



DISTRICT OF COLUMBIA

OFFICE OF THE STATE SUPERINTENDENT OF

EDUCATION

Ian Rosenblum
Acting Assistant Secretary of Education
Office of Elementary and Secondary Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Acting Assistant Secretary Rosenblum:

This letter serves as a formal request for a waiver for the District of Columbia Office of the State Superintendent of Education (OSSE) from specific statutory and regulatory requirements pursuant to Section 8401(b) of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act of 2015 (ESSA), of the statewide assessment requirements noted below. Section 8401(a)(3) of ESEA as amended by ESSA allows the Secretary of the U.S. Department of Education to waive, with the exceptions outlined in section 8401(b)(4) and (c), “any statutory or regulatory requirement of this Act for which a waiver request is submitted.” OSSE is requesting a one-year waiver from the following statutory requirements in ESSA:

- Statewide assessment requirements in Section 1111(b)(2) to administer required statewide assessments in English language arts/literacy, mathematics, science, and alternate assessments for students with the most significant cognitive disabilities; and
- Statewide assessment participation requirements in Section 1111(c)(4)(E).

In addition to this waiver request, OSSE is also submitting a waiver request to the ESEA Consolidated State Plan for accountability, school identification, and reporting requirements in Section 1111(c)(4)(B)(i) and 1111(d)(2)(C)-(D) and selected report card provisions in Section 1111(h) based on data from school year 2020-21 as specified in the Department’s Accountability Waiver template.

Approval of this waiver request by the U.S. Department of Education will allow the District of Columbia to:

- preserve critical and limited instructional time for schools to drive academic recovery efforts in response to the impacts of the pandemic;
- support schools and local education agencies (LEAs) in the delivery of locally administered interim and benchmark assessments that will inform immediate instructional decision-making and can be used by LEAs and the SEA to target resources and supports;
- support all students’ successful transitions back to in-person learning by prioritizing time for school, LEA, and District initiatives aimed to identify and remediate knowledge gaps;
- implement a responsive approach to collect student information, report transparently, and ensure LEAs are held responsible for student learning; and
- maintain the District’s commitment to the responsible reporting of statewide assessment results and the accurate use of academic achievement and growth data to drive programmatic decision-making.

Executive Summary

The District of Columbia has a deep and long-standing commitment to using statewide assessment data to drive student academic achievement¹, especially for those students most at risk. As we will illustrate below, statewide assessment data are used to meet critical needs: to direct resources to students who need them most, to create research on academic outcomes that drive programmatic change to contribute to decision making for families as part of the [MySchoolDC school choice portal](#). They are also a key part of the public discourse via the [DC School Report card](#), the state-wide website providing common, comparable transparent information on schools for parents and families.

In this unprecedented year, given the uncertainty and inequity during this public health emergency, and our unique circumstances in the District, we believe that these valuable data simply cannot be relied upon to meet those needs. Consequently, OSSE is seeking a one-year waiver that will allow the District to implement an alternative, responsive approach to meet the needs and uses for student achievement data given our unique situation.

If a waiver is granted, to support the advancement of academic achievement, OSSE will:

- Collect and share information transparently with the public on local interim assessments as well as a spectrum of previously and newly collected data on student outcomes and experiences in lieu of statewide assessments;
- Invest in publicly available research on statewide educational outcomes during the COVID pandemic;
- Require LEAs and schools to communicate directly with individual families in a timely manner on outcomes of student assessments;
- Require LEAs to submit plans on how their schools are using local interim assessments to drive instruction, provide additional programmatic interventions, and direct federal Elementary and Secondary School Emergency Relief Fund (ESSER) funding, especially for those students most at risk;
- Use information collected from LEA plans and data to target state-provided supports, state-provided technical assistance, and oversight through annual monitoring and oversight activities; and
- Continue to administer its English language proficiency assessments with an extended test window through the end of school year 2020-21.

