

Testing opt-out/Refusal guide for Pennsylvania

Form completed by United Opt Out Administrator (MM)

Special thanks to Yinzeration for their amazing website which served as the source for much of the information in this guide: [https:// yinzeration.wordpress.com/](https://yinzeration.wordpress.com/)

Contact information (email): Tim Slekar at unitedoptoutnational@gmail.com

List of assessments

Pennsylvania System of School Assessment (PSSA) includes assessments in English Language Arts and Mathematics which are taken by students in grades 3, 4, 5, 6, 7 and 8. Students in grades 4 and 8 are administered the Science PSSA. The English Language Arts and Mathematics PSSAs include items that are consistent with the Assessment Anchors/Eligible Content aligned to the Pennsylvania Common Core Standards in English Language Arts and Mathematics. The Science PSSA include items that are aligned to the Assessment Anchors/Eligible Content aligned to the Pennsylvania Academic Standards for Science, Technology, Environment and Ecology.

Keystone Exams are end-of-course assessments in designated content areas. The Keystone Exams serve two purposes: (1) high school accountability assessments for federal and state purposes, and (2) high school graduation requirements for students beginning with the class of 2017. The Algebra I and Literature Keystone Exams include items written to the Assessment Anchors/Eligible Content aligned to the Pennsylvania Common Core Standards in Mathematics and English Language Arts. The Biology Keystone Exam includes items written to the Assessment Anchor/Eligible Content aligned to the enhanced Pennsylvania Academic Standards for Science.

The Pennsylvania **Classroom Diagnostic Tools (CDT)** is a set of online assessments, divided by content area, designed to provide diagnostic information in order to guide instruction and remediation. The CDT reporting system is fully integrated in the Standards Aligned System (SAS). It assists educators in identifying student academic strengths, and areas in need of improvement, by providing links to classroom resources. The diagnostic reports feature easy-to-follow links to targeted curricular resources and materials, including units and lesson plans found within the SAS system. The CDT is available to districts at no cost.

Special considerations for the above assessments

Pennsylvania is phasing out PSSA testing and phasing in Keystone testing, which will be required for all Pennsylvania students to graduate. Chapter 4 of the school code will allow for an opt-out, but instead require a project-based high stakes test rather than your usual test, and courses teaching specifically to the test will also be required. <http://unitedoptout.com/state-by-state-opt-out/pennsylvania/>

Procedures for opt-out/refusal

In Pennsylvania, families can request a religious exemption from testing: you simply need to write a short letter stating that you are asking for just that. It does not need to be long, nor does it even have to identify your religion (in fact, the state is not permitted to ask that). I will personally be calling on the traditions of social justice, social action, equity, and compassion at the root of all our major religions.

Students can attend school on the days when tests are administered (the state and district cannot refuse to admit a non-test-taking student, which would be an issue for some working parents). Some parents involved in Opt Out around the country have offered to volunteer in the schools that day to assist with real learning opportunities for those students who are not taking tests. Other parents have simply kept their children at home and engaged them in out of school learning activities.

Urgency for opt-out/refusal

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.
- Additionally, data collection of student'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.

Sample language to include in opt-out/refusal

<http://www.dailykos.com/story/2011/03/09/954268/-My-letter-opting-out-of-NCLB-testing#>

According to the Pennsylvania Department of Education, if you believe that it is morally wrong to put your kids through the ordeal of a week of pointless testing, that's good enough.

Your request cannot be challenged or denied by law: PA Code Title 22 Chapter 4, Section 4 (d)(5).

The following faiths can use the Ethic of Reciprocity as a religious reason for "opting out" of NCLB testing. <http://www.religioustolerance.org/...>

- Bahá'í Faith: And if thine eyes be turned towards justice, choose thou for thy neighbour that which thou choosest for thyself.
- Buddhism: Hurt not others in ways that you yourself would find hurtful.
- Confucianism: Do not do to others what you do not want them to do to you
- Hinduism: This is the sum of duty: do not do to others what would cause pain if done to you.
- Islam: None of you [truly] believes until he wishes for his brother what he wishes for himself.
- Judaism: What is hateful to you, do not to your fellow man. This is the law: all the rest is commentary.

