This document is divided into two main sections.
Part 1: Reports from around the state, excepting NYC
Part 2: Reports from NYC

PART 1

School or District Failed to Acknowledge Opt Out Rights

- Au Sable Forks Elementary School

  We are not accepting opt out letters and are expecting everyone to participate in the state assessments this year, as the state has identified our district as needing to improve our participation rate to 95 percent. We sent out an all call on this about two weeks ago and will be sending information out in the near future as well.

  - Gigi Mason, Principal
  - Au Sable Forks Elementary School

- Charlotte Valley Central School: Students told they can still take test even if parents opted them out.

- Peru School District
● Ticonderoga Middle School

School or District Offered to Exempt State Test Takers from Finals

● Coxsackie-Athens Middle School
- Lockport City SD (Niagara County)

- Oswego Middle School: After email/tweet campaign, principal relents on the finals exemption.
Port Byron (middle school)

School or District Made Calls Trying to Coerce Parents to Opt In

- Baldwin Middle School: Principal called parents begging them to opt back in.
  “I'm calling to again ask that you please have your son/daughter participate in the state assessments, which start on Tuesday, April 2 with our ELA assessment. The state education department has an expectation that 95 percent of our students will participate in each assessment. In addition, we achieve best as a school when our whole team of students participate in our assessments. And finally, we feel that taking the assessments is excellent preparation for taking the Algebra regents exam in 8th grade. I thank you for your careful consideration as you make decisions regarding your son/daughter's participation in the assessments.”

- Freeport: Principal made calls.

- Huntington: Principal made calls.

- Uniondale: Parents who sent in opt out letters were called. Administration also spoke to refusing students about testing.

School or District Alleged Loss of Funding or Program Cuts

- Eastport-South Manor: Superintendent said at a BOE meeting that the district will lose funding if they don't get 95% to take the assessments.
  Audio recording: https://drive.google.com/open?id=1M7JriWfeKJ5QVaz8Vx2sKpqKXGEpXeNA

- Springs School District (LI): Will need to eliminate programs...to fund state initiatives
School or District Attributed Its Accountability Status to Opt Out Rate

- Geneva School District: Board of Education VP says “opt out movement, while important at the time” [5 years ago] “is now keeping our district in a desperate place.”

> Because [the Geneva City School District] had such a strong opt out movement, far fewer of our students have taken the tests these past few years. The students that opt out are typically top students, which skews our district’s data. This means our data doesn’t represent us a district.

> “To be clear, I think that it was still worth the fight five years ago. But now the Geneva City School District needs its parents to opt in so that we can get out of accountability status, which we cannot do if our test participation is below 95%. This is not something that affects every district, but the Geneva City School District has been bearing the accountability burden for a long time, and the opt out movement, while important at the time, is now keeping our district in a desperate place in relation to the New York State Education Department.”

--Amy Jackson Sellers
Geneva City School District Board of Education Vice President
Geneva 2020 Program Manager

School or District Threatened to Penalize Test Refusers

- Bollivar-Richberg School District: Parents told middle school children who opt out, even if they are on “high honor roll,” would be sent to remedial classes and have RTI.

- New York Mills District: Students opting out must take alternative assessment (“for data purposes”) if they come to school during test administration.

- Port Byron: Elementary students must take “practice” assessment during test administration.

- Salmon River School: Children who didn’t participate in testing will have to do make up work instead of attending “Fun Day” with test takers.

- Southampton SD: Students were told they would be removed from honors if they opted out. BOR intervened and policy was changed.

School or District Offered Perks to Opt In

- Charlotte Valley Central School: Principal offering lunch at a restaurant in town to 5 children, who will be selected via lottery, but only if they have taken the tests.

- Hillcrest Elementary School, Peekskill: Hosting a testing pep-rally just before the tests complete with the band playing “We Will Rock You.”
Liverpool: *Enticements included candy for testers and a party for each class that netted 100% participation.* (A child who refused the test believed she would be blamed for her class being denied a party.)

