



# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 95

S.P. 43

In Senate, January 17, 2017

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### **An Act To Provide a Method for a Student To Be Excused from Standardized Testing**

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Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator LIBBY of Androscoggin.  
Cosponsored by Representative ESPLING of New Gloucester and  
Senators: MASON of Androscoggin, WOODSOME of York, Representatives: DAUGHTRY  
of Brunswick, DUNPHY of Old Town.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 20-A MRSA §6215** is enacted to read:

3 **§6215. Opt-out**

4 **1. Parent's or guardian's right to opt out.** If a student's parent or guardian submits  
5 a written request to a school administrative unit to excuse the student from a standardized  
6 assessment administered pursuant to this chapter, the school administrative unit shall  
7 comply with the request and excuse the student in conformance with the request.

8 **2. School administrative unit.** A school administrative unit may not penalize a  
9 student for being excused from an assessment pursuant to subsection 1 and shall:

10 **A.** Inform parents and guardians of the option to excuse a student from an  
11 assessment;

12 **B.** Provide a student excused from an assessment with an educational activity while  
13 the assessment is being administered; and

14 **C.** Post the form created by the department under subsection 3, paragraph A on the  
15 school administrative unit's publicly accessible website.

16 **3. Department.** The department may not penalize a school for excusing a student  
17 from an assessment pursuant to subsection 1 and shall:

18 **A.** Create a form that a parent or guardian can use to request that a student be  
19 excused from an assessment and shall post the form on the department's publicly  
20 accessible website; and

21 **B.** Notify parents and guardians of the option to excuse a student from an assessment  
22 by posting notice on the department's publicly accessible website.

23 **4. Teachers.** A teacher may inform a parent or guardian of the option to excuse a  
24 student from an assessment pursuant to subsection 1.

25 **SUMMARY**

26 This bill requires a school administrative unit to excuse a student from a standardized  
27 assessment at the written request of the student's parent or guardian and establishes  
28 requirements for school administrative units and the Department of Education related to  
29 excusing a student.