



#081-21

Commonwealth of Virginia
Virginia Department of Education
Superintendent's Memo #081-21

DATE: March 26, 2021
TO: Division Superintendents
FROM: James F. Lane, Ed.D., Superintendent of Public Instruction
SUBJECT: **Opportunity to Comment on a Proposed Waiver to Virginia's Every Student Succeeds Act of 2015 (ESSA) State Plan**

Due to the continued implications of COVID-19, many states will have difficulty implementing the federal accountability provisions outlined in their Consolidated State Plans under the Every Student Succeeds Act (ESSA) in the 2020-2021 school year.

In recognition of the continued impact of the COVID-19 pandemic, the United States Department of Education (USED) has released information on new waiver opportunities for accountability and reporting requirements. The newly released waivers are slightly different from those included in the previously proposed Addendum and Waiver brought to the Virginia Board of Education for first review during the January 27, 2021, meeting and subsequently released for public comment.

The Virginia Department of Education is seeking input to these newly proposed waivers as a result of USED's approved waiver process for the 2020-2021 school year. A summary of the proposed waiver opportunities and requirements is provided below.

- Waiver to the requirement that states identify additional schools for Comprehensive Support and Improvement (CSI), Targeted Support and Improvement (TSI), and Additional Targeted Support and Improvement (ATSI) based on 2020-2021 data.
- Waiver to the requirement that states measure a school's progress toward the Measures of Interim Progress and Long Term Goals based on 2020-2021 data.

- Waiver to the requirement that pass rates used for ESSA pass rates are based on a denominator that represents at least 95% of enrolled students.
- States approved for these waivers must assure USED that:
 - Federal identifications of CSI, TSI, and ATSI schools will be maintained from the 2019-2020 school year and that these schools will receive appropriate supports and interventions as a result.
 - Identification of CSI, TSI, and ATSI schools will resume in fall 2022 using data from the 2021-2022 school year.
- A waiver to the reporting requirements for growth, accreditation ratings, and progress toward Measures of Interim Progress and Long-Term Goals.
- States approved for these waivers must assure USED that:
 - Reports that disaggregate 2020-2021 school year data associated with assessment results, student participation on assessments, chronic absenteeism, federal graduation cohort rate, and progress of ELs toward English language attainment measured by the ACCESS for ELs® test will be made publicly available.
 - To the extent the state or school district already collects such information, reports on student and educator access to technology devices like laptops or tablets and high-speed internet at home will be made publicly available.

The Virginia Department of Education welcomes comments on these proposed waivers. Comments may be submitted electronically by Wednesday, April 21, 2021, to Accountability@doe.virginia.gov.

For more information

Questions regarding Virginia's ESSA Consolidated State Plan may also be submitted to Accountability@doe.virginia.gov.

JFL/JAM/as