

**United Opt Out National**  
<http://unitedoptout.com>  
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## **Opting Out of High-Stakes Testing**

Supporting Documentation and Presentation Materials

Provided For Your Convenience

By

The Founders of United Opt Out National

Revised: September 8<sup>th</sup>, 2012

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## **United Opt Out National**

<http://unitedoptout.com>

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Supporter of Public Education:

Thank you for your interest in opting out of high-stakes standardized testing and for your bravery in taking this very important step in the defense of public education. You may be a parent, teacher, student, para-educator, higher education faculty, or community member. Your role may be a combination of these. Whatever the case, we are all responsible for preserving a system of high-quality education as a public good for all young persons in this country.

The central mission of United Opt Out is to eliminate the threat of high-stakes testing in public K-12 education. We believe that high-stakes testing is destructive to children, educators, communities, the quality of instruction in classrooms, equity in schooling, and the fundamental democratic principles on which this country is based.

We are inundated with the false narrative that our public schools have completely and totally failed. But continued public opinion surveys and reliable data from the annual National Assessment of Educational Progress (NAEP) show two things: one, that confidence in our community schools is still very high and two, our achievement as a nation is higher than ever in all subgroups.

High-stakes testing is not supported by educational research as a measure of student learning and progress. It is, however, the crucial information needed by groups who seek to privatize public education and run it for-profit.

Lip service is certainly paid to students, teachers, and parents about the necessity of a good education. Yet, predominant reforms ignore the wishes of those working within our schools. Reforms also ignore the overwhelming evidence against test-driven mandates.

As a result, United Opt Out believes that our trust has been violated. It is dubious that test data is collected innumerable times throughout a school year to close schools, fire teachers, and ruin communities. If we cannot trust the decisions made with test data, then those who make the decisions should no longer have it. We own that data. It is ours and we do not have to give it up.

You will find helpful information in this document to inform others about opting out of high-stakes testing. Feel free to copy and distribute. Use the materials for presentation at a PTA or School Board meeting. Your efforts can save public education.

With Our Warmest Regards,

**United Opt Out National**



## United Opt Out (UOO): Frequently Asked Questions

### What's your purpose?

UOO serves as a focused, point of unyielding resistance to corporate ed reform, test-centric educational practices, and the privatization and destruction of public education-

### Do you have a mission?

UOO's mission is to strengthen public education; fight corporate based reforms that are threatening the concept and existence of an educational system that is publicly funded, quality in nature and available to all; and, in particular, *to end the practice of punitive, high-stakes and related activities* that are fraudulently being used as "proof" of the incompetence of public education/ teachers.

### How is your organization unique?

UOO is unique in that its *core philosophy of action* is based on the following concept: there are some principles that are *so essential* to learning, teaching, and maintaining a quality public system of education that *they cannot and must not be negotiated away*. This philosophy is represented in UOO's motto: *We don't negotiate with children's lives*.

### What do you hope to accomplish?

UOO hopes to create a more informed and involved parental and community base, increase community resistance to corporate ed reform activities that threaten public education, and to create an environment that leads to the demise of high-stakes testing and related activities.

### What are you doing to achieve your mission?

To create a more **informed and active** parental and community base, UOO:

- Uses their webpage and social media sites to share information and promote UOO activities
- Uses traditional media sources to share information and promote UOO activities
- Creates educational "packets" that inform the public of the issues and the options
- Establishes ongoing communications with community members, leaders, and elected officials
- Establishes an electronic newsletter to provide informational updates
- Promotes *At the Chalkface* as the central media outlet for current news and op-eds

To increase **community resistance** to corporate ed reform activities that threaten public education, UOO:

- Conducts the outreach/information activities outlined above
- Conducts high-profile public actions designed to increase publicity of the organization and the cause
- Identifies and engage celebrity and/or highly influential community/political leaders



- Creates a schedule of weekly actions
- Utilizes liberators to support local activities
- Creates actions that publicize worst-case scenarios involving privatization/corporatization of education

To create an environment that **leads to the demise** of high-stakes testing and related activities, UOO:

- Promotes the practice of having students "opt out" of participating in high-stakes testing
- Provides guidance and support to parents who wish to have their children "opt out" of such testing
- Shares information about others who have "opted out"
- Informs educational institutions of the rights of parents/students to "opt out" of high-stakes testing
- Informs the media of the reason for and the occurrence of students "opting out" of high-stakes testing
- Informs community leaders and politicians of the reason for and the occurrence of students "opting out" of high-stakes testing
- Informs elected officials of the impact that "supporting" high-stakes testing will have on their future political careers.

Who **conducts these actions**, and with whom do you interact?

- The administrators will oversee online actions and provide core planning. To accomplish this, they will interact with media, community members, politicians, liberators, federal/state/local school leadership, parents, and students
- The liberators will coordinate local actions
- Parents will conduct personal resistance actions

What specific **changes do you foresee** in the organization in 6 months, 1 year, or 2 years?

- In 6 months, UOO plans to increase local and national awareness of the issue, the number of parents/students engaged in opt out activities, and community wide questioning of test-related activities in schools
- In 12 months, UOO plans to increase the number of political leaders publicly speaking against privatization/corporatization of public ed and high-stakes testing
- In 12 months, UOO plans to restrict high-stakes testing data to levels that make it unusable
- In 24 months, UOO plans to increase the number of schools which publicly refute the use of high-stakes tests
- In 24 months, UOO plans to increase the use of portfolio assessment for students and comprehensive evaluations of teachers that are based on criteria other than high-stakes testing

What **impact** will these changes have on the larger conversation about public schools?

By eliminating high-stakes testing and the data which is fraudulently used to claim the incompetence of public education/teachers, privatization/corporatization forces will lose the foundation on which their hostile takeover of public schools is based.



## **Talking Points About High-Stakes Testing**

- Is not scientifically-based and fails to follow the U.S. Government's own data on learning.
- Fosters test driven education that is not meeting the individual/intellectual needs of students.
- Presents a racial and economic bias that is beneficial to white middle/upper class students and detrimental to second language students, impoverished students, and students of color.
- Is in opposition to the corrective action in gaps in opportunity and resources sanctioned by the Fiscal Fairness Act.
- Supports complicity of corporate interests rather than democracy based on public concerns.
- Fosters coercion over cooperation with regards to federal funding for public education.
- Promotes a culture of lying, cheating, and exploitation within the school community.
- Has used the achievement gap to foster a “de facto” segregation that has resulted in separate and unequal education for minorities.



## Opt Out Letter Template

Note: State laws differ on testing and accountability; therefore, you may need to adjust the language based on your state or individual circumstances.