Background

Strong Belief in and Commitment to Statewide Testing

OSSE is demonstrably committed to statewide testing and believes in the power of using high quality assessments that produce fair, reliable, and comparable results, which have a high degree of validity for driving programmatic change and informing policy decisions. However, threats to conditions for administration and the accuracy of these data put at risk our ability to do these two things responsibly and in a manner that advances student academic achievement equitably in school year 2020-21. The District of Columbia has a long history of its commitment and strong

¹ In 2019, 9,100 more students were attending schools earning 4- and 5-STAR ratings than in 2018. DC saw an increase of 20 schools earning 4- and 5-STAR ratings in 2019 as compared to 2018.

support of high-quality statewide assessments. The District has administered its PARCC assessments in ELA and mathematics with fidelity since the 2014 field test. DC's PARCC assessments met all expectations of the U.S. Department of Education's peer review process. OSSE invested significant resources in the development of a new Next Generation Science Standards (NGSS) aligned science assessment and will be submitting this assessment through peer review in the upcoming review cycle. The District has also partnered in multiple high-quality assessment consortia, including the ACCESS for ELLs 2.0 WIDA consortium, and the MSAA and DLM consortia.

Statewide assessment results are a trusted source of information in the District and are used for important decision-making by stakeholders across the city and nationwide. These data are core to our strategic plan, in which we, set ambitious goals using statewide assessment data to advance outcomes for DC students, including the goal of having 6,700 more students meet or exceed expectations on state assessments while closing achievement gaps by 2023.

The transparency that District stakeholders rightly demand with regards to PARCC data increases the focus and scrutiny of these data and therefore add to the importance of making sure we administer statewide assessments such that they yield equitable and accurate information. Statewide achievement and growth data are also critical elements of the DC School Report Card and the School Transparency and Reporting (STAR) Framework for accountability. In its third year, the DC School Report Card continues to provide students, families, and educators with comprehensive information about the performance of public schools in the District. Since the launch of the current report card on Dec. 3, we have had nearly 14,000 unique visitors who have viewed almost 60,000 pages on the site, and more than 117, 000 unique users with nearly 750,000 pages viewed since it was launched in December 2018. Statewide assessment data are also shared publicly on the My School DC public school lottery system website, and caregivers across the city use this information to make choices about where they will send their children to school every year. Last year, over 25,000 applications for the lottery were submitted. Statewide assessment data are also used for public performance reporting to the DC City Council as a part of their oversight process each year and in charter school goal setting with the Public Charter School Board as part of their authorization processes.

Finally, OSSE conducts research using these data, such as our first ever Students with Disabilities landscape analysis, which is cited as an exemplar of how to consider supports for Students with Disabilities and is poised to drive significant programmatic and support initiatives for students and educators this year, and we have dozens of data sharing agreements with external researchers to make this information available to advance education for historically underserved populations and to reward schools that are changing trajectories for students. All of these examples around uses and sharing of the data underscore the importance of having equitable and accurate data because of the policy impacts of statewide assessment data in the District.

To have a high degree of validity for these extensive and varied uses, the statewide assessment must meet the highest standards of technical defensibility and be administered to all students under appropriate conditions to ensure results are fair and comparable.

Efforts to Prepare for Statewide Testing in School Year 2020-21

Despite these concerns, the District of Columbia has been working in good faith since March 2020 to identify a pathway for successful administration of its statewide assessments, in accordance with the requirements of ESSA during this global pandemic. OSSE, LEAs, and schools partnered together to prepare for assessment administration given challenging constraints. OSSE created new policies, guidance, and training related to testing during a pandemic.

Most of the District of Columbia's statewide assessments are only able to be administered in person. This includes: ACCESS for ELLs 2.0, Alternate ACCESS, MSAA, DC Science Assessment, and DLM alternate science assessment. Given the unique demands of the administration and requirements of the consortia, ACCESS, MSAA, and DLM cannot be administered remotely. The DC Science Assessment was administered as an operational field test for the first and only time in school year 2018-19. Given that the assessment is in its infancy, the District does not have the item bank available to support remote testing nor the historical data needed to meaningfully interpret results in school year 2020-21. Moreover, given the uncertain administration conditions associated with remote assessment, we would need to (1) regard any items used as non-secure which depletes our already limited item bank and jeopardizes the integrity of future administrations and (2) assume that administration conditions are non-standardized which jeopardizes the interpretation of the assessment results..

