Committee Report

REGULAR CALENDAR

February 21, 2018

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Majority of the Committee on Education to which was referred HB 1744,

AN ACT authorizing a parent to exempt his or her child from participating in the statewide assessment program. Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Victoria Sullivan

FOR THE MAJORITY OF THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

MAJORITY
COMMITTEE REPORT

Committee:	**Education**
Bill Number:	**HB 1744**
Title:	**authorizing a parent to exempt his or her child from participating in the statewide assessment program.**
Date:	**February 21, 2018**
Consent Calendar:	**REGULAR**
Recommendation:	**OUGHT TO PASS WITH AMENDMENT 2018-0365h**

STATEMENT OF INTENT

This bill simply clarifies that a parent has the authority to opt his or her child out of the statewide assessment. The Every Student Succeeds Act (ESSA) allows for parental opt out, if supported under state law. Many parents have significant security concerns in regard to the online assessments. Other parents have expressed concerns that these tests lead to anxiety or request information that is non-academic. Some parents have, in the past, been told by districts that every child must participate. The majority of the committee believes that parents are capable of making this decision for their children.

Vote 12-7.

Rep. Victoria Sullivan
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Education

HB 1744, authorizing a parent to exempt his or her child from participating in the statewide assessment program. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Victoria Sullivan for the **Majority** of Education. This bill simply clarifies that a parent has the authority to opt his or her child out of the statewide assessment. The Every Student Succeeds Act (ESSA) allows for parental opt out, if supported under state law. Many parents have significant security concerns in regard to the online assessments. Other parents have expressed concerns that these tests lead to anxiety or request information that is non-academic. Some parents have, in the past, been told by districts that every child must participate. The majority of the committee believes that parents are capable of making this decision for their children. **Vote 12-7.**

Original: House Clerk
Cc: Committee Bill File

MAJORITY
COMMITTEE REPORT

Committee:	**Education**
Bill Number:	**HB 1744**
Title:	**authorizing a parent to exempt his or her child from participating in the statewide assessment program.**
Date:	**February 21, 2018**
Consent Calendar:	**REGULAR**
Recommendation:	**OUGHT TO PASS WITH AMENDMENT 2018-0365h**

STATEMENT OF INTENT

This bill simply clarifies that a parent has the authority to opt his or her child out of the statewide assessment. Every Student Succeeds Act (ESSA) allows for parental opt out, if supported under state law. Many parents have significant security concerns in regard to the online assessments. Other parents have expressed concerns that these tests lead to anxiety, or request information that is non-academic. Some parents have, in the past, been told by districts that every child must participate. The majority of the committee believes that parents are capable of making this decision for their children.

Edited by the Researcher

Vote 12-7.

Rep. Victoria Sullivan
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

Sullivan

OK RMS

COMMITTEE REPORT

COMMITTEE: Education

BILL NUMBER: HB 1744

TITLE: authorizing a parent to exempt his or her child from participating in the statewide assessment program.

DATE: 2-21-2018 **CONSENT CALENDAR:** YES ☐ NO ☑

☐ **OUGHT TO PASS**

☑ **OUGHT TO PASS W/ AMENDMENT**

☐ **INEXPEDIENT TO LEGISLATE**

☐ **INTERIM STUDY** (Available only 2nd year of biennium)

Amendment No. 0365h

STATEMENT OF INTENT:

HB 1744 simply clarifies that a parent has the authority to opt his or her child out of the statewide assessment. ESSA allows for parental opt out, if supported under state law. Many parents have significant security concerns in regard to the online assessments. Other parents have expressed concerns that these test lead to anxiety or request information that is non academic. Some parents have, in the past, been told by districts that every child must participate. The majority of the committee believes that parents

COMMITTEE VOTE: 12-7

RESPECTFULLY SUBMITTED,

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep. Victria L Sullivan
For the Committee

Rev. 02/01/07 - Yellow

HB 1744

~~Thi~~ this

are ~~the~~ capable of making ~~Education~~

decisions ~~in~~ ~~the~~ their children.

