



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 185

H.P. 148

House of Representatives, January 17, 2019

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

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative SAMPSON of Alfred.
Cosponsored by Senator DIAMOND of Cumberland and
Representatives: O'CONNOR of Berwick, ORDWAY of Standish, STEWART of Presque Isle,
TUELL of East Machias, Senators: CHENETTE of York, LIBBY of Androscoggin, MILLETT
of Cumberland, WOODSOME of York.

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 administered pursuant to the State's assessment program at the written request
28 of the student's parent or guardian and establishes requirements for school administrative
29 units and the Department of Education related to excusing a student.