State Assessment Information

The Federal No Child Left Behind Act requires that State tests be administered in English Language Arts and Mathematics in Grades 3-8, and in Science at least once during Grades 3-5 and 6-9. In accordance with the federal requirements and Sections 100.3 and 100.4 of the Commissioner’s Regulations, the Department requires that all students in public and charter schools in Grades 3-8 must take all state assessments administered for their grade level.

Testing is considered an important part of instruction in education programs. It provides an evaluation of student mastery of content and skills in various courses of study and helps shape future instruction. Tests are considered part of a “course of study” under a board’s authority and as noted above, are included as part of the program requirements for students in Grades 3-8 under Sections 100.3 and 100.4 of the Regulations of the Commissioner of Education.

With the exception of certain areas in which parental consent is required, such as Committee on Special Education (CSE) evaluations for students with disabilities and certain federally-funded surveys and analyses specified under the federal Protection of Pupil Rights Amendment (see 20 U.S.C. 1232h), there is no provision in statute or regulation allowing parents to opt their children out of State tests. The failure to comply with the requirements provided above will have a negative impact on a school or school district’s accountability, as all schools are required to have a 95% participation rate in State testing.

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