

PUBLIC NOTICE

Submission to the United States Department of Education of Adjustments to Performance Indicators and Application for Waiver of State Education Agency Requirements under the Elementary and Secondary Education Act

In March 2020, responding to the impact of the novel coronavirus (“COVID-19”) pandemic on schools across the nation, the US Department of Education (USED) granted states waivers for the 2019-20 school year from annual assessment and accountability duties required by the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESSA).

The absence of most 2019-20 assessment data affects states’ ability in 2020-21 to produce some performance measures by which schools and school districts are held accountable and to identify schools in need of support and improvement using the methods the states spelled out in their ESSA state plans. As a result, the USED has extended to states an opportunity to temporarily amend their state plans by filing a COVID-19 State Plan Addendum, and it has expedited the process by providing a template for states to complete.

The Wisconsin Department of Public Instruction (WDPI) intends to submit a state plan addendum to the USED. The WDPI will also submit a waiver request for an additional adjustment to our accountability system. This additional request recognizes the inability of the state to identify targeted support and improvement schools as the data set is not available to complete this calculation.

Summary of State Plan Addendum

Through its state plan addendum, the WDPI proposes to do the following:

- Shift forward by one year the timelines for achieving long term goals and measuring interim progress in all three areas of academic achievement, graduation rate, and progress toward English Language Proficiency.
- Revise our Academic Achievement indicator to use up to two years of data from the Spring 2019 and Spring 2021 assessments, rather than up to three consecutive years of data from 2019 through 2021.
- Forgo calculating the Growth indicator that serves as the other academic indicator for schools that are not high schools, given that the growth indicator is dependent on consecutive years of data.
- Forgo calculating Chronic Absenteeism as the indicator of School Quality or Student Success for all schools, given that 2019-2020 attendance data is not a valid and reliable measure of Chronic Absenteeism.
- Forgo the annual differentiation of schools in Fall 2021 and calculating and reporting school summary scores, upon which that differentiation would be based, in 2020-21, since not having indicators for Chronic Absenteeism and Growth in 2020-21 means that we will be unable to meet the ESSA’s requirement to use all of our accountability indicators when differentiating schools.
- Forgo differentiating schools using an alternative accountability process in Fall 2021 since during the pandemic schools have not been required to perform the district-supervised evaluation necessary for this process.
- Shift forward by one year the timetable for identifying schools for comprehensive support and improvement and additional targeted support and improvement, as follows:

- The identification of comprehensive support and improvement schools by reason of low performance or low graduation that was to take place in 2021-22 will instead take place in 2022-2023.
- The identification of comprehensive support and improvement schools by reason of not exiting from additional targeted support and improvement status that was to take place in 2024-25 will instead take place in 2025-26.
- The identification of additional comprehensive support and improvement schools that was to take place in 2021-22 will instead take place in 2022-23.
- Exclude 2019-20 from counting toward the number of years by which a school must meet the state's exit criteria in order to leave either comprehensive support and improvement status or additional targeted support and improvement status.

The State Educational Agency (SEA) is inviting the public and interested LEAs to comment in the manner provided below.

Summary of Waiver Request

A problem that cannot be resolved via the state plan addendum is the lack of sufficient data to identify in Fall 2021 schools for targeted support and improvement (TSI). TSI identifications based on one or more subgroups in a school consistently underperforming is required annually by Section 1111 (d)(2) of the ESSA. With no assessment data from 2019-20 or summary report card scores for 2020-21 under the terms of the Wisconsin state plan addendum, it will be impossible to make up-to-date identifications. The WDPI has already carried over TSI school identifications for a year, from 2019-20 into 2020-21, following the suspension of 2019-20 assessments and does not find it would be useful to school improvement efforts to carry over those identifications into a third year.

For these reasons, the WDPI is requesting that for the 2021-22 school year, the requirement under Section 1111 (d)(2) requirement to make annual TSI identifications be waived. No schools would be identified as TSI schools in 2021-22.

As required under ESEA section 8401(b)(3)(A), the SEA must provide the public and interested LEAs notice and a reasonable opportunity to comment in the manner in which the SEA customarily provides similar notice and opportunity to comment to the public.

Further Information and Location for Providing Written Comments

The Department's state plan addendum and application for waiver authority is available to review at <https://dpi.wi.gov/esea/esea-and-covid-19>.

Public comment on the application described above may be submitted by using the Department's form for submitting comment at <https://forms.gle/CXttng8SgzdaKBqG6>. Questions or additional comment may be accepted by using the contact information below. Written comments should be submitted no later than noon on Friday, December 11, 2020, in order to receive consideration.

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