REGULAR CALENDAR

February 21, 2018

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Minority of the Committee on Education to which was referred HB 1744,

AN ACT authorizing a parent to exempt his or her child from participating in the statewide assessment program. Having considered the same, and being unable to agree with the Majority, report with the following resolution: RESOLVED, that it is INEXPEDIENT TO LEGISLATE.

Rep. Mary Heath

FOR THE MINORITY OF THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

MINORITY
COMMITTEE REPORT

Committee:	**Education**
Bill Number:	**HB 1744**
Title:	**authorizing a parent to exempt his or her child from participating in the statewide assessment program.**
Date:	**February 21, 2018**
Consent Calendar:	**REGULAR**
Recommendation:	**INEXPEDIENT TO LEGISLATE**

STATEMENT OF INTENT

The minority finds that the NH state assessment program was established by RSA 193-C:1 in 1993 for the purpose of improvement and accountability in education; understanding that a well-educated populace is essential for the maintenance of democracy, the continued growth of our economy, and the encouragement of personal enrichment and development. Furthermore, it emphasized the importance of widespread participation in the statewide education improvement and assessment program as essential. This bill changes that priority and allows a student's parent or guardian to exempt his or her child from the assessment. If a critical body of students do not participate in the statewide assessment, the local community and state have no way to gauge the extent to which the local schools are meeting their responsibility for an adequate education and the degree to which all students are showing improvement over time. The minority finds that the intent and purpose of the statewide assessment could very well be comprised by this bill.

Rep. Mary Heath
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Education

HB 1744, authorizing a parent to exempt his or her child from participating in the statewide assessment program. **INEXPEDIENT TO LEGISLATE.**

Rep. Mary Heath for the **Minority** of Education. The minority finds that the NH state assessment program was established by RSA 193-C:1 in 1993 for the purpose of improvement and accountability in education; understanding that a well-educated populace is essential for the maintenance of democracy, the continued growth of our economy, and the encouragement of personal enrichment and development. Furthermore, it emphasized the importance of widespread participation in the statewide education improvement and assessment program as essential. This bill changes that priority and allows a student's parent or guardian to exempt his or her child from the assessment. If a critical body of students do not participate in the statewide assessment, the local community and state have no way to gauge the extent to which the local schools are meeting their responsibility for an adequate education and the degree to which all students are showing improvement over time. The minority finds that the intent and purpose of the statewide assessment could very well be comprised by this bill.

Original: House Clerk
Cc: Committee Bill File

MINORITY
COMMITTEE REPORT

Committee:	**Education**
Bill Number:	**HB 1744**
Title:	**authorizing a parent to exempt his or her child from participating in the statewide assessment program.**
Date:	**February 21, 2018**
Consent Calendar:	**REGULAR**
Recommendation:	**INEXPEDIENT TO LEGISLATE**

STATEMENT OF INTENT

The minority finds that the NH state assessment program was established by **193-C:1** in 1993 for the purpose of improvement and accountability in education, understanding that a well-educated populace is essential for the maintenance of democracy, the continued growth of our economy, and the encouragement of personal enrichment and development. Furthermore, it called for the importance of widespread participation in the statewide education improvement and assessment program as essential. This bill changes that priority and allows a student's parent or guardian to exempt his or her child from the assessment. If a critical body of students do not participate in the statewide assessment, the local community and state have no way to gauge the extent to which the local schools are meeting their responsibility for an adequate education and the degree to which all students are showing improvement over time. The minority finds that the intent and purpose of the statewide assessment could very well be comprised by this bill.

