



Washington Office of Superintendent of
PUBLIC INSTRUCTION

*Washington's Statewide
Assessment and
Accountability 2020–21
Strategic Waiver*

WASHINGTON'S STATEWIDE ASSESSMENT AND ACCOUNTABILITY 2020–21 STRATEGIC WAIVER

2021

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Superintendent of Public Instruction

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The Honorable Ian Rosenblum, Deputy Assistant Secretary
Office of Elementary and Secondary Education
U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202

Dear Deputy Assistant Secretary Rosenblum:

I am writing to request a strategic waiver for the state of Washington, pursuant to section 8401(b) of the Elementary and Secondary Education Act of 1965 (ESEA), as amended, of requirements, which are detailed in this document. Stakeholders (e.g., district leaders, educators, community-based organizations, legislators, and families) were consulted throughout the development of this waiver, and Washington has aligned this waiver request with our strategic plans and legislative requirements, all designed to further the improvement of public education and its outcomes, through support and effective instruction for all of our public-school students, ages 3–21.

Washingtonians, including youth and children, are still reeling from the COVID-19 pandemic which has swept through the state over the last 12 months, impacting in-person instruction and data collection for 2019–20 and 2020–21. The need for continued closure of school facilities in many school districts, necessitating a continuation of remote instruction, has disproportionately impacted some students, families, and communities, due to their location, access to reliable internet and technology, and personal and instructional needs. Our statewide plan, with its focus on equity, prioritizes the learning needs of students furthest from educational justice which requires an examination of which students engaged the least during the pandemic, and consideration of how to meaningfully accelerate learning as school buildings continue reopening for in-person instruction. This includes students with disabilities, English learners, students experiencing homelessness, students experiencing poverty, students of color, and other students facing opportunity gaps identified in the district- and school-level data.

While we are in the process of transitioning back to in-person services statewide, we continue to meet with stakeholders to plan for learning recovery and social-emotional needs of our students, prioritizing those that support the students who were disproportionately impacted. At the same time, districts are creating legislatively required plans, due to OSPI by June 1, which detail activities to address the needs of students. These activities are anticipated to address students' learning needs and include the provision of mental health services and supports, planning and implementing summer learning and supplemental afterschool and tutoring programs. Plans address how the district will continue to administer high-quality locally determined assessments to assess academic progress, implement evidence-based activities to meet the comprehensive needs of students, provide information and assistance to families on how to effectively support students, and improving student attendance and engagement in remote learning.

Washington state has a long history of statewide assessments, as well as a demonstrated willingness by many families to consider opting their children out of the assessment for various reasons. This waiver request includes our plan to transition from a broad educational assessment to a rigorous census of students, which I assert will meet the same objectives while minimizing the disruption that assessment would have during these difficult times. The efficacy of a broad-based assessment is risky given our state's history of opt-out and our methodology proposed in this request will more accurately determine impacts to student groups. It allows us to collect state data on the effectiveness of our system, while maintaining a

strong focus on instruction and formative assessments, thereby allowing teachers to do what they do best: teach.

Thank you for the consideration of this request.

Sincerely,

A handwritten signature in blue ink that reads "Chris P.S. Reykdal". The signature is written in a cursive style with a large initial 'C' and a stylized 'S' at the end.

Chris Reykdal
Superintendent of
Public Instruction

BACKGROUND

Washington's Superintendent of Public Instruction is seeking a waiver of previously approved state assessment requirements from the United States Department of Education (ED) for the 2020–21 and 2021–22 school years due to the COVID-19 pandemic and its ongoing and long-term impact on Washington's public schools students and families. As most students received remote instruction for a portion of the 2020–21 school year (with many still in remote learning), the Office of Superintendent of Public Instruction (OSPI) and local districts are unable to guarantee the conditions for validly-interpreted and reliable summative assessments for all students during the COVID-19 pandemic, in a safe environment. This multi-prong waiver proposal uses the flexibility of the 95% participation rate noted in the ED letter to assess a representative sample of student groups. As noted in multiple research briefs, including a [memo](#) from Harvard's Graduate School of Education Andrew Ho, "states should view their spring efforts as an educational census rather than an educational assessment" (2021). OSPI proposes that a sample of approximately 50,000 Washington students be assessed in English language arts (ELA), mathematics, and science in the spring of 2021. The use of a sampling methodology for the statewide assessments will achieve three specific goals:

1. Reducing the total number of students assessed will provide a more targeted approach to advancing educational equity by gaining valid and reliable data on student groups impacted by the disruption of COVID-19.
2. Allowing our state to position statewide assessments and accountability more appropriately in a framework that includes classroom, school, and district-based assessment systems.
3. Adapting our overall approach and footprint of our statewide assessment will free up resources, time, and supports to target and maintain our immediate focus on supporting students' social, emotional, and academic development.

