



## UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

April 21, 2021

The Honorable Shana Young  
State Superintendent of Education  
Office of the State Superintendent of Education  
1050 First Street, N.E., Third Floor  
Washington, DC 20002

Dear Superintendent Young:

I am writing in response to the Office of the State Superintendent of Education (OSSE) request on April 6, 2021, that the U.S. Department of Education (Department) waive the accountability, school identification, and related reporting requirements for the 2020-2021 school year, pursuant to the authority in section 8401 of the Elementary and Secondary Education Act of 1965 (ESEA). Specifically, OSSE requested a waiver of:

- Accountability and school identification requirements in sections 1111(c)(4) and 1111(d)(2)(C)-(D): the requirements that a State measure progress toward long-term goals and measurements of interim progress; meaningfully differentiate, on an annual basis, all public schools, including by adjusting the Academic Achievement indicator based on a participation rate below 95 percent; and identify schools for comprehensive, targeted, and additional targeted support and improvement based on data from the 2020-2021 school year.
- Report card provisions related to accountability in section 1111(h) based on data from the 2020-2021 school year. These include:
  - Section 1111(h)(1)(C)(i)(I)-(IV) and (VI) (Accountability system description, other than the list of comprehensive, targeted, and additional targeted support and improvement schools).
  - Section 1111(h)(1)(C)(iii)(I) (Other Academic indicator results for schools that are not high schools).
  - Section 1111(h)(1)(C)(v) (School Quality or Student Success indicator results).
  - Section 1111(h)(1)(C)(vi) (Progress toward meeting long-term goals and measurements of interim progress).
  - Section 1111(h)(2)(C) with respect, at the local educational agency (LEA) and school levels, to all waived requirements in section 1111(h)(1)(C).

After reviewing OSSE's request, I am pleased to approve a waiver of the requirements listed above. The intent of these accountability waivers is to focus on providing information to parents, educators, and the public about student performance and to help target resources and supports. This is particularly crucial this year, due to the COVID pandemic.

400 MARYLAND AVE., SW, WASHINGTON, DC 20202  
<http://www.ed.gov/>

*The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.*

As part of this waiver, OSSE assured that:

- The State will make publicly available chronic absenteeism data, either as defined in the State’s School Quality or Student Success indicator, if applicable, or *EDFacts*, disaggregated to the extent such data are available by the subgroups in ESEA section 1111(c)(2), on State and local report cards (or in another publicly available location).
- The State will make publicly available data on student and/or teacher access to technology devices and high-speed internet, disaggregated by the subgroups in ESEA section 1111(c)(2), to the extent such data are collected at the State or LEA level.
- Any school that is identified for comprehensive, targeted, or additional targeted support and improvement in the 2019-2020 school year (i.e., any school that was in that status as of the 2019-2020 school year), except for comprehensive support and improvement schools identified based on low graduation rates that meet the State’s exit criteria, will maintain that identification status in the 2021-2022 school year, implement its support and improvement plan, and receive appropriate supports and interventions.
- The State will identify comprehensive, targeted, and additional targeted support and improvement schools using data from the 2021-2022 school year in the fall of 2022 to ensure school identification resumes as quickly as possible.

Finally, it remains vitally important that parents, educators, and the public have access to data on student learning and success. Due to the waiver the Department previously granted to OSSE on April 6, 2021, OSSE will not be administering its statewide assessments this year. We know that the SEA and your school districts will use other assessments to measure student learning and progress and to provide information to parents and educators. These data do not replace statewide summative assessments, but they can serve to provide valuable information to meet our goal of maximizing the number of students for whom we have quality data this year. As always, assessment data should also be viewed alongside other important measures of student outcomes and opportunity to learn data to provide a more complete perspective on resources, support, and student success.

I continue to thank you for the work you are doing to help support the social, emotional, and academic needs of your State’s students in this difficult time. If you have any questions about this waiver, please contact my staff at [OESE.TitleI-a@ed.gov](mailto:OESE.TitleI-a@ed.gov).

Sincerely,

/s/

Ian Rosenblum  
Deputy Assistant Secretary for Policy and Programs  
Delegated the Authority to Perform the  
Functions and Duties of the Assistant Secretary

cc: Danielle Branson, Office of State Superintendent of Education