Joint 10

Researcher
Edited

Rep. Mary Heath
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

MINORITY REPORT

Committee: Education

Bill Number: HB 1744 A

Title: Authorizing a parent to exempt his or her child from participation in the statewide assessment program

Date: February 21, 2018

Motion: ITL

Amendment: 0365h

Statement of Intent:

Rep. Mary Heath for the **Minority** of Education. The minority finds that the NH state assessment program was established by **193-C:1** in 1993 for the purpose of improvement and accountability in education, understanding that a well-educated populace is essential for the maintenance of democracy, the continued growth of our economy, and the encouragement of personal enrichment and development. Furthermore, it called for the importance of widespread participation in the statewide education improvement and assessment program as essential. HB 1744 changes that priority and allows a student's parent or guardian to exempt his or her child from the assessment. If a critical body of students do not participate in the statewide assessment, the local community and state have no way to gauge the extent to which the local schools are meeting their responsibility for an adequate education and the degree to which all students are showing improvement over time. The minority finds that the intent and purpose of the statewide assessment could very well be comprised by HB 1744.

Committee Vote: 12-7

Respectfully Submitted by:

Rep Mary Heath
For the Minority

MINORITY REPORT

Committee: Education

Bill Number: HB 1744 A

Title: Authorizing a parent to exempt his or her child from participation in the statewide assessment program

Date: February 21, 2018

Motion: ITL

Amendment: 0365h

Statement of Intent:

Rep. Mary Heath for the **Minority** of Education. The minority finds that the NH state assessment program was established by **193-C:1** in 1993 for the purpose of improvement and accountability in education, understanding that a well-educated populace is essential for the maintenance of democracy, the continued growth of our economy, and the encouragement of personal enrichment and development. Furthermore, it called for the importance of widespread participation in the statewide education improvement and assessment program as essential. This bill changes that priority and allows a student's parent or guardian to exempt his or her child from the assessment. If a critical body of students do not participate in the statewide assessment, the local community and state have no way to gauge the extent to which the local schools are meeting their responsibility for an adequate education and the degree to which all students are showing improvement over time. The minority finds that the intent and purpose of the statewide assessment could very well be comprised by this bill.

Committee Vote: 12-7

Respectfully Submitted by:

Rep Mary Heath
For the Minority

Voting Sheets

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on HB 1744

BILL TITLE: authorizing a parent to exempt his or her child from participating in the statewide assessment program.

DATE: February 21, 2018

LOB ROOM: 207

(1.) Amendment

MOTIONS: OUGHT TO PASS WITH AMENDMENT

Moved by Rep. Grenier | Seconded by Rep. V. Sullivan | AM Vote: 12-7

Amendment # 2018-0365h

(2.) Motion

Moved by Rep. V. Sullivan | Seconded by Rep. Cordelli | Vote: 12-7

CONSENT CALENDAR: NO

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Barbara Shaw

Rep Barbara Shaw, Clerk

Rep. V. Sullivan, Hills. 16
January 30, 2018
2018-0365h
06/04

Amendment to HB 1744

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Access to Governmental Records and Meetings; Exemptions. Amend RSA 91-A:5, III to read as follows:

III. Personal school records of pupils, *including the name of the parent or legal guardian and any specific reasons disclosed to school officials for the objection to the assessment under RSA 193-C:6.*

1) Amendment

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/5/2018 10:27:58 AM
Roll Call Committee Registers Report

2018 SESSION

EDUCATION

Bill #: HB 1744 Title: authorizing a parent to exempt his or her child from participating

PH Date: 01/18/2018 Exec Session Date: 02/21/2018

Motion: OTP Amendment #: 0365h

MEMBER	YEAS	NAYS
Ladd, Rick M. Chariman	✓	
Wolf, Terry M. Vice Chairman		✓
Cordelli, Glenn	✓	
Grenier, James L.	✓	
Pitre, Joseph A.	✓	
Elliott, Robert J.	✓	
Moore, Josh	✓	
Sullivan, Victoria L.	✓	
Halstead, Carolyn	✓	
Moffett, Michael	✓	
Wolf, Dan	✓	
Shaw, Barbara E. Clerk	✓	
Myler, Mel		✓
Gile, Mary Stuart		✓
Heath, Mary		✓
Burton, Wayne M.		✓
Cornell, Patricia		✓
Doherty, David		✓
Tanner, Linda L.	✓	
Le, Tamara		
TOTAL VOTE:		

12 7

(2) motion

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/5/2018 10:27:58 AM
Roll Call Committee Registers Report

2018 SESSION

EDUCATION

Bill #: HB 1744 Title: authorizing a parent to exempt his or her child from participating in the statewide assessment program.