In addition, the Legislature and OSPI will require that districts use a combination of locally determined assessments, student self-assessments, and communication with families to inform practices to impact student learning. This includes the following:

- Completion and approval of the required March 1 Reopening Schools Progress Report by all districts as required by newly passed legislation House Bill (HB) 1368 (2021). This required school districts to submit a plan for reopening school buildings for in-person learning using the current Washington State Department of Health framework.
- Completion of the Academic and Student Well-Being Recovery Plan to OSPI by June 1. This was also a requirement of HB 1368, and requires district to submit plans for addressing learning and well-being recovery for students over the summer and beyond. This will include a complete description of grade-level assessments and diagnostic tools used by each district.
- Administration of the COVID-19 Student Survey to students in grades 6–12. Topics on the survey include remote learning experiences, mental and physical health, COVID-19 precautions, and social supports during the pandemic.
- Administration of the English Language Proficiency Assessment (ELPA21) and the WIDA Alternate Access for English learners continues and will be administered by districts during an extended 19-week window beginning March 22, 2021.

Commitment to Equity

Last spring, the Washington OSPI made commitments to students, schools, and communities in these four areas:

1. Support Students Furthest from Educational Justice
2. Protect Health and Safety
3. Provide Access to Connectivity and Hardware
4. Leverage Local Expertise and Provide Training

Washington is firmly positioned in the understanding that we must continue to promote equity and access for all students by directing supports where they are most needed. The action that accompanies this belief is to adjust how we operationalize our commitment to equity by focusing on civil rights obligations, differences in student access to the resources that are needed to provide an adequate opportunity to learn, and to strengthen self-efficacy/beliefs and belonging indicators. In this strategic waiver we prioritize historically underserved youth including English learners (ELs) and Dual Identified students who also receive special education services. Supreme Court decisions affirm all public schools must take steps to ensure that ELs meaningfully participate in educational programs. By requiring all state-identified language learners take the ELPA21 and/or WIDA Alternate ACCESS, and extending the assessment window, districts and families will have access to data supporting their meaningful participation in educational programs, access to core content instruction and exit the Bilingual program in a timely manner.

These commitments are stronger now than ever before. To adhere to this commitment, OSPI has made clear that districts, schools, and classrooms must create the conditions for students to be safe, to build relationships, and to set high and rigorous goals not only for learning, but for their path beyond their K–12 experience. To achieve this, educators must optimize opportunities for student learning through high quality, engaging, and rigorous instruction informed by formative assessments for learning. In this document, Washington state OSPI outlines our commitment to equity and our plan to support student learning by prioritizing instructional time, assessing a representative sample of students across the state, and through the use of locally determined and impactful classroom-based authentic, productive assessments, including the Student Survey. Many districts will choose to use assessments such as the mathematics and ELA interim assessments that are currently available statewide.

Summary of Request

Addressing student learning needs requires a prioritization of targeted, effective, and engaging instruction, led by educators informed by current student-level data. Our current reality, in which some students receive in-person instruction in a school facility, while others continue with remote instruction, does not permit the historical administration of statewide assessments to at least 95% of our student population, nor do we think we should implement previous assessment plans. We will use this opportunity to modify our assessment plan. While additional information is provided later in this application (see Table 1), in summary, our plan for 2020–21 includes:

- Prioritizing support to districts to implement locally determined English language arts (ELA), mathematics, and science assessments for all students to collect student-level data and report

annually to families and communities about student learning.

- Administering the Smarter Balanced assessments, Washington Comprehensive Assessment of Science (WCAS) and the Washington Access to Instruction and Measurement (WA-AIM) to a representative sample of students to get meaningful statewide results in ELA, mathematics, and science. The tests would be administered to 3rd and 7th graders in ELA, 5th and 10th graders in mathematics, and 8th graders in science, and include students in all federal and state required student groups.
- The methodology will be a stratified, two-stage cluster sampling plan, developed in collaboration with the University of Washington. It involves stratifying districts by their educational service district (ESD), randomly sampling districts in each ESD (stage 1), and then randomly selecting schools within selected districts (stage 2). All students in that grade level within selected schools would be assessed on the appropriate grade-specific subject test. Approximately 10,000 students in each of the five grades would be expected to test, for a total of approximately 50,000 students assessed.
- The analysis, combined with other measures, will help the state determine the educational impact of the pandemic on specific student groups.
- Reporting the percentage of students who were assessed and not assessed, based on the sample.
- Continuing to provide districts with test administration resources and require:
 - In-person testing for the English Language Proficiency Assessment (ELPA21) and alternate assessment for English Learners (EL),
 - The timely completion of the Individuals with Disabilities Education Act (IDEA) individual diagnostic evaluation and re-evaluation requirements, and
 - Participation in the statewide assessment if selected as part of the sample.
- Implementing a student survey that collects information regarding access to educational resources, opportunity to learn, and self-efficacy/beliefs, results of which will help inform instructional and support practices and contextualize assessment data.
- Continuing to implement the Washington ESSA Consolidated Plan for the 2021–22 year in the following areas:
 - Completing and reporting graduation rate and School Quality or Student Success (SQSS) Indicator calculations for:
 - 9th grade on track
 - Advanced course-taking (dual credit)
 - Chronic absenteeism
- Administering the English Language Proficiency Assessment (ELPA21) and WIDA Alternate ACCESS for ELL and report EL progress.
- Waiving the Washington ESSA Consolidated Plan requirements for the 2021–22 year in the following areas:
 - Completing and reporting on student academic growth as measured by Student Growth Percentiles (SGPs) for elementary and middle schools.
 - Reporting the:
 - Number and percentage of students with most significant cognitive disabilities taking an alternate assessment (students with significant cognitive disabilities will be included in the representative sample for testing and Washington will provide data on participation and representation within the larger sample for students taking the alternate assessment), and

