

Charlotte County Public Schools

Parental Notification of Assessment Opt-Out Policies under Section 1112(e)(2) of *The Every Student Succeeds Act of 2015 (ESSA)*

Background

Section 1112(e)(2) of the [Every Student Succeeds Act of 2015 \(ESSA\)](#) requires divisions that receive Title I, Part A, funds to notify parents of students attending Title I schools that the parents may request information about any state or division policy regarding student participation in required assessments.

At the beginning of each school year, a local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the local educational agency will provide the parents on request (and in a timely manner), information regarding any State or local educational agency policy regarding student participation in any assessments mandated by section 1111(b)(2) and by the State or local educational agency, which shall include a policy, procedure, or parental right to opt the child out of such assessment, where applicable.

Parental Notification

On December 10, 2015, the *Every Student Succeeds Act of 2015 (ESSA)* was signed into law. Section 1112(e)(2) of ESSA states that parents of students in Title I schools have a right to know about state or division policies regarding student participation in any assessments mandated by ESSA, including any policy, procedure, or parental right to opt students out of such assessments. If you would like additional information, please contact Duffie Jones, Coordinator of Federal Programs, either by phone at 434-542-5151 or in writing at P O Box 790, Charlotte Court House, VA 23923.

State Level Information

All students enrolled in Virginia public schools are expected to take the applicable state tests. The *Virginia Board of Education Regulations Establishing Standards for Accrediting Public Schools in Virginia* state:

“In kindergarten through eighth grade, where the administration of Virginia assessment program tests are required by the Board of Education, each student shall be expected to take the tests” and “each student in middle and secondary schools shall take all applicable end-of-course SOL tests following course instruction” ([8VAC20-131-30](#)).

The Virginia regulations do not provide for what is sometimes referred to as an “opt out policy” for students regarding the Virginia assessments. If parents refuse to have their student participate in one or more of the required Virginia assessments, they should be aware that their student’s state assessment score report will reflect a score of “0” for any test that is refused.