PH Date: 01/18/2018 Exec Session Date: 2/21/2018

Motion: OTP/A Amendment #: 0365h

MEMBER	YEAS	NAYS
Ladd, Rick M. Chariman	✓	
Wolf, Terry M. Vice Chairman	✓	
Cordelli, Glenn	✓	
Grenier, James L.	✓	
Pitre, Joseph A.	✓	
Elliott, Robert J.	✓	
Moore, Josh	✓	
Sullivan, Victoria L.	✓	
Halstead, Carolyn	✓	
Moffett, Michael	✓	
Wolf, Dan	✓	
Shaw, Barbara E. Clerk	✓	
Myler, Mel		✓
Gile, Mary Stuart		✓
Heath, Mary		✓
Burton, Wayne M.		✓
Cornell, Patricia		✓
Doherty, David		✓
Tanner, Linda L.		✓
Le, Tamara		
TOTAL VOTE:	12	7

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on HB 1744

BILL TITLE: authorizing a parent to exempt his or her child from participating in the statewide assessment program.

DATE: 2-21-2018

LOB ROOM: 207

---

(1) Amendment

MOTION: (Please check one box)

☑ OTP ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # 0365h

☐ Interim Study (2nd year) *(if offered)*

Moved by Rep. Grenier Sullivan Seconded by Rep. Sullivan Vote: 12-7

(2) motion

MOTION: (Please check one box)

☐ OTP ☑ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # 0365h

☐ Interim Study (2nd year) *(if offered)*

Moved by Rep. Sullivan Seconded by Rep. Cordette Vote: 12-7

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____

☐ Interim Study (2nd year) *(if offered)*

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____

☐ Interim Study (2nd year) *(if offered)*

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: ____ YES ✓ NO

Minority Report? _____ Yes _____ No If yes, author, Rep: _____ Motion_____

Respectfully submitted: Rep Barbara Shaw

Rep Barbara Shaw, Clerk

Hearing Minutes

HOUSE COMMITTEE ON EDUCATION

PUBLIC HEARING ON HB 1744

BILL TITLE: **authorizing a parent to exempt his or her child from participating in the statewide assessment program.**

DATE: **January 18, 2018**

LOB ROOM: **207** Time Public Hearing Called to Order: **10:45 a. m.**

Time Adjourned: **10:55 a. m.**

Committee Members: **Reps. Ladd, T. Wolf, Cordelli, Grenier, Elliott, J. Moore, V. Sullivan, Halstead, M. Moffett, D. Wolf, Myler, Heath, Cornell, Doherty, Tanner, T. Le and Shaw**

Bill Sponsors:

Rep. V. Sullivan	Rep. Willis	Rep. Cordelli
Rep. Verville	Rep. Freeman	Sen. Reagan
Sen. Gannon		

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

(1.) **Rep. Victoria Sullivan - sponsor**
***Written testimony**

(2.) **Michelle Levell - School Choice for NH**
***Written testimony**

Respectfully submitted,

Rep Barbara Shaw

Rep. Barbara Shaw, Clerk

HOUSE COMMITTEE ON EDUCATION

PUBLIC HEARING ON HB 1744

BILL TITLE: **authorizing a parent to exempt his or her child from participating in the statewide assessment program.**

DATE: 1-17-2018
18

ROOM: 207 **Time Public Hearing Called to Order:** 10:45 AM

Time Adjourned: 10:55AM

(please circle if present)

Committee Members: Reps. Ladd, T. Wolf, Cordelli, Grenier, Pitre, Elliott, J. Moore, V. Sullivan, Halstead, M. Moffett, D. Wolf, Myler, Gile, Heath, Burton, Cornell, Doherty, Tanner, T. Le and Shaw

Bill Sponsors:

Rep. V. Sullivan	Rep. Willis	Rep. Cordelli
Rep. Verville	Rep. Freeman	Sen. Reagan
Sen. Gannon		

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

(1) Rep Victoria Sullivan - sponsor
* written testimony
(2) Michelle Lovell - school choice for NH
* written testimony

Respectfully submitted,
Rep Barbara Shaw,
Clerk

10:45 A.M.