To Whom It May Concern:

Please be advised that our child will not be participating in state standardized testing during the current school year. Furthermore, we ask that no record of this testing be part of our child's permanent file, as we do not wish our child to participate in standardized achievement testing for promotion, graduation, or school/state report cards.

We believe the following of forced, high-stakes testing:

- Is not scientifically-based and fails to follow the U.S. Government's own data on learning
- Fosters test driven education that is not meeting the individual/intellectual needs of students
- Presents a racial and economic bias that is beneficial to white middle/upper class students and detrimental to second language students, impoverished students, and students of color
- Is in opposition to the corrective action in gaps in opportunity and resources sanctioned by the Fiscal Fairness Act.
- Supports complicity of corporate interests rather than democracy based on public concerns
- Fosters coercion over cooperation with regards to federal funding for public education
- Promotes a culture of lying, cheating, and exploitation within the school community
- Has used the achievement gap to foster a "de facto" segregation that has resulted in separate and unequal education for minorities

We understand that federal law provides the parent or guardian the right of choice regarding standardized testing when such testing violates spiritual beliefs. In contrast to our spiritual beliefs, which are firmly rooted in a moral code that embraces equity and fairness, we believe such testing is not in the best interests of our child since it fosters competition instead of cooperation, contributes to separate and unequal education for minorities, and belies our child's intellectual, creative, and problem-solving abilities, while presenting a fictitious picture as to the impact of the pedagogy provided by our child's individual educators.

Ultimately, our state is required to provide our child with an education in a least restrictive environment that does not force us to go against our spiritual beliefs. My child should proceed to learn and develop at an individual pace following education standards that are imparted under the guidance of education professionals, not market-based reformers, who are able to provide quality pedagogy without fear of reprisal if students - who mature at vastly different levels and come from diverse backgrounds that may or may not be supportive of intellectual pursuit - do not hit the bulls' eye of a constantly moving achievement target.

Therefore, we request that the school provide appropriate learning activities during the testing window and utilize an alternative assessment portfolio or concordant college testing score to fulfill promotion and or graduation requirements, as our child opts out of standardized testing.

Sincerely,



## Sample Opt Out Letter (New York)

Dear fellow parents of NYC public school students,

We have two children in public elementary schools in Manhattan, and until this year, when one child entered third grade, we were extremely satisfied with the educations they were receiving. Their teachers and principals have been without exception smart, professional and deeply knowledgeable about our children as individuals. Our experience of our son's third grade year thus far, however, has convinced us that the standardized testing that has come to dominate our schools severely compromises his teachers' ability to do their jobs. They have been forced to adopt inferior test-oriented teaching practices and to take too much time away from classroom activities to accommodate endless practice tests. The reward for their efforts from the Department of Education has been a completely unwarranted test-based grade of "D" for their school, which is sapping their morale. Even before the recent disastrous release of flawed teacher evaluations based on test scores, which promises to drive good teachers from the profession in droves, we had come to the conclusion that the current heavy emphasis on testing seriously undermines the quality of public education.

As parents, we feel compelled to act. We will be boycotting state-mandated standardized testing of our children for the indefinite future, with the goal of restoring control over education to those who really understand how children learn – parents and teachers. If you would like to join us or just share your impressions, please contact us using the email address given at the end of this letter, or check out the information and resources at [changethestakes.org](http://changethestakes.org).

Here are five basic reasons for our decision:

1) **Testing is dumbing down our schools.** Placing standardized tests at the center of the curriculum forces the reduction or elimination of subjects like history, science, the arts and physical education, as well as narrowing the ways the "core" subjects of reading and math are taught. (For more on our opinions about this see our piece in Schoolbook: <http://www.nytimes.com/schoolbook/2012/01/20/dear-governor-lobby-to-save-a-love-of-reading>.)

2) **Testing is unduly stressful for young children.** The test preparations, including mandatory afterschool and weekend sessions and practice tests scheduled throughout the year, and the official test itself (six days of testing in the third grade, more in higher grades) are extremely onerous for young students who are compelled to sit through them. Testing often becomes torturous for special-education students, who are given the perverse "accommodation" of extra time. To make matters worse, this year the testing time is being substantially lengthened so that test designers can try out practice questions for future years, using our children as uncompensated guinea pigs.





3) **Using test scores to grade teachers hurts the most vulnerable students.** The use of standardized tests as the primary performance measure of teachers and schools creates a powerful incentive for teachers to avoid schools that serve students in need of extra help. Teachers often cannot significantly raise the academic performance of children who do not have adequate support for learning outside of school. Punishing teachers when students are struggling because of factors beyond their control, such as unstable home situations or learning disabilities, is gross social injustice – and it is the children who pay the price.

4) **High-stakes tests force teachers to adopt bad teaching practices.** The dire consequences for teachers who do not teach to the test prevent them from doing what they were trained to do: to educate our children based on their best professional judgment. Teachers who must constantly strategize to improve test scores at all costs do not have the time or the intellectual freedom to do their jobs properly, and our kids' educations suffer.

5) **Standardized tests are a waste of public money.** In an age of scarcity, we should not be spending untold millions of tax dollars on practices that add nothing of value to children's educations. Many of the finest school systems in the world do without standardized tests entirely, and such tests hardly figure in the lives of children in the elite private elementary schools that our political leaders send their kids to. We should stop funding the testing industry and use that money to hire teachers, build schools, and restore the arts and sciences to all our public schools.

We cannot allow our children to be used as tools in the enforcement of unjust laws and destructive, wasteful policies. They will be educated in public schools, and they will not take state-mandated standardized tests.

We have not come to this decision lightly. We have considered the central argument for the tests, that they are essential tools for assessing student and teacher performance, and rejected it. If the tests are necessary, why does the most successful school system in the world – Finland's – do without them? The fact is, teaching is too complex an activity ever to be properly assessed by numerical models, which is why expensive evaluation systems based on test scores keep failing. Teachers know how to assess children's progress, and principals, fellow teachers and parents know how to evaluate teachers, by observing their work directly.

We have been warned repeatedly of serious consequences that might arise from boycotting these tests: our children will not be permitted to move on to the next grade, or, even worse, their schools and teachers will be penalized because student absence from the tests is reflected in teacher assessments and the school's grade. It has been suggested, in other words, that we should comply with the tests because our act of civil disobedience will cause the state to harm others. Because this is a very real danger, many parents opposed to high-stakes testing have chosen to petition for the legal right to opt out of the tests rather than to boycott them outright (information about this option is also available at [changethestakes.org](http://changethestakes.org)). However, we refuse to be intimidated by threats coming from the Department of Education into submitting to practices



that we consider both unethical and harmful to our children. And we will challenge any actions taken by the DOE to punish our child or his wonderful teachers because of our decision.