- Interim progress toward meeting goals on proficiency on annual assessments.

Unprecedented Challenges in 2020–21

As Washington students returned to instruction, almost all of which was remote learning, this fall, the focus was, and continues to be, in the tending to student immediate needs: physical, social-emotional, and academic. We know that in our communities, many students and families have experienced trauma related to the extended impact of the COVID-19 pandemic. Every student demographic has experienced the impact of the pandemic, but it continues to disproportionately impact students with disabilities, English learners, students experiencing homelessness, students experiencing poverty, students of color, and other students facing opportunity gaps identified in the data.

Educators prioritize face-to-face services for students. Wherever possible, districts are serving students in school buildings by working in partnership with the local health authority and by adhering to rigorous health and safety protocols. As the pandemic continues past the first year, a majority of Washington's students continue to be served through continuous remote learning. All school buildings were closed March through June 2020, and schools served students through remote instruction. This fall as the pandemic continued, school facility closures persisted in many areas throughout the state. In December 2020, fewer than 15% of Washington state's students were served physically in school buildings. School systems are prioritizing in-person instruction for youngest learners and for learners furthest from educational justice. Those schools that have started to provide in-person instruction, typically through hybrid approaches where students are in-person for a portion of the week and continuing remote learning the rest of the week, have generally done so with students in grades PreK–2, with plans to continue increasing in-person instruction for students in higher grades.

Through OSPI's partnerships with Washington State Department of Health (DOH), local health authorities, and Governor Inslee, parameters have been established to determine when it is safe for a school district to serve students in person. OSPI is collecting weekly data from school districts, and as of February 15, 2021, around 30% of students are experiencing some in-person learning. As of March 2021, 60% of our schools in Washington state have at least one grade back in person. Regardless of how schools are serving students, students will have missed some instruction accomplished in a typical learning year. OSPI asserts that this lost instruction is best assessed and intervened at the classroom level using locally determined assessments in order to gauge the extent of the negative impacts of the pandemic on student learning and to plan for learning recovery for each student. In addition, districts are using these assessments to plan for learning recovery programs for students beginning in spring (March 1, 2021) and summer (June 1, 2021), emphasizing acceleration academies rather than remediation strategies.

In order to prioritize instructional time as students return to school buildings, Washington state will implement a sampling method for the statewide assessment. This will allow for the collection of information on how the pandemic has impacted student learning across the state, without necessitating the disruption in instruction for all students. The representative sample will focus on students in grades 3 and 7 for the English language arts assessment, grades 5 and 10 for the mathematics assessment, and 8th grade for the science assessment. This reduces the impact of the assessment from 17 grades and content areas if all students were administered the assessment to only five grades and contents assessed through the

sampling methodology. This will enable OSPI to gather results on a statewide level and show those results by student groups of those students sampled. OSPI will be able to determine disproportionate impact among student groups as well as the impact of in-person versus remote instructional modalities.

Summative State Assessment Conditions and Uses

As charged through No Child Left Behind (NCLB), Elementary and Secondary Education Act (ESEA), and now through Every Student Succeeds Act (ESSA), Washington state has employed a robust system for deploying, administering, scoring, analyzing, and reporting assessment results for ELA and mathematics through the Smarter Balanced Assessments (SBA), for science through Washington Comprehensive Assessment of Science (WCAS), and for ELA, mathematics, and science for students with the most significant cognitive disabilities through the Washington Access to Instruction and Measurement (WA-AIM). These assessments are used at the state level to measure how well students are meeting grade-level learning standards, no matter where they go to school throughout Washington state's K–12 public schools.

