



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

The Honorable Elsie Arntzen
Superintendent
Montana Office of Public Instruction
P.O. Box 202501
Helena, MT 59620-2501

February 21, 2020

Dear Superintendent Arntzen:

I am writing in response to the Montana Office of Public Instruction (OPI) request on November 18, 2019, for a waiver to permit OPI to field test the Montana State Assessment in Science (MSA) in grades 5 and 8 and Alternate Montana State Assessment in Science (AMSA) in grades 5, 8 and high school in school year (SY) 2019-2020.

OPI requested a one-year waiver of certain Elementary and Secondary Education Act of 1965 (ESEA), as amended, requirements to support its development of MSA and AMSA to replace the prior assessments in science, which were not aligned with new Montana science content standards. Montana proposed to administer a census field test of the MSA and AMSA (for eligible students) in spring 2020 for all eligible students enrolled in grades 5 and 8 (MSA and AMSA) and once in high school (AMSA). OPI will not administer the current general and alternate science assessments and will not report assessment field test results to parents, educators or the public. However, OPI will hold districts and schools accountable for participation in the field test.

After reviewing OPI's request, I find that the waiver will benefit school children in Montana, so I am approving OPI's request for the 2019-2020 school year and waiving the following statutory requirements of the ESEA, as amended by the Every Student Succeeds Act:

- Sections 1111(b)(1)(A) and (C) and 1111(b)(2)(B)(ii) and (v)(II), which require the State to establish student academic achievement standards in science and implement high-quality, yearly student academic assessments in science that are aligned with