Thank you for reading this letter, and please contact us to share ideas about how parents can play a leading role in restoring public education in our city.

Sincerely,

[Names Withheld]



## **Sample Opt Out Letter New York (Spanish Translation)**

Estimados padres de las escuelas públicas de NYC:

Somos los padres de dos niños que asisten a dos escuelas elementales en Manhattan. Hasta el presente, hemos estado muy satisfechos con la educación que nuestros hijos han recibido en las escuelas públicas de NY. Sus directores y maestros, sin excepción, han demostrado ser profesionales inteligentes con un conocimiento amplio sobre la formación y el futuro de nuestros hijos.

Sin embargo, hasta el momento, nuestra experiencia con nuestros hijos en el tercer grado nos ha convencido que las pruebas estandarizadas que han llegado a dominar nuestras escuelas, perjudican severamente el trabajo diario de los maestros.

Los maestros se han visto forzados a rebajar mucho su nivel de enseñanza para preparar esas pruebas, sacrificando el valioso tiempo de las actividades escolares, para acomodar un sin fin de exámenes.

Incluso antes de que se hicieran públicas las evaluaciones de los maestros, lo cual ha supuesto el éxodo de buenos maestros, nosotros llegamos a la conclusión de que el énfasis exagerado en estas pruebas subestima seriamente la calidad de la educación pública.

Consecuentemente, vamos a boicotear las pruebas estandarizadas estatales de nuestros niños indefinidamente, con la meta de restaurar el control de la educación a quienes realmente comprenden cómo los niños aprenden: los padres y los maestros.

Si les interesa unirse a nuestro grupo o simplemente compartir sus impresiones, por favor comuníquense con nosotros por medio del correo electrónico al final de esta carta, o si prefieren, pueden encontrar más información y recursos en: [changethestakes.org](http://changethestakes.org).

Aquí presentamos cinco razones básicas para apoyar nuestra decisión:

1. Los exámenes “atontan” las escuelas: Dedicando demasiado tiempo a las pruebas estandarizadas, dejamos de enseñar otras materias, como estudios sociales, arte, ciencia, y educación física, además de limitar las maneras de enseñar las materias básicas de lectura y matemáticas. (Si quiere más información sobre esta opinión visite esta página web: <http://www.nytimes.com/schoolbook/2012/01/20/dear-governor-lobby-to-save-a-love-of-reading>).
2. Los exámenes causan una ansiedad innecesaria en los niños: La preparación para las pruebas estandarizadas incluye muchas sesiones fuera del horario escolar, al igual que varias sesiones en los fines de semana, e innumerables pruebas programadas a través del año, como la



prueba oficial en sí (seis días de pruebas en el tercer grado, y más días en grados más altos). Todo ello es extremadamente estresante para un estudiante joven que se ve obligado a soportar tal presión. Es especialmente arduo para los estudiantes de educación especial, el arreglo “perverso” de “acomodar” a estos estudiantes, dándoles más tiempo para completar las pruebas.

Y para agregar sal a la herida, este año el tiempo de las pruebas se ha extendido para que nuestros hijos sean sujetos a preguntas experimentales (llamadas type questions) que serán usadas en exámenes futuros, como si fuesen conejillos de Indias.

3. Las calificaciones de las pruebas las usan para evaluar a los maestros: El resultado del uso de las pruebas estandarizadas como criterio para evaluar la efectividad de los maestros se presta para que muchos maestros no quieran enseñar en escuelas en las que los estudiantes necesiten más ayuda o no hablan el idioma. Los maestros muchas veces no pueden mejorar las calificaciones de los estudiantes porque están luchando contra factores fuera de su control, y por eso no es justo que sean castigados usando los resultados de las pruebas como un reflejo determinante de su trabajo.

4. Pruebas de esta magnitud obligan a maestros a adoptar malas prácticas de enseñanza: Las consecuencias desastrosas para maestros que no siguen las guías de estas pruebas no les permiten hacer el trabajo para el cual se formaron: educar a nuestros hijos basándose en su mayor juicio profesional. Los maestros que tienen que mejorar constantemente los resultados (las notas o grados) de estas pruebas, a cualquier costo, no tienen ni el tiempo ni la libertad intelectual para cumplir con su trabajo apropiadamente, y por ende, la educación de nuestros hijos sufre.

5. Las pruebas estandarizadas son un gasto de dinero público: Estamos en un momento en que debemos ser astutos con nuestros recursos, un momento cuando la economía del país no está bien, cuando no hay trabajos, cuando las cosas cuestan más, no tiene sentido que nuestro sistema de educación pública gaste estos recursos, que deberían ser usados para agregarle valor a la experiencia educativa del estudiante, en pruebas innecesarias. Muchas de las escuelas privadas y escuelas de élite donde nuestros políticos envían a sus hijos no usan estas pruebas. Debemos de dejar de mantener el negocio de los exámenes y en vez de ello usar nuestros recursos para contratar y mantener maestros, crear, reformar y reparar las escuelas y ofrecer programas de ciencias naturales, estudios sociales, arte y música en todas las escuelas públicas de la Ciudad.

No podemos permitir que nuestros hijos sean utilizados como herramientas en la aplicación de leyes injustas y políticas que son destructivas. Ellos serán educados en escuelas públicas y NO tomarán las pruebas estandarizadas del estado.

No fue fácil tomar esta decisión. Hemos considerado el argumento central para estas pruebas, de que son herramientas esenciales para evaluar el desempeño de los estudiantes y los maestros, y las rechazamos.



Si estas pruebas son necesarias, entonces ¿por qué en países avanzados en la educación, como en Finlandia, los estudiantes no toman exámenes? Allí destacan más la colaboración en vez de la competencia. Lo cierto es que la enseñanza es una actividad muy compleja para ser evaluada por los modelos numéricos, y es por eso que los costosos sistemas de evaluación basados en resultados de las pruebas siguen fallando. Los maestros saben cómo evaluar el progreso de los niños, y los directores, maestros compañeros y padres de familia saben cómo evaluar a los maestros, mediante la observación directa de su trabajo.

