

## **Statement from Jim and Sue Gill**

We have 2 children who are currently in 7<sup>th</sup> and 10<sup>th</sup> grades in the Oak Park School District 97.

We are strongly opposed to standardized testing. Furthermore, we have never allowed our children's schools to give them the Illinois Standards Achievement Tests (ISAT).

For several years, this was not a problem. We simply kept our children at home during the actual ISAT testing times and then brought them back to school when the tests were over for the day, usually for the afternoon. We've always said that we are happy to bring our children back to school to participate in those hours "when teachers are teaching and children are learning."

But in 2006, a new district administration made our opt-out more difficult than it had been in previous years. Their interpretation of the law was that our children, who were ages 10 and 12 at the time, could not attend school at any time during testing week or the week following (which was the week set aside to administer make-ups for sick students).

The way that they chose to interpret the law was that if our daughters were in the building at any time during these two weeks, they would be taken into a room and forced to sit through the tests. Here was District 97's official response:

Mr. and Mrs. Gill,

Below is the official notice I sent out to all principals this morning clarifying the State's phone response to my inquiries yesterday about the testing window for students declining the state tests. It is very clear in the ISBE Office of Assessment that this is the practice we must be following.

We have had several inquiries about students attending school during the testing period if their parents are declining testing. The official verbal response from the state (per a phone conversation this morning, March 10) is:

**ANY STUDENT WHO APPEARS AT SCHOOL AT ANY TIME DURING THE 2-WEEK TESTING WINDOW MUST BE GIVEN EITHER THE SCHEDULED TESTS OR THE MAKE-UP TESTS.**

Therefore, students may not come back to school in the afternoon, may not sit in the library during testing, and may not attend during the final days of make-up testing all the way through March 24. Even if your building is finished with make-up testing earlier than March 24, the official testing goes through the 24th.

I realize that this is different than past practice with your family and I totally understand your objections, but we are obligated to follow the direction from the State. If you have legal objections to this practice, it was suggested by Rebecca McCabe at ISBE that you contact the legal division at ISBE to register your feelings/complaints.

I'm sorry that we are unable to accommodate your request for partial attendance during the testing period.

Kevin Anderson

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This, of course, was not acceptable to us and we chose to keep our daughters out of school for the entire two weeks (which was followed by spring break....so we had a three week break).

While we were not able to work out any compromise with our district in 2006, we made sure that we pressed this issue so that we could ensure a different outcome for 2007. We had some direct communication with ISBE at this time. Our question to them was specific: "If a parent is willing to accept an unexcused absence for a child (as we are) for the 1/2 day that the test is being administered, but is willing to bring the child back to school for the remaining 1/2 day of school (when no test is being administered)..... is it the state's intention that the child should not be allowed into school for that remaining 1/2 day? Furthermore, is it the state's intention that the child should not be allowed back into school during 'make-up' week ...when tests are administered to those children who were ill during regularly scheduled testing times?"

Their response was:

Dear Mr. and Mrs. Gill,

Your email was forwarded to me for reply. You ask whether it is the state's intention that students should not be allowed back into school for the remainder of the testing day or during the make-up window. There is no intention on the part of ISBE to have students miss school unless absolutely necessary. Having stated that, I encourage you to reconsider your child/children's participation in the state assessments.

Sincerely,  
Renee Vilatte  
Assistant Legal Advisor, ISBE

With this in hand and the help of our state senator, Don Harmon, who spoke with District 97 officials, we were able to convince the district that they had misinterpreted the state's intent in not allowing our daughters to be in school after testing was completed. The district actually revised their attendance policy to allow for parents to opt their children out of the ISAT (see <http://www.neola.com/oakpark97-il/>)

Here is an excerpt from the letter we received from Oak Park administrator Kevin Anderson:

Based on conversations with representatives of the Illinois State Board of Education and the Oak Park District 97 School Board, my department was asked to put together procedures for dealing with requested testing waivers pertaining to the ISAT.

Since the state requires that all students be tested, we were originally advised by our legal counsel to tell parents that students must stay home if they wanted to avoid being tested. A response from ISBE last fall indicated that the state, while desiring all students to be tested, also does not want students to be excluded from school. Their suggestion was that we "offer" the tests to all students in attendance, then make children announce their intention to skip the testing. Their reasoning was that we tried to test everyone. We felt this was making too much of a show out of the request to not be tested and this was unfair to the children. The School Board agreed that we should try to test our students, but they would like a compromise to be made during non-testing and make-up testing times.

Therefore, it was decided that families who do not wish their children to take part in the ISAT should keep their children home during the formal testing times, but these children may be in school during make-up testing (all other hours of the school day during the 2-week testing window).

In practical terms, children would stay home during the morning testing during the first week and return at noon for classes. During the 2nd week, which is primarily all make-up testing, these children may attend school as they would normally would (full days). The only changes to this would be if a school designates times for formal testing which extend into the 2nd week or into the afternoon on certain days. This is more likely to occur in the middle schools.

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So, beginning in 2007, we were once again able to bring our children back to school after testing hours.

I am here today to support Wade Tillett and any other parent who believes that the bubble tests are harmful to children and wish to protect them by opting them out of the ISAT. Parents in several states including California, Washington, Wisconsin and Michigan have the explicit right to opt their children out of state testing. Parents in many other states have done so as a form of protest against the tests.

We believe that NCLB should clearly protect parents' rights to opt their children out of state tests, and we urge President-elect Obama to support this important parental right.

Here is a link to the Oak Park policy: <http://www.neola.com/oakpark97-il/>