



Department of Curriculum & Instruction  
**Office of Special Programs**  
2200 Piedmont Avenue  
Portsmouth, Virginia 23704  
(757) 393-8611  
*Renée P. Hailes, Program Coordinator*

September 6, 2022

Dear Parent/Guardian:

On December 10, 2015, the *Every Student Succeeds Act of 2015* (ESSA) was signed into law. Section 1112(e)(2) of ESSA states that parents of students in Title I schools have a right to know about state or division policies regarding student participation in any assessments mandated by ESSA, including any policy, procedure, or parental right to opt students out of such assessments. If you would like to request this information, please contact **Derrick Nottingham, Director of Research and Evaluation** for Portsmouth Public Schools, by calling (757) 393-8840.

All students enrolled in Virginia public schools are expected to take the applicable state tests. The Virginia Board of Education Regulations Establishing Standards for Accrediting Public Schools in Virginia state:

*“In kindergarten through eighth grade, where the administration of Virginia assessment program tests are required by the Board of Education, each student shall be expected to take the tests” and “each student in middle and secondary schools shall take all applicable end-of-course SOL tests following course instruction” ([8VAC20-131-30](#)).*

*The Virginia regulations **do not** provide for what is sometimes referred to as an “**opt out policy**” for students regarding the Virginia assessments. If parents refuse to have their student participate in one or more of the required Virginia assessments, they should be aware that their student’s state assessment score report will reflect a score of “0” for any test that is refused.*

Sincerely,

*Renée Hailes*

Renée Hailes,  
Coordinator, Special Programs (Title I)  
Portsmouth Public Schools