UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

March 27, 2020

The Honorable Pedro Rivera
Secretary of Education
Pennsylvania Department of Education
333 Market Street, Tenth Floor
Harrisburg, PA 17126-0333

Dear Secretary Rivera:

I am writing in response to Pennsylvania's request on March 20, 2020 that the U.S. Department of Education (Department) waive statewide assessment, accountability and reporting requirements in the Elementary and Secondary Education Act (ESEA) for the 2019-2020 school year due to widespread school closures related to the novel Coronavirus disease (COVID-19).

Specifically, Pennsylvania requested a waiver of the following:

- Assessment requirements in section 1111(b)(2) for the school year 2019-2020.
- Accountability and school identification requirements in sections 1111(c)(4) and 1111(d)(2)(C)-(D) that are based on data from the 2019-2020 school year.
- Report card provisions related to assessments and accountability in section 1111(h) based on data from the 2019-2020 school year. These include:
    - Section 1111(h)(1)(C)(i) (accountability system description);
    - Section 1111(h)(1)(C)(ii) (assessment results);
    - Section 1111(h)(1)(C)(iii)(I) (other academic indicator results);
    - Section 1111(h)(1)(C)(iv) (English language proficiency results);
    - 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)(1)(C)(vii) (percentage of students assessed and not assessed);
    - Section 1111(h)(1)(C)(xi) (number and percentage of students with the most significant cognitive disabilities taking an alternate assessment); and
    - Section 1111(h)(2)(C) with respect to all waived requirements in section 1111(h)(1)(C) as well as 1111(h)(2)(C)(i)-(ii) (information showing how students in an LEA and each school, respectively, achieved on the academic assessments compared to students in the State and LEA).

After reviewing Pennsylvania's request, I am pleased to approve, pursuant to my authority under section 8401(b) of the ESEA, a waiver of the assessment, accountability and reporting requirements listed above for the 2019-2020 school year.

As part of this waiver, Pennsylvania assures that:

- Any school that is identified for comprehensive or targeted support and improvement or additional targeted support and improvement in the 2019-2020 school year will maintain that identification status in the 2020-2021 school year and continue to receive supports and interventions consistent with the school's support and improvement plan in the 2020-2021 school year.
- The State educational agency will provide the public and all LEAs in the State with notice of and the opportunity to comment on this request (*e.g.*, by posting information regarding the waiver request and the process for commenting, on the State website).

I know that you are doing all in your power to support your districts and schools to ensure the health and well-being of students and educators. Thank you for your dedication to this effort. If you have any questions about this waiver, please contact my staff at OESE.Titlei-a@ed.gov

Sincerely,

Frank T. Brogan
Assistant Secretary
for Elementary and Secondary Education