



Massachusetts Department of Elementary and Secondary Education

75 Pleasant Street, Malden, Massachusetts 02148-4906

Telephone: (781) 338-3000
TTY: N.E.T. Relay 1-800-439-2370

VIA EMAIL &
FIRST CLASS MAIL

October 26, 2016



Dear Attorney [REDACTED],

I have been asked to respond to your October 17, 2016, letter regarding the Massachusetts Comprehensive Assessment System – Alternate Assessment (“MCAS – Alt.”).

You have informed us that last year, a parent of an eligible special needs student asked if his child could "opt out" of the MCAS-Alt. You reported that an Educational Specialist in our Program Quality Assurances unit (“PQA”) informed the parent that there was no provision to "opt out" of MCAS-Alt.

As I'm sure you are aware, there is no provision for students to opt-out of MCAS. The Department has repeatedly confirmed that participation in statewide assessments is required of all students enrolled in public schools in the relevant grade levels. The state assessments provide important feedback to families, teachers, administrators, and state policymakers as to where schools are succeeding and where schools and districts need to enhance their efforts. *See:* <http://www.doe.mass.edu/commissioner/?update=1/29/2016>. Thus, there is no distinction or discrimination on the MCAS on the basis of disability.

In addition, the standard MCAS exam is taken by the student and requires the student's active participation. The MCAS-Alt., however, consists of a portfolio of specific materials collected annually **by the teacher** consisting of work samples, instructional data, videotapes, and other supporting information. The two testing situations are not really parallel or comparable. The MCAS-Alt provides an alternative method of assessment to the standard on-demand test and involves the collection of student work and data on a student's performance collected during routine classroom instruction. We have consistently informed schools that they must submit a portfolio for any student designated for the Alt, and that parents may not intercede by prohibiting a school from doing so. We have told inquiring parents that there is no allowance for opting out of the MCAS-Alt, and that statewide assessment is an integral aspect of a public education.

I trust that this information will assist you in advising the [REDACTED] School District on the MCAS and MCAS-Alt. administration.

Sincerely,

Anne [REDACTED]
Legal Counsel

C. [REDACTED]
[REDACTED]
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[REDACTED]
[REDACTED]