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Agency Statement on Assessment Participation, Exemptions and Parental Opt-out Requests

Under both Federal law and Vermont policy, ALL students, including students with disabilities and English Language Learners, must participate in state accountability assessments. This requirement can be met using one or more of the following options:

- General State Assessment
- General State Assessment with Accommodations
- Alternate Assessment of Alternate Achievement Standards

This rule applies to public school students as well as publicly funded students who attend private independent schools. Only two assessment exemptions are recognized:

- An exemption for health or medical reasons that would prevent a student from being tested at any time during the assessment window including “make-up” sessions.
- An exemption for English Language Learners during their first year in a US school and only in the area of English Language Arts

In Vermont, any student who is not assessed for any reasons other than health or language proficiency are considered non-participants and will be counted as a non-participant and will be assigned a score of zero in the local school and district state accountability calculations.

With respect to the notion of a parental right to “opt out” a child from assessment, there is no statute or policy, either federal or state, that establishes such a right, nor is there any law that expressly prohibits it. However, Section 1111 of the federal Every Student Succeeds Act notes that nothing in the Act would preempt “...a State or local law regarding the decision of a parent to not have the parent’s child participate in the academic assessments.” Currently the Agency of Education does not have any law or policy to that effect, and therefore does not act in any way on parent opt out requests. The Agency relies on local school administrators to work with parents to resolve such concerns.