

Intradistrict Communication

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TO: All School Administrators

FROM: Michael Anderson, Associate Superintendent
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SUBJECT: Navigating Parental Exclusion Requests with the WIDA Access

The annual administration of the WIDA Access is mandated by the federal government, which uses this assessment to hold schools accountable for providing an equitable education for multi-language learners. This accountability stems from the 1974 Supreme Court case [Lau v. Nichols](#) where a California school district was sued because it was not providing language services to many of its ML students. This Supreme Court case essentially ensures that students' civil right to an equitable education and the government has chosen to use the WIDA Access as a way to hold school districts accountable for doing so.

The WIDA Access is federally mandated, which means that parents cannot opt their students out of taking the test. Because of the part this assessment plays in a student's educational rights, parents do not have the power to revoke a student's civil right to take the WIDA Access. Thus, the state was required to remove the WIDA Access from the parental exclusion form a few years ago.

So, what happens when a parent insists that their child not take the WIDA Access? Basic procedures are outlined below:

- The school administration should discuss any or all of the attached [talking points](#) with the student's parent.
- If the parent still insists that their child not participate in the WIDA Access, then the school should document the parent's refusal. Schools should use their school opt out log already available to school test coordinators to note the parental exclusion.
- Schools may accept a parental exclusion in writing, but they cannot provide an opt out form to exclude students from the WIDA Access.

Please contact Ben Jameson in Evaluation, Research & Accountability with any questions or concerns regarding these procedures.