



*everychild.one voice.*

### **Delaware PTA Position on Regulation 103**

Because Congressional action on reauthorization of the Elementary and Secondary Education Act (ESEA) is stalled, the US Department of Education offered states, on a rolling application basis, ESEA Flexibility through a conditional waiver process. The Obama administration is utilizing statutory authority to grant conditional provisional waivers in exchange for state development and implementation of key reform strategies pertaining to:

- College- and career-ready academic standards;
- Differentiated accountability systems; and
- Teacher/leader evaluation systems based on student growth/achievement.

The public education system must be transparent and accountable to teachers, principals, students, families, and communities. We believe that our families, communities and schools deserve this same level of transparency in the state level decision making process when it comes to the development and implementation of key reform strategies. Unfortunately, this has not been the case. Communications regarding the proposal on developing and implementing these key reform strategies has been sporadic, misleading and in some content areas, non-existent.

With regard to accountability systems, the Delaware Department of Education and Delaware State Board of Education are seeking to include parent opt-out rates in the calculation of the school report card. This is not only a misleading representation of a school's performance, but it is another attempt to coerce and intimidate parents who chose to exercise their right to opt their student out of the Smarter Balanced Assessments. The Delaware Department of Education maintains that including participation rates is mandated by the US Department of Education, certainly if this were true, it would have been used as an argument against HB 50. However, Delaware PTA has confirmed with the US Department of Education that this is not the case. States **ARE NOT** required by federal mandate to include opt-out rates in the calculations.

**Delaware PTA opposes the proposed changes to *Regulation 103 of 14 Delaware Code, Section 122(b) (14 Del.C. §122(b))* that will allow opt out participation rates to be counted in the calculations for content area performance.**

**Delaware PTA also opposes counting student participation rates for students that only complete 60% of the test, as conditions that result in an inability to complete the test are not primarily related to academic performance factors. We believe that only students that substantially complete the test should be included in the participation rate calculation.**