

**Virginia Department of Education
Office of Program Administration and Accountability
P. O. Box 2120
Richmond, Virginia 23218**

**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 regarding 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

To meet the requirements of this notification, school divisions may wish to modify the sample notification below. The notification should be provided to all parents of students attending Title I schools.

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 to receive information about this topic, please contact Tammy Huff, Director of Federal Programs, Assessment, and Literacy, either by phone at 540-745-9400, or in writing at hufft@floyd.k12.va.us.

State Level Information

In addition to sharing applicable division level information on parent Opt Out, divisions may wish to share the information below.

Virginia does not currently have an Opt Out policy; however, [Section 22.1-253.13:3.C](#) of the *Code of Virginia* includes information that relates to this topic:

The Board of Education shall not include in its calculation of the passage rate of a Standards of Learning assessment for the purposes of state accountability any student whose parent has decided to not have his child take such Standards of Learning assessment, unless such exclusions would result in the school's not meeting any required state or federal participation rate.