Nos han advertido que si no dejamos que nuestros hijos tomen las pruebas, habrá consecuencias muy graves, como por ejemplo que a nuestros hijos no se les permitirá avanzar al siguiente grado, o peor aún, sus escuelas y los maestros serán sancionados por la ausencia del estudiante pues esto se refleja en las evaluaciones de los maestros y el grado de la escuela. Se nos ha dicho que con nuestro acto de “desobediencia social” el Estado podría causar daño a otros. Es por este peligro real y verdadero que muchos padres, quienes también están en contra de las pruebas, han tomado la decisión de solicitar, por medios legales, el derecho de optar por no tomar las pruebas, en vez de boicotearlas. (Si desea más información sobre esta opción visite la página [web:changethestakes.org](http://changethestakes.org)). Sin embargo, nos negamos a ser intimidados por las amenazas que provienen del Departamento de Educación para someter a nuestros hijos a estas prácticas que consideramos poco éticas y perjudiciales para nuestros hijos, y retaremos cualquier acción de parte del Departamento de Educación de castigar a nuestros hijos o a sus maravillosos maestros por causa de nuestra decisión.

Gracias por leer esta carta y, por favor, comuníquese con nosotros para compartir sus ideas acerca de cómo los padres pueden desempeñar un papel destacado en la restauración de la educación pública en nuestra ciudad.

Sinceramente,

[Nombres Retenido]



## Sample Opt Out Letter (Colorado)

Dear \_\_\_\_\_:

The response I received from you via e-mail dated March 1, 2012 is a clear violation of my rights as a parent. It is also a clear indication that \_\_\_\_\_ is being denied a free, appropriate, public education in the least restrictive environment unless he participates in the TCAP.

I am aware that parental rights are broadly protected by Supreme Court decisions (Meyer and Pierce), especially in the area of education. The Supreme Court has repeatedly held that parents possess the “fundamental right” to “direct the upbringing and education of their children.” Furthermore, the Court declared that “the child is not the mere creature of the State: those who nurture him and direct his destiny have the right coupled with the high duty to recognize and prepare him for additional obligations.” (Pierce v. Society of Sisters, 268 U.S. 510, 534-35) The Supreme Court criticized a state legislature for trying to interfere “with the power of parents to control the education of their own.” (Meyer v. Nebraska, 262 U.S. 390, 402.) In Meyer, the Supreme Court held that the right of parents to raise their children free from unreasonable state interferences is one of the unwritten “liberties” protected by the Due Process Clause of the Fourteenth Amendment. (262 U.S. 399). I am also aware that Jo O’Brien, Assistant Commissioner of Standards at the Colorado Department of Education stated, “There is no federal law prohibiting a parent from opting their child out of CSAP testing.”

As I stated in my letter dated March 1, 2012, I do not give my consent for my son, \_\_\_\_\_, to participate in CSAP/TCAP testing at any time during the current school year. He is not to be removed from his classroom for the purpose of make-up testing or for any conversation or to be coerced to take the assessment. As the master educator of \_\_\_\_\_ Elementary School, I am certain that you value your students and their varied needs. I know that you want all of the children in your care to be honored—their talents, their needs, and their sensitivities. I know that you would not want any harm to come to any of your young charges. Therefore, I am confident you will honor my request to let \_\_\_\_\_ remain with his classmates throughout the regular school day once he returns to school.

I want to be very clear about my expectations for the continuation of \_\_\_\_\_’s education upon his return to school. I do not give my consent for \_\_\_\_\_ to participate in the TCAP during the 2011-2012 academic year. I do not give my consent for him to participate in make-up testing. I fully expect this request to be honored, and if it is not honored I will consider this a direct violation of my parental rights and will seek further action. There is a great deal of community support for parental rights in the education of their children, and if necessary I will seek redress.

In the best interests of my children,



## **Sample Opt Out Letter (Religious Exemption in Pennsylvania)**

Dear (Insert Administrator's name here):

We are asking that you allow our son to "opt out" of NCLB and PSSA testing. There are many reasons that our family has decided to "opt out" of state and federally mandated testing, however, we have been told that there is only one legal exemption -- religion. Since religion is the only recognized legal excuse (that we could find) we will use it. Therefore, we are asking for a religious exemption.

We are Unitarian Universalists with values rooted in the teaching of Jesus. Forced participation in state testing violates the following religious principles we value and strive to teach in our home. "Unitarian Universalists believe in the never-ending search for truth. If the mind and heart are truly free and open, the revelations that appear to the human spirit are infinitely numerous, eternally fruitful, and wondrously exciting." NCLB and PSSAs are antithetical to this belief. These tests assume a static truth and train the mind and heart to close to the possibilities of multiple answers or interpretations. They force children to believe in a single correct answer and that there is no need to search for knowledge -- knowledge is given. This contradicts the value we are trying to teach our son concerning curiosity and the endless possibilities available to him as he searches for his own truth.

As followers of the teachings of Jesus, Luke reminds us that Jesus said, "Do not judge, or you too will be judged" also "For in the same way you judge others, you will be judged, and with the measure you use, it will be measured to you. And finally, "Do not judge, and you will not be judged. Do not condemn, and you will not be condemned. NCLB and PSSAs are designed exclusively to judge and condemn children, teachers, schools, and communities. We refuse to continue to take part in this pernicious system. We are also trying to teach our son to be open to the possibilities that "others" sometimes have different values or ways of seeing the world. We do not want him to judge others for their differences. We hope that one day our son will recognize differences in others and value and celebrate those differences. NCLB and PSSAs force children, teachers, and schools to devalue differences.

We also believe in the Ethic of Reciprocity or the Golden Rule -- we are to treat other people as we would wish to be treated ourselves. As a family, our belief in the Golden Rule encourages us to help our son learn the value of fairness. We want him to treat others fairly and we hope that he will in turn expect others to treat him fairly. NCLB and PSSAs have been demonstrated to not treat differences in children fairly. They fail to recognize the multiple intelligences present in all children. NCLB and PSSAs discriminate against students from lower socio-economic conditions and unfairly penalize students with special education needs.

Even though the United Nations is not a religious organization we also would like the school to understand that NCLB and PSSAs violate certain articles of the Universal Declaration of Human Rights Article 18: Everyone has the right to freedom of thought.



NCLB and PSSAs prescribes thoughtlessness and punishes children that experiment with their curiosity or try to explain their learning in ways that can't be measured by standardized tests. Article 26. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups.

NCLB and PSSAs narrow the school's curriculum and therefore deprives children of the right explore the possibilities for learning in the many disciplines that have either been shortened or outright eliminated from the curriculum. For example, if science and social studies are neglected how will children learn about the scientific nature of the world and learn to appreciate and value the vast cultures on this planet?

In summary and respect, we would like you to permit our son to "opt out" of NCLB and PSSA testing this school year for the religious and cultural reasons stated above.

Sincerely,

(Insert your name here).





