



NEW YORK STATE SENATOR

George Latimer

Latimer, Kaminsky and Brooks Urge Trump to Eliminate Regulation that Punishes Schools

GEORGE LATIMER February 14, 2017

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Senators Latimer, Kaminsky and Brooks call on President Trump to eliminate ESSA sections that punish schools for not meeting testing participation requirements

(Albany, New York) – New York State Senators George Latimer (D-Westchester), Todd Kaminsky (D-Long Beach) and John Brooks (D-Seaford) are calling on the Trump Administration to eliminate a regulation within the Every Student Succeeds Act (“ESSA”) that requires States to deny specific federal funding to any school district having a student opt-out rate of more than 5 percent for mandated standardized testing.

In the letter, the Senators explained that, “The Department of Education’s implementation of regulation §200 will, simply put, require States to deny specific federal funding to any school district when more than 5 percent of the students opt out of Standardized Testing. These regulations clearly intend to punish schools and children when concerned

parents opt their children out of the tests.”

Senator Latimer said, “Parents have a priority right to make decisions regarding the education of their own children. When parents believe that the actions of the government is negatively affecting their child’s education, they will take steps to protect their children. Instead of punishing schools and school children, we should fix the problem.”

“Schools should not be punished when parents and students exert their right to opt out of standardized tests,” said Senator Todd Kaminsky. “This regulation is a significant overreach by the federal government that fails to account for the legitimate concerns of those who worry that testing has become a one-size-fits-all mentality. Instead of trampling on local school districts, the federal government should be supporting their efforts and the efforts of states to improve our education system.”

Senator John Brooks said, "It is simply wrong to deny schools their funding for low testing participation rates. Our schools and students deserve the best resources possible and that should never be withheld because parents and students have opted out of excessive testing."

ESSA was passed with broad bipartisan support to replace the No Child Left Behind Act, an attempt in part to reduce the role of the federal government in education. Standardized testing participation requirements remain, however, and can be used to block funds for schools with a significant number of parents who decide to opt their children out of the testing requirements.

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