Given that ACCESS for ELLs 2.0 and Alternate ACCESS assessments provide the only statewide measure for exit criteria, OSSE **will** be offering in-person only administration of these assessments in spring 2021. While in-person participation will likely be very limited, individual results from these assessments can be used for exiting services, service identification, and staffing decisions. ACCESS for ELLs 2.0 and Alternate ACCESS assessments will be used for individual student reporting, but aggregations and public reporting will not be supported.

Throughout the course of the school year, OSSE investigated and created plans to administer its PARCC assessments remotely through its online platform, despite known security and administration concerns. OSSE attempted to address these concerns by overhauling its administration and security practices and developing new Test Security Guidelines, Test Security Training Modules, School Test Security Plans, Remote Test Administrator and Remote Test Coordinator Supplements, PARCC Technology Training, and PARCC Test Administrator Training.

In short, OSSE has put forth every possible effort to administer statewide assessments in school year 2020-21 and yet was unable to alleviate our persistent concerns about administration conditions, participation, equity, security, and the quality of data not meeting the standards of excellence that our education community expects and deserves.

District of Columbia Landscape

One of the key contextual reasons we are seeking is this waiver has to do with our unique circumstances and current conditions for our families and in our schools. The District is geographically compact and urban, with a large percentage of the population at high risk and we have seen significant impacts during this public health emergency. Despite best efforts and intentions, given the health guidance reflective of CDC guidelines and the high risk of our communities, the vast majority of students have been learning from home for the past year. Over the past year, OSSE has worked to help LEAs, schools and families, and child development facilities plan effectively for reopening and recovery after closures related to the coronavirus public health

emergency. These are unprecedented times and the focus must be both on health and safety and targeted academic recovery.

As a result of the pandemic, at various points throughout the 2020-21 school year the District revised its plans for the reopening of school buildings. Currently, most students across the city remain in a distance learning instructional status. At the end of Term 2, on January 31, 2021, fully 96% of students were participating in full-time distance learning. The remaining 4% of students were participating in some variation of hybrid instruction. In Term 3 the District began to open for more hybrid instructional opportunities, and preliminary data from the third quarter suggest that schools are starting to offer more hybrid instruction, but even students learning in hybrid postures are frequently receiving in-person instruction only some days of the week. ^{(b) (5) - DDP}

This gradual expansion of in-person learning is happening concurrently with the testing window and therefore, schools are being asked to adjust their plans day by day and week by week, which hinders the ability to plan for statewide assessment administration while still meeting the goal of opening schools and serving more students in person. Despite recent increases in in-person learning, and expected expansion in Term 4, we see that voluntary uptake for students returning to in-person instruction may be inconsistent across our communities, and that the majority of students will learn remotely for the entire 2020-21 school year. In alignment with USED's guidance, students will not be directed to come into school buildings for the sole purpose of testing.

Our students and families have been calling for more in-person learning, and the District has been driving towards this goal, in alignment with the administration's call to reopen our schools. Our families and educators are working together as we start to welcome more students in their transition back into school buildings after a full year at home. At this critical moment in this unprecedented year, limited school and staff time and resources must be prioritized to ensure that students successfully adjust to new routines, and schools are able to maximize instructional time, target interventions and support students to effectively make the most of the remainder of the school year. OSSE believes strongly that implementing the statewide assessment at this critical point of re-entry for students able to return to buildings could inadvertently undermine the advancement of student achievement in this unusual year. Put simply, diverting limited resources to support summative testing will impede our efforts to transition back to in-person learning.

Rationale for Waiver Request

OSSE values the use of comparable student performance data and recognizes how important they are, particularly now, as we know that the pandemic takes a differential toll based on students' race and ethnicity and socioeconomic status. Our statewide assessment systems provide critical information on academic performance across the city. We are committed to working with our stakeholders to be able to provide information that is meaningful and useful in improving programs and supports for all students and schools. No other tool can take the place of statewide summative assessments in providing comparable data on student performance and growth that is accessible to as many students as possible. For that reason, protecting the long-term viability of statewide assessments is a top priority for the District.

