

PUBLIC NOTICE

Submission to the United States Department of Education Application for Waiver of State Education Agency Requirements under the Elementary and Secondary Education Act (ESEA)

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).

In the 2019-20 school year, the Department of Public Instruction (DPI) was able to complete the ACCESS for ELLs (English learners) prior to school closures. Due to the ongoing COVID-19 pandemic, however, DPI is seeking additional flexibility for the 2020-21 school year under ESEA section 1111(d)(2)(A). While school districts would still be required to offer testing for those parents who want it, the purpose of this waiver is to provide flexibility around testing and accountability requirements.

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

Summary of Waiver Request

COVID-19 has made it challenging for districts to test all English learners. Parents have expressed a desire to school districts, the state education agency, and others to keep children home due to health concerns. In order to accommodate parental choice surrounding testing, DPI is requesting a waiver from ESEA provisions requiring a test of all English Learners for the 2020-21 school year.

DPI is also requesting a waiver from using the Progress in Achieving English Language Proficiency Indicator in Wisconsin’s ESSA accountability system for the 2020-21 school year. Wisconsin uses ACCESS scores to measure student progress in achieving English language proficiency. ACCESS records from 2020-21 will be incomplete and Wisconsin will not have the requisite data to calculate this indicator.

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

Public comment on the application described above may be submitted by using the Department’s form for submitting comment at <https://forms.gle/9c4pccWCoz6arZA99>. Questions or additional comment may be accepted by using the contact information below. Written comments should be submitted no later than noon on Friday, January 29, 2020, in order to receive consideration.

Agency Contact Person

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