

2021-22 Kentucky State Assessment Program

Title 1 Requirement - ESSA 1112(e)(2)(A)-(B) to notify the parents of each student attending any school receiving Title I, Part A funds that parents may request information regarding student participation in any assessments mandated by ESSA 1111(b)(2) and by the State or LEA.



Testing Transparency



Oldham County Schools will provide the parents on request (and in a timely manner), the information regarding the assessments including a policy, including any state or district policies on student participation, where applicable.

Additionally, the LEA must make widely available through public means (including posting on the LEA website, and where feasible, the website of each school) for each grade served by the LEA, information on each assessment required by the State to comply with ESSA 1111, other assessments required by the State, and assessments required by the LEA, including (where such information is available and feasible to report):

- the subject matter assessed;
- the purpose for which the assessment is designed and used;
- the source of the requirement for the assessment; and
- where such information is available:
 - the amount of time students will spend taking the assessment,
 - the schedule for the assessment; and
 - the time and format for disseminating results.

Kentucky State Assessment



Information about these requirements can be found on the Kentucky Department of Education's Assessments webpage

<https://education.ky.gov/AA/Assessments/Pages/default.aspx>.

For further questions or to obtain a hard copy of this material please direct your inquiry to Leslie McKinney – District Assessment Coordinator.

leslie.mckinney@oldham.kyschools.us

Ph. 502-241-3500

Assessments from 2020-2021



Kentucky students took the Kentucky Summative Assessment (KSA) in the Spring of 2021 (previously referred to as KPREP). The assessments align to the *Kentucky Academic Standards* in each content area. For most students this is an on-line test experience. Most tests are a combination of multiple choice and short answer questions. Additionally, there are opportunities for more extended response and writing demonstration.



These assessment are given in grades 3 through 8, 10 and 11 to Kentucky public school students. Additionally, Kentucky Juniors are administered the ACT assessment.

| Reading | Mathematics | Science | On Demand Writing | Quality of School Climate Survey |
|-------------------|-------------------|-------------------|--------------------|----------------------------------|
| 60 min | 60 min | 60 min | 90 min | Approx. 20 min |
| Grades 3-8 and 10 | Grades 3-8 and 10 | Grades 4,7 and 11 | Grades 5, 8 and 11 | Grades 3-8, 10 and 11 |

The purpose of the Kentucky Summative assessments – the tool used to measure how well students are progressing to proficiency on identified state standards. These standards are aligned to each grade level and vary in degrees of complexity.



Assessments from 2020-2021



Welcome to Kentucky's School Report Card

The Kentucky School Report Card has students at its center, ensuring that students are well-rounded and prepared for life after school.

🔍 Search by school or district

Explore Statewide Education

- Tests results are released to the public each fall. This year, the public release was September 29th.
- To view the performance and participation for our district and specific child's school, visit the [School Report Card](#).



Oldham
COUNTY SCHOOLS

Continuing the Tradition of Excellence

**Notification of Testing Transparency
October 2021**

Dear Parent or Family,

Sections 1112(e)(2)(A)-(B) of the Every Student Succeeds Act (ESSA) requires the following regarding testing transparency.

(2) TESTING TRANSPARENCY. —

(A) IN GENERAL. — At the beginning of each school year, a local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the local educational agency will provide the parents on request (and in a timely manner), information regarding any State or local educational agency policy regarding student participation in any assessments mandated by section 1111(b)(2) and by the State or local educational agency, which shall include a policy, procedure, or parental right to opt the child out of such assessment, where applicable.

(B) ADDITIONAL INFORMATION. — Subject to subparagraph (C), each local educational agency that receives funds under this part shall make widely available through public means (including by posting in a clear and easily accessible manner on the local educational agency's website and, where practicable, on the website of each school served by the local educational agency) for each grade served by the local educational agency, information on each assessment required by the State to comply with section 1111, other assessments required by the State, and where such information is available and feasible to report, assessments required districtwide by the local educational agency, including—

(i) the subject matter assessed;

(ii) the purpose for which the assessment is designed and used;

(iii) the source of the requirement for the assessment; and

(iv) where such information is available—(I) the amount of time students will spend taking the assessment, and the schedule for the assessment; and (II) the time and format for disseminating results.

