

TO: ALL LEAs

FROM: Matthew Stem, Deputy Secretary

Office of Elementary and Secondary Education

RE: Participation in the State Assessments

and Parental/Guardian Rights Afforded Under Chapter 4 and Accountability Under ESSA

Date: March 5, 2018

As we approach the PSSA and spring Keystone testing windows, I would like to remind all LEAs about requirements for participation in the state assessments. The United States Department of Education (ED) continues to require participation of all students; however, in recognition of special circumstances, ED provides some flexibility for five percent non-participation. This five percent flexibility is important to Pennsylvania, as Chapter 4 regulations allow parents/guardians to have their children excused from testing due to a conflict with religious belief. Though Pennsylvania regulations permit this excusal, ED does not recognize this as an allowable reason for non-participation and all students who do not participate due to the allowance in Chapter 4 will have a negative impact on an LEA's/school's participation rate, and potentially achievement rate as well. (For more information, please view the webinar: <https://youtu.be/kPIWKVDkqII> ). The provision in Chapter 4 specifically says,

§ 4.4 General Policies.

(d) School entities shall adopt policies to assure that parents or guardians have the following:

(4) The right to review a State assessment in the school entity during the convenient hours for parents and guardians, at least 2 weeks prior to their admijn9istration, to determine whether a Sate assessment conflicts with their religious belief. To protect the validity and integrity of the State assessments, each school entity shall have in place procedures to be followed when parents or guardians request to view any state assessment. Procedures must be consistent with guidance provided by the Department in its assessment administration instructions. If upon inspection of a

State assessment parents or guardians find the assessment to be in conflict with their religious belief and wish their students to be excused from the assessment, the right of the parents or guardians will not be denied upon written request that states the objection to the applicable school district superintendent, charter school chief executive officer or AVTS director.

Parents/guardians are not to be denied their right to have their children excused if they follow proper protocol. Parents/guardians must sign a confidentiality agreement form prior to reviewing the assessment. After reviewing the assessment, parents/guardians must state in writing to the superintendent, CEO, or AVTS director that they wish to have their child(ren) excused from the assessment due to a conflict with religious belief. The specific conflict does not need to be stated; simply that it is a conflict with religious belief.

LEAs and schools are encouraged to seek 100 percent participation in the assessments, but please be reminded of parents'/guardians' rights under Chapter 4.

Attached Webinar: <https://www.youtube.com/watch?v=kPIWKVDkqII&authuser=2>