

# Exemptions from Testing: Frequently Asked Questions

## 1. What are the federal and state requirements for state testing?

Academic assessments serve as the primary means through which Oregon and its local schools and districts measure and report student achievement and growth. Oregon law requires that public schools/districts must provide instruction and assessment aligned to the State Board of Education-adopted academic content standards as well as implement the statewide assessment system in English language arts, math, and science. Per federal and state assessment requirements—including those specified under the Elementary and Secondary Education Act (ESEA) and Oregon Revised Statute (ORS) 329.485—states are required to report annually on student participation and/or performance in the following areas:

Oregon Statewide Assessment System—2015-16		
Assessment	Required Grades	Basis of Requirement
Mathematics	3 – 8 and at least once in high school	ESEA, Title I Part A, sec. 1111(b)(3) ORS 329.485, OAR 581-022-0610
English Language Arts	3 – 8 and at least once in high school	ESEA, Title I Part A, sec. 1111(b)(3) ORS 329.485, OAR 581-022-0610
Science	5, 8, and at least once in high school	ESEA, Title I Part A, sec. 1111(b)(3) ORS 329.485, OAR 581-022-0610
Social Sciences ( <i>optional</i> )	5, 8, and at least once in high school	ORS 329.485, OAR 581-022-0610
English Language Proficiency Assessment	Kindergarten – 12	ESEA, Title I Part A, sec. 1111(b)(7) ESEA, Title I Part A, sec. 3113(b)(3)(D) OAR 581-022-0610
Kindergarten Assessment	Kindergarten	OAR 581-022-2130
NAEP	4 and 8	ESRA, Title III, sec. 303 ESEA, Title I Part A, sec. 1111(c)(2)
PSAT	10	ORS 329.488
Local Performance Assessments	3 – 8 and at least once in high school	OAR 581-022-0615

## 2. May a student be excused from state testing?

### State Tests in Mathematics and English Language Arts

[Executive Numbered Memo 003-2015-16 – Exemption from Statewide Summative Tests](#) established a new policy for exempting students from grade-level Smarter Balanced assessments and alternate Oregon Extended Assessments in English language arts and mathematics in accordance with House Bill 2655.

- **Are there eligibility requirements?**  
No. Parents do not need to specify a reason when submitting the opt-out form.
- **What is the process for a parent to make this request?**  
School districts are required to send out the combined ODE-provided opt-out form and 30-day notice at least 30 days before testing begins. Parents wishing to opt out must sign and return form to their child’s school. Opt-out forms are only valid for the current school year.

### Other State Tests

Oregon Administrative Rule (OAR) [581-022-1910](#) allows school districts to excuse students from a state required program or learning activity, including state testing, to accommodate a student’s **disabilities** or **religious beliefs**. This rule governs exemption requests for the state tests in Science and Social Sciences, the English Language Proficiency Assessment (ELPA21), and the Kindergarten Assessment.

- **Are there eligibility requirements?**  
Yes. Parents may request exemptions under OAR 581-022-1910 based on the student’s disability or religion.
- **What is the process for a parent to make this request?**  
The authority to exempt students from state testing belongs to local school districts. In order for a school district to excuse a student from testing under Oregon law, the student’s parent or guardian must submit a written

request to the school district listing the reasons for the exemption and proposing an alternative individualized learning activity for the student that meets the same goals that would be accomplished by participation in state testing. Appropriate school personnel must evaluate and approve the parent request.

- **What is the process for a school district to evaluate and respond to a testing exemption request?**

As a local decision, test exemption evaluations and decisions must be developed and implemented by individual school districts. Appropriate school personnel should establish parameters for what constitutes sufficient evidence for an exemption based on disability or religion as well as options for alternative individualized learning activities (per OAR 581-022-1910). When reviewing a parent's request for exemption based on disability, school district personnel should first discuss the use of accommodations with the parent to determine whether the use of any appropriate accommodations during testing might address the parent's concerns and allow the student to participate in state testing.

### **3. How do student exemptions from state testing impact school accountability ratings?**

The overall school rating is a requirement of Oregon's [ESEA flexibility waiver](#) as well as state law ([ORS 329.105](#); [OAR 581-022-1060](#)). As part of this rating, schools must meet a minimum assessment participation target of 94.5%. Students who are enrolled in school during the statewide test window who are not tested due to a parent-requested exemption must be counted as **non-participants** against the annual assessment participation target of 94.5% in school Report Card ratings. Subgroup participation rates that fall below 94.5% will lower the overall school rating by one or more levels depending on whether the school has more than one consecutive year of missed targets. ODE's [Report Card Rating Policy and Technical Manual](#) (p. 5; 27) provides additional clarification regarding the impact of non-participation on the overall school rating. For district AMAO accountability, all eligible English Learners (ELs) are required to take the annual English Language Proficiency Assessment. If eligible ELs do not participate, those students will be reported as not making sufficient gains in proficiency.

### **4. How do student exemptions from state testing impact graduation?**

Opting out of state testing will have no impact on a student's graduation eligibility as long as the exempted student has satisfied Oregon graduation requirements and demonstrated proficiency in the Essential Skills areas of reading, writing, and math through other means alternative to the state test, such as work samples or approved standardized tests (e.g. SAT, ACT, PLAN, ACT, PSAT, Work Keys, Compass, ASSET).