The statewide assessment results (i.e., SBA, WCAS, WA-AIM) are system-level indicators, and are tied to graduation pathways, to student and school supports, accountability, and to program funding. However, reliable and validly interpreted results are dependent on a strict set of conditions for both student test-taking experiences and for appropriate data use and reporting. Due to the pandemic and state and local health guidelines, Washington's schools will be better equipped to provide the necessary student test-taking experience safely for a subset of students (i.e., a representative sample of those students who would, under normal circumstances, test), by using the flexibility of the 95% participation waiver.

In 2020–21, the foundational conditions for administration of summative assessments in Washington cannot be safely met for all students. Summative test results for assessments administered remotely would not be reliable, comparable, generalizable, or valid for their intended purposes and would needlessly remove students from additional instructional opportunities. For this reason, Washington has determined that remote testing, meaning the student and the test proctor are in different physical locations, would not be an option provided. Instead, Washington proposes to administer state assessments to a representative sample of students who would otherwise take the SBA, WCAS, and WA-AIM tests for purposes of generating state-level data that can be used for system analyses such as comparison of student groups. With this approach, educators could leverage administration practices that are familiar from previous years, even if those administrations are carried out with fewer students and/or smaller groups of students. Finally, district, school, and classroom-selected assessments would be used to determine student-level learning and to design instruction during learning recovery, acceleration, and the following school year.

Technical Considerations and Assessment Experts' Recommendations

OSPI engaged Washington's Assessment National Technical Advisory Committee (NTAC) several times in proactive conversations about spring 2021 summative testing. Based on discussions in February and early March 2021, the group of assessment experts developed this statement regarding OSPI's consideration of a sampling model:

"NTAC reviewed the developing plans for conducting spring 2021 assessments by the Office of Superintendent of Public Instruction (OSPI). It is the intent of OSPI to replace the usual census testing design with a sampling

model. While the sampling model has not yet been finalized (at the submission of this statement), OSPI has been working with researchers at the University of Washington to generate a suitable design. NTAC supports this effort by OSPI to modify statewide testing in a way that both complies, in good faith, with federal assessment requirements and also recognizes the many challenges and obstacles faced by Washington's schools due to the ongoing pandemic. The TAC discussed a number of concerns regarding the interpretability and validity of the assessment results that will be produced by conducting testing this spring. However, the effort by OSPI to try to implement a modified version of statewide assessment under difficult circumstances is believed to be a reasonable approach."

Meetings with NTAC members in May and September 2020 included discussions of testing students remotely (i.e., the student and the test proctor are in different physical locations). In short, the consensus recommendation of the NTAC members was that Washington should not administer summative tests in spring 2021 in remote settings. The NTAC members expressed concerns about the validity of any inferences and interpretations made based on results, and questions about equity during remotely administered assessments.

Of primary concern was the wide range of instructional approaches used throughout Washington this school year. Nearly all students began the school year in remote instruction situations—assuming that they were able to engage with instruction due to the newness and difficulty of the start of the year under the pandemic conditions—and some may end up spending the majority of the school year in a remote learning model, as reported by districts and shared through [OSPI's School Reopening Data Dashboard](#). The NTAC expressed that any assessment given remotely to those students is likely to measure those remote instruction situations more than measuring student learning.

Some examples they gave were:

- Students' remote learning environments vary so widely that standardized administration across these variations is not possible.
- The variability in learning environments will increase the possibility of testing irregularities, as well as test security concerns.
- There will be equity disparities as it is not feasible to provide students with the necessary supports/accommodations during remote testing (e.g., a trained scribe, print-on-demand).

They concluded that the results of remote assessments would not give valid and reliable information to educators and families about actual student learning with respect to the state learning standards. In addition, they noted that the tests, while designed to be administered online, were not designed to be administered remotely. Because the tests were not designed in this way, the tests and test results have not been evaluated for accountability purposes when administered remotely.

The NTAC members were also clear that there should be no high-stakes decisions based on any test scores from spring 2021, especially any tests given remotely.

In addition, some NTAC members recommended that Washington use the interruption in testing as an opportunity to develop a 5- to 10-year plan for state assessments that are more informative for classroom educators and families. This plan would start by examining lower-stakes assessments, such as state-

provided mathematics and ELA interim assessments, and locally determined assessments, as a tool to provide more real-time and actionable information for educators, students, and families to use.

Washington's plan to gather a representative sample of students to test would attend to some of the concerns raised by NTAC members. Results from testing a representative sample will provide a statewide picture, rather than a school or district picture, of learning gaps that can be explored better and further through locally determined assessments. And, finally, through sampling, we hope to minimize the disruption that assessment would have during these difficult times.

Peer Review Elements

For the 2020–21 school year, many states will face challenges to maintaining some aspects of a high-quality state assessment system. The pandemic's impact will affect the administration of assessments, as well as how one might use or interpret the results of the assessments. Various critical elements in the peer review process will undoubtedly be affected by circumstances this year, but we believe a sampling methodology using established Smarter Balanced, WA-AIM, and Washington Comprehensive Assessment of Science assessments will allow Washington to adhere most closely to the principles of quality assessment and produce the most meaningful statewide results.