For Atheist it's either just morally wrong or it's the pseudo-science of standardized testing in this country is the intellectual equivalent of intelligent design or creationism.

But the bottom line is you don't have to say why or what religion at all. However, if you'd like to make a point, as these letters do, about why NCLB and high stakes standardized testing are wrong, then by all means please feel free to adapt either of these letters.

And for any attorneys out there, I am wondering if under the equal protection clause, we in Pennsylvania are getting a little more protection than people in other states.

And now on to the letters. The following letters are from a Catholic and Unitarian.

Sample Opt Out Letter

Letter One

Dear _____,

After consulting with attorneys at the Southern Poverty Law Center, speaking with the Director of the Bureau of Assessment and Accountability at the Pennsylvania Department of Education in Harrisburg, and much soul searching, I am informing you that my children will not be participating in this years PSSA testing. Additionally, I am informing you that I have been actively encouraging other parents to arrange religious exemptions for their children. Again, I have spoken with education attorneys at the SPLC as well as Mary Bauer, the SPLC Legal Director. What I am doing is perfectly legal.

This is not a legal document. It is for informational purposes only.
Template revised: 6.13.13

On Monday last, as per PA Code Title 22 Chapter 4, Section 4 (d)(5), I inspected the testing materials shipped from Data Recognition Corp, a Minnesota private company to which the state pays \$30 million annually to have these tests printed and then scored. These tests are scored by armies of temporary workers with no training in education. If you do nothing else, please read this article: <http://www.citypages.com/...> I also highly recommend the book, Making the Grades, by Todd Farley. Anyone involved in education and in the administration of these tests should be informed about the fraud being perpetrated on the American school system and the American taxpayers by the private testing industry.

I have signed the confidentiality agreement and informed the principal of my decision. I refuse to have my children take part in the testing because it is in conflict with my religious beliefs. The PDE advised me that even a medical or psychological concern meets this criteria, as long as I claim it's religious. However, in this case my Catholic faith teach me that it is a sin to participate in an action I know to be a fraud and to be harmful to my children and to my community. Ten years of research and analysis by academic experts working at universities from Penn State to Harvard (as opposed to politicians like Michelle Rhee or college drop-outs like Bill Gates) conclusively prove that high stakes like the PSSA testing harms children, undermines and restricts curriculums, and punishes schools that serve the most vulnerable members of our society — kids with special needs and kids in poverty. There are mountains of documentation out there. For a beginning reading list, I suggest you contact Dr. Timothy Slekar, Head of the Division of Education and Human Development at Penn State Altoona.

Under the law, you cannot deny my request. I am opting them out of testing even though I know that this action will result in the school failing to meet AYP for the second year. I believe in public education. For years we have all known that NCLB is a bad law. In 2014, every school in the country must be at 100% proficiency. You and I both know that is not going to happen. We all keep hoping that the law will be changed even though it is long overdue for reauthorization, yet given the partisan grid-lock in Washington right now, thinking that it will get fixed any time soon is a fantasy. My faith tells me that the only way to do the right thing for my children, their school, children with disabilities and/or living in poverty, and the future of public education in this state is to call for a boycott of the testing, hoping against hope, that if enough parents join in, like the Montgomery Bus Boycott of 1965, our voices will finally be heard.

I understand that you and others in the administration here really have your hands tied on this issue. Under the law you must get 95% of kids tested. But it's wrong, sir. It is all based on lies and deceit and greed and corruption. My faith demands that we must fight against this. As an undergraduate at Santa Clara University in California I saw members of our university community including priests, going down to help the people in El Salvador, even after six priests were assassinated by right wing death squads. That's my religious and educational tradition.

