

Testing opt-out/Refusal guide for ARIZONA

Form completed by United Opt Out Administrator (MM) and Stephen Stollmack

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List of assessments

Arizona currently uses Arizona's *Instrument to Measure Standards (AIMS)* for assessing education status of K-12 children. The AIMS was first developed in the early 1990's and was officially adopted as Arizona's test in 2002. It has been used to measure proficiency of elementary and secondary students in Writing, Reading, Mathematics, and Science. However, it is scheduled to be replaced by an instrument being developed by the PARCC consortium -- originally 25 states plus the District of Columbia -- to measure progress against the Common Core State Standards, which most states have adopted as part of agreements with the US Department of Education in order to avoid sanctions for their inability to meet goals set in the NCLB (the federal law governing distribution of formula grant money to the states) for the percentage-of-students passing their own state standard tests. AIMS is to be fully replaced by the PARCC tests starting in September 2015.

State Law currently requires schools of all LEAs (Local Education Agencies) to include AIMS tests as specified but technically, this does not demand that all children comply nor does it specify any consequences for those who fail to comply as long as failure to comply is according to a parental request (at this point failures of children to complete the tests are handled by the LEAs on a case-by-case basis).

Arizona's Department of Education (ADE) has responsibility to carry out all acts of the Legislature regarding the administration of the state's education system. However, even though the State Senate has tabled HR 2047 -- which detailed how PARCC standards and tests are to replace AIMS -- the Administration is not obliged to change the way it was proceeding with the replacement of AIMS with PARCC tests. In other words, the only way the Legislature could stop (or affect) the process would be to pass legislation directing the Administration to change or not use PARCC, which statement would leave it up to the Legislature to design the process (the way it wants it to be); such redesign could be costly in that it would require the state to rescind agreements previously signed with the Federal Government -- relative to the RttT grants and waivers of sanctions (retraction of federal funds) under NCLB (which is still the law governing formula grant monies the federal government awards to all states). It should also be noted that cancellation of contracts with the private companies (that the federal government has allowed to own Standards production and maintenance processes as well as those required to produce and administer the tests and the associated databases, as well as the instruction manuals and the text books) could be even

more costly dollar wise (as well as to the education of children now in the public system).

Arizona parents should note that the state does address the opt-out question in “A Parents’ Guide to Understanding AIMS 3-8.” There it suggests that ‘opting out’ is not allowed according to “A.R.S.15-741 and federal law. This guidance should be ignored because A.R.S.15-741 has no statement regarding opting out of tests and any **federal** law mandating Arizona children do anything regarding education of their children would be clearly unconstitutional.

The AIMS HS test builds up from an initial version in Grade 3 (for Math, Reading and writing) through 8 with a final version given in HS; until very recently, passing it was required for High School (HS) students to graduate. The idea is to include the most basic concepts in the early grades that build to questions that all students should be able to answer before they graduate from HS. It is known that this can be damaging (cause excessive stress) to children especially in Math, where the ability to understand abstract conceptual analysis, as required for Algebra, is not generally possible until the development of the Pre-Frontal Cortex of the brain at ages 10 or 11 through 17, 18, or 19. Writing, Reading, and Mathematics tests are given each year starting in grade 3. Science is administered in the spring to 9th graders who are currently taking a life science course and to 10th graders (based on cohort).

Arizona Department of Education also requires LEAs to administer the Stanford 10, a Norm-referenced test that measures student national percentile ranking in Reading, Language, and Mathematics. This latter test is beyond the scope of this document.

NOTE: Arizona is moving gradually to the PARCC assessment beginning in 2015 starting with 9th and 10th grade. <http://www.azed.gov/standards-development-assessment/files/2013/01/item-2-aims-parcc-transition-table.pdf>

Past and future use of AIMS HS for Graduation Eligibility

Gov. Jan Brewer signed legislation in March 2013 to eliminate having to pass the AIMS HS test as a requirement for graduating from High School after the 2015-2016 school year, meaning students who are scheduled to graduate in 2016 will be the last class required to pass the test for graduation. There are plans to come up with another series of assessment tests that will align with the new, state-adopted Common Core standards, but it remains to be decided whether that test will be a requirement to graduate. Other specifics you should be aware of include:

- Students have several chances to pass AIMS HS Writing, Reading, and Mathematics.
- AIMS HS Science is not included as a graduation requirement.
- There are alternative methods for meeting the AIMS high school graduation requirement for students who do not earn passing scores on all three required content areas of AIMS HS.
- In addition, as in most (if not all) states, there are many colleges that do not require HS degrees, relying on specific tests such as ACT and SAT, augmented by recommendations and interviews – however, you would have to do your research to determine that situation. A good place to start should be www.Fairtest.org.

Most Critical Reasons for opt-out/refusal

One major reason why parents, teachers and child development experts are objecting to these tests is that the CCS have been shown to include many exercises (that are also reflected in the tests) that are considered developmentally inappropriate from a Child Psychology or Cognitive Development standpoint (see, for example: https://www.youtube.com/watch?v=Wn_RAwF4k8).

