequently Asked Questions \(FAQ\): Student Participation in Grades 3-8 New York State Tests](#).¹

Q: Will opting out hurt my child's school?

No, opting out will not hurt the school. Students who opt out are scored as a “refusal,” not a zero, so it does not lower the school's scores.

Q: I've heard that if a large number of students opt out, our school could lose money or even be taken over by the state. Is this true?

No, absolutely not. Many rumors are circulating about the potential consequences of opting out. No school in the city or state has faced sanctions for having high percentages of opt outs. Although schools are technically required to test 95% of students in grades 3-8, the purpose of this rule is to ensure that schools do not intentionally exclude low-performing students from testing.

Last year, an estimated 60,000 students across the state refused to take the tests. Several schools in NYC had significant portions of students opt out. According to a statewide survey of superintendents, 8% estimated that more than 20% of their district's students refused to participate in the state ELA and/or math exams in 2014.² [There have been no negative repercussions for any of these schools, including those that receive Title I funds.](#)³

Q: Is it true that if high-performing children opt out of the tests, it will lower the evaluation scores of the teachers?

When a child refuses to take the test, it does not disadvantage the teacher (or principal). The 20% of a teacher's evaluation that is based on student test scores is a measure of growth – it takes into account changes in student scores from one year to the next. Because of the way the growth score is calculated, it does not matter whether your child is a strong or struggling student. In fact, the highest-performing students have little room for improvement and may not necessarily help, and could potentially hurt, a teacher's score.

It is not helpful to speculate about which students should or should not opt out in order to protect teachers' evaluations. The bottom line is that the current teacher evaluation system is flawed. Opting out in large numbers is the most powerful way for parents to let policymakers know that we do not want our children, teachers and schools evaluated based on standardized test scores.

Q: Will opting out jeopardize my child's promotion or put her at risk for being sent to summer school?

Up until last year, promotion to the next grade in NYC was based on state test scores. That's no longer the case: state law now specifies that standardized test scores cannot be the sole or even primary criterion for promotion. Promotion is based on the teacher's assessment of whether your child is ready for the next grade.

If there is a question about whether to promote a child, the teacher creates a portfolio with samples of the student's work which is reviewed by the principal. According to the Department of Education's *Frequently*

¹ <http://schools.nyc.gov/NR/rdonlyres/FF39E667-D2CB-4B3E-BBCE-60B3B6B200EC/0/2015ELAMathStudentParticipationParentGuide030615.pdf>

² http://www.nyscos.org/img/news/news_bl2dsjen0z.pdf

³ <http://www.fairtest.org/why-you-can-boycott-testing-without-fear>



Asked Questions (DOE FAQ), “Schools may not require students to complete a promotion portfolio simply because a student does not take the State test” (p.2).⁴

Although some principals are telling parents that their child will not be promoted or must attend summer school if they do not take the state tests, this is not true. If the principal threatens your child with any negative consequences for opting out, refer him or her to the [DOE FAQ](#). If that is not effective, contact Change the Stakes at changethestakes@gmail.com.

Q: Will opting out interfere with my child’s admission to a screened middle or high school?

State test scores can be one factor schools use for admissions, but they cannot be the sole or primary criterion – this is now state law. Every middle and high school is required to have an admissions rubric approved by the DOE. The rubric specifies how much weight is assigned to each admissions factor, such as test scores, grades, attendance, essays and interviews. The rubric must also include admissions procedures for students without state test scores. Any school should be able to tell you what their admissions criteria are, including how they handle admissions for kids without scores.⁵

Q: My child has an IEP and I’m concerned that the tests would be extraordinarily stressful for him. Can I opt out of the tests and still have him fulfill his IEP?

Yes, any student may opt out of the state tests. There is no connection between your child’s IEP and the state tests. In fact, the format of a standardized test may actually conflict with the IEP’s mandates for modified materials and content to meet the learning needs of the student.

Q: I have decided to opt my child out. What do I need to do?

Notify the principal in writing that you intend to “refuse” the tests on behalf of your child. You can find a sample letter here, <https://changethestakes.wordpress.com/testing-info/how-to-opt-out-of-state-standardized-tests/>.

The [DOE FAQ](#) instructs principals to respect parents’ wishes to opt out and to make every attempt to engage non-testing students in a meaningful educational activity during testing periods. Check in with the principal and teacher before the tests begin to confirm the arrangements for testing days.

To ensure that your decision to opt out has the greatest impact, please also inform Governor Cuomo and your legislators.

Q: If we refuse the tests, will my child have to take the make up?

No, make-up exams are only for children who were absent during the testing period. If you have any concerns about whether the school will respect your opt out request, make it clear that you are refusing the make-up tests as well.

Q: What if my principal tells me that I am not allowed to refuse the tests or pressures me to have my child take the test?

A: Many teachers and principals are supportive of students and parents opting out, but some are not. If you have difficulty, refer your principal to the [DOE FAQ](#). If that is not effective, contact Change the Stakes at changethestakes@gmail.com and we will try to help.

Contact Change the Stakes at changethestakes@gmail.com if you have other questions. You can also post questions on Facebook at NYC Opt Out, <https://www.facebook.com/groups/nycoptout/>.

changethestakes.org

⁴ <http://schools.nyc.gov/NR/rdonlyres/FF39E667-D2CB-4B3E-BBCE-60B3B6B200EC/0/2015ELAMathStudentParticipationParentGuide030615.pdf>

⁵ <http://schools.nyc.gov/NR/rdonlyres/FF39E667-D2CB-4B3E-BBCE-60B3B6B200EC/0/2015ELAMathStudentParticipationParentGuide030615.pdf>