



# District Roles and Responsibilities Parent Right To Know

June 24, 2024

## Policy Requirements

Montana school districts are required to provide parents/guardians with notice regarding student participation in statewide assessments at the beginning of each school year [or in a timely manner] before [testing windows](#) open. Montana does not have an “opt out” law and within the federally recognized accountability and reporting procedures, the only recognized reasons for non-participation are for medical exemption. For more resources on this topic, visit the [OPI's Parent Corner Site](#).

When a student cannot be tested at any time throughout the [Published Test Windows](#) they are counted as a non-participant unless the reason is due to a significant medical emergency (e.g., a student is hospitalized due to an accident). In Montana, there is no “opt out” law, and state law requires all students in public and accredited non-public schools to participate in statewide testing. Therefore, in accordance with ESEA-ESSA Section 1112(e)(1)(B)(ii), parents may refuse to have their child participate in statewide assessments but the parent refusal will count negatively against the school's participation rate within the accountability process. The [MontCAS Policies and Procedures for Participation in Statewide Assessments](#) explains the state participation policies and procedures to register and include students in each of the statewide assessments.

Below are some additional answers to frequently asked questions on participation. Please note that the OPI does not require any documentation on this parent refusal within our non-participation reporting procedures and the procedures to manage participation for students whose families refuse should be determined at the local level.

## Participation Requirements

The U.S. Department of Education has released to states guidance on testing, accountability, and reporting requirements:

- The participation requirement to administer statewide assessments is required under [federal](#) and [state law](#).
- School districts must provide students with the opportunity to assess when it is safe to do so.
- Schools are required to annually measure the achievement of not less than 95 percent of all students and students in each subgroup on its annual statewide assessments.
- Data from statewide assessments is used within the accountability process for annual meaningful differentiation of schools.

<b>Before Testing: Parent Notice</b>	<b>Federal Requirement:</b> provide parents with transparency on testing including participation requirements, time requirements, and information available from the assessments in a timely manner ( <a href="#">ESSA Section 1112</a> ).  <b>State Requirement:</b> notify parents using OPI guidance on the assessment purpose, requirement, and individual student performance including how these data will be used ( <a href="#">ARM 10.56.102(6)</a> ).
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## Statute and Regulation References

- [34 CFR 200.61\(b\)](#)
- [ESEA-ESSA Section 1112\(e\)\(1\)\(B\)\(ii\)](#)

Should you have questions about the data use and reporting for statewide assessments, contact the OPI Assessment Help Desk at 1.844.867.2569, or email us at [OPIAssessmentHelpDesk@mt.gov](mailto:OPIAssessmentHelpDesk@mt.gov).