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Basic Questions Thread (Week of 2/1/22)

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OPTING OUT - Step by Step • Texas Parents' Educational Rights Network

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Ashley Blythe Zachry

Can you also ask to opt out of the test prep and practice tests as well?

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Ashley Blythe Zachry yes you can. If they are taking them for a grade, you will need to ask for an alternate assignment. One of the difficult things is that STAAR has become so tied into the curriculum that it is sometimes hard to see where the teaching ends and test prep begins. But things like tutoring, STAAR classes, "warmups" "snapshots" and the like that are obviously designed to mark progress on STAAR can certainly be objected to.

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Sherry Neeley

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And very soon they'll begin 'boot camps' where it's nothing but prep for grades for several weeks. Usually about 3-6 weeks prior to actual assessment days.

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Reply to Tx Ed Rights...



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Brittany Starek - Your question is perfect for this thread!

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Brittany Starek

New member here..

Looking into opting my 5th grader out of STAAR, but hearing about this HB4545 and the extra tutoring hours. Can you opt out of the extra hours as well?

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Brittany Starek Hi Brittany, great question. The answer to your question is yes. AI (tutoring) has always been "required" when a student did not pass STAAR (whether they attempted, were absent or refused) but with HB 4545 a set amount of hours was associated with tutoring for the first time. The TEA initially denied that parents could opt out



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accommodate Opt Out request for AI using either formal or informal procedures. However a school cannot encourage parents to opt out. What that means is that your campus is unlikely to ever mention it is possible, but they have the absolute ability to agree to your request to opt out of the HB 4545 hours.

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Meredith French

Tx Ed Rights is there a place that states that not passing includes (attempted, absent, or refused)??? Everything that I am reading says if the student failed. Also, is opting out a formality or is there a chance we may go through grievance procedures and still be denied?

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Meredith French the trigger for HB 4545 is not achieving the performance standard. Students who were sick, refused or tried their hardest all share that category unless they affirmatively get a score above the cut level.

Failed is a word the schools use to scare parents. They also like to say "If he refuses he will get a zero." Some even add "on his permanent record" because apparently some parents out there think that's a thing and that it matter. If you don't attempt it you obviously can't meet the standard. Why should we care about that label.

As for the Opt Out on HB 4545, I can only tell you that the statute excludes opt outs for only two reasons and neither of them apply to HB 4545 tutoring. If you are asking me a guarantee that none of the 1250 ISDs in Texas could possibly get it wrong, I can't give that to you. What I can tell you is that as I read the statute there is no legal basis for school to deny a properly submitted HB 4545 Opt Out notice. I've yet to hear one from the school lawyers.

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12m



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You will find an HB 4545 opt out letter on our website (<https://www.txedrights.net/download/hb-4545-ai-opt-out/>) but you won't need that until the summer at the earliest.



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Brittany Starek

Tx Ed Rights thanks so so much for all of this info!!

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