

## **Memo: Opting Out of Annual Assessments**

Annual assessments are critical to ensure that all students are making strong academic progress.

In Tennessee, we look to see how students, schools, and districts are performing through the Tennessee Comprehensive Assessment Program (TCAP), which includes TNReady for math and English language arts as well as assessments in social studies and science. These tests are aligned with our state's academic standards, which are the basic outline of what students are expected to know and from which educators design their lessons and curriculum. As Tennessee's teachers work to equip all students with the knowledge and skills they need, we have to ensure that we can identify any major gaps in students' learning and find variations in growth among different schools – both so we can strengthen support in places that need it and learn from educators and students who are excelling.

Results from TCAP tests give both teachers and parents a unique feedback loop and big-picture perspective to better understand how students are progressing and how they can support their academic development. This yearly academic check-up is the best way to see how all students in Tennessee are doing, and it is *one* key measure through which we learn if we are meeting our responsibility to prepare all students for college and the workforce. Because of the importance of annual assessment, we believe it is crucial for all students to take all TCAP tests each year, including TNReady in math and English language arts. State and federal law also requires student participation in state assessments. In fact, these statutes specifically reference the expectation that all students enrolled in public schools in Tennessee will complete annual assessments.

Given both the importance and legal obligation, parents may not refuse or opt a child out of participating in state assessments. Except for situations where the Tennessee General Assembly has specifically provided the right to opt out in the law, such as the family life curriculum, parents and/or students may not opt out of state-mandated content or instructional programs, including assessments. Similarly, there is no provision in federal law directly authorizing parents and/or students to opt out of mandated assessments.

Therefore, school districts are not authorized to adopt policies allowing these actions. If a school offers alternate activities for students whose parents refuse to have them participate in state assessments, they would in effect be allowing them to opt out. School districts should address student absences on testing days in the same manner as they would address a student's failure to participate in any other mandatory activity at school (e.g. final exams) by applying the district's or school's attendance policies.

We believe that any assessment should provide helpful information and be a worthwhile use of classroom time. TNReady, our new test in math and English language arts, will provide us with better insight on how our students are progressing on the standards we have been teaching in our classrooms. It is more challenging than the old assessment since it is fully aligned to expectations in Tennessee's higher standards. This test is also better than the old one: it looks for the skills that students need today, like critical thinking, true understanding, and

problem-solving abilities, not just basic memorization. While parents and teachers have told us that these are the skills they want our children to have in order to be successful, lifelong learners, we know that far too often students leave high school unprepared for the next step. Our most recent data show that 60 percent of high school graduates take remedial courses in their first year of college.

We also believe there should be a balance in testing, and we strongly support protecting classroom instruction. That is why we are seeking to eliminate redundant tests, following the recommendations of the [Assessment Task Force](#). We also will continue to improve the assessments we give and do our part to maximize instructional time. In addition, we will ensure that we make TNReady as transparent as possible by publishing questions and providing student answers. We have also taken steps to provide educators with greater flexibility on the use of TNReady in their evaluation, including proposing the option to exclude this year's TNReady data if it is not beneficial as we move through this transition. Districts also have complete discretion in how they choose to factor test data into employment decisions like promotion, retention, termination, and compensation.

It is fundamental to the future of Tennessee to ensure that every single student is on the path to success in college, careers, and life. As a state, we have a responsibility to equip all of our students to pursue their dreams, and we look forward to continuing to collaborate with Tennessee's educators and families to achieve that goal.