Dear XXXX,

This communication is to inform you that my child, XXXX (*Xth grader in Mr/s. XXXX class*), will not be participating in any state or federal standardized test for the remainder of the current school year.

I do not want my child taking any portion of the CMAS. In addition to that, my child will not be forced, questioned, pressured, or coerced by any teacher or school administrator about our decision to refuse their participation in the CMAS testing, or their rights related to State Standardized Testing without the presence of at least one of their parents.

Furthermore, we ask that no record of these types of tests be part of our children’s permanent file or record, as we do not wish our children to participate in standardized achievement testing for promotion, school ratings (AYP Scoring). This includes the recording of data related to our children in, or on, any SLDS database(s).

I am requesting that my child be allowed to complete alternative learning activities at school in lieu of the test, i.e.: read quietly in the library or other non-testing classroom, complete class work, or use the computer lab for work on approved learning websites such as Spelling City. To be clear, my child must not be forced to sit in the testing rooms during these times to “sit and stare” as this, in our opinion, is tantamount to solitary confinement.

Over the course of the “ramp up to TCAP and CMAS” we have noticed mark emotional and behavioral changes in my child. XXXX has communicated to us that they are afraid to fail these tests because they will not be allowed to be promoted to the next grade, and they believe this as fact because it has been told to them repeatedly by the teachers. Rather than my child coming home in a relatively happy mood, it has resulted in XXX coming home and breaking down in tears over testing.

Because of this, I refuse to allow my child to be subjected to this type of testing as it is not in their best interests and is damaging and harmful to their physical and mental wellbeing.

This is not a decision that I have come to without our fair share of research and discussion. I understand that The Supreme Court has consistently upheld the 14th Amendment rights of parents related to the Due Process Clause, and maintained that parents possess a “Fundamental Right” to “direct the upbringing and education of their children”, and to raise their children as they see fit. This belief has been upheld by our judiciary in numerous Supreme Court cases that reflect the American people’s longstanding commitment to parental rights.

                **(Cleveland Board of Education v. LaFleur, 414 U.S. 632)** “This court has long recognized that freedom of personal choice in matters of marriage and family life is one of the liberties protected by the Due Process Claus of the Fourteenth Amendment.”

**(Quilloin v. Walcott, 434 U.S. 246)** “We have recognized on numerous occasions that the relationship between parent and child is constitutionally protected. We have little doubt that the Due Process Clause would be offended if a State were to attempt a breakup of a natural family, over the objections of the parents and their children, without some showing of unfitness and for the sole reason that to do so was thought to be in the children’s best interests.”

**(Washington v. Glucksburg, 521 U.S. 702)** “In a long line of cases, we have held that, in addition to the specific freedoms protected by the Bill of Rights, the ‘liberty’ specially protected by the Due Process Clause includes the rights…to direct the education and upbringing of one’s children. The Fourteenth Amendment ‘forbids the government to infringe…’fundamental’ liberty interest of all, no matter what process is provided, unless the infringement is narrowly tailored to serve a compelling state interests.”

**(Troxel V Granville, 530 U.S. 57)** “The liberty interest at issue in this case-the interest of parents in the care, custody and control of their children-is perhaps the oldest of fundamental liberty interests recognized by this Court. In light of this extensive precedent, it cannot now be doubted that the Due Process Clause of the Fourteenth Amendment protects the fundamental rights of parents to make decisions concerning the care, custody and control of their children. The problem here is not that the Washington Superior Court intervened, but that when it did so, it gave no special weight at all to Granville’s determination of her daughters’ best interests. More importantly, it appears that the Superior Court applied exactly the opposite presumption. The Due Process Clause does not permit a State to infringe on the fundamental right of parents to make childrearing decisions simply because a state judge believe a “better” decision could be made. If a parent’s decision of the kind at issue here becomes subject to judicial review, the court must accord at least some special weight to the parent’s own determination…We would be hesitant to hold that specific non-parental visitation statues violate the Due Process Clause as a per se matter.”

**(Meyer v. Nebraska, 262 U.S. 390, 402)** The Supreme Court has criticized a state legislature for trying to interfere “with the power of parents to control the education of their own.”

In Meyer, the Supreme Court held that the right of parents to raise their children free from unreasonable state inferences is one of the unwritten “liberties” protected by the Due Process Clause of the Fourteenth Amendment. **(262 U.S. 399)**

I understand that this may cause some stress and the shifting of some plans amongst the staff and administration, but I believe that we are protecting our child’s overall well-being in doing so.

If I do not receive any written communication from you prior to the beginning of the CMAS test on XXXX, I will assume that all of my parent refusal of CMAS request has been met and alternate provisions have been made for my child during the CMAS testing times.

Thank you for your time,