## Writing an Editorial: A Template

### **Things to include:**

1. Catchy Title (something that is clear about what the message is but makes it eye catching like an advertisement would). Then add a subtitle that is a short sentence/statement.
2. Brief 1-2 paragraph summary stating the general issue about high-stakes testing and/or effects in public schools.
3. Identify 2-3 key issues that you will hone in on. Use the talking points from our parent flyer or do some quick research from places like [www.fairtest.org](http://www.fairtest.org) to get a sense on the central issues. There are many...so narrow your focus to the 3 most salient for you. You can draw from key themes (effects on children, effects on schools, ripple effect on our society --select one from each category or go deep into one theme).
4. Spend one paragraph on each topic you have identified.
5. Support each argument with facts cited from credible source. Use the resource list on our webpage or other credible sources. ([www.rethinkingschools.org](http://www.rethinkingschools.org) and [www.fairtest.org](http://www.fairtest.org) are two examples, or cite other newspaper articles and/or op ed pieces. In this last instance you can dialogue with that author. For example, “In Susie Doe’s Op Ed piece in the NYT [date/page/hyperlink etc], she cites that ....” and then link your own information to that).
6. Use personal story or experience as appropriate.
7. End with a killer conclusion. Something that leaves readers thinking and calls them to action. Be decisive, i.e. “we must act now” or “public education is in dire risk of becoming extinct”—something dramatic.

### **Do Not:**

1. Make gross generalizations using words like “all” or “every”—sets you up for some ding-dong to find the one case in which this is not true and discredit you.
2. Launch attacks against people or groups unless you can support it with proof or data.
3. Avoid name calling like “neoliberals are a bunch of jackasses.”
4. Be too wordy; keep it short and concise.



## **Opt Out Article: Editorial from The Baltimore Sun**

### **Standardized tests: Time for a national opt-out**

AUG. 25, 2011

### **Parents have the power to break the stranglehold of standardized testing**

August 25, 2011 | By Shaun Johnson

Here's an update to a clichéd philosophical question: If a test is scheduled and no one is around to take it, will this test matter?

The new school year for many public school teachers begins weeks before students arrive. Educators attend hours of workshops to discover that the newest acronym is simply a substitute for an older one. More importantly, piles of test data are pored over to both assess the previous year and to fully appreciate what is to come with a new crop of students.

With every new testing mandate, combined with recent scandals chipping away at the once impossibly smooth veneer of test-based [education](#) reforms, many teachers, parents and administrators are getting frustrated. Where have market-driven and data-obsessed policies taken us over the last 10 years? Are public schools necessarily better off than they were when No Child Left Behind (NCLB) was initially greeted with bipartisan support?

Another important question: What of education have we lost as a result of strict adherence to standardized tests? Many are answering, "Too much — and enough is enough." The result is that more and more parents and educators are mulling what was once unthinkable: opting children out of state standardized tests.

For example, Tim Slekar, a professor of education in Pennsylvania, opted his son Luke out of his state's tests last school year to "make my community aware and to try and enlighten them of the real issues." This parent and professor's plea is simple and forceful: "Stop treating my child as data! He's a great kid who loves to [learn](#). He is not a politician's pawn in a chess game designed to prove the inadequacy of his teachers and school."

In July, a large group of public school advocates organized the Save Our Schools March in Washington, D.C. to protest the continued, and in some cases stronger, embrace of standardized testing. Even amid budget shortfalls, millions of taxpayer dollars are spent on things like researching newer exams, test security, investigating lapses in that security, and manufacturing data collection systems. Meanwhile, schools must contend with smaller staffs and larger class sizes.

Educators are frustrated by the exclusion of teachers from the larger debate on education reform and policy in the United States. Individual classroom teachers and researchers have been highlighting for years the deleterious effects of focusing solely on success or failure with regard to standardized tests. And even now, with the revelation that high-stakes environments are perfect breeding grounds for desperation and resulting dishonesty, the dispiriting march through another year of test preparation must continue.



In a political and cultural environment that at best feigns listening to educators and at worst demonizes them, the most active public school advocates — like Mr. Slekar — are beginning to feel that opting their children out of completing the state tests is the only message that will get through. Those who began their research into the issue are finding it remarkably [easy](#) to do, despite the dissembling of school officials when asked for information.

Parents considering opting their children out of state testing are aware of the implications — that a diminished level of participation will affect the school's ability to make Adequate Yearly Progress (AYP). But the threat of no AYP does not appear as ominous as it once did. What is more, the Department of Education's hemming and hawing over the reauthorization of NCLB, plus this whole [business](#) of granting waivers that states don't even want, could mean that the punitive era of education reform is slowly coming to an end.

Growing groups of parents and public school advocates have decided to hit the contemporary reform movement where it counts by taking away the privilege of collecting coveted data. They realize that their children are more than just test scores. They now understand that a laser-like focus on testing and test preparation comes at the expense of numerous other facets of an engaging and well-rounded education. Most of all, these same folks are slowly but surely grasping the power that eluded them during the height of the NCLB era. Despite being largely locked out of the conversation on public education, parents, teachers, and parents who are teachers know they don't have to give up the data any longer.

Opting-out groups are turning to social media to organize. A Florida-based [Facebook](#) group, "Testing is Not Teaching," boasts more than 12,000 supporters. A similar, fledgling group called "United Opt Out" claimed 600 national members after just a few days of existence online. Local numbers for Maryland are elusive, and it's too early to tell whether pressing the "Like" button will translate into actual opting out of test taking.

So, to come full circle: If tests were scheduled and no one took them, would it matter? It would probably be the exact opposite of the proverbial tree falling with no one around. Fewer students filling in fewer bubbles would sound an alarm akin to 1,000 trees falling in the forest. This time, one could not ignore hearing it. And the sincere grievances public school advocates have about the dominance of testing might finally receive an attentive audience.

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*Original article link: [http://articles.baltimoresun.com/2011-08-25/news/bs-ed-school-testing-20110825\\_1\\_standardized-tests-educators-teachers](http://articles.baltimoresun.com/2011-08-25/news/bs-ed-school-testing-20110825_1_standardized-tests-educators-teachers)*



## **Opt Out Article: The Huffington Post**

### **I Am More Than a Test Score by Tim Slekar**

Dear Mom and Dad,

It's almost back to school time. I've been thinking about the coming year. I know I'm not an expert, but after seven years of going to school, something seems wrong. Don't misunderstand me. I love seeing my friends and I can't wait for football season, but I'm just not looking forward to sitting in a classroom again. I mean it's been seven years and it seems like every year it just keeps getting worse. I'm not sure how to explain it, so I thought I would just list the things that I am talking about -- what I prefer and what I [prefer not to](#).