Oswego Middle School (see image above): “*Daily drawings for FABULOUS prizes for all YES [i.e. opt in] slips.*” and “*School wide event if we reach 100% participation...your FAVORITE teachers will do something FUNNY ‘like’ [sic] KISS A PIG.*”

Peru School District: *Principal told students if they didn’t opt out that there would be prizes and a potential pizza party.*

Rensselaer School District: *Students offered fun dress up days for “Spirit Days for Testing”*

Salmon River School: “*Fun Day* planned for kids who participate in testing; students who refuse cannot attend the play date.”

Westbury, LI: *Second graders sang to encourage older students.* [https://youtu.be/5jqfr9GDEtw](https://youtu.be/5jqfr9GDEtw)

Westmoreland: *Principal offered a lunchtime pep rally and "Golden Tickets for the Best Effort" raffle.*
School or District Made Outlandish, Unsubstantiated Claims About the Benefits of the Test or the Detriments of Refusing

- Baldwin Middle School: *From principal’s robocall: “And finally, we feel that taking the assessments is excellent preparation for taking the Algebra regents exam in 8th grade.”*

- Lakeland SD: *Claim of “adverse effects” on students who previously opted out; states (with no evidence) that these students are now “demonstrating test anxiety and frustration” on Regents exams “because they lack the experience of taking standardized ELA and Math tests.”* [Google Doc](https://docs.google.com/document/d/1VHc8-QzA5lXpb0Szql8hSdlrNFDbfC-E2UGq-d3SdE)

- Oswego Middle School (see image above): *Purported benefits include “GREAT practice” for the Regents exams, ACT/SAT, Armed Services exam, and...Drivers’ Permit exam*

- Rockland County, Archdiocese of New York: *State tests alleged to be preparation for higher education as well as a variety of standardized tests including the TACHS/COOP, ACT, SAT, GRE, drivers license and bar exam. (This letter also falsely alleges that students can access former tests for practice; only a portion of test questions are actually released.)*

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**These are some of the reasons why Testing is so important:**

- Test-taking helps build mental stamina in children, preparing them for higher education.
- Data gleaned from state exams helps teachers create individualized instruction and provide support in specific areas as needed.
- State exam scores **do not** determine promotion or retention.
- Elementary-level state exams prepare students for future “standardized testing” such as the high school TACHS/COOP exam, SATs, ACTs, driver’s licenses, GREs, Bar exams and more.
- To ensure exams contain relevant and constructive content, teachers have vetted and edited this year’s questions.
- Performance and personal data are carefully protected by the school and state, and are not shared with outside vendors or organizations.
- Families can access state exams administered in prior years to practice and prepare children to achieve at their highest level.
Uniondale School District: Taking grade 3-8 exams gives students "leverage" for college.

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January 7, 2019

Dear Parents,

This spring, the New York State Grades 3-8 English Language Arts (ELA) and Mathematics State Assessments will be administered to scholars. ELA testing will take place April 3 & 4, and Mathematics testing is scheduled for May 1 & 2. Despite the recent trend in opt-outs, it is so important for your kids to take these high stakes exams and we highly discourage following the trend.

Here are some compelling reasons why your child should opt in to these important assessments:

- High level performance on these assessments gives your child leverage when being considered for college and other accelerated programs.
- These assessments give your child's teachers valuable academic information in order to plan for your child's success.
- The item analysis from these assessments allow teachers to differentiate instruction for your child.
- The content on the State Assessments while rigorous, push our scholars to higher academic standards.
- Scholars will be allowed to continue to work at their own pace and within the confines of the regular school day, beyond the recommended testing times. This will help to reduce their level of frustration and any testing anxiety.
- The tests are designed to measure what students know and are able to do, and therefore provide teachers with pertinent information as they plan for your child’s future academic success.
- The tests have been thoroughly reviewed and constructed by New York State educators to ensure they measure what students are learning in their classrooms.