However, given the unique circumstances DC is facing this year, we do not believe our summative assessments would yield the reliable and comparable data needed to inform the targeting of resources and supports for students who need it the most. DC's Technical Advisory Committee cautioned against trying to interpret assessment results in the 2020-21 school year in the same

ways as the past, due to the potentially wide variations in testing conditions, and attempting to do so could jeopardize the credibility of our statewide assessment program. Moving forward with statewide assessments under the current conditions would not only lead to inappropriate interpretation of results, which OSSE uses in multiple highly public and practical applications, but would also undermine our stakeholders' confidence in future uses of the results from our statewide assessments.

While statewide testing in the District cannot be conducted with fidelity this spring, OSSE remains committed to supporting the advancement of academic achievement for all our students, and transparently sharing information with schools, LEAs, caregivers, and stakeholders on student learning. As described in the section below, OSSE believes that an alternative path forward this year will better allow us to focus on student achievement while holding schools and LEAs responsible for understanding student learning and directing resources to those students who need it most, as well as respond nimbly and quickly to the changing features of students' academic achievement. In service of this commitment, OSSE plans on collecting and sharing information publicly on student progress on local interim assessments and requiring LEAs and schools to communicate directly with families in a timely manner to discuss student performance. LEAs will also submit plans on how their schools will use their own data this spring to strategically target ESSER funds and to make programmatic and instructional changes. OSSE will use this information to drive our support, technical assistance, and oversight of LEAs and schools. In addition, we have committed to investing in city-wide research using other available data to understand the extent of unfinished learning across the District.

We believe strongly in the power of statewide summative assessments and remain committed to using these data to better understand the academic achievement and progress of our students. We are on track to resume full statewide assessment administration in spring 2022.

Evaluation of Assessment Challenges

Participation and Access

As noted above, at the end of Term 2, 96% of students in the District were in a full-time distance learning posture. The remaining 4% of students participated in some variation of hybrid instruction, meaning they spent fewer than five days per week in the classroom on average. In schools that have a hybrid instructional models, limited seats create challenges for equitable access and participation. For health and safety reasons, and in alignment with the public statement by Secretary Cardona, OSSE is not requiring that schools bring their students into buildings for the sole purpose of administering statewide assessments. Due to the in-person only requirement for many of our assessments, as noted previously, there would be very minimal and non-representative participation that will lead to non-random missingness of students. Due to the challenges related to distance learning, scheduling, and equitable access to technology and space, OSSE expects far less than 95% participation in its remote PARCC assessments as well – based on current attendance trends and even factoring in cautious reopening expected in Term 4, we anticipate no more than 30% participation. Issues of low participation and a lack of representativeness are exacerbated by DC's relatively small overall student population.

As a result of the pandemic, students will not have an equitable opportunity to participate in statewide testing in the 2020-21 school year. Given that the vast majority of students are, and will remain, in a distance learning posture, access to in-person only assessments will be inconsistent. Rates of in-person learning vary by race, ethnicity, disability status, and socioeconomic status.

Students attending schools without hybrid options and students with families who are not comfortable sending students for in-person instruction will not have access to the in-person assessments. Remote testing of our PARCC assessments also presents challenges with respect to equity. To ensure fairness in our assessment administration, students must have access to an environment to focus that is free of distractions or other obligations at home, appropriate technology including a device suitable for testing and a stable connection, and access to appropriate accommodations and test administration support from a trained adult. Access to such an environment varies widely and would likely impact results. Differences in student experiences during remote testing means that standardized administration conditions will be threatened, almost assuring that the testing experience will be inequitable and non-comparable to previous administrations.

Administration Inconsistency & Security

Based on the rate of students attending school in-person versus distance learning, it is projected that a significant percentage of students would test remotely for PARCC in the absence of a waiver. Despite OSSE's efforts to create standard administration and security practices for our remote PARCC assessments, there will be variation across classrooms, schools, and LEAs that cannot be controlled. OSSE has set minimum requirements for security and administration, but schools do have some flexibility in certain areas including the learning management platform, proctoring protocols, messaging platform, etc. Despite security requirements, schools will have less control over what is happening in a non-school remote setting. While OSSE considered third-party proctoring, ultimately concerns with student privacy ruled out this option in favor of school-specific proctoring. With non-standard, non-secure administration, traditional student level interpretations and uses of these assessment data are threatened. We also would anticipate seeing mode effect differences between in-person and remote testers. Given the small student testing population and the high percentage of remote testers, it will be challenging to meaningfully interpret the mode differences.