Another equally as important reason is that the CC standards or exercises have never been tested and they are not backed up by published research. This suggests that the new standards and tests amount to a massive experiment for which no parents have been asked to allow their children to participate in.

Other objections to these new standards-based tests include:

- a) designing and administering the tests and processing the data can be a very expensive endeavor that requires sacrifices to be made in other line items in Education Budgets which have not been specified and ‘cost’ out or proposed to the community (like funds needed to renovate or build a new education facility);
- b) whereas existing legislation has, in the past, allowed for the use of federal and state funds to pay for the collection of data on a particular teacher’s performance collected by principals, other teachers, or outside paid experts, the entire burden is now being shifted onto children and their teachers (in that children have to give up time from other activities - in order to the tests and complete test preparations - such as recess, sports or gym activities, as well as giving up classes in the Arts and other areas). Also, the federal-state money previously available to generate this data is now being used to pay for newly developing expenses – such as covering the costs of bringing in young inexperienced and minimally trained Teach-for-America (TFA) students to replace experienced teachers that can be had at reduced cost because their salaries are supplemented by organizations like the Bill and Melinda Gates Foundation;
- c) the statistical models used to convert the test data for each student-teacher combination into a measure of the value added by that teacher to the scores made by each student (over and above that that would have been expected based on previous years’ scores) have yet to be validated or calibrated by any controlled experimentation as would be expected prior to implementation; and
- d) test results and other data on the child and his/her parents will be part of the huge Statewide Longitudinal Data Systems (SLDS) being built by all participating states that will be made available to potential employers and to other Public and Private entities.;
- e) There are several grounds on which the federal government can be cited as having gone well beyond its Constitutional authority to force states to accept its directions for administration of its (the state's) k-12 education program. For a more extensive statement of these reasons see ... <https://www.facebook.com/notes/dov-rosenberg/working-list-why-testing-privatization-are-harmful-not-helpful-to-public-education/10150905811063883>.

ARIZONA REVISED STATUTE §15-102 PARENTAL INVOLVEMENT IN THE SCHOOL

March 30,2014

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Arizona law 15-102 states the governing board, in consultation with parents, teachers and administrators, shall develop and adopt a policy to promote the involvement of parents and guardians of children enrolled in the schools within the school district, including:

Arizona Revised Statute §15-102, Arizona Revised Statute 15-102, also directs the Department to create a governing board ... of parents and guardians of children enrolled in the schools within the school district ... which shall develop and adopt ... procedures by which parents who object to any learning material or activity on the basis that it is harmful may withdraw their children from the activity or from the class or program in which the material is used. Objection to a learning material or activity on the basis that it is harmful includes objection to a material or activity because it questions beliefs or practices in sex, morality or religion.

<http://www.azleg.gov/FormatDocument.asp?inDoc=/ars/15/00102.htm&Title=15&DocType=ARS>

More Reasons for opt-out/refusal

High Stakes CCSS-based Tests:

- Are not scientifically-based and fail to follow U.S. Government's own data on learning.
- Foster test-driven education that is not meeting the individual/intellectual needs of students.
- Have been accused (in the literature) of presenting a racial and economic bias beneficial to white middle/upper class students and detrimental to second language students, impoverished students, and students of color.
- Are in opposition to the corrective action in gaps in opportunity and resources sanctioned by the Fiscal Fairness Act.
- Support complicity of corporate interests rather than on public concerns determined by democratic processes.
- Foster coercion over cooperation with regards to federal funding for public education.
- Promote a culture of lying, cheating, and exploitation within the school community.
- Require large databases (that would be vulnerable to outside penetration) to store and process the data; intentions are already clear that these databases are being designed so that 1 huge national database can be constructed and put to use for conducting a plethora of experiments that will never require parental authorization in the future. Hence, a student's and his/her family's private information cannot be guaranteed security or that it will not be abused in some way by third party entities.

Low/poor test scores, which are likely to occur with more frequency with Common Core and PARCC will be used to fire teachers, create more online learning scenarios even in elementary schools, and close more public schools to be replaced with for profit charter schools.

Writing the Letter

Write a letter notifying the school principal that your child will not be taking the test, citing that these CCSS-based tests and the testing procedures "violate your moral and/or religious beliefs" and submit it to your local school administrators. Submit this letter at the beginning of the school year if possible and provide copies to the teachers, if you feel that would be appropriate (mainly

so that the teacher will know what to expect during test-training and on the days the test is given). Consider sending copies to your Legislative Representatives, as well.

More specifics regarding other clauses you might want to add to the letter are included in a subsequent section (but when in doubt leave it out is the best rule to follow).

UOO has a sample opt out letter grounded in ethical (non-religious) concerns. We also have a sample letter using religious principles.