We would therefore like to emphasize the importance of your child taking these important assessments

Very Truly Yours,

Dr. William K. Lloyd
Superintendent of Schools

In Service for Children

Rhonda Taylor
Asst. Supt. for Curriculum & Instruction
West Genesee Middle School: Refusing makes students less “resilient in the face of challenges” in “other aspects of their lives.”

and celebrate their tremendous effort. Letting them refuse to participate puts a chink in their armor & ability to persevere and be resilient in the face of challenges in other aspects of their life. When students refuse to participate it also negatively impacts the information that we need as a District for continuous improvement. Avoiding a challenge is not a practice we want to encourage in our kids and it does not serve them well in the long run.

Complete text here:

PART 2

MISINFORMATION/INTIMIDATION REPORTED BY NYC PARENTS:

+I was informed today that students in NYC who refuse to take the state test will receive a 1. [from email to NYCOO. Similar posts made by other parents to NYCOO FB]

+Was told if child opted out would have to go to summer school. This child had not previously received a promotion in doubt letter. [from phone call to NYCOO hotline and NYCOO FB post]

+Principal and AP calling parents who submit opt out letters to tell them if they go through with refusing, children will not be eligible for after school help the following year. [from post to LIOO FB]

+Was told if child opted out would not be promoted to the next grade. This child had not previously received a promotion in doubt letter. [from phone call to NYCOO hotline]

+Was told by NYC parent coordinator that I can only opt out if there are 25 students [opting out] at the specific school. [from email to NYCOO]

+Parent told face-to-face meeting with admin required to refuse tests. Parent explicitly asked if email would suffice, was told only in person or on the phone. [from phone call to NYCOO hotline and follow up email chain. Similar posts made by other parents to NYCOO FB]
+Was told if child opted out **would need portfolio assessment to be promoted** to the next grade. This child had not previously received a promotion in doubt letter. [from multiple phone calls--by different parents--to NYCOO hotline]

+My 5th grader brought in her letter today. After school I **got a call from her teacher trying to persuade me** that she should take the tests. Also a 2nd 5th grade teacher has told parents that if the they don’t take the test they get a 1. [from post to NYCOO FB]

+[The testing coordinator told parent ] "**a letter is not enough** to opt my child out. When I asked what would happen to parents who send in a letter but don’t meet with the Principal for whatever reason - would they still force those children to take the test? - he said he didn't know."  [from post to NYCOO FB]

+-...the school is telling me that there is a new policy that **if you opt out of one exam you have to opt out of all,** is that true? I cannot find any DOE policy on this on their website. [from email to NYCOO]

+Middle schoolers were told that because changes to the specialized high schools admissions process are being discussed, they have to have scores in case they need them for those schools. (Note: Even if the State Senate were to vote out the SHSAT, the mayor’s plan calls for a phaseout so state test scores could not legally be used as an admissions factor next year.) [from email to NYCOO]

+Principal told families of 3rd and 4th graders in a district that has eliminated the use of test scores from its admissions process that they might need the scores anyway. [from email to NYCOO]

**OFFICIAL COMMUNICATIONS (fr NYC schools, districts, DOE):**

+"**The tests are never low-stakes for PS [redacted]. Our school’s ranking/report card is based on how your children perform on these two tests. Beginning this year, for the purpose of calculating our score, any child in grades 3, 4, or 5 who refuses to take the test will be recorded as having scored a Level 1** (performance significantly below grade level), among many other factors, including chronic absenteeism (less than 90 % attendance). These are new guidelines under ESSA, the Every Student Succeeds Act of NYS. "  [from post to NYCOO FB]

+Retraction by Community Education Council 20 of statement that students opting out would receive "an automatic grade of 1" at the direction of NYS:

> **CEC 20 apologizes for our recent post regarding changes to state testing policy. We posted information as communicated directly to us by the District office. However District**
Office believes there may have been an incomplete articulation of that policy by the state which led to an erroneous interpretation. So as not to further the dissemination of angry sentiment by parents who feel strongly about the test we have received direct clarification.