Interpretation

Given the likelihood of extremely low and not representative participation, and in the absence of uniform test administration conditions, sufficient test security, and very limited in-person instruction, particularly in a small jurisdiction like the District, statewide assessment results would not be valid for their intended uses, reliable, or comparable, and would misrepresent the academic performance of students in the District. As described above, in the District, statewide assessment results are used publicly for decision-making by multiple stakeholders across the city. Moving forward with statewide assessments and reporting this spring could invite irresponsible claims and use of the data, thus undermining stakeholders' confidence in the future use of information from our statewide assessment system. Instead, the District will collect information about the local assessment landscape across LEAs so that those LEAs can make nimble and responsive adjustments to their instruction in a way that the time-intensive and aggregate nature of statewide assessments will not allow this year, especially given the equity and validity concerns previously highlighted

In support of our commitment to using statewide achievement and growth data responsibly, we do not believe we can proceed with the full statewide testing program and associated reporting this spring. In addition, we believe that the critical resources at the end of the year are best used to support instruction and local assessments that can be used for immediate planning purposes.

The one exception to this is ACCESS, which has specific and immediate student-level impacts in a way that other assessments do not because it provides the single annual opportunity for students to exit services. As a result, schools will proceed with ACCESS testing this spring to the extent practicable and based on their individual school opening status. Although we do not know how many students will be able to test in person this year we felt that the benefits to any individual students who do test would warrant its administration. Again, it is worth noting that we expect significant challenges with representativeness in the tested population, but we feel the student-level implications regarding services and exiting, as suggested in the time-to-exit research, warrant this compromise. The testing window has been extended to the end of the school year. Due to the issues identified above, we plan only to report individual student results for the purposes of exiting and allowing schools to understand their immediate programmatic/staffing needs moving forward. We will not produce aggregate results due to the very limited participation and significant interpretation challenges.

Analysis of Flexibilities Provided by the U.S. Department of Education

Administering a shortened version of its statewide assessments

In the 2020-21 school year school year, the District was scheduled to administer a shorter version of its PARCC assessments. The process to refine and make our ELA and math blueprints more efficient took over a year to implement and was not driven by the pandemic. The blueprint adjustment took into careful consideration expectations for coverage of the standards, ability to report comparable results over time, and commitment to maintaining quality. Research studies were conducted to uphold all comparability claims. The revised blueprint reduces overall testing time by up to 3 hours and will be the version used throughout the District moving forward. Additional shortening of the assessment blueprint is neither practically feasible in the remaining time nor technically advisable, given that further reductions would not provide adequate content coverage to support reporting demands or provide results that are comparable.

Given the timing of the proposed flexibility, OSSE would not be able to shorten any of its existing assessments apart from their current blueprint in the 2020-21 school year and maintain its ability to report out results in a timely, detailed, and valid manner, and uphold claims of comparability to prior and possibly future assessment administrations.

Offering remote administration, where feasible

OSSE underwent significant exploration and planning for PARCC remote testing. Concerns with administration consistency, security, participation issues, and equitable access threatened the ability to report results accurately. As noted above, the District's other statewide assessments are not able to be administered remotely, so this solution was only available for our general ELA and mathematics assessments.

Extending the testing window to the greatest extent practicable

For the 2020-21 school year, OSSE removed traditional limitations for LEA/school testing windows. In conversations with LEAs and schools, the length of the testing window, while challenging, did not present the most significant barrier to testing. Per our conversations with LEAs, there will still be a significant number of students in a distance learning posture through the end of the year. In addition, extending the testing window will not solve the issues with remote testing and equitable access. OSSE will be extending the testing window for ACCESS testing through the end of the year

because of its unique use of the results at the *individual* level for exiting services, informing services, and staffing.