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 1744 Date January 18, 2018

Committee Education

**** Please Print All Information ****

Name	Address	Phone	Representing	(check one) Pro	Con
Rep Brenden Phinney				✓	
Moira Ryan				✓	

Testimony

Testimony Received
Email 1/25/18

Johnston, Judith

From: Moira Ryan <army51kilo@hotmail.com>
Sent: Thursday, January 25, 2018 6:39 PM
To: Johnston, Judith
Subject: Fw: Education Commitee regarding HB1744

Members of the Education Committee,

I apologize. IN my last email, I wrote that I oppose HB1744, when in fact, I provided a case to support it. I do support HB 1744 and oppose HB1263. I apologize for the error. We just found out that my dad has lung cancer and there has been a lot to digest. Please accept this correction.

My name is Moira Ryan and I am writing to you re: HB1744. I feel it is important to write to you regarding this bill and to let you know why I STRONGLY SUPPORT it.

First, I wanted to let you know that I am a licensed, registered nurse in the state of Massachusetts. My initial degree was in education with a teaching practicum at Dover Middle School in NH and I have substitute taught in schools in NH and worked in hospitals in NH, MA, and VT.

My concern over potentially not allowing parents to opt their children out of standardized testing is multi-faceted. First, engaging in multiple rounds of standardized testing multiple times per year can be stressful for some children. Parents should have the right to limit the amount of testing done on their kids. But this is not my primary reason for writing to you.

My primary reason for writing to you regarding this subject involves the mischaracterization of standardized test results and the lack of training and understanding the purpose of test results by education professionals. First, I would like to point out that teachers do not receive medical training. They do not generally receive training on statistics, managing data from resulting test results, nor do they have an adequate understanding of those test results. Take, for example, the TOWL-4, Test of Written Learning-4, created by Pearson. This test is normally given by a special education teacher and scored in a subjective manner with a lack of understanding of the results. For example, I have heard teachers give evidence at due process hearings where they state that a failure on one part of the TOWL-4 combined with a high score in a different section of the test results in an average passing, or appropriate score. Nothing could be further from the truth. It is akin to saying, well, your blood pressure is good, but you have pancreatic cancer. We've averaged those out and determined that you are a healthy person! Even when corrected in their slanted and incorrect interpretation of the test results, they continue to argue that this is a legitimate interpretation of the results. This results in a failure to understand how the child is really performing.

I would also like to address standardized tests which rate behaviors. Dr. Galen Alessi conducted a study where he surveyed 5000 school psychologists. These staff had evaluated multiple students and made determinations on their behaviors. Now, behaviors at school can vary greatly between home and school due to the environment. Large schools which are loud and have a high volume of students can affect students with anxiety and sensory issues in a very significant way, This would be an environmental factor which may not appear at home because of the smaller environment but could cause significant reactions at school. The same is true of students with social skills deficits, In his study, Dr. Alessi found that schools NEVER attribute any

school-related concerns to a student with behaviors instead favoring deficits on the part of the students, with some deficits as a result of like at home. How would it be possible that school factors were NEVER considered? Below, please find a copy of Dr. Alessi's study.

http://www.wrightslaw.com/advoc/articles/alessi.article.pdf

In addition to Dr. Alessi's study, I would like to point out that as a licensed RN, I was required to go to school year round (fall, Spring, and Summer for four years. During my first semester, I logged over 600 hours of clinical study. Those hours increased with each passing semester. Staff in schools do not have the same type of medical training to truly understand mental health or behavioral issues. Most school standardized testing is conducted by SAIFs. Most schools do not have a licensed psychologist on staff. Even when schools do have a licensed psychologist, they are not typically conducting active research or engaging with the medical community in a meaningful way. Medical science moves rapidly and changes quickly. SAIFs are only required to take 12 credits to get a SAIF certification as a teacher without a psychology degree. See SAIF Certification requirements below:

Certification Requirements (12 credits)

Required Courses

- ED 656 - Practicum I in S.A.I.F. Credits: 3
- ED 657 - Practicum II in S.A.I.F. Credits: 3
- ED 658 - Internship I in S.A.I.F. Credits: 3
- ED 659 - Internship II in S.A.I.F. Credits: 3

This largely entails giving the exams and running them through a scantron or using a Pearson guide to determine pre-prepared results without the benefit of having medical experience to understand the large number of potential variations which may exist with each individual child.