I prefer to engage in real learning.

I prefer not to spend the first five months of school preparing for tests.

I prefer to have gym, art and music classes.

I prefer not to sit and listen all day long.

I prefer to look forward to going to school.

I prefer not to get nervous when I'm in school.

I prefer to read interesting books and go on field trips that help me connect what I'm learning in school.

I prefer not to spend most of my time on boring math and reading assignments mostly preparing for tests.

I prefer to have teachers that are allowed to teach more than just to the test.

I prefer not to have my teachers be afraid to teach.

I prefer to have assignments that are interesting, hands on, help me discover, make me ask questions, and allow me to be proud of my work.

I prefer not to dread going to school.

I prefer to have the materials, books, equipment and technology I need in all of my classes.

I prefer not to have so many students in my classes that I become a number.

I prefer to take the tests my teachers make -- ones that grade me on my abilities, efforts and participation.

**I PREFER NOT TO TAKE STANDARDIZED TESTS!**

There's more but I think you get the gist. I'm hoping that you will help me take the dread out of school this year. I have heard people talking and they say that [only parents can make a difference](#). Will you please do [something](#)? Can you talk to my friends' parents and see if they will help? I need



you, my teachers need you, we can't make the changes needed without your help. [I can't take one more year of being treated like a test score.](#)

Love,

Your child.

P.S. I almost forgot to ask. Can our school be like the one President Obama's daughters attend? [I saw him talking about how they don't spend the year preparing for tests.](#) That would be so cool.

*Original article link: [http://www.huffingtonpost.com/timothy-d-slekar/i-am-more-than-a-test-score\\_b\\_921279.html](http://www.huffingtonpost.com/timothy-d-slekar/i-am-more-than-a-test-score_b_921279.html)*



## Opt Out Article: Daily Kos

### Empty Test Chair by Empty Test Chair by Ceresta Smith, NBCT

Ryan McCarthy in a recent article titled “White Families Now \$95K Richer than African-American Families on Average, According To New Study” pointed out how public policy and discrimination have fostered a tremendous wealth gap between African-Americans and Whites. In the article he states, “The racial wealth gap results from historical and contemporary factors but the disturbing fourfold increase in such a short time reflects public policies, such as tax cuts on investment income and inheritance, which benefit the wealthiest and redistribute wealth and opportunities... At the same time, evidence from multiple sources demonstrates the powerful role of persistent discrimination in housing, credit, and labor markets.” Ryan used a report published by Brandeis University’s Heller School for Social Policy and Management as the basis of his article. The PDF file can be found at <http://iasp.brandeis.edu/...>

Ryan was correct in identifying public policy and discrimination as factors, but he failed to include the negative impact of K-12 public school education policy that is beginning to and will cause an even more pronounced divide. No Child Left Behind, subsequent state laws, and now Obama’s Race to the Top policy all use high-stakes standardized tests to quantify and qualify academic success. This, too, has and will continue to contribute to an inability to increase wealth and income, as many African-Americans are now excluded from higher education and the career and income opportunities afforded by earning college degrees. In fact, the impact of high-stakes testing has been so damaging that African Americans should begin to opt their children out of high-stakes testing in public schools to avoid a future of more pronounced income disparities born out of the academic injustice of policies that embrace high-stakes testing.

The education reform policies created under the guise of facilitating the closing of the achievement gap between minority students and their white peers have failed. Reporter Ron Claiborne in an article titled “College-Bound Students Not Prepared in Basic Subjects” brought to light a pervasive problem. He stated that according to a report published by ACT, “Only one in four college-bound high school graduates is adequately prepared for college-level English, reading, math and science according to report released Wednesday by the ACT college admissions test. In English, 77 percent of white students and 76 percent of Asian-American students met the readiness benchmark compared with 47 percent of Latinos and 35 percent of African-Americans. In Reading, 62 percent of both white and Asian-American students met the readiness benchmark compared with 35 percent of Latinos and 21 percent of African-Americans. In Mathematics, 71 percent of Asian-American students met the readiness benchmark. And according to Jon Erickson, interim president of ACT, “There’s still a significant and an actually growing gap both at incomes levels and at racial/ethnic levels in the achievement of those benchmarks. This is a national imperative and a national concern.” The full report can be obtained at <http://www.act.org/...>

High-stakes testing has contributed to these startling facts in two disconcerting ways. In his *Time* magazine article “Dropout Nation” Nathan Thornburgh stated “In today’s data-happy era of accountability, testing and No Child Left Behind, here is the most astonishing statistic in



the whole field of education: an increasing number of researchers are saying that nearly 1 out of 3 public high school students won't graduate... For Latinos and African Americans, the rate approaches an alarming 50%.” The over-emphasis on the state mandated assessments has contributed to the high drop-out rate of African American students, particularly African-American males. Reports, such as “The Impact of the Correlation Between The No Child Left Behind Act’s High-Stakes Testing and the High School Drop-out Rates of Minority Students,” have documented this phenomenon.

Of additional concern is the reality that state mandated assessments have narrowed curricular focus. Most schools, pressured by district and state administrators’ compliance to state and federal laws for funding, now spend large amounts of time preparing for and taking standardized assessments. Historian and author of *The Death and Life of the Great American School System: How Testing and Choice Are Undermining Education* Dr. Diane Ravitch, urban sociologist and Professor of Education at New York University Dr. Pedro Noguera, education policy writer, researcher, and Stanford University Professor Dr. Linda Darling-Hammons, and classroom teachers across the nation have acknowledged the resulting “dumbing-down” of public school students. The loss of quality instruction impacts all public school students.

However, African-American schools deemed below average or failing face continual, havoc-causing turn-overs of staff and spend a disproportionate amount of time engaged in test prep. This has resulted in a vast inequity in quality of pedagogy in African-American populated high schools across the nation. Instead of nice, stable school communities with quality instruction, African-American schools now suffer under sanctions, which mandate annual staff turn-overs and remedial curricula with mandated teaching materials focused on test prep. More than not, sublimated or eliminated completely are enriching curricula that allow for inquiry, problem solving, creative and critical thinking, and analysis writing in response to visual text, written text, or a guiding question.