While OSSE considered USED's proposed flexibility for fall administration, we are deeply cognizant of the impact that fall testing would have on instructional time, and believe that supports for re-entry, social-emotional wellbeing, and diagnostic and screener assessments that provide immediate data for timely student-level supports and interventions should be prioritized. In the District, many students will be coming back in-person to school buildings for the first time in 18 months. In addition, there still may be a significant portion of students in a distance learning posture. Time spent on diagnostic, screener, and formative tools that occur in the fall will provide schools and LEAs the timely information they need to make real-time instructional decisions. In contrast, results of summative assessments administered in the fall are not likely to be available until late in the calendar year, well after they would be most useful to inform supports at the student level. In this intervening period, educators will lean on the tools at their disposal, which are the local assessments they routinely administer and use to adjust their instruction. Given that a statewide assessment would be further removed from the start of the school year, issues of opportunity to learn may also be intensified if schools wait to tailor their responses to the results of summative assessments. Finally, double testing summative assessments in a single year may limit the valuable in-person instructional time in this recovery year.

U.S. Department of Education Waiver Request Components

A. Identify and describe the Federal programs affected by the requested waiver.

The waiver request will affect Title I, Improving the Academic Achievement of the Disadvantaged, Part A, Improving the Basic Programs Operated by Local Educational Agencies, Subpart I, Basic Program Requirements.

B. Describe which Federal statutory or regulatory requirements are to be waived.

OSSE is seeking a one-year waiver of the following statutory requirements:

- Statewide assessment requirements in Section 1111(b)(2) to administer all required statewide assessments in the 2020-21 school year.
 - Each state must implement a set of high-quality student academic assessments in mathematics, reading or language arts, and science. In the case of mathematics and reading or language arts, these assessments must be administered in each of grades 2 through 8; and at least once in grades 9 through 12. In the case of science, these assessments must be administered not less than one time during grades 3 through 5; grades 6 through 9; and grades 10 through 12.
 - A State may provide for alternate assessments aligned with the challenging State academic standards and alternate academic achievement standards described in paragraph (1)(E) for students with the most significant cognitive disabilities.
- Statewide assessment participation requirements in Section 1111(c)(4)(E) for statewide assessments in the 2020-21 school year, including the requirement to annually measure the

achievement of not less than 95 percent of all students, and 95 percent of all students in each subgroup of students.

C. Describe how the waiving of such requirements will advance student academic achievement.

OSSE is committed to working with LEAs, schools, and the community to advance student academic achievement. We believe in knowing where our students are academically. An accurate picture of performance allows us the ability to target resources, support our partners, and drive programmatic change. Given that statewide testing cannot provide us a valid, reliable, and comparable picture of performance across the District in the 2020-21 school year, OSSE is requesting approval to take a broader portfolio approach to understanding academic performance and using this information to support academic improvement. We believe that waiving statewide assessments will preserve space for critical academic supports while leveraging a suite of other activities, including agency-sponsored and agency-supported professional development offerings, that focus on using timely information to advance student academic achievement in this unusual year.

At the LEA and school levels, waiving statewide assessment administration and reporting in the 2020-21 school year will maximize the limited instructional time for schools to drive academic recovery efforts in response to the impacts of the pandemic. It will also allow more robust supports for the social emotional wellbeing of all students by prioritizing time for school, LEA, and District initiatives aimed to support wellness and mental health, particularly for those re-entering buildings for the first time this spring.

Repurposing the time spent on statewide testing this spring for instruction on remaining or missing standards and on local interim or benchmark assessments will have the *greatest and most immediate impact* on advancing student academic achievement. Students will have the opportunity to access more instruction during this time of need. Our students with disabilities, English learners, English learners with disabilities, and students at risk will have access to additional time for services, interventions, and enrichment.

Schools and LEAs will still use their local interims, benchmarks, or end-of-course (non-state summative) assessments, alongside other key data points about how the pandemic has impacted their students and school communities, to make immediate instructional choices that support academic achievement and student well-being. While non-summative assessments may be subject to some similar administration consistency, security, and fairness challenges that impact statewide assessments, the validity of the interpretations and comparability claims for these assessments differ. Local, non-summative assessments will be targeted for interpretation at the school level and will be used in concert with additional data points such as instructional model, course grades, formative tools, etc. Data from these assessments will be used for the identification of supports for students, evaluation of instruction and curricula, summer planning purposes, identification of professional learning for educators, prioritization of resources, and for longer-term strategic planning for the 2021-22 school year. It is critical that the data we collect be reported and analyzed in a timely manner such that immediate decisions can be made to advance student achievement.

