

SAMPLE LETTER  
LOCAL EDUCATION AGENCY (LEA)

December 2013

Dear (Parent/Guardian)

This letter is in response to your request to have your child opt-out of mandated state testing, which will be administered this spring. Unfortunately, (LEA) has no degrees of freedom in the matter. Federal and state laws require that public-school students be tested.

The Elementary and Secondary Education Act of 1965 (ESEA), which was amended by the No Child Left Behind Act of 2001, requires all states to implement “high-quality, yearly student academic assessments.” 20 U.S.C. § 6311(b) (3)(A). The statute further provides that “[s]uch assessments shall . . . provide for . . . the participation in such assessments of *all* students.” 20 U.S.C. § 6311(b)(3)(C) (emphasis added). The ESEA does not allow parents to exempt their children from taking the state assessments. Although the State of Connecticut was granted ESEA flexibility, the U.S. Department of Education has not exempted the State of Connecticut from testing all students. The Connecticut General Statutes also require that “for the school year commencing July 1, 2013, and each school year thereafter, each student enrolled in grades three to eight inclusive, and grade ten or eleven in any public school shall, annually, in March or April take a mastery examination in reading writing and mathematics.” Conn. Gen. Stat. § 10-14n (b)(1). Like the federal statute, this state law also does not permit parents to exempt their children from taking the state assessment.

If a student has special needs due to a disability or medical condition, testing accommodations may be available. However, the school district must determine what accommodations, if any, would appropriately address the child’s needs. Such determinations are made pursuant to the procedures available under Section 504 of the Rehabilitation Act.

Both federal and state statutes are clear in their language—that all students enrolled in public schools must take the yearly state assessments. Until such legislation changes, the Department of Education and each school district must comply with federal and state mandates.

If you have any questions, please contact (NAME AND CONTACT INFORMATION FOR LEA CONTACT PERSON).

Sincerely,

(SUPERINTENDENT’S NAME)  
(LOCAL EDUCATION AGENCY NAME)