Elective courses are replaced with test prep classes. Project based learning is prohibited. If honors, gifted, and Advanced Placement courses are offered at all, two-thirds or more of the students are labeled “low-performing” and will never benefit from such course offerings. “Bubble students” – those close to achieving proficient test scores - are often taken out of their non-testing classes to sit for test prep sessions. Social studies instructors are forced to take class time for reading test prep in lieu of history, civic, geography, government and economic lessons. Generally, the instructors are novice, frequently not certified in the area in which they are teaching, and often come from the ranks of Teach for America, a new teacher program that is, according to one educator, “tantamount to the Tuskegee Experiment.” In contrast, their white counter-parts never see a Teach for America teacher. Nor are their schools constantly hindered by transient staffs. Additionally, the egregious test prepping does not permeate the entire fabric of most of their school communities. Nor are they constantly labeled as failing or below average. This sad scenario is played out in school districts with predominately Black populations throughout America.

Bob Schaeffer, a spokesman for Fair Test, an organization which studies the use of standardized tests, said in a statement: "Proponents of 'No Child Left Behind' and similar state-level high-stakes testing programs, such as exit exams, made two promises: their strategy would boost overall academic performance and it would narrow historic achievement gaps between ethnic groups.



But, academic gains, as measured by ACT, are stagnant and racial gaps are increasing." African-American parents must start asking the hard question: Why have policies that were supposed to narrow the achievement gap resulted in the exact opposite? They must begin to take action against a system that serves to ill-prepare their children for academic success, career preparation, and the ultimate ability to accumulate and build wealth. Of high importance, they must not fall prey to the trap of "school choice," which in itself is a method of racist exclusion, which provides for a "few" at the expense of the "many." Instead, they must first and foremost, stop allowing their children to be used to further the inequities in academic achievement and future economic attainment. Because standardized testing is undermining quality instruction for African-American students, which ultimately impacts career acquisition and wealth accumulation, opting their children out of standardized testing in K-12 public education is a good place to start. No longer must discriminatory policies that foster achievement and economic gaps based on race and class be tolerated. Empty test chair by empty test chair, policy makers will get the message that enough is enough.

*Original article link: <http://www.dailykos.com/story/2011/08/28/1011377/-Empty-Test-Chair-by-Empty-Test-Chair>*





## **Research on High-Stakes Testing at Your Fingertips**

There are well-known negative consequences of standardized testing on education, such as the “narrowing of the curriculum” due to “teaching to the test”. When there is public pressure to improve test results, schools and teachers are more likely to emphasize, in their instruction, the material covered by the test (Shepard, 1991; Madaus, 1991; Herman & Golan, 1992).

Standardized tests heavily emphasize multiple-choice questioning (The National Center for Fair & Open Testing (NCFE), 1997). As a result, rote memorizing, “cramming” of concepts and test-taking strategies have become part of the daily instruction (Madaus, 1991).

This type of instruction or “teaching to the tests” causes students to gain the “most elementary knowledge and skills and less of the deep understanding of even a few topics” (Stake, 1991 p. 246). This is demonstrated in the inability of test scores to generalize or transfer to other indicators of achievement. For example, when a new testing program is brought into a state, scores tend to plummet in the initial years of testing since students have not been prepared for that exact test (Bracey, 2000). Consequently, test scores that reflect higher-order thinking have been steadily declining (Darling-Hammond, 1991; 1994). In fact, the rote learning that was involved in “teaching-to-the-test” in the 1970s has been cited as one of the reasons that U.S. students have ranked low in international achievement tests (McKnight et. al., 1987).

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## Parent Flyer

### **DID YOU KNOW? A parent's guide to high-stakes testing in public schools**

HOW High-Stakes Testing DESTROYS CHILDHOOD...a list of a few out of a sea of many....

**AFFECTS SOCIO-EMOTIONAL WELL-BEING:** Our system of constant testing seems designed to produce anxiety and depression.

**KILLS CURIOSITY AND LOVE OF LEARNING:** Actually limits and reduces the amount of **QUALITY** learning experiences. Rather than focusing on a child's natural curiosity, HST emphasizes (and drills in) isolated facts limiting teacher's ability to create environments that stimulate a child's imagination.

**ACTUALLY REDUCES A CHILD'S CAPACITY FOR ATTAINING NEW KNOWLEDGE:** If children cannot actively make connections between different topics of study, they don't remember what they learn from day to day. Most standardized tests are still based on the recall of isolated facts and narrow skills. ([www.fairtest.org](http://www.fairtest.org)).

**HIGHER ORDER THINKING IS REPLACED WITH SKILL, DRILL AND KILL:** Most tests include many topics that are not important, while many important areas are not included on standardized tests because they cannot be measured by such tests. Teaching to the test does not produce real and sustained gains on independent learning measures. ([www.fairtest.org](http://www.fairtest.org))

HOW High-Stakes Testing DESTROYS PUBLIC SCHOOLS...a list of a few out of a sea of many....

**NARROWS THE CURRICULUM:** The loss of a rich curriculum has been documented in research, in the media, and in teacher testimony. Forget art, music, and PE (in spite of the decades of research that correlates student overall school achievement to participation in these experiences). State-wide testing focuses only on math and reading. And with these critical subjects, teachers are forced to focus only on those test taking strategies that reflect the way material is presented on the tests.

**LOSS OF SOCIALIZATION AS A CENTRAL CORE OF LEARNING:** The opportunity to learn to socialize through recess, and collaborative classroom activities reduces children's opportunities to develop healthy social skills. Being seated alone at a desk all day isolates children from learning how to develop community-based problem solving skills they will need as adults.

**MOVING FROM PUBLIC SCHOOLING FOR THE COMMON GOOD TO PRIVATIZATION OF ALL SCHOOLS:** 80% of all schools are anticipated to fail meeting their federally-mandated test score goals (called AYP) by 2014. Private sector charter schools are invited to take over local public school not meeting federal rules. Our tax dollars—intended for public schools for the common good—are then diverted to these for-profit enterprises, often run by hedge fund entrepreneurs.

**DIVERTS GREATLY NEEDED FUNDS FROM SCHOOLS TO CORPORATE INTERESTS:** The Department of Education has invested 4.5 BILLION dollars (Krashen, S.,



2008) in developing new tests while millions of schools have cut art, music, and suffer from limited resources including clean drinking water or air conditioning.

**TEACHING TO THE TEST:** Schools, grades K-12, on average, spend 10-12 WEEKS before the testing solely on test preparation, replacing meaningful hands-on instruction with skill and drill.

### HOW High-Stakes Testing UNDERMINES OUR CONSTITUTIONAL RIGHTS

**VIOLATES THE 1st and 14th AMENDMENTS:** The 14th amendment to the Constitution protects our rights to religious/spiritual freedom and this federal law supersedes state in regard to parental control over one's child. Many school administrators, desperate for funding, try to intimidate parents from opting out of testing to keep federal funding for site participation; school participation is a requirement for federal funding under NCLB.