Due to the variability in learning models this year and because most students are still at least partially in remote learning environments, assessment participation rates will undoubtedly be compromised. Attempting to test all students would likely result in extreme selection bias of test results. By working with researchers at the University of Washington and local schools and districts, we will focus testing efforts and supports on a representative sample. We will report information about the sample and its participation data.

Established procedures for including students with disabilities and for including English learners will be implemented as they are typically, including accommodations and designated supports.

Assessment Resource Prioritization

The global health crisis has limited Washington's resources for safely administering in-person on-site instruction and secure test administration. Washington's schools have health and safety restrictions that apply to on-site services, including assessment. To require local educational agencies (LEAs) to bring all students in for in-person testing, in contrast to safety requirements related to distancing and potential recommendations to continue remote learning from local health authorities, is not a defensible requirement.

For this reason, Washington is proposing to test a sample of students in select grades for ELA, mathematics, and science. This prioritization approach would provide a state-level snapshot of student performance across a continuum of grades for all three content areas as well as students groups from across Washington. This snapshot would provide the state-level system the necessary information to support system decisions. This approach would not adversely affect or burden schools or individual students with concerns of administering a large-scale summative assessment in multiple content areas, but rather allow them to focus on the important work of instruction and equitable access for all students.

Sampling would also allow Washington to attend to inclusion of students from all demographic and student-service groups. There are socioeconomic and regional differences in access to robust, reliable internet service that disproportionately impact students already furthest from educational justice which includes students who engaged the least during the pandemic, and may include students with disabilities, English learners, students experiencing homelessness, students experiencing poverty, students of color, and other students facing opportunity gaps identified in the data. Sampling in these areas would ensure representation of these students in the state aggregate.

Priority would also be given to both our yearly English Language Proficiency Assessment (ELPA21) and the individual evaluations and reevaluations required within the Individuals with Disabilities Education Act (IDEA) have significant student-level consequences. The administration of the yearly ELPA21 constitutes a student's sole opportunity to exit EL status in 2020–21, which impacts course-taking and service provision. Likewise, evaluations required within IDEA provide educators with essential information to help make appropriate related service and instructional support decisions for students with disabilities. Our waiver request prioritizes limited on-site resources, to assist districts to meet the assessment needs of students with disabilities or who are emergent bilinguals.

Protecting Parent/Family Access to Achievement and Growth Data

Washington's certificated teaching and administrative staff are held accountable for classroom teaching. Revised Code of Washington ([RCW 28A.150.240](#)) requires that parents and guardians and school administrators are notified of each student's growth and development. Implementation of this policy is monitored, and district superintendents provide assurances that the law is met annually. This ensures families remain informed about their child's academic growth and development.

Teachers, principals, and district administrators throughout the state use locally determined assessments that reflect core content instruction. Data acquired from these assessments are then used to provide meaningful information to develop instruction and measure and report student growth and development to parents and guardians.

Assessment System Redesign to Support Academic Achievement

Now is the time for OSPI, educational service districts (ESDs), and school districts to help teachers build capacity in their classroom-based, culturally responsive formative assessment practices to better understand their learners and plan for student learning. Assessments that are relevant, timely, and inform instruction should be ongoing and embedded throughout the cycle of instruction.

Teachers:

- Are best positioned to determine the content, the timing, and the method for ongoing assessment of how well students are learning content, and to what degree they are making progress toward meeting standards.
- Know their students' assets, strengths, challenges, interests, and what motivates and engages them in learning.
- Set goals for students based on what they know and what they need to learn next for progression of

knowledge.

- Align assessment to the instruction based on the goals set for student learning.
- Plan for student self-assessment and for reflection by both the student—to build student agency—as well as the educator—to build relationships between the student and teacher.
- Use the results of instruction to reflect on the effectiveness of that instruction and to make plans for next steps in that instruction. Formative assessment practices inform teachers about what worked in their instruction, what didn't work, and what needs to change to meet each student's needs.
- Collaborate with colleagues to analyze student learning and further reflect on and refine instructional decisions improving practice overall.

Assessment and Instructional Resources

To support districts in building teacher capacity in use of effective formative assessment practices and in use of assessment resources such as the Smarter Balanced Interim Assessments at the classroom level to inform instruction, OSPI will allocate additional funds to provide resources for professional learning.

The focus of the professional learning offered to teachers must be on equitable and inclusionary instructional and assessment practices. Teachers need to consider how they will get real, meaningful, and actionable data about how each student is learning. This means teachers must also be using impactful language acquisition strategies, and Universal Design for Learning (UDL) strategies to ensure all students are able to access grade level standards, engaging and relevant instruction, and be able to show what they know and can do through classroom-based assessments.

