

Dear members of the Oregon Board of Education,

It has come to my attention that you will be reviewing a decision regarding a rules amendment on HB 2655, an attempt by ODE to “clarify” that this bill applies only to the Smarter Balanced Assessment.

As someone who worked very hard to help get HB 2655 passed, the idea that a rule change would be slipped in to specifically identify a single test as being the only assessment to which this bill applies is infuriating. Smarter Balanced was a huge reason for the effort to pass this bill but certainly not the only reason, nor even the main reason, people worked so hard to get it passed. Smarter Balanced is one of two assessments that were pushed across the country by those promoting the Common Core, and people across the country have rebelled against those assessments. If the rule is amended as stated here, then Oregon could go ahead and give PARCC, or some other hastily developed and poorly implemented Common Core assessment, or even simply rename the Smarter Balanced Assessment and then claim that this clarification of a parent’s right to control their child’s education just doesn’t apply. This would not be unprecedented, as similar “rebranding” of standards and assessments has occurred in other states.

I want to be very clear: the many people who worked to pass this bill did not believe it applied only to SBAC. Parents have the right to opt out their children out of any test. Control and direction of their children’s education is a right [granted to parents by the Constitution which the Supreme Court has upheld multiple times](#). This law clarified that right, it did not grant it.

Furthermore, it is particularly concerning that the longer discussions go on about testing, the clearer it becomes that systems accountability and compliance with an unprecedented and probably unconstitutional power grab by the US Secretary of Education in the form of “waivers” from the actual law is more important to ODE than what is good for individual children. While I understand that a balance is necessary between systems accountability and individuals, at this point that balance has tipped far, far away from what is good for individual children. If the state would settle on a reasonable assessment system that did not make school miserable for students, parents would not be opting their children out of the system.

HB 2655 states:

“ ‘Statewide summative assessment’ means a standardized summative assessment that is identified by the Department of Education for administration in all of the school districts and public charters of this state.”

That language is very clear. No clarification is needed. The bill is intended to apply to ANY summative standardized assessment, not just SBAC. That was the intent of the bill, and those of us who worked to get it passed are paying attention. ODE should be listening to parent concerns and honoring the resulting legislation, not trying to

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circumvent it, and ODE personnel should be spending their time working towards developing an appropriate assessment system that will not result in a desire to opt out.

Sincerely,

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CC: Rep. Doherty; Rep. Frederick; Rep. Sprenger; Rep. Barreto; Rep Hac; Rep McLain;
Rep. Reardon; Rep. Wilson; Sen. Roblan; Sen. Knopp; Sen. Hass; Sen. Gelsner; Sen
Baertschiger; Sen. Beyer; Sen. Kruse; Rep. Kennember; Sen. Olsen