

January 10, 2012

Principal Phelps:

This is written notification that I, mother of _____, am opting out my son from taking the ISTEP test and attending any preparation for the ISTEP this year and all his remaining school years.

Furthermore, if other students in other classrooms are provided with snacks then any child who is opted out of testing gets them too. If other classes or students are rewarded with 'whatever' (including but not limited to extra recess or attending the District wide end-of-the-year Excellence Celebration) for taking the test then those opting out get 'whatever' too otherwise it's known as coercion or, if excluded, discrimination.

I have thoroughly researched this issue. As for my reasons to opt my children from ISTEP and ISTEP preparation, please see the following:

INDIANA SPENDS MILLIONS OF DOLLARS ON PREPARATION, ADMINISTRATION AND GRADING OF ISTEP TESTS EVERY YEAR: Why not invest that money in our **PUBLIC SCHOOL** kids, teachers and schools **instead of labeling them as failing based on one test score that does not truly measure a child's learning, but merely the ability to memorize and regurgitate information in a stressful environment?**

Yet, the ratio students per teacher are increasing; not to mention cuts to classes such as art, P.E., and music, or diminished time in which students learn valuable social skills during recess and in which students can eat their lunch....

AFFECTS SOCIO-EMOTIONAL WELL-BEING: Our system of constant testing produces unnecessary anxiety and depression for students. _____ came home balling in tears last year during ISTEP testing from being over stressed.

KILLS CURIOSITY AND LOVE OF LEARNING: Actually limits and reduces the amount of **QUALITY** learning experiences. Rather than focusing on a child's natural curiosity, ISTEP emphasizes (and drills in) isolated facts limiting teacher's ability to create environments that stimulate a child's imagination.

ACTUALLY REDUCES A CHILD'S CAPACITY FOR ATTAINING NEW KNOWLEDGE: If children cannot actively make connections between different topics of study, they don't remember what they learn from day to day. Most standardized tests are still based on the recall of isolated facts and narrow skills. (www.fairtest.org).

HIGHER ORDER THINKING IS REPLACED WITH SKILL, DRILL AND KILL: 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. (www.fairtest.org)

NARROWS THE CURRICULUM: The loss of a rich curriculum has been documented in research, in the media, and in teacher testimony. Forget art, music, and PE (in spite of the decades of research that correlates student overall school achievement to participation in these experiences). State-wide testing focuses only on math and reading. And with these critical subjects, teachers are forced to focus only on those test taking strategies that reflect the way material is presented on the tests.

LOSS OF SOCIALIZATION AS A CENTRAL CORE OF LEARNING: The loss of opportunities to learn to socialize through recess, and collaborative classroom activities reduces children's opportunities to develop healthy social skills. Being seated alone at a desk all day isolates children from learning how to develop community-based problem solving skills they will need as adults.

MOVING FROM PUBLIC SCHOOLING FOR THE COMMON GOOD TO

PRIVATIZATION OF ALL SCHOOLS: 80% of all schools are anticipated to fail meeting their federally-mandated test score goals (called AYP) by 2014. Private sector charter schools are invited to take over local public school not meeting federal rules. Our tax dollars—intended for public schools (*like Nicholson Performing Arts Academy*) for the common good—are then diverted to these for-profit enterprises, often run by hedge fund entrepreneurs.

TEACHING TO THE TEST: Schools, grades K-12, on average, spend 10-12 WEEKS before the testing solely on test preparation, replacing meaningful hands-on instruction with skill and drill.

VIOLATES THE 1st and 14th AMENDMENTS: The 14th amendment to the Constitution protects our rights to religious/spiritual freedom and this federal law supersedes state in regard to parental control over one's child. Many school administrators, desperate for funding, try to intimidate parents from opting out of testing to keep federal funding for site participation; school participation is a requirement for federal funding under NCLB.

VIOLATES FAIR LABOR STANDARDS ACT OF 1938: If a child is given work or assessments to do in the classroom that will eventually determine the income of a teaching professional, that student is providing the catalyst for the pay. This breaches the Fair Labor Standards Act (FLSA) of 1938, which states that sixteen is the basic minimum age for employment. ***I do not support any of my children's teachers being paid on the basis of how my, or other, children perform on one standardize and statistically irrelevant test!*** It also says that when young people work, the work cannot jeopardize their health, well-being, or educational opportunities. ***ISTEP test scores are being used as reasons for holding children back a grade. The preparation for and taking of these test are having children so upset with stress***

that they are throwing up because our children do feel the pressure all the way from the IDOE to the classroom. Both are illegal.

VIOLATES ALL CHILDRENS' RIGHTS TO A FREE AND APPROPRIATE

EDUCATION: High stakes testing leads to under-serving or mis-serving all students, especially the most needy and vulnerable, thereby violating the principle of 'do no harm.' For example, students living in poverty, who already lack critical access to books and free reading, are condemned to test prep instead of having opportunities to read. Monies desperately needed by Principals to pay teachers a living wage, fix buildings and engage the parents and community of the school. _____ **coming home after a test day and crying for a good 20-30 minutes is doing harm. I consider it psychological abuse and cannot allow it to continue.**

COLLEGES COULD CARE LESS ABOUT ISTEP SCORES. Transcripts, ACT and SAT scores count.

One of the things I keep hearing from many uninformed/misinformed people is that _____'s ISTEP score of a zero (for opting out) would negatively affect his class/the school/district – not so. ***Just include him in the 5% you don't have to test or if more than 5% of students opt out, I am enacting my parental rights protected by the Supreme Court and _____'s rights under Title 7 for a Free and Appropriate education...you can choose one or, better yet, get the IDOE to answer the questions from parents, teachers, administrators and community members as to how Opt-out tests will be scored.***

"There is no federal law prohibiting a parent from opting their child out." --Jo O'Brien, Colorado Dept. of Education

Parental rights are broadly protected by Supreme Court decisions (Meyer and Pierce), especially in the area of education. The Supreme Court has repeatedly held that parents possess the "fundamental right" to "direct the upbringing and education of their children." Furthermore, the Court declared that "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 U.S. 510, 534-35) The Supreme Court criticized a state legislature for trying to interfere "with the power of parents to control the education of their own." (Meyer v. Nebraska, 262 U.S. 390, 402.) In Meyer, the Supreme Court held that the right of parents to raise their children free from unreasonable state interferences is one of the unwritten "liberties" protected by the Due Process Clause of the Fourteenth Amendment. (262 U.S. 399).

Please know that I have been and will be expressing my concerns to my elected representatives as well.

I can very well fathom there is, or will be shortly, some memo from the IPS Administration office with talking points to opting out parents or for principals to use when dealing with parents opting out. Perhaps the memo even came from the IDOE

itself. Do not waste the paper, ink or your energy and please save it for the students and teachers towards true learning. I will not be coming in for a meeting regarding this issue and I will not be signing any additional papers relating to this matter. As far as I am concerned, Opting Out means "No" and "No" simply means "No". ISTEP testing is not appropriate for my son, for teachers, for public schools or for our community.

THE QUESTION NOW IS: What, how, who and where are you going to provide my child with the free and appropriate education he is entitled to when he is opting out of both the ISTEP preparation and ISTEP tests? I understand that ISTEP Prep Reading and the Math Prep will be beginning shortly. Your telephone call by Wednesday, 1/11, at noon with your plans to the question above for him opting out is greatly appreciated as it is most appropriate to inform him ahead of time as outlined in his IEP. You have my contact numbers.

Best regards,

Merry Juerling