Under the proposed sampling plan, not all students would take summative state tests this year. OSPI encourages educators to use locally determined assessments to gather information about all students' learning toward curricular goals. As one of multiple measures, all Washington educators have access to the Smarter Balanced ELA and mathematics interim assessments and interim supports. This includes the ability to administer interims to students during times of remote instruction, [guidance on standardized interim administration](#), access to every interim question and its scoring information for use in non-standardized ways, [an interim overview resource](#), and [other technical support documents](#).

These interim assessments can serve a variety of educator needs. To better support the range of possible uses, local educators may establish the timeframe, administration policies, and scoring practices for interim assessments. Educators can also select interims and interim questions to better align with the local scope and sequence of instruction as one measure to support their understanding of students' skills and knowledge. In this way, interim assessments can provide "just in time" information about students' learning based on or in preparation for instruction better than summative assessments. Finally, all interim questions have the same characteristics as summative test questions: aligned to grade-level standards; representative of the range of Depth of Knowledge (DOK) rigor; organized into the Smarter Balanced domains, claims, and targets; and accessible through the same suite of student accessibility features, i.e., Universal Tools, Designated Supports, and Accommodations.

However, interim assessments are not intended to be used for accountability or evaluation purposes, such as educator effectiveness; program evaluation or decisions; or comparisons among educators, students, schools, or districts. This is due to the lack of rigorous standardization restraints placed on interim

assessment use. Rather, interim assessments are designed as low-stakes assessments that support teaching and learning throughout the year, and OSPI believes interims and students' interim data and results should be used primarily for teachers' instructional decision-making. As a result, Washington requests that ESSA accountability requirements for the 2021–22 year be waived for completing and reporting on student academic growth as measured by Student Growth Percentiles (SGPs) for elementary and middle schools and identification of schools and changes in school designations for 2021–22 (with data from 2020–21).

Washington COVID-19 Student Survey

Washington state consists of a rich terrain and diverse population. To identify the disparities across all areas of the state and help better understand students' thoughts, feelings, and behaviors during the COVID-19 pandemic, OSPI, the Department of Health (DOH), the Health Care Authority (HCA), and the Psychiatry & Behavioral Sciences in the University of Washington School of Medicine (UW) have developed a survey called the "COVID-19 Student Survey" that will be administered to schools serving students in grades 6–12 throughout the state in the spring of 2021. The data will inform school leaders and staff in identifying, prioritizing, and implementing safety measures, academic, and social and emotional needs in the diverse regions across Washington as students return to school facilities this spring and again in the fall.

Schools participate in the anonymous and voluntary student survey is free. Topics on the survey include (but are not limited to) student remote learning experiences, mental and physical health, COVID-19 precautions, and social supports during the pandemic. Results from the survey will help teachers, school leaders, families, community partners, and policy leaders understand the actions needed to better help meet the needs of youth. Student responses will be sortable by ESSA demographic reporting categories (i.e., race, ethnicity, gender, disability status, migrant status, English proficiency, and income status). The survey will be available to students in English and Spanish.

Sampling Methodology

The proposed student assessment plan for spring 2021 aims to drastically reduce testing burdens on students, schools, and districts across Washington, while simultaneously fulfilling the need to obtain precise, representative estimates of students' academic proficiency levels. The proposal is two-pronged: first, we would reduce the number of tests to five grade levels, with only one subject per grade level assessed (grade 3 ELA, grade 5 mathematics, grade 7 ELA, grade 8 science, and grade 10 mathematics); and second, for each of these five grade levels, we propose to implement a stratified, two-stage cluster sampling plan in place of assessing all students. The sampling methodology has been developed in collaboration with the University of Washington College of Education.

More specifically, for each grade level, the sampling plan involves stratifying districts by their educational service district (ESD), and then randomly sampling 50% of districts in each ESD (stage 1). Of those districts selected, 25% of schools would then be randomly selected for participation (stage 2). All students in that grade level within selected schools would be assessed on the appropriate grade-specific subject test. Given current enrollment estimates, the sampling plan would include approximately 10,000 students for each of the five grades, for a total of approximately 50,000 students assessed.

Use of random selection, stratified by ESD, would ensure that the resulting sample of assessment data would be representative of the state's varied sizes, demographic characteristics, and instructional practices. Further, the relatively large number of districts proposed for sampling would facilitate a high precision of estimates (i.e., low margin of error) for nearly all student categories. Importantly, in addition to providing us with an accurate statewide estimate of students' proficiency levels, these data will also afford us with precise information about changes in our students' proficiency levels pre- and post-pandemic, as a whole and by student groups.