Again at the time of receipt of the information we had no reason to doubt what was provided. However the District office has since received a clearer articulation which states that students will not be individually penalized for opting out but schools with large percentages of students opting out will be shown as needing improvement. We are not aware of the ramifications of such a classification being issued to schools.

Again we apologize for our part in raising parents’ concerns and will be more aware in the future of disseminating information, even if received from the District office. It is important to remain cognizant of parental issues related to the education of their children and your continued feedback is welcome as we at CEC represent you at the District and city level. [from post to FB, on NYCOO FB post reported that the local City Council member had been given "the same misleading information" from DOE]

+NYCDOE FAQ (attaching marked-up version; the document was actually even worse before intervention by City Council member)

◊ SCROLL FOR IMAGES! ◊
Frequently Asked Questions (FAQ)
Student Participation in Grades 3-8 New York State Tests
Parent Guide
2019

Dear Families:

With yearly exams coming up for all students in grades 3-8, here are some answers to frequently asked questions. These annual tests in English Language Arts (ELA) and Math tests are required by the federal Every Student Succeeds Act of 2015, and are designed to provide important information about whether students are on track to graduate from high school with the critical thinking, problem solving, and reasoning skills they need to succeed in college and the modern workplace.

These tests are just one of several measures our schools use to assess student progress: grades, report cards, writing samples, projects, assignments, and other performance-based student work are equally important. While State test scores may be considered in decisions about grade promotion, they may not be the main factor.

If you have additional questions, please contact your child’s school. But know that they are under pressure from state ed & NYCDOE to get you to test.

When are the State tests for grades 3-8?
ELA: April 2-3
Make-up ELA: April 4-5 and April 8-9
Math: May 1-2
Make-up Math: May 3, and May 6-8

How do State tests benefit my child?

You and your child benefit from State tests because they:

- Provide detailed information about whether your child is learning what is expected of them for their grade levels.
- Help schools determine which students or groups of students are progressing, which are falling behind and need more support, which are excelling, and which teachers might need extra support.
- Allow you to learn how your child’s school is doing compared to other schools.

I’ve heard that the State test is less stressful for students than it used to be. Is this true?

Yes! Over the past few years, the New York State Education Department has made changes to the grades 3-8 tests in response to concerns from parents and educators. Those changes include:

- Moving to untimed testing
- Reducing the number of questions on the tests
- Involving NYC teachers in developing test items

How do these tests factor into middle or high school admissions?

Some middle and high schools have academically screened programs that use test scores as one of several criteria for admissions. Students without test scores are eligible to apply to these programs, and schools have been instructed to develop policies around how to account for missing test scores in admissions decisions.

As measured by the Fry Readability Graph
Frequently Asked Questions (FAQ)
Student Participation in Grades 3-8 New York State Tests
Parent Guide
2019

Please reach out to schools directly to learn more about their individual policies. If you have difficulties obtaining admissions policies from a school, please reach out to the school's Family Leadership Coordinator.

I'm worried my child's teacher will be "teaching to the test." What is the impact of score results on teachers?

- In response to family concerns, State law now says that student performance on New York State grades 3-8 ELA and Math tests will not be used in teachers' and principals' annual professional performance review ratings.
- Schools' curriculum is aligned to grade-level learning standards of what a child should know and be able to demonstrate.
- Some dispute this, but the tests DEFINITELY don't align to grade level.

Can families opt their children out of State tests, or request an alternative evaluation?

- With the exception of certain areas in which parental consent is required, such as Committee on Special Education (CSE) evaluations for students with disabilities and certain federally funded surveys and analyses specified under the Federal Protection of Pupil Rights Amendment, there is no provision in the State statute or regulation allowing parents to opt their children out of State tests or request an alternative evaluation. If you are interested in opting your child out of State tests, you should consult with your child's principal.