Although not necessary, you might want to strengthen your argument by noting other methods by which your child's satisfaction of course requirements might be demonstrated (http://www.azsos.gov/public_services/title_07/7-02.htm). These could include:

- a. LEA-developed criterion-referenced tests of academic achievement that demonstrate alignment to the Arizona Academic Standards;
- b. Standardized tests measuring academic achievement that demonstrate alignment to the Arizona Academic Standards;
- c. Nationally norm-referenced test scores; or
- d. Teacher recommendations based on classroom assessments that demonstrate alignment to the Arizona Academic Standards
- e. Portfolio assessment – see letter here: <http://unitedoptout.com/portfolio-letter-demand-authentic-assessment/>
- f. Support for students with IEPs: <http://unitedoptout.com/how-to-refuse-high-stakes-testing-for-specialexceptional-students/>

**Sample Opt Out Letter (long version)
From Fairtest on January 2008 with slight revisions,**

Dear Principal _____ and Superintendent _____,

I do not want my child, _____, to take the AIMS or PARCC tests, or any other tests based on the Common Core Standards (CCS). I oppose having my child's range of intellectual and emotional qualities measured by standardized tests. We are dissatisfied with these tests because they don't measure meaningful learning, they create inappropriate pressures on children, they create counterproductive rivalry among schools, they're responsible for less engaging education because teachers feel compelled to raise the scores by 'teaching to the test' and finally, better forms of assessment are available, such as portfolio assessment.

We also object on moral grounds to standardized tests contributing to discrimination, increasing pupil alienation, and spurring unsuccessful students to drop out. We find standardized testing socially unconscionable---leading to gate keeping and perpetuating social segregation.

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As concerned parents with the responsibility and right to be involved in the academic training of our child (Arizona Revised Statute §15-102), it is within our legal and moral right to opt out of standardized testing and insist upon better ways of evaluating our child's accumulated knowledge and understanding of ideas and concepts.

We request useful and validated assessments which advance fairness, accuracy, quality, and equity: evaluations such as the Learning Record (analysis of students' learning over time by a teacher who knows them well), work sampling over time, structured and informal observations and interviews, performance and exhibitions, audio and videotapes, portfolio and journal assessments, and evaluation including input from teachers, students, parents, counselors, and principals. We also are against any tests, where graded results are not given to the students so that they may see their mistakes and learn from them.

I would ask that the school please provide an alternative activity for my child during administrative sessions of testing (not makeup tests, as my child will be in his/her regular classroom environment during makeup tests). However, I understand that an alternative activity is not required on the part of the school. If you are unable to provide an alternative activity for my child I would ask that you please allow my child to read silently. I am reserving the option of removing my child from school during the test administration session depending on the emotional anxiety of my child on the day of refusal and whether or not the school will provide appropriate alternate activities for my child.

Thank you very much. I look forward to a great school year.

Date

Signature of parent/guardian

Resources and Organizations

Doug Cole at angrybovinesaysmoo@gmail.com and Stephen Stollmack, PH.D. Management Systems Analysis at epic60sman@yahoo.com.

State specific watch-list

- a. Blog for Arizona <http://www.blogforarizona.com/blog/k12azva/> also check on articles about Craig Barrett <http://www.blogforarizona.com/blog/2013/10/craig-barrett-and-the-scheme-to-change-arizonas-education-funding.html>
- b. Voices for Education Tuscon <http://www.voicesforeducation.org/>

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- c. Craig Barrett, Chairman Arizona Ready Council <http://unitedoptout.com/state-by-state-opt-out/arizona/>
- d. Science Foundation Arizona <http://www.sfaz.org/news/articles/116005>
- e. Arizonans Against the Common Core:
http://www.arizonansagainstcommoncore.com/Why_Against_CC.html
- f. ALEC education task force (www.alternet.org/education/inside-alecs-education-task-force-private-pla) members including the Goldwater Institute, and corporations providing education services, such as Sylvan Learning, the Connections Academy www.connectionsacademy.com/;
- g. Parents United for Public Schools: <http://www.parentsunited.org/news/alec-exposed-starving-public-schools/>;
- h. FairTest: The National Center for Fair and Open Testing <http://www.fairtest.org>;
- i. Special Article: “FAIRTEST - Common Core Myths/Realities” <http://thehaddams-killingworth.patch.com/groups/announcements/p/fairtest--common-core-mythsrealities>; and
- j. Those parents contemplating the Homeschooling option should note that some of the companies providing charter schools, like k12, Inc. have involvement with providing guidance and curriculum design for the homeschool marketplace. We will be providing more information on this important area in a subsequent updated version of this document.

Older Version of Opt Out Letter in Spanish

At this time we do not have the letter presented above translated into Spanish (this will be forthcoming). In the meantime one can use the 2008 Spanish version from 2008 FAIRTEST publication: (<http://www.fairtest.org/arizona-aims-or-stanford-9-optout-english-and-spanish>) but first remove any reference to the Stanford 9 test because we are not suggesting that parents protest this test at this time.