I know that everyone is terrified of a school failing to make AYP. But to continue to participate in this corrupt farce is to undermine the very core of public education. Those pushing for ever increasing testing and "accountability" have made their agenda crystal clear: school closings, vouchers and eventually privatization, turning over education to for-profit companies. Private schools run by the Catholic Church and the Friends Council on Education are not for profit; they do not participate in this testing; their students receive a great education. For-profit schools run by large Educational Management Organizations (EMOs) have a dismal record, but that is the

This is not a legal document. It is for informational purposes only.

Template revised: 6.13.13

next step as more and more schools fail to meet AYP as we approach 2014. Eventually all schools will be closed down, reorganized and ultimately turned over to private for-profit EMOs.

We are told that private for-profit companies can do a better job than you and others who are committed to public education because of the free market. The free market resulted in scandals ranging from Halliburton and Blackwater in Iraq, to the Enron debacle, to the recent outrage in our own backyard with private for-profit prisons for kids. When our tax dollars are involved, greed and corruption run rampant in the "free market."

Please think about your role in this and if there is anything you can do to take a stand against the Big Lie that is NCLB and high-stakes standardized testing which threatens the future of the kids you serve.

Letter Two

From: <http://www.huffingtonpost.com/...>

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).

Resources and organizations

Yinzercation. Their website <http://yinzercation.wordpress.com/resources/> provides the following resources:

A+Schools: working for equity in Pittsburgh Public schools

PIIN (Pennsylvania Interfaith Impact Network): large congregation based coalition with a focus on equity in education

T.E.A.C.H. (Tell Everyone All Cuts Hurt): a grassroots group of teachers, students, parents and community members fighting for public education in the Steel Valley

PURE Reform: organized in 2008 by parents to discuss Pittsburgh's reform plans

FUSE: Wilkinsburg after school program with a focus on literacy and student-advocacy

Youth Media Advocacy Project: Carlow University students partner with local High School students in issues of education policy

Hear Me: a media advocacy project of Carnegie Mellon University amplifying kids' own voices

This is not a legal document. It is for informational purposes only.

Template revised: 6.13.13

Education Voters PA: A 501(c)(4) lobbying group representing the political and electoral interests of public education supporters

Keystone State Education Coalition: a grassroots group that started as a coalition of school board members advocating for public education; Lawrence Feinberg publishes an excellent daily extract of public education news.

Parents United for Public Education: Philadelphia parents and community members fighting for public schools

Education Matters in the Cumberland Valley: a grassroots group of public education advocates in the middle part of the state

Save Upper Darby Arts: a grassroots group just outside of Philadelphia that successfully fought budget cuts to their arts programs in 2012 and are now working on broader public education advocacy

Taking Root PA: a new parent-led organization in Lancaster County focused on restoring a full, rich curriculum to public schools there.

Education Policy and Leadership Center: working on state-level policies for sustainable and equitable funding

Pennsylvania Budget and Policy Center: Provides a full analysis of state budget issues, with a specific link to education spending statewide

PA School Talk: a statewide conversation site on public education, sponsored by the Education Law Center

Save Pennsylvania's Schools: a project of the Pennsylvania State Education Association, which represents educators. This site has some great data on school budget cuts listed by district across the state.

Pennsylvania School Funding Campaign: coalition of 30 statewide groups advocating for public education

State specific watch-list

Students First-PA <http://www.studentsfirst.org/pages/pennsylvanias-plan-for-education-reform>

PA Coalition of Public Charter Schools <http://pacharters.org/>

Pennsylvania Chamber of Business and Industry

Additional or miscellaneous information

http://www.huffingtonpost.com/timothy-d-slekar/how-to-boycott-nclb-in-90_b_843972.html

http://www.huffingtonpost.com/timothy-d-slekar/teachers-this-one-is-for-_b_839658.html

http://www.huffingtonpost.com/timothy-d-slekar/rejecting-standardized-tests_b_822014.html