

Frequently Asked Questions for Opt Out Policy

If a parent has concerns regarding his/her child taking a STAAR exam, what should he/she do?

The first step for a parent who is concerned about his/her child taking the STAAR exam is to contact the campus principal. Most concerns are resolved based upon the conversation between the parent and school. Principals will provide information that often alleviates specific concerns and can clarify possible misconceptions.

What does Texas Education Code state about opting out of state testing?

·Sec. 26.010. EXEMPTION FROM INSTRUCTION. (a) A parent is entitled to remove the parent's child temporarily from a class or other school activity that conflicts with the parent's religious or moral beliefs if the parent presents or delivers to the teacher of the parent's child a written statement authorizing the removal of the child from the class or other school activity. *A parent is not entitled to remove the parent's child from a class or other school activity to avoid a test or to prevent the child from taking a subject for an entire semester.* (b) *This section does not exempt a child from satisfying grade level or graduation requirements in a manner acceptable to the school district and the agency.* Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Can Castleberry ISD choose to opt out students from TEA policy?

No. Under current TEA policies and state law, local public school district lack the authority to exempt any student from STAAR testing.

What are the implications for students missing school on a state testing date to “opt out”?

Students are subject to compulsory attendance and may commit the offense of failure to attend school, and a parent may commit the offense of contributing to nonattendance, if the student fails to attend school. (*Texas Education Code §§ 25.093, .094*)

Makeup Tests: It is important to note that missing school on a single designated test date will not necessarily cause the student to have missed his or her testing opportunity. Most tests are administered from a testing “window” set by TEA. If a student who has been absent returns to school during the testing window, he or she may be asked to sit for the exam at that time. Makeup test dates that extend beyond the test window are in place for most STAAR tests.

Can a student be present at school, but not take the STAAR exam?

Students are encouraged to do their best on all tests. All students in a tested grade level that are present at school during the STAAR test for their grade level are included in the test administration. Should a student be present, but not participate in a test, the student's test will be coded as "S" for "scorable." Campuses are required to return a testing booklet for each student.

What are the implications for a student that does not complete a standardized test?

There are implications regarding required tutoring and promotion, along with graduation requirements.

Under *TEC §28.0213*, a school district must also offer an intensive program of instruction to a student who does not perform satisfactorily on any state assessment instrument administered under *TEC Subchapter B, Chapter 39*. In addition, a recent amendment to the statute now requires that intensive instruction be provided to a student who is not likely to receive a high school diploma before the fifth school year following the student's enrollment in grade nine, as determined by the school district.

TEC §28.0211 (also referred to as the *Student Success Initiative or SSD*) requires a school district to provide students in third through eighth grade, who do not perform satisfactorily on a state assessment, with accelerated instruction in the applicable subject area. Accelerated instruction must be provided each time a student fails a state assessment. These requirements also apply to students in special education, including those who take alternate state assessments.

Grade advancement procedures are established by the Texas Education Code, state rule in 19 Texas Administrative Code chapter 101 on standardized tests, and the [Student Success Initiative Manual](#). Even when a student's performance on a state assessment is not directly tied to grade promotion as described below, a student's score on an applicable state assessment must be considered as a factor in promotion. *Tex. Educ. Code 28.021(c)*.

Promotion from Grades 5 and 8: In addition to local policy standards relating to grade advancement, students in grades 5 and 8 must pass the math and reading portion of the STAAR to be promoted. School districts are required by state rule to administer three testing opportunities for students who fail to meet satisfactory performance on these assessments. A student who does not pass the tests may advance to the next grade level only if:

- The student has completed required accelerated instruction (tutoring); and

- The student's grade placement committee, established at the student's campus, determines by unanimous decision, in accordance with the standards for promotion established by the School Board, the student is likely to perform at grade level at the end of the next year.

19 Tex. Admin. Code §§ 101.2001(b).

High School Graduation: Students must pass the five end-of-course exams or an acceptable substitute in order to graduate, as described above. By local policy, a school district may issue a certificate of coursework completion to a student who successfully completes curriculum requirements but who fails required state assessment tests. *Texas Education Code §§28.025(d).*