

# Jeremy Thiesfeldt

STATE REPRESENTATIVE • 52<sup>nd</sup> ASSEMBLY DISTRICT

April 20, 2015

Superintendent Tony Evers  
Department of Public Instruction  
125 South Webster Street, GEF 3  
PO Box 7841  
Madison, WI 53707

Dear Dr. Evers,

It has come to my attention through contact with a constituent of the 52<sup>nd</sup> District that some Wisconsin school districts are denying parental requests to opt their children out of the Badger Exam in grades 5, 6, and 7.

The state statutes declare in 118.30 that school districts must administer the state-approved exam to each student in grades 4, 8, 9, 10, and 11. The statutes also provide for an opt-out of this test [118.30 (2) (b) 3]. Because this portion of the statutes was created to align with the Wisconsin Knowledge and Concepts Examination (WKCE), it applied only to these particular grades. The statutes are silent on grades 3, 5, 6, and 7 regarding this exam.

As you know, the Badger Exam is being administered to all students in grades 3-8. Some school districts have decided that since statute 118.30 only dictates testing in grades 4, 8, 9, 10, and 11, that the opt-out provision provided in 118.30 (2) (b) 3 applies to only those grades as well. Consequently, these districts claim to hold the authority to compel all students in grades 5, 6, and 7 to take the exam.

Denying parents the opt-out provision is inconsistent application of the true intent of the state statute. The DPI website has also given ammunition to these select school districts by posting on its website information backing up this inconsistency.

I would request that you clarify this issue and ask all Wisconsin school districts to apply 118.30 (2) (b) 3 to all grade levels consistent with the true intent of the state statutes regarding the state tests.

It is imperative that you take action on this immediately since schools are currently engaged in taking the exam.

*Serving the communities of Fond du Lac, Oakfield, Byron, Empire, Taycheedah, and the western half of Calumet township*

Thank you in advance for your prompt attention to this matter.

Sincerely,

  
Rep. Jeremy Thiesfeldt