Last, parents know their children best. If they do not feel standardized testing is appropriate for their child, they should have the ability to opt out of it. They should be able to do this without fear of retribution or bullying from school administrators. There were many parents who reported receiving nasty letters, being bullied, or just generally being mistreated when attempting to opt out of standardized testing. This should not happen. Parents know their children best. Let them decide which tests they take.

In addition to the two above articles. I invite you to read NH's own, Dr. Melissa Farrall's book All about Tests and ASsessments.

Dr. Farrall has written several books discussing the shortcomings of standardized testing.

In closing, I appreciate you reading my email and I hope that you pass HB 1744.

Thank you.

Alessi.Article - Wright's Law

www.wrightslaw.com

Title: Alessi.Article.max Author: Administrator Created Date: 12/17/2002 6:20:25 PM

(1) information purposes

From: **Jon DiPietro** jon@jondipietro.com
Subject: HB 1744
Date: January 17, 2018 at 7:18 PM
To: Victoria Sullivan patchessul@comcast.net

There are several legitimate reasons why a parent may want to opt their child out of the statewide assessment program. My remarks will focus on just one of those: security. Or, rather, the lack thereof.

As the common core standards increasingly focus on the so-called 21st-century skills of communication, collaboration, creativity, and critical thinking, more and more of these assessments focus on psychometric profiling of students in order to assess these non-academic, soft skills. I have concerns about the security of this sensitive information.

I've been working in database programming, website development, computer security, and digital marketing for almost thirty years. I can tell you that as surely as the sun will rise tomorrow, there is no such thing as an anonymous electronic survey. I've been responsible for securing computer applications, locking down websites, and personally identifying sales leads and prospects from data crumbs. I know how data and security work or, in too many cases, don't work as planned.

You might assert that the survey data is protected on the school district's private computer network. However, gaining access to any computer network is as simple as getting an employee to click on a phishing link in an email. This is exactly what happened in Provo, Utah last year, putting 13,000 students' and 500 employees' records at risk. Also, the 5,400-student Mount Pleasant Independent School District in Texas experienced a data breach in 2015 that put 915 former employees' private information, including Social Security numbers, at risk. Also, Chris Paschke, the director of data privacy and security for the 86,500-student Jeffco public schools in Golden, Colo., said his district's technology infrastructure is constantly being probed for weaknesses — students getting teachers' passwords and hacking into the system, phishing links, and denial-of-service attacks, he said. Finally, "Everybody is vulnerable" to cyber attack, said one California school district spokeswoman. "It's not inevitable, but it certainly is possible."

Now, let's assume for the sake of argument that every school district is impervious to computer hacking. You might assert that the survey data would never be made public. The fact remains that district employees accidentally post data to publicly accessible areas on a regular basis. The private information of about 12,000 D.C. public school students was accidentally uploaded to a publicly accessible website, the District's Office of the State Superintendent of Education announced in February 2016. In 2015, Tewksbury school district accidentally posted private special education student information online that contained a list of the students with out of district placements, and includes other information including a ranking of parents as "cooperative," "somewhat cooperative," and "not cooperative."

Even when networks are secure, district employees are human and make mistakes.

Now, let's assume for the sake of argument that every school district is impervious to computer hacking and that not a single district employee would ever make a computer mistake. You might assert that the data is anonymous, after all. The fact remains that in today's online world, any person with an Internet connection and well-developed sense of curiosity can easily identify a person with little more than a last name, a city of residence, and a birth year. When you add to this perfunctory data set other highly personal questions such as ethnicity, recent grades, school lunch program participation, and 60-day relationship history, you suddenly have enough puzzle pieces for almost any classmate or even highly involved parent to narrow down the field considerably.

