



DATE: May 5, 2015

TO: Chair Roblan and Members of the Senate Education Committee

FROM: Iris Maria Chavez, Government Affairs Director, Stand for Children Oregon

RE: House Bill 2655

At Stand for Children we believe that an annual check-in on our student's academic progress to assess the quality of our education programs is important.

We, in Oregon, have moved to higher academic standards for our kids. With those high standards come better, more interactive assessments that measure critical thinking and problem solving, replacing unhelpful tests that were mere measures of rote memorization.

House Bill 2655 throws out the important work of 4,700 teachers and countless others to create a higher quality test. Widespread opting out would undermine the credibility of the student achievement and school accountability data gathered. We wouldn't know if schools are putting students on the path to being college and career ready without this information. If used extensively, opting out of these assessments will make our achievement gaps – and our ability to close them – invisible.

The Oregon testing window is not yet over, but we do have preliminary information to show us who is, and isn't, opting out of statewide summative assessments. The Oregonian has reported that, according to Portland Public Schools data released April 10 that schools where the majority of students are higher income and have higher academic achievement. The data also show that upper income kids at high-poverty schools are also opting out at higher rates than the low-income, kids of color in those same schools.

It makes sense to look at ways to collect parent, student and teacher feedback after this first year of testing, so we can keep improving the design of the test so it serves its purpose with the least impact to instruction. Allowing opt-out is a reaction to concerns that this test isn't perfect, which is not the way to address that concern.

This opt-out bill not only will increase inequities for our students and invalidate our state's accountability system, **it risks a significant financial impact on our schools.** The US Department of Education has stated, multiple times, to states including Alaska, Colorado, Delaware, and Illinois in public letters (and various other times in the news media) that a participation rate lower than 95% puts at risk its federal Title I funds under the Elementary and Secondary Education Act's section 1111(b)(3)(C)(xi)(I), which requires an SEA [state education agency] and each LEA [local education agency] to provide for the participation of ***all students***

on the State assessments. This requirement does not permit certain students or a specific percentage of students to be excluded from the State assessments, nor does it permit an SEA to exclude from its accountability system (and the ratings the system produces) students who decline to participate in the statewide assessments. The Colorado Department of Education has requested, and **been denied**, a waiver from this requirement. The USDOE is very clear that a failure to properly assess all students, on a uniform statewide summative assessment, in grade 3-8 and 11, will not be accepted. The Oregon Department of Education also provided testimony, on House Bill 2714 (also an “opt-out” bill) and stated following:

“Concerns: If significant numbers of students opt out of the test, results will distort a district’s students’ performance. The public will have distorted information on which to determine the effectiveness of their neighborhood school.

While Oregon has a waiver from the federal No Child Left Behind Act, that waiver is dependent on a 95% participation rate for its statewide, summative tests. The passage of HB 2714 puts federal dollars at risk. “

<https://olis.leg.state.or.us/liz/2015R1/Downloads/CommitteeMeetingDocument/44031>

This puts at least \$325 million in federal funding for our schools in jeopardy. At a time when Oregon is struggling to find enough money to support our students and educators, we cannot afford to lose this federal funding. We cannot afford to lose track of our students, yet again, and mask both the progress being made and challenges still being faced by schools in Oregon. It is simply irresponsible to create a process that encourages families to refuse SBAC and put \$325 million in school funding at risk, funding that follows our neediest students.

I respectfully urge you to stop HB 2655.