**VIOLATES FAIR LABOR STANDARDS ACT OF 1938:** If a child is given work or assessments to do in the classroom that will eventually determine the income of a teaching professional, that student is providing the catalyst for the pay. This breaches the Fair Labor Standards Act (FLSA) of 1938, which states that sixteen is the basic minimum age for employment. It also says that when young people work, the work cannot jeopardize their health, well-being, or educational opportunities.

**VIOLATES ALL CHILDREN'S RIGHTS TO A FREE AND APPROPRIATE EDUCATION:** High-Stakes testing leads to under-serving or mis-serving all students, especially the most needy and vulnerable, thereby violating the principle of 'do no harm.' For example, students living in poverty, who already lack critical access to books and free reading, are condemned to test prep instead of having opportunities to read. Monies desperately needed for vital school resources such as clean drinking water and roofs that don't leak are being spent on testing materials.



## **Parent Flyer (Spanish Translation)**

### **Una explicación de los efectos dañinos de las pruebas estandarizadas de alto riesgo**

#### ¿Cómo es que los exámenes estandarizados de alto riesgo destruyen la niñez?

- El régimen de las pruebas afecta el bienestar socio-emocional: Nuestro sistema de pruebas constantes parece diseñado para producir ansiedad y desánimo.
- Destroza la curiosidad y las ganas de aprender: Verdaderamente limita y reduce la cantidad de experiencias positivas de aprendizaje. En vez de estimular la curiosidad y la imaginación natural del niño, el régimen enfatiza los datos superficiales.
- Disminuye la capacidad del niño para adquirir conocimientos nuevos: Si los niños no pueden sacar sentido de lo que hacen, ni aprenden ni recuerdan. Pero las pruebas estandarizadas todavía tienen su base con la memorización de datos aislados y capacidades estrechas y limitadas. ([www.fairtest.org](http://www.fairtest.org))

-Los pensamientos más analíticos y profundos se reemplazan con repetición superficial: La mayoría de las pruebas contienen mucha materia de poca importancia. Mientras tanto muchas áreas de importancia no se incluyen en las pruebas estandarizadas porque no se pueden medir. La enseñanza que se enfoca sólo en sacar buenas calificaciones en las pruebas no puede lograr mejorías reales y sostenidas en medidas de enseñanza independientes. ([www.fairtest.org](http://www.fairtest.org))

#### ¿Cómo es que los exámenes estandarizados de alto riesgo destruyen las escuelas públicas?

- El régimen de las pruebas limita el plan de estudios: Se nota la pérdida de un plan de estudios amplio y rico. Se olvidan las clases de arte, de música, de educación física, de baile y el tiempo libre de recreo, a pesar de décadas de investigación que conectan estas actividades con una mejoría de aprendizaje estudiantil. Pruebas estatales se enfocan en sólo las clases de matemáticas y las de la lectura. Se obligan los maestros a dedicarse a las estrategias que tienen que ver con la presentación de la materia de los exámenes.
- El énfasis creciente en la privatización de todas las escuelas a costa de un sistema fuerte de escuelas públicas: Se anticipa que el 80% de todas las escuelas van a fallar las metas establecidas por el gobierno federal por el año 2014. Estas escuelas, según la ley, tal vez tengan que cerrar las puertas y luego las escuelas privadas patrocinadas por corporaciones con fines de lucro las podrían comprar. Entonces el dinero de los impuestos originalmente destinado a las escuelas públicas llegarán a las cuentas del banco de las grandes corporaciones.
- El régimen de los exámenes desvía los fondos tan necesitados de las escuelas públicas y los destina a los negocios: El Departamento de Educación ha invertido 350 MILLONES de dólares por el desarrollo de nuevas pruebas mientras millones de escuelas han tenido que reducir o eliminar programas y clases de arte y de música y sufren de recursos limitados incluso el agua potable y el aire acondicionado.



-El enfoque en la preparación para las pruebas: Las escuelas tanto las primarias como las secundarias dedican el promedio de entre 10 y 12 semanas antes de los exámenes en pura preparación. Así la instrucción y la interacción significativas se reemplazan con repetición superficial.

¿Cómo es que las pruebas estandarizadas de alto riesgo socavan nuestros derechos constitucionales?

-El régimen viola la primera y la decimocuarta enmiendas de la Constitución: La primera enmienda garantiza a la ciudadanía el derecho de la libertad de expresión. La decimocuarta enmienda no permite que los estados ni nieguen ni reduzcan tales derechos como la libertad de expresión. Entonces los administradores escolares que intimidan a los padres para que se dobleguen y se sometan a sus hijos al régimen de los exámenes violan los derechos constitucionales de los padres.

-Viola la ley de los estándares justos de labor de 1938: Si un niño tiene que cumplir un trabajo o una evaluación en la clase que últimamente determina o aún afecta los ingresos del maestro profesional, ese estudiante ofrece el catalisis de los ingresos. Tal acción viola la ley de 1938 que declara que la edad de 16 años la edad mínima para el empleo legal. También declara que el trabajo no debe perjudicar la salud, bienestar y oportunidades educativas de los trabajadores.

-El régimen viola los derechos de todos los niños para una educación gratuita y apropiada: Los exámenes de alto riesgo invita la negligencia de servir a todos los estudiantes pero sobre todo a los más vulnerables y necesitados y así viola el principio de “no hacer ningún daño.”

Para más información y recursos visita “Opt out of the State Test: The National Movement” en facebook y en nuestro sitio de web – [www.unitedoptout.com](http://www.unitedoptout.com).



## **Put it Simply: Basic Rights as a Parent**

Parental rights, especially in the area of education, are broadly protected by United States Supreme Court decisions.

The U.S. Supreme Court has repeatedly held that parents have the fundamental right to direct the upbringing and education of their children.

In *Pierce v. Society of Sisters*, 268 U.S. 510, 535 (1925), the U.S. Supreme Court declared that, "The child is not the mere creature of the State: those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations."

In recognition of both the right and responsibility of parents to control their children's education, the U.S. Supreme Court has further stated, "It is cardinal with us that the custody, care, and nurture of the child reside first in the parents, whose primary function and freedom include preparation for obligations the State can neither supply nor hinder." *Prince v. Massachusetts*, 321 U.S. 158, 166 (1944).

The U.S. Supreme Court has also recognized that the right of parents to raise their children free from unreasonable state interferences is one of the unwritten liberties protected by the due process clause of the Fourteenth Amendment to the U.S. Constitution and criticized a state legislature for trying to interfere "with the power of parents to control the education of their own." *Meyer v. Nebraska*, 262 U.S. 390, 402 (1923).