These security concerns taken by themselves would be enough to justify allowing parents to decide whether or not they wish to expose their child to these assessments. However, given myriad other concerns including but not limited to the efficacy of computer adaptive testing, developmental appropriateness of these tests, and over-assessment, we owe parents the latitude to opt their children out.

--

Jon DiPietro
Digital Marketing Specialist
Manchester Republican Committee Executive Board

M: +1 (603) 759-7551
Email: jon@jondipietro.com
LinkedIn: JonDiPietro
Twitter: @JonDiPietro

Bill as Introduced

Johnston, Judith

From: Smith, Paul
Sent: Wednesday, January 31, 2018 11:43 AM
To: Conquest, Kris
Cc: Johnston, Judith; FitzGerald, Ann
Subject: hb 1744

From Education, is NOT an early bill and will not be coming over today. Sorry for the hassle.

Paul C. Smith
Clerk of the House
New Hampshire House of Representatives
603.271.2548

HB 1744 - AS INTRODUCED

2018 SESSION

18-2006
06/04

HOUSE BILL ***1744***

AN ACT authorizing a parent to exempt his or her child from participating in the statewide assessment program.

SPONSORS: Rep. V. Sullivan, Hills. 16; Rep. Willis, Rock. 6; Rep. Cordelli, Carr. 4; Rep. Verville, Rock. 2; Rep. Freeman, Hills. 12; Sen. Reagan, Dist 17; Sen. Gannon, Dist 23

COMMITTEE: Education

ANALYSIS

This bill provides that a student exempted from taking the statewide assessment by the student's parent or legal guardian shall not be penalized, requires a school district to provide an appropriate alternative educational activity for the time period during which the assessment is administered, and provides that the name of the parent or legal guardian objecting to the assessment shall be excluded from access under RSA 91-A.

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 1744 - AS INTRODUCED

18-2006
06/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Eighteen

AN ACT authorizing a parent to exempt his or her child from participating in the statewide assessment program.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Statewide Education Improvement and Assessment; Assessment Required. Amend RSA 193-C:6 to read as follows:

193-C:6 Assessment Required. A statewide assessment shall be administered in all school districts in the state once in an elementary school grade, once in a middle school grade, and one grade in high school. For those years in grades 3 through 8 in which the school district does not administer the statewide assessment, the school district, in consultation with the department and as part of the statewide education improvement and assessment program, shall develop and administer its own assessment or shall administer a standardized assessment that identifies a pupil's range of learning and yields objective data to use in improving instruction and learning. All public school students in the designated grades shall participate in the assessment, unless such student is exempted ***from taking the test by his or her parent or legal guardian***, or provided that the commissioner of the department of education may, through an agreement with another state when such state and New Hampshire are parties to an interstate agreement, allow pupils to participate in that state's assessment program as an alternative to the assessment required under this chapter. Home educated students may contact their local school districts if they wish to participate in the statewide assessment. Private schools may contact the department of education to participate in the statewide assessment. The department may use the College Board SAT or ACT college readiness assessment to satisfy the high school assessment requirements of this chapter. The statewide assessment results of a student or the student's school district shall not be included as part of the student's transcript unless the student, if 18 years of age or older, or the student's parent or legal guardian if the student is under 18 years of age, consents. ***A school district shall not penalize any exempted student nor shall the department of education or the state board of education penalize any school district for a lower participation rate. A school district shall develop a form to be signed by the parent or legal guardian of any student exempted from the assessment. The school district shall provide an appropriate alternative educational activity for the time period during which the assessment is administered. The alternative activity shall be agreed upon by the school district and the parent or legal guardian of the student. The name of the parent or legal guardian and any specific reasons disclosed to school officials for the objection to the assessment shall not be public information and shall be excluded from access under RSA 91-A.***

2 Effective Date. This act shall take effect 60 days after its passage.