- If, after consulting with the principal, any parent still wants to opt their child out of the exams, the principal will respect the parents' decision. The parent and the principal should maintain a written record of this conversation.

What should a student do to prepare for the test?

- Help your child get a good night's sleep the night before the exam and have a good breakfast in the morning. Why wait for a test? Do this all the time.
- Tell your child you have confidence in his or her ability!

Ditto.

When will I find out how my child performed on the tests?

- New York State usually releases test scores during the summer and the scores will be made available through your child's NYC Schools Account.
- The State distributes Individual Student Reports that provide detailed information about student performance.
- We encourage you to reach out to your child's teacher or principal to discuss State test scores and overall academic progress.

What happens if my child does not take a State exam?

It is important for your child to take the test. Please do all you can to support your child and ensure they are at school on testing days. Students who are absent will have a second chance to take the test during the make-up period. If your child is also absent during the make-up period, there will be no additional chances to take the test. Students will not be penalized or retained in the same grade solely for not taking the test, nor will they be subject to summer school or "portfolio assessment."

When your child refuses the exam, your family cannot protest fighting for better schools for ALL children.
CLASSROOM/SCHOOL ENVIRONMENT in NYC during testing season:

+ my daughter **cries every night** with the copious test prep homework  [from phone call to NYCOO]

+the notorious math teacher threatens the high performing children that she will **retaliates** against them if they opt out (I know because mine is currently there). [from post to NYCOO FB]

+my [4th grade] son opened up a conversation and told me that when he goes school, he feels **like he was in jail** and does not feel like he has human rights. [from email to NYCOO]

+**mock exams are counting** towards their grade [from post to NYCOO FB]

+my children were given practice exams even though I **OPTED them out** and sent in my letter in January because of the **weekly test Prep**. [from post to NYCOO FB]

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Replying to @NYCOptOut @NYCMayor and 7 others

**Overheard this week from an AP following a NYC teacher hiring fair: prospective hires are exhausted this time of year + looking to change schools to ones that do not have so much test prep. *Did the mayor not know how much test-prep + teaching-to-the-test is actually ongoing?**

9:07 PM - 24 Mar 2019
Test prep started today. One distraught teacher described it as: “Today I tortured kids for an hour & 45 minutes. #optout
@NYCOptOut @carolburris

1:42 PM - 25 Feb 2019

Annie Tan
@AngryTeachr

I gave a mock ELA today and will be giving one tomorrow. The teacher next door could hear one of my students crying because he
1. Couldn't read the text, 2. He felt he couldn't do it, 3. Kept asking what the point was.

José Luis Vilson @TheJLV
Buenos dias. mi cente.
Buenos dias, mi gente.

Now is the season for "mock" exams. Mock ELA tests. Mock math tests. We're still stuck in making these tests work and make a mockery of an actual education in the process. Better assessment is possible.

This is our moment.

4:49 AM - 6 Feb 2019

47 Retweets 240 Likes

And how exactly is this “supporting” children?

Subject: Opt out NYC state exam
Message: My name is [redacted] mother of My son [redacted] who currently is in ps.[redacted] in Manhattan, is 14 years old in 8th grade who currently has a IEP in place. His IEP clearly states his math is on a 4th grade level. He has a IEP since age 1 years old for learning disabilities and has gotten diagnosed with ADHD 3 years ago. I received a promotion in doubt letter for him failing math one subject that despite his learning disability has came along way. There was no offer of extra help nothing I feel that this state test is too hard for his level and makes him have anxiety and lack of concentration which he suffers already he should be graded off his overall performance according to his academic progress based solely on his level of functioning as well not a test that doesn’t meet his standards at all. I feel overwhelmed and would like support in this matter. Please contact me with any assistance to help me with the process thank you.