

#45753 "Opt Out"

Submitted April 5, 2023 at 11:12
Received via Web Form
Requester [REDACTED]

Status Closed
Type -
Priority -
Group Student Assessments
Assignee Emily Winward

SA-Assessment Program STAAR
Date of Call April 5, 2023
SA-Topic (check all that apply) Testing Policy
SA-Mode of Testing Online
SA-Caller's Position/Title [REDACTED]
Phone# [REDACTED]
SA-Grade Level of Students Involved 3 - 8, EOC
District/Charter's Name [REDACTED]
SA-Mode of Inquiry Help Desk Ticket
SA-Source of Answer Former HD ticket - Jo Ann Bilderback
Caller's Name [REDACTED]

[REDACTED] April 5, 2023 at 11:12

We have a student whose parent has turned in an "opt out" letter. While I know we have to score the student's test with an "S" code and that there is technically not an opt out option, I am wondering what the expectation is for the student on test day. Are we supposed to put the student in front of the computer? Do we have the student go somewhere else on test day since their parent does not want them to test? How do we navigate make-up testing days? I appreciate any detailed guidance you can give for me to pass along to our campus administrators.

Judy Fabian April 5, 2023 at 14:49

Thank you for sending your question to the TEA Student Assessment Help Desk.

A team member is working on this ticket and will soon respond as soon as they can.

Thank you

Emily Winward April 5, 2023 at 15:06

Good afternoon,

Thank you for reaching out to the Student Assessment Division at TEA.

For STAAR, students are required to participate and districts are required to provide a "testing opportunity" for students. What that "testing opportunity" looks like varies at the local level; it does not have to include making the student sit in the testing room all day or putting a test booklet/ticket in front of the student. It can be as simple as notifying the student about the testing opportunity and having a testing opportunity (test booklet or test ticket) available for the student.

As indicated in the Texas Education Code (TEC), [§26.010](#), "A parent is not entitled to remove the parent's child from a class or other school activity to avoid a test." Students are required to be tested by both state and federal laws. If a student (or their parent) refuses to test, the district should keep local documentation on this. As all eligible students must be accounted for, the district should mark the test as indicated in the *District and Campus Coordinator Resources* [Frequently Asked Questions](#) section, question [#10](#), copied below.

10. What score code should a district use for a student who is not tested?

Both state and federal law require that students enrolled in public school districts and open-enrollment charter schools take the STAAR assessment in order to measure their understanding of the Texas Essential Knowledge and Skills (TEKS). Students are required to participate, and districts are required to provide a testing opportunity

for students.

As all eligible students must be accounted for, the district should enter a score code in the *Appeals/Score Codes* module in TIDE according to the following criteria:

- If a student is absent for the entire testing window, use “A” for Absent.
- If a student is present but is not tested, use either “S” or “O” depending on the specific scenario:
 - For students taking a STAAR grade 3–8 assessment, use “S” for Score.
 - For students taking a STAAR EOC assessment for the first time, use “S” for Score.
 - For students taking a STAAR EOC retest in spring or December, use “O” for Other.
 - For students taking a STAAR EOC retest in June, an unopened test will automatically be voided at the end of the testing window.
 - For students taking a STAAR Alternate 2 assessment, use “S” for Score.
 - For students taking a TELPAS assessment, use “S” for Score.
 - For students taking TELPAS Alternate, use “S” for Score.

The district should inform parents that a score code of “S” will result in the lowest score possible, and the student’s performance on STAAR EOC assessments are required [by TEC, [§39.023\(c-5\)](#)] to be included on the student’s academic achievement record. In addition, House Bill 4545 specifies that students who do not perform successfully on STAAR are required to have 30 hours of accelerated instruction per subject. Finally, the low score hurts the district’s federal accountability rating.

Please let me know if you have any additional questions.

Best,
Emily