This said, there are several relatively small student groups that comprise 1% of the population or less. For these student groups, the sample sizes would be very small which in turn would result in proficiency estimates with less precision than other student groups. We are proposing that we would be able to obtain higher precision about proficiency levels for these very small categories by combining grade levels tested on the same subjects. In essence, we would achieve higher precision by creating a pooled proficiency estimate for smaller sized student groups.

WASHINGTON STATE 2020–21 STRATEGIC WAIVER REQUESTS

Washington is committed to equity and acknowledges the need to support our most impacted students to meet their postsecondary goals in 2020–21 and beyond. Table 1 below outlines the ESSA requirements that Washington requests to be waived, how OSPI will provide alternate, supplemental information, and ESSA requirements that OSPI will maintain in the following columns:

- ESSA requirement/description: lists the assessment related portions of applicable federal law.
- Request Waiver?:
 - Yes: OSPI is asking to waive this requirement entirely.
 - No: OSPI is not asking to waive this requirement.
 - Strategic: OSPI is asking to waive parts of the requirement, but not all.
- WA Requests and Commitments: describes OSPI plans if the waiver is granted.

Table 1: WAIVER REQUEST, by ESSA Section

ESSA Requirement/ Description	Request Waiver?	Washington’s Requests and Commitments
Administering required assessments during school year 2020–21 1111(b)(2)	Strategic	<p>Washington proposes to administer English language arts (ELA), mathematics, and science summative assessments (general and alternate) to a representative sample of students in spring 2021. The sample would be of students in 3rd and 7th grades for the ELA assessment, 5th and 10th grades for the mathematics assessment, and 8th grade for the science assessment.</p> <p>Washington is committed to gathering opportunity to learn information in a variety of ways, to help guide decisions at the state, local, and classroom levels. The additional data can highlight inequitable opportunities for students and will complement the Washington School Improvement Framework (WSIF) data history.</p> <ol style="list-style-type: none"> a. COVID-19 Student Survey for students in grades 6–12, administered Spring 2021* b. Connectivity and devices data. Fall 2020 district-level data. c. Learning model (fully remote, hybrid, fully in-person): Winter and Spring 2021 weekly district-level data.
Accountability and school identification requirements 1111(c)(4) and 1111(d)(2)(C-D)	Strategic	<p>Washington will use the results from the representative sample of students who participate in spring 2021 testing to generate state-level data as done in previous years. This data will not be aggregated at the district or school levels, so there will not be associated school</p>

		accountability or identification.
Report Card Provisions		
1111(h)(1)(C)(i) Accountability system description	No	Report Card will continue to include description of accountability system.
1111(h)(1)(C)(ii) Assessment results	Strategic	State-level results for select grades of ELA, mathematics, and science results will be generated and reported for federally required student groups. Washington requests a waiver from reporting school and district ELA, mathematics, and science results.
1111(h)(1)(C)(iii)(I) Other academic indicator results	Yes	Washington requests a waiver from reporting the academic indicator that measures student growth.
1111(h)(1)(C)(iv) EL proficiency assessment results	No	English language proficiency data would be reported (ELPA21 and WIDA Alternate ACCESS).
1111(h)(1)(C)(v) SQSS indicator results	No	Washington would report the three SQSS measures from 2020–21: 9th grade on-track, dual credit, and regular attendance.
1111(h)(1)(C)(vi) Progress toward long-term goals and measurements of interim progress	Strategic	Washington requests a waiver from reporting interim progress toward meeting goals on proficiency on annual assessments. Washington would report graduation progress and EL proficiency.
1111(h)(1)(C)(vii) Percentage of students assessed and not assessed	Strategic	Washington will report the percentage of students who were assessed and not assessed based on the sampled population. The data and analysis of the representativeness of the tested students will be used to support interpretations of and a narrative describing state-level results.
1111(h)(1)(C)(xi) Number and percentage of students with most significant cognitive disabilities taking an alternate assessment	Yes	Washington requests a waiver from reporting the number and percentage of students with most significant cognitive disabilities taking an alternate assessment. Students with significant cognitive disabilities will be included in the representative sample for testing. Washington will provide data on participation and representation within the larger sample for students taking the alternate assessment.

English Learners (ELs) and English Language Proficiency Assessments

As written in the OSPI Equity Statement, we ensure educational equity goes beyond equality. *"It*

requires education leaders to examine the ways current policies and practices result in disparate outcomes for students.” The Equity Statement, when combined with the civil rights obligations specific to English learners, provides clear and concise guidance in how Washington will proceed beyond equality. Civil rights law, enacted with the *Lau v. Nichols* (1974) Supreme Court decision, states that all public schools must take affirmative steps to ensure that students who are ELs can meaningfully participate in educational programs.

To determine whether a language instruction educational program (LIEP) is sufficient in addressing student needs, the *Castañeda* (1981) framework articulates three standards for districts:

1. The program is based on sound educational theory or research.
2. The program is implemented effectively with adequate resources and personnel.
3. The program is evaluated as effective in overcoming language barriers.

