

**Executive Numbered Memo 003-2015-16 - Exemption from Statewide Summative Tests  
Update**

**TO: Superintendents, Principals, and District Test Coordinators  
RE: Update on Exemption from Statewide Summative Tests**

*This is an update to Executive Numbered Memo 003-2015-16 - Exemption from Statewide Summative Tests sent out earlier in the year. New sections are italicized below for your reference. Please note that the deadline for form submissions has also been removed.*

**Summary: House Bill 2655 establishes a new policy for exempting students from the statewide summative tests.**

House Bill 2655 goes into effect January 1, 2016 and establishes a Student Assessment Bill of Rights permitting parents or adult students to annually opt-out of Oregon's *statewide summative tests, which is defined in OAR 581-022-1910: Exemptions as statewide assessments used to meet both participation and performance requirements for state and federal systems accountability. Under this definition, implementation of HB 2655 applies to the grade-level Smarter Balanced assessments and alternate Oregon Extended Assessments in English language arts and mathematics.* HB 2655 also directs the Oregon Department of Education (ODE) to develop an annual notice that describes these assessments, along with an opt-out form that school districts and public charter schools must provide to parents at the start of each school year. In addition, HB 2655 requires that school districts and public charter schools provide parents with notice at least 30 days prior to administering the assessments.

ODE is currently developing the opt-out form and 30-day notice document referenced in HB 2655. These items will be available for districts to access by November 9, 2015. School districts and public charter schools will be required to use these ODE-developed opt-out and 30-day notice documents to communicate with all parents about state testing requirements and their right to opt-out. *The form will instruct parents wishing to opt out to return the signed form to their child's school. Schools will then be responsible for notifying their district test coordinator of all opt-out forms received and coordinating with the school district to ensure that students for whom an opt-out form was submitted are appropriately coded with Administration Code X in Student Centered Staging.* Additional information regarding the timeline for accessing and distributing information to parents is provided in the table at the end of this memo.

**Supervised Study Time and Diploma Requirements**

HB 2655 requires school districts and public charter schools to provide supervised study time for students who opt-out of testing. The bill also reiterates current Essential Skills policy and graduation requirements, in that a student who opts out of testing may not be denied a diploma if they are able to satisfy all other diploma requirements. Students who do opt-out of

the Smarter Balanced state tests, however, still need to meet the Essential Skills graduation requirement using another approved assessment option.

### School Report Card Rating

As required by HB 2655, which goes into effect on January 1, 2016, ODE will develop an alternate rating on the school report card for schools that do not meet the federally mandated 95 percent participation requirement for all student groups. These alternate ratings will first appear on the 2015-16 report cards. To support ODE's ability to accurately identify the impact of opt-outs on a school's participation rates, ODE will engage district stakeholders through the Data Collection Committee to identify any needed changes to the data collection requirements. As changes are identified, ODE will provide further communication to school districts and public charter schools in as timely a manner as possible.

### Implementation Timeline:

Activity	Date
ODE publishes Notice and Opt-out Form for districts to access	November 9, 2015
Districts disseminate Notice and Opt-out Form to parents	November 9, 2015 – January 9, 2016
HB 2655 goes into effect	January 1, 2016
Deadline for districts to disseminate Notice and Opt-out Form to parents	January 9, 2016
Smarter Balanced statewide test window opens	February 9, 2016
<i>Oregon Extended Assessment statewide test window opens</i>	<i>February 18, 2016</i>

If you have additional questions, please contact [Derek Brown](#) at 503-947-5841.