At the state level, OSSE will set high expectations for our LEAs. OSSE will require LEAs to report data and information about student progress based on LEA- and school-level

interim/benchmark assessments. This will include detailed accounting of how the LEA sets goals for these assessments, uses the data from these assessments, and plans to adjust programming and supports based on the results. Furthermore, OSSE will require LEAs to report in a detailed and timely manner to families on the outcomes of the assessments for their students.

OSSE will continue to support LEAs in their understanding of assessment literacy and how to use assessment data to make informed decisions. Using the information collected from locally administered ELA and mathematics assessments, OSSE will convene LEAs to share instructional strategies and best practices that have been successful in advancing student achievement, as well as sharing plans for continued academic recovery and intervention for all students in the 2021-22 school year. In addition, OSSE has worked with its science assessment vendor to develop sample classroom tasks, training modules, and supporting documents that will allow science educators in the District to better understand the performance expectations of the NGSS and our summative science assessments, and to develop their own classroom tasks and assessments aligned to those expectations. OSSE will provide professional learning opportunities to engage educators in understanding and using these new resources to drive improvements in student achievement.

OSSE will also require completion of LEA Continuous Education Plans. These plans are based on OSSE's Guiding Principles for Continuous Education and require LEAs to detail their strategies on a wide range of issues including accelerating learning and learning recovery, sustaining academic interventions in the face of continued hybrid postures, supporting special populations including students with disabilities, English learners, and students experiencing homelessness, supporting the well-being of students and teachers, and family engagement. For each of these strategies, LEAs will also be required to identify whether and how ESSER funding is used to support this work. These plans also include required reporting on administrative matters such as attendance policies and operational status. Upon receipt OSSE will review these reports and provide guidance and feedback to LEAs prior to approval.

Finally, OSSE will use the information collected through the required assessment reporting and the Continuous Education Plans in conjunction with already publicly reported data such as demographics, attendance, and discipline, as well as with new information such as access to technology through the Internet for All Initiative. Taken together, these data will inform our understanding of the state of learning in the District, provide new insight to citywide decision makers, and enable long term research by our newly formed Research Practice Partnership.

We believe that this portfolio approach best balances the needs of the city to maximize instructional time upon a more fulsome return to in person learning while still providing new and valuable information and reporting to inform our programming and supports well into the future.

D. Describe the methods the State educational agency, local education agency, school, or Indian tribe will use to monitor and regularly evaluate the effectiveness of the implementation of the plan.

To fulfill our obligation to advance academic achievement and hold LEAs responsible for student learning, OSSE will:

- Require schools to administer interim or benchmark assessments to all students in spring 2021 in order to monitor student learning and inform instructional planning decisions;
 - Assessments will include ELA, mathematics, science, content assessments for students with significant cognitive disabilities, and English language proficiency for those unable to take ACCESS;
- Require LEAs to submit plans describing the assessments that were administered, changes to instructional or curricular scope and sequence/standards coverage, how they will use those the assessment results at the school level, and how they will use them to inform summer instructional offerings, future academic interventions and instructional delivery;
- Require LEAs to demonstrate how they plan on equitably assessing all students, including but not limited to their students with disabilities, students with the most significant cognitive disabilities, English learners, and English learners with disabilities;
 - LEAs that have schools that are unable to administer ACCESS due to the impact of health guidance on school openings shall indicate in their continuous education plans how they will assess progress in English language acquisition for students who are English learners including English learners with disabilities;
- Require LEAs to report to OSSE summary school-level data on their local spring 2021 assessments;
 - LEAs will share school-level data by grade, subject, assessment, and student group, and include data points on participation rate and percentage of students meeting or exceeding assessment-specific goals.
- Require LEAs to report to OSSE information about the academic interventions they are using to support student learning (e.g., extended school year, high-dosage tutoring, extended summer sessions, etc.);
- Continue to administer its English language proficiency assessments with an extended test window through the end of the 2020-21 school year;

To fulfill our commitment to providing transparent information on student achievement. OSSE will:

- Publish LEA summary level data on their local spring 2021 assessments.
- Continue to collect and publish key data points including attendance/chronic absenteeism, discipline rates, teacher and school leader metrics, and graduation rates.
- Publish reporting from LEAs on participation in distance and in-person learning;
- Publish reporting from LEAs on their approach to support safely reopening and supporting school infrastructure;
- Require schools and LEAs to communicate with every family on their student's learning status as informed by the school/LEA level assessments;
- Invest in citywide research that can be made public to transparently understand the extent of our students' unfinished learning.

