



JOY HOFMEISTER
STATE SUPERINTENDENT *of* PUBLIC INSTRUCTION
OKLAHOMA STATE DEPARTMENT *of* EDUCATION

March 26, 2021

VIA E-MAIL ONLY

The Honorable Ian Rosenblum
Deputy Assistant Secretary for Policy and Programs
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202
Ian.Rosenblum@ed.gov

Re: Oklahoma – Request for Waivers

Dear Deputy Assistant Secretary Rosenblum,

I am writing to request a waiver, pursuant to section 8401 of the Elementary and Secondary Education Act of 1965 (ESEA), of the following requirements as a result of ongoing challenges related to the novel Coronavirus Disease 2019 (COVID-19):

1. Accountability and school identification requirements in ESEA 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
2. Report card provisions related to accountability in ESEA 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).

Consistent with the requirements of ESEA section 8401(b)(1)(C), the Oklahoma State Department of Education (OSDE) submits that the waiving of such requirements will advance student academic achievement. Further, OSDE states:

While the state of Oklahoma is requesting a waiver from the accountability requirements above, the Oklahoma State Department of Education (OSDE) is continuing to make all summative ESSA assessments available to schools this spring and has asked schools to test to the greatest extent practicable. To support local needs, the OSDE is extending testing window to maximize flexibility in test administration. We believe that it is critical to obtain as much assessment information as possible and to get these data back into the hands of stakeholders, communities, and parents.

To support this, the OSDE hosts a parent portal where families and communities can obtain information about how students are performing. Further, the state will leverage all available data to determine where students are in an effort to drive acceleration efforts to support students and advance student achievement to help children meet grade level expectations.

Oklahoma schools will also continue to receive support for acceleration and renewal support and services through existing and recently expanded statewide programs aligned to state and federal funding. This includes the state tele-education network, TeleEDGE, which is a virtual collaborative space focused on rural schools and districts that can address common challenges by sharing promising and proven practices in operations, teaching, and learning. In addition, the state is providing additional support and guidance using OSDE's curriculum frameworks, which will help guide districts and schools through an instructional framework that promotes student engagement with content and grade-level academic standards.

Consistent with the requirements of ESEA section 8401(b)(1)(F), in order to maintain or improve transparency in reporting to parents and the public on student achievement and school performance in school year 2020-2021, including the achievement of subgroups of students, I assure that:

1. 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 ED Facts, 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)
2. 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.

Additionally, the OSDE will continue to collect data associated with the state's accountability system, where appropriate. This includes data on graduation rates,

postsecondary opportunity indicators, regular attendance, chronic absenteeism, and student performance data on summative assessments, including assessments for English learners and for students with the most severe cognitive disabilities.

In addition to the ongoing data collection to support the public's understanding of school quality, the OSDE will continue to collect student data on opportunity to learn based on existing data collection efforts. This includes information on mode of learning (e.g., in-person, fully remote, hybrid) and educator quality (e.g., teacher experience, teacher diversity, teacher certification, certification types, teacher in-field credentials, and teacher licensure levels). To the extent possible, all data will be disaggregated by subgroup while protecting personally identifiable information.

Consistent with the requirements of ESEA section 8401(b)(1)(F), in order to ensure that schools will continue to provide assistance to the same populations served by Title I, Part A (e.g., subgroups in section 1111(c)(2)), I assure that:

1. 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.

In further response, any school that is identified for comprehensive, targeted, or additional targeted support and improvement will continue to be supported with appropriate resources, interventions, and funding.

CSI schools will continue to be supported by teams with representation from the agency's departments of school support, special education, EL/Title III, finance, federal programs, educator effectiveness, family/ community engagement and instruction/ curriculum to support struggling schools and build leadership capacity, which focuses on moving beyond compliance and shifting toward capacity-building and coaching for academic success. CSI schools will continue to be supported with evidence-based strategies, where the OSDE will provide technical assistance to LEAs and schools as described in the state's consolidated state plan.

Furthermore, Additional Targeted Support and Improvement (ATSI) schools will continue to receive support from a school support team that will assess the needs of the ATSI schools by subgroup and provide resources and professional development according to those needs. Support for ATSI designated schools will be dependent upon funding and the capacity of the school support team. ATSI leadership teams will use the Nine Essential Elements needs assessment and root cause analysis similar to CSI schools as practicable.

2. 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.

Consistent with the requirements of ESEA section 8401(b)(3)(A), prior to submitting this waiver, the State provided interested LEAs and the public with notice and a reasonable opportunity to

comment and provide input on this waiver request and considered the feedback and input in finalizing this request. The comments and input received, as well as the State's description of how it addressed the comments and input, are enclosed with this request.

Thank you for your consideration and should you have any questions, please do not hesitate to contact me.

Sincerely,

Joy Hofmeister
State Superintendent of Public Instruction
Chairperson of the Oklahoma State Board of Education