Information about these requirements can be found on the Kentucky Department of Education's Assessments webpage (<https://education.ky.gov/AA/Assessments/Pages/default.aspx>). For further questions or to obtain a hard copy of this material please direct your inquiry to Leslie McKinney, District Assessment Coordinator by email at leslie.mckinney@oldham.kyschools.us.

Andy Beshear
Governor



Lt. Gov. Jacqueline Coleman
Secretary
Education and Workforce
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Interim Commissioner of Education

KENTUCKY DEPARTMENT OF EDUCATION

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Opting-Out of Testing is NOT an Option in Kentucky

In Kentucky, districts are not permitted to honor a parent's request to opt-out of statewide testing.¹ Although parents have the right to opt their children out of public education by choosing home school or private school, parents do **NOT** have the right to pick and choose the provisions of public education with which they will comply. The Every Student Succeeds Act (ESSA) requires 95% participation of all students and each student group in the federally mandated state assessments. If fewer than 95% of students participate federal funding and waivers could be jeopardized. Testing all students allows us to identify trends for student groups that may otherwise go unseen. This provides educators the information needed to ensure all students' educational needs are being met. Based on the data from our state assessments, we can identify the disparity in performance between groups and work toward closing achievement gaps.

In seeking to opt out, parents often cite the 14th Amendment to the United States Constitution, *Meyer v. Nebraska*², and *Pierce v. Society of Sisters*³ as authority to opt-out of standards and statewide testing. However, there is no authority in state or federal law allowing parents to opt-out of the Kentucky Academic Standards (KAS) or statewide assessment system. The *Meyer* and *Pierce* cases were decided by the United State Supreme Court in 1923 and 1925, respectively, and neither case stands for the proposition that parents are afforded the right to opt-out their children from state curriculum standards or statewide assessment tests. Finally, pursuant to 34 CFR Part 99, FERPA does not prohibit transmission of testing data from the local school to the Kentucky Department of Education.

On the other hand, there is abundant legal authority supporting KAS and mandatory statewide assessment. In 1997, the Kentucky Court of Appeals affirmed the Kentucky Board of Education's authority to require all students in public schools in our state to participate in standardized assessments.⁴ Regarding KAS, Senate Bill 1 (2009), which was overwhelmingly supported by a bi-partisan majority of the Kentucky House and Senate, mandated common standards. Senate Bill 1 (2017) reaffirmed the requirement of common standards for the purpose of increasing transition readiness. Under its authority, the Kentucky Board of Education adopted the KAS in reading/writing, mathematics, health education, physical education, as well as current science standards. As these standards are included in regulation, the expectation is that all students are provided instruction and opportunity to learn these standards in the public schools.

As described on KDE's [website](http://www.ky.gov), Kentucky's statewide accountability system depends on the testing of every student. The purpose of testing every student is to ensure that all schools and districts are serving all students and that gaps in categories of students are identified, addressed, and closed. Kentucky statute [KRS 158.6453](http://legis.state.ky.us/lrs/lrs0001/krs158.6453) and Kentucky

¹ Students may only be excused from statewide assessments upon completion and approval of the Medical Nonparticipation Form or Extraordinary Circumstances Nonparticipation Form. Both forms can be found at: <http://education.ky.gov/AA/distapp/Pages/Forms.aspx>

² 262 U.S. 390 (1923).

³ 45 S.Ct. 571 (1925).

⁴ *Triplett v. Livingston County Board of Education*, 967 S.W.2d 25 (Ky. App. 1997)

regulation [703 KAR 5:240](http://legis.state.ky.us/lrs/lrs0001/kar05.240) were promulgated to ensure the system and the data produced were faithful to these goals. An accountability model must be all-inclusive and all-reflective.

Districts should be prepared to explain these requirements to parents, as well as the importance of the consistency of academic standards throughout all Kentucky schools as a part of the "efficient system of common schools" required by Section 183 of the Kentucky Constitution, and as more specifically described in the landmark case of *Rose vs. Council for Better Education* (Ky. Supreme Court, 1990).

Students who do not participate in the statewide accountability system will receive a "0" score which will be included in the school's accountability calculation. Districts are encouraged to review their policies and communicate to parents the consequences for students' failure to participate in mandatory state assessments.

Questions:

If you have any additional questions, please contact the Office of Assessment and Accountability at dacinfo@education.ky.gov.