To fulfill our commitment to advancing student academic achievement at the state level OSSE will:

- Evaluate information collected from LEA plans and data to target state-provided supports including new investments funded by local and federal relief funds
- Evaluate information collected from LEA plans and data to determine state-provided technical assistance for LEAs, including TA for addressing the needs of students most at risk, including English learners and students with disabilities
- Evaluate information collected from LEA plans to contribute to ongoing statewide monitoring activities

E. Describe how schools will continue to provide assistance to the same populations served by programs for which waivers are requested and, if the waiver relates to the provisions of subsections (b) or (h) of section 1111, describe how the State educational agency, local educational agency, school, or Indian tribe will maintain or improve transparency in reporting to parents and the public on student achievement and school performance, including the achievement of the subgroups of students identified in section 1111(b)(2)(B)(xi).

As a part of this waiver, LEAs will need to demonstrate how their spring assessments will be accessible for all groups of students, including but not limited to students with disabilities, students with the most significant cognitive disabilities, English learners, English learners with disabilities, and students at risk. Local assessments must include measures of English proficiency and academic content measures for students with significant cognitive disabilities. In addition, schools will be required to communicate with every family on their student's learning status, as informed by the locally administered spring assessment(s).

OSSE will be collecting local assessment results and investing in citywide research that can be made public to transparently understand the extent of our students' unfinished learning.

Additionally, the District has already shared additional information related to remote attendance and technology access initiatives to address the digital divide that existed at the start of the pandemic. OSSE will continue to engage with LEAs and community stakeholders to further outline the information that is new, different, or consistent with previously reported report card data that can be published on our public facing site.

F. Public comment. Include only information directly related to the waiver request.

Section 8401(b)(3)(A) requires OSSE to: (1) provide the public and any interested local education agency in the State with notice and a reasonable opportunity to comment and provide input on the request to the extent that the request impacts the local educational agency; (2) submit the comment and input to the Secretary, with a description of how the State addressed the comments and input; and (3) provide notice and a reasonable time to comment to the public and local educational agencies in the manner in which the applying agency customarily provides similar notice and opportunity to comment to the public.

Public comments on this waiver are accepted between March 19, 2021 and April 2, 2021. All comments should be sent to OSSE.Assessment@dc.gov.

Conclusion

The District has demonstrated its commitment to using statewide assessment data to drive student academic achievement for historically underserved groups of students. The uncertainty and challenges of the pandemic combine with the particular features of the District (i.e., the overwhelming majority of students learning remotely, small size, and the high-profile public applications of testing data) to challenge significantly the District's ability to obtain accurate and equitable results this year to target resources to students who need them most. OSSE will collect information from LEAs about their local assessments, their goals, their progress toward those goals, and the particular instructional interventions they are employing. This information will protect valuable instructional time for educators as they support students returning from nearly 18 months

of remote learning and will allow educators to adjust their interventions to students' immediate needs while also maintaining and improving transparency in how they are serving students.

Please contact Shana Young, State Superintendent by email at OSSE.Superintendent@dc.gov; Danielle Branson, Director of Assessments, by email at Danielle.Branson@dc.gov; or Donna Johnson, Director of Accountability, by email at DonnaR.Johnson@dc.gov if you have any questions regarding this request. Thank you for your consideration.

Sincerely,

Shana Young
Interim State Superintendent
District of Columbia
Office of the State Superintendent of Education

Enclosures

cc' Sara Meyers, Deputy Superintendent
Evan Kramer, Interim Assistant Superintendent
Danielle Branson, Director of Assessments
Donna Johnson, Director of Accountability