



SDEA Resolution For Parental Notification
by Resource/Education Specialists of Right to Opt Out

WHEREAS, San Diego Education Association (SDEA) previously passed the Resolution Against High Stakes Testing; and

WHEREAS, the San Diego Unified School District (SDUSD) Board unanimously passed a resolution on February 10, 2015, that calls on the U.S. Congress and Obama Administration to “eliminate the federally-mandated, annual testing requirement in each of Grades 3 through 9, and at least once in Grades 9 through 12; promote multiple forms of evidence of student learning and school quality in accountability; and not mandate any fixed role for the use of student test scores in evaluating educators”; and

WHEREAS, Superintendent Cindy Marten sent a letter home to parents in April 2015 before the SBAC was administered which included information about the parental right to opt out their child from testing; and

WHEREAS, students in the Mild to Moderate program are administered the SBAC, and students in the Moderate to Severe program are administered the CAA; and

WHEREAS, many students in the Moderate to Severe program do not have the mobility skills necessary to take the CAA; and

WHEREAS, the SBAC/CAA is grossly developmentally inappropriate for many students with special needs; and

WHEREAS, many students are subjected to unnecessary mental and emotional stress and duress during the administration of the SBAC/CAA; and

WHEREAS, the SBAC/CAA does not assess students according to the curriculum and learning goals specified in the student’s Individualized Education Plan (IEP); and

WHEREAS, students in Applied Math and English classes have significant learning disabilities that preclude them from accessing grade level curriculum; and

WHEREAS, students in Applied Math and English classes are expected to take the same SBAC as students in general education classes, even though their curriculum does not align with this assessment; and

WHEREAS, the data collected from many students with special needs by administering the SBAC is not useful in creating curriculum or IEP learning goals for students; and

WHEREAS, no school has ever lost Federal funding for testing less than 95% of all student populations; and

WHEREAS, test scores have been used as justification for closing down or reorganizing public schools; and

WHEREAS, most educators would not administer the SBAC/CAA to many students with Mild to Moderate or Moderate to Severe disabilities if given a choice for reasons aforementioned; and

WHEREAS, parents and guardians are unable to exercise legal rights if they do not know they have them; and

WHEREAS, an educator notifying and educating parents of students with special needs about their right to opt out their child from testing is not the same as encouraging the parent or guardian to opt out their child from SBAC/CAA and other testing;

RESOLVED that SDEA call on SDUSD to make it common practice that all Resource Teachers and Education Specialists notify and educate the parents and guardians of students with an IEP of their right to opt out their child from SBAC/CAA and all other applicable testing; and

RESOLVED that SDEA call on SDUSD to add to the existing IEP signature page a check box that indicates that the parents have received information about their ability to opt out their child from SBAC/CAA and other applicable testing; and


RESOLVED that SDEA call on SDUSD to honor parents choosing to opt out their children by directing school administrators to not pressure or try to convince parents to have their child take the SBAC/CAA or other assessments; and

RESOLVED that SDEA call on SDUSD to direct administrators to not retaliate against educators who educate parents about their right to opt out their child from testing;

RESOLVED that SDEA will create a sample opt out letter, with translated versions, that can be shared with parents to enable parents to exercise their rights;

and be it finally RESOLVED that should the SDEA Representative Assembly pass this resolution, a copy of this resolution will be sent to the SDUSD School Board, the SDUSD Superintendent and SDEA members, posted on the SDEA website, and shared at CTA State Council and with parents and guardians during IEP meetings.

Unanimously approved by SDEA Rep Council on January 20, 2016.



Lindsay Burningham, SDEA President