

## State/National CAT/Data Collection Opt-Out Form

School: \_\_\_\_\_

Teacher(s): \_\_\_\_\_

Student: \_\_\_\_\_

First, I, \_\_\_\_\_, as the parent/guardian of \_\_\_\_\_, have a “fundamental liberty interest” in the care, custody and welfare of my child as codified in Utah Code §62A-4a-201. In exercise thereof, I hereby elect to exclude my child from participating in all computer adaptive tests (CAT) administered by or through Utah’s public education system (including but not limited to MAP/CRT/AIR/NWEA assessments) which are optional or required by the state for standardized testing. Utah code §62A-4a-201 states:

(d) The state recognizes that:

(i) a parent has the right, obligation, responsibility, and authority to raise, manage, train, educate, provide for, and reasonably discipline the parent’s children; and

(ii) the state’s role is secondary and supportive to the primary role of a parent.

(e) It is the public policy of this state that parents retain the fundamental right and duty to exercise primary control over the care, supervision, upbringing, and education of their children.

I take this action to protect the privacy and welfare of my child because these examinations contain behavioral testing<sup>1</sup> which I believe is a violation of state law<sup>2</sup> and the individual results are tracked in a statewide longitudinal database system (SLDS) which is accessible by the federal government and private entities<sup>3</sup>, used for school grading<sup>4</sup>, and allows my child’s personal information to be individually identifiable<sup>5</sup>. In taking this action, I recognize the state office may label my child as non-proficient<sup>6</sup> which has negative repercussions. However, Superintendent Menlove has stated<sup>7</sup> that parents may opt their children out. I also know that Alpine Superintendent Vern Henshaw has stated that Alpine district’s students will not be adversely affected if they are opted out of the testing, and believe this should be the case for all districts. I believe these tests are fundamentally flawed by attempting to test students on material to which they may have never been exposed. The fact that the exams are confidential<sup>8</sup> so no one may examine the questions before or after a child takes the exam and that they provide psychometric feedback from embedded behavioral questions, are unacceptable to me as a parent.<sup>9</sup>

Second, I further opt my child out of any and all surveys that contain personal, financial, or any other information on our family, and from any other type of data collection method that would contain personal, private, and confidential information (eg. DNA collection).

To the extent that the above named school now, or in the future, possesses any data on my child, I do not give permission for such data to be passed to the state unless it is de-identified, aggregate data combined with that of many other students.

When CAT's are given to my child's class, I request that my child be provided an alternative exam that will be graded by my child's teacher, or alternatively, that my child be allowed to spend that time in quiet study.

I further request that the school keep a copy of this document in my child's school file and that the school acknowledge my rights and their intent to support my decision by signing below and returning a copy to me.

Finally, this action is not intended to be an indication of my opinion regarding the quality of my child's teacher(s), or of the school, but as a statement that my family refuses to participate in any activity that further erodes our privacy. I respect and appreciate your work in educating my child.

Please provide a copy to each of my son/daughter's teachers who administer CAT assessments so they are aware that my child needs an alternate activity during testing.

Please contact me via email \_\_\_\_\_ or phone \_\_\_\_\_ if you have any questions.

Sincerely,

\_\_\_\_\_  
Parent

\_\_\_\_\_  
School Official Signature, Title, Date

- 1 <http://le.utah.gov/~2013/bills/sbillenr/sb0175.pdf> (line 66)
- 2 Utah Code Title 53A Section 302
- 3 <http://www2.ed.gov/policy/gen/guid/fpco/pdf/ferparegs.pdf> (page 13) and <http://nces.ed.gov/programs/slds/state.asp?stateabbr=UT>
- 4 <http://le.utah.gov/~2013/bills/sbillenr/SB0271.htm>
- 5 <http://www.schools.utah.gov/CURR/mathsec/Assessment/AssessmentFAQ.aspx> (pg. 17)
- 6 At the 8/2/2013 Utah State Board of Education meeting, amendments to SB 271 were made to label students non proficient if they failed to take the CAT standardized assessments
- 7 [http://utahlegislature.granicus.com/MediaPlayer.php?view\\_id=2&clip\\_id=16558&meta\\_id=492600](http://utahlegislature.granicus.com/MediaPlayer.php?view_id=2&clip_id=16558&meta_id=492600) (HB 81 hearing, 29 min. mark)
- 8 <http://www.schools.utah.gov/CURR/mathsec/Assessment/AssessmentFAQ.aspx> (search "confidential")
- 9 <http://www.utahnsagainstcommoncore.com/dr-thompsons-letter-to-superintendent-menlove/>