Per the *Castañeda* framework, schools receiving any federal funding are required to implement evidence based LIEPs that facilitate student language development and provide opportunities for ELs to meet challenging content standards. The state firmly supports the civil rights requirements to move forward in its commitment to equity and civil rights when it is deemed safe by local health departments. OSPI proposes the following guidance to districts and their school communities regarding administration of the annual English Proficiency assessment (i.e., ELPA21) and the WIDA Alternate ACCESS assessment.

During 2020–21, districts will administer the ELPA21 and WIDA Alternate ACCESS assessments under either of the following conditions:

1. If the district has coordinated with their local state health authority and the local school board has deemed it safe for students to return to school.
2. If families who choose to maintain in-home schooling opt to have their child assessed at a school site.

A change in the assessment administration start date and an extension to the testing window was communicated to support districts with flexibility of administration of these two assessments. The change in the historical start date of early February will allow districts needed time to coordinate, prepare, and communicate in multiple languages the safety protocols, operational aspects of administration of the assessments, and ensure the testing environment is appropriate for each student. The extension of the testing window will allow districts flexibility to ensure identified students are assessed and offer the needed time to work with families to communicate the many facets of a change in assessment protocol.

The following order of the administration of the assessments is as follows:

- Districts will coordinate testing for all state-identified bilingual students served in buildings in-person (in the school building).
- Districts will provide an assessment opportunity for all families and guardians who have state identified EL students and provisionally identified students (including those who are not receiving instruction in-person or in school buildings).
- Districts must provide the right for families to opt out of the assessment if families and guardians deem it unsafe for their child to return to the building to take the assessment.

Students with Disabilities

The requirements and needs for students with disabilities are addressed throughout this document. Students with disabilities will also be included in the representative sample for the state assessment, in the selected grades, as will students with significant cognitive disabilities taking the WA-AIM. For those participating in state assessments, the accommodations included in their Individualized Education Program (IEP) will be provided. WA will provide data on participation and representation within the larger sample for students taking the WA-AIM. Evaluations and reevaluations, required under the IDEA, will be timely provided by districts. For students with disabilities who are also English learners, they will receive opportunities to participate, with accommodations in the ELPA21 and WIDA Alternate ACCESS, as needed.

Connection to Perkins V

Perkins V requires states to report annually on secondary core indicators of performance, and disaggregated performance of students by race, ethnicity, gender, and special populations in areas including academic proficiency in reading/language arts, mathematics, and science as quality program measures of career and technical education (CTE) programs. Washington utilizes the identified state academic assessments to reflect these requirements, which inform state level investments of Perkins Leadership and Reserve funds. Local school districts, skill centers, and tribal compact schools utilize this data in addition to other program quality measures to inform the Comprehensive Local Needs Assessment (CLNA) and local Perkins application to invest in the improvement of local CTE programs. Washington will use assessment data from 2019 until new comprehensive results are available.

OSPI will support the use of local assessment data at school districts, skill centers, and state-tribal education compact schools including, but not limited to, data gathered through industry credential/technical assessments, interim assessments, or assessments given in equivalency courses to inform CLNA or program improvement and investment aligned to ELA, mathematics, and science competency. In consultation with the Office of Career Technical and Adult Education (OCTAE) and stakeholder groups, we anticipate renegotiating state-determined performance targets as needed.

Stakeholder Engagement

PLACEHOLDER FOR PUBLIC COMMENT AND STAKEHOLDER ENGAGEMENT

CONCLUSION

As Washington state progresses with COVID-19 vaccine administration and safely returning all students to our K–12 public school buildings for in-person instruction, we maintain a strong focus on supporting students, families, educators, and leaders. Supports will address social-emotional learning, trauma-informed practices, mental health, utilizing classroom-based assessments, and educator judgement in providing instruction that supports the process and expectation of continual learning. This is not the time for statewide summative assessments of all students and high-stakes accountability delivered in unplanned-for environments; student time must be focused on learning and application of grade-level skills and standards, and educators engaged in assessing student learning and planning instruction around those individual results.

OSPI will continue to prioritize technical assistance and communications for activities supporting student learning, communication with families, and equity. This is a time for reviewing our investments that define student opportunity, especially for students who are most impacted by the COVID-19 pandemic, and leveraging available resources efficiently to support learning. This is not a time for deficit thinking and behaviors. This pandemic taught us valuable lessons, including reminding us of the strength, skills, and willingness of our educators to continue to provide instruction for students even with barriers that previously seemed insurmountable.

While we continue to advocate for the students and stakeholders of the public education system, we cannot place our trust solely in summative assessments that provide indefinite benefit. We are hopeful that investing instead in practices we know will make us better able to meet the needs of our students, this year and in years to come, will be supported by the United States Department of Education.

Thank you for your consideration.

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