***USAGE NOTE: This form must be delivered or presented to the child’s teacher. We recommend that a copy also be given to the principal of the school. We recommend a separate letter for each STAAR assessment. If you have more than one student enrolled, a separate letter should be delivered to each teacher.***

[Child’s Teacher]

[Principal of School]

[Name of School]

 Re: [Name of Student]

 Removal from STAAR Testing

Dear [Child’s Teacher]:

 This letter will inform you that pursuant to Tex. Education Code §26.010 and the 14th Amendment of the United States Constitution, I am removing [Child’s Name] from participation in the [Date of STAAR Exam] STAAR assessment(s) in [Subject of Assessments] (and any makeup administrations) because his participation in the STAAR assessment process conflicts with my [religious or] moral beliefs. I have taken this action after careful consideration of the negative effects of the STAAR assessment process and for the protection of the mental and physical well-being of my child, and with a full understanding of the potential consequences of this decision. This action is being taken not to avoid a test, but rather to assert my opposition to the system of academic assessment created by the Texas Education Agency.[[1]](#footnote-1)

 While I am under not statutory duty to define the nature of my [religious or] moral beliefs, among the issues that form my moral objection are:

[*INSERT ALL APPROPRIATE REASONS, IF YOU DESIRE, OTHERWISE DELETE THE PRECEDING INTRODUCTION AND CONTINUE AT THE NEXT PARAGRAPH.*

* **STAAR Assessment Has Resulted In Physical And Mental Damage To Students**: Numerous reports of high levels of stress, anxiety, sleeplessness, headaches and vomiting has been received from parents of students involved in STAAR assessment. I will not risk the health or safety of my child simply to provide an additional data point for the Texas Education Agency.
* **The Validity of the Assessment Instrument Has Never Been Independently Verified**: The Texas Education Agency contracted the development of the assessment instrument to a foreign, for profit corporation. No independent evaluation of the instrument has ever been undertaken. Rather, in a blatant conflict of interest, the test developer was permitted to attest to its validity. Even statutorily required validity testing was circumvented by using a conflicted validator and sharply limiting the scope of validity testing.
* **STAAR Assessment Wastes Valuable Educational Time Spent Taking Tests**: Texas Public Schools will spend one of every five days or nearly 20% of the school year conducting tests. According to the Texas Education Agency, Texas public schools will spend 34 out of the 185 day long year conducting tests mandated by the state government. This does not include the regular testing in schools such as six-week tests, quizzes, and final exams.
* **STAAR Assessment Narrows the Curriculum**: The loss of a rich curriculum has been documented in research and in teacher testimony. The use of high-stakes tests is universally found to be associated with teachers focusing on the content of the tests, administering repeated practice tests, training students in the answers to specific questions or types of question, and adopting transmission styles of teaching. In such circumstances teachers make little use of assessment formatively to help the learning process. High-stakes tests are inevitably designed to be as ‘objective’ as possible, since there is a premium on reliable marking in the interests of fairness. This has the effect of reducing what is assessed to what can be readily and reliably marked. Generally this excludes many worthwhile outcomes of education such as problem-solving and critical thinking.
* **STAAR Results Are Unfairly Utilized to Penalize Teachers and Schools**: Despite the failure to independently confirm the validity of the STAAR assessment instrument, the results of the assessment are used to evaluate teachers, schools and school districts. Results found to be inadequate may result in loss of funding, negative evaluations, adverse employment actions and even school closure. I refuse to participate in a system that punishes teachers and schools based on an instrument of questionable validity.
* **STAAR Assessment Violates the Rights of Special Education and ELL Students**: Speaking of the STAAR Alternate Version 1 assessment then in use, Sara Baker, the former director of the Fannin County special education office, stated “[t]here is no validity in this test that is going to help [special education students] or is really assessing things that will help that child.” Although Dr. Baker has no opinion on the validity of the current assessments, parents of special education students do not find them to be reasonable assessments. Special education students are denied accommodations guaranteed to them under federal law. ELL students are provided accommodations proven by the TEA’s own research to be ineffective. Permitting my child to participate in this assessment program would give the appearance of agreement or acceptance of this fundamentally flawed approach.
* **STAAR Data Is Not Used to Address Achievement Gaps**: Although ELL students rated Limited English Proficient had an 87% failure rate on the Spring 2013 English I EOC examination, the TEA stated that no documents existed analyzing this achievement gap or proposing interventions or programs to remediate these problems. When a staggering failure rate such as this does not merit so much as a single e-mail within the TEA, one has to question whether any data from the STAAR assessment is actually being used to address academic readiness. I do not consent to my child being tested for mere purposes of data collection.
* **STAAR Assessment Reduces Socialization As A Central Core Of Learning**: The reduction of opportunities to learn to socialize through collaborative classroom activities reduces children’s opportunities to develop healthy social skills. Being seated alone at a desk taking a test all day or for a significant portion of the day isolates children from learning how to develop community-based problem solving skills they will need as adults.
* **STAAR Problem Solving Does Not Prepare Children for the Demands of the Workplace or Higher Education**: The demands of the modern workplace require creative problem solving, initiative and higher order thinking. Higher education requires critical thinking and the ability to demonstrate writing and comprehension skills across the curriculum. Most tests include many topics that are not important, while many important areas are not included on standardized tests because they cannot be measured by such tests. Teaching to the test does not produce real and sustained gains on independent learning measures.
* **[Insert any other reasons you deem appropriate]**

These reasons, among others, have led me to the conclusion that I cannot morally or ethically permit my child to participate in STAAR assessment.]

 As I am sure you are aware, apart from the statutory right created under chapter 26 of the Texas Education Code, as a parent I also have substantive constitutional rights in the education and upbringing of my child. The Supreme Court has recognized that parents have a “fundamental liberty interest . . . in the care, custody, and management of their child." *Santosky v Kramer*, 455 U.S. 745 (1982). Moreover, the fact that a child is enrolled in public school does not abridge these rights. “The child is not the mere creature of the state; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations.” *Pierce v Society of Sisters*, 268 US 510 (1925). No state statute can be enacted in derogation of these rights; nor can the state interpret a facially valid statute in such a manner as to abridge the fundamental rights of the parents.[[2]](#footnote-2)

 Further, this letter will inform you that with respect to matters relating to the STAAR assessment, I do not consent to the school or school district acting *in loco parentis* as to my child. Specifically, the school is not to instruct, lecture, or otherwise communicate with my child with respect to his participation in STAAR assessments in any way inconsistent with my instructions in this letter. Any authority to do so, express or implied, is revoked.

 I trust that the school district will act responsibly in securing my rights under the Texas Education Code and the U.S. Constitution to remove my child from the school activity of STAAR assessment. Thank you for your prompt attention to this matter.

Sincerely,

[Parents Names]

1. The STAAR instruments are not referred to in the Education Code as tests. Rather, they are consistently referred to as “assessment instruments.” *See, e.g*., Tex. Educ. Code ch. 39. [↑](#footnote-ref-1)
2. Indeed, it is peculiar that a school district would claim it has any right to override a parent’s decision and impose STAAR assessment on a student. The entire basis for public education in Texas, Article VII of the Constitution, creates no rights in school districts. *Neeley v. W. Orange-Cove Consol. Indep. Sch. Dist.*, 176 S.W.3d 746, 774 (Tex. 2005). [↑](#footnote-ref-2)