

15.1-21-08.1. Parental directive - Administration of tests and assessments - Report.

A student's parent may direct the school district in which the student is enrolled not to administer to the student any state test or state assessment required in accordance with section 15.1-21-08.

Procedure for Completing the Parental Directive Process:

1. Each school district shall post the Department of Public Instruction's Parental Directive form on its website and make the form available to a parent, upon request.
2. The form may be used for the ND State Assessments (Language Arts, Math, and Science), as well as ND Alternate Assessments and local interim assessments. It is the school's responsibility to inform parents of the interim assessments used. They will need to type this assessment under "other."
3. The parental directive **does not apply** to:
 - Any test or assessment required by the student's school district of enrollment or this state for the completion of any grade from kindergarten through twelve;
 - Any test or assessment required by the student's school district of enrollment or the state for high school graduation;
 - The ACT; or
 - WorkKeys assessments.
4. A parental directive is valid only if it is presented to the school district using the standardized form, prepared by the Department of Public Instruction, and signed by the student's custodial parent.
5. One form must be completed for each student for each individual assessment. A parental directive is valid only until the conclusion of the school year in which it is received by the school district.
6. A parental directive submitted to a school district in accordance with this section must be retained as part of the student's educational record.
7. At the time and in the manner directed by the superintendent of public instruction, each school district shall provide a report regarding:
 - The number of parental directives received;
 - The number of parental directives applicable to students who are economically disadvantaged, students from major racial and ethnic groups, students with disabilities, and students with limited English proficiency; and
 - Any loss of funding stemming from the parental directives.
8. A school district is not liable for any consequences incurred by a student as a result of a parental directive submitted in accordance with this section.
9. A school district is not required to provide instruction or activities for a student during the administration of any test or assessment referenced in the parental directive submitted by the student's parent.

Kirsten Baesler
State Superintendent



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August 11, 2017

Dear Administrator,

House Bill (HB) 1389 took effect August 1, 2017. This bill creates a new section to chapter 15.1-21 of the North Dakota Century Code (NDCC.) NDCC 15.1-21-08.1. states, **"A student's parent may direct the school district in which the student is enrolled not to administer to the student any state test or state assessment required in accordance with section 15.1-21-08."**

This code further details, which assessments are, and are not exempt, as well as the process for completing a parental directive. The North Dakota Department of Public Instruction is to provide a form to districts to use in obtaining a parent directive to withhold administration of a student assessment. Attached is the standard form that will be used throughout the state by all school districts. This form must be posted to your district's website prior to the start of the 2017-2018 school year.

Parents will need to complete an individual form for each student and each assessment from which they wish to be exempt, as well as the school year in which they are requesting exemption. The form is to be completed each year by the parent in order for the student to be exempt in the current school year. School districts are required to retain the form in the student's file and to compile information for a yearly report, regarding how many directives were received, demographic characteristic breakdowns of students whose parents have requested exemptions, and any loss of funding as a result of parent directives. For additional information, please reference the attached Parental Directive Guidance.

For a link to HB 1389 and NDCC 15.1-21, please visit: <http://www.legis.nd.gov/assembly/65-2017/documents/17-0879-06000.pdf> and <http://www.legis.nd.gov/cencode/t15-1c21.pdf>

If you have questions regarding this form or the administration of it, please contact [Rob Bauer](#), Director, Office of Assessment, at (701) 328-2224.

Sincerely,

A handwritten signature in black ink that reads 'Rob Bauer'.

Rob Bauer, Director
Office of Assessment

Enclosures: Parent Directive Guidance and Parent Directive Form



PARENTAL DIRECTIVE TO WITHHOLD ADMINISTRATION OF A STUDENT ASSESSMENT

NORTH DAKOTA DEPARTMENT OF PUBLIC INSTRUCTION
OFFICE OF ASSESSMENT
SFN 61287 (08-2017)

Note: The custodial parent must complete a separate Parental Directive form for each child and individual assessment that applies. The assessment must be clearly identified by name so that the school district has an accurate record of the assessment to which this parental directive applies.

| | |
|-----------------------------|---|
| Student Name | |
| School District | School Year: Name only a single school year (e.g., 2017-2018) |
| Custodial Parent of Student | |

The three NDSA assessments are:

NDSA - English Language Arts (Referenced as "Reading" in NDCC 15.1-21-08.)

NDSA - Mathematics

NDSA - Science

Each of the NDSA assessment subjects requires the submission of a separate parental directive. Any other assessments to which a parental directive may apply must be submitted on separate parental directive forms.

As a custodial parent of the student named above, I am directing the school district to withhold the administration of the following assessment to the student during the school year indicated above.

Name of Assessment (name only one assessment on this form)

1

Signature of Custodial Parent

Date

PLEASE RETURN FORM TO SCHOOL DISTRICT OFFICE

This parental directive is valid only until the conclusion of the school year.

This parental directive must be retained as part of the student's educational record.

The school district is not liable for any consequences incurred by a student as a result of the parental directive.

The school district is not required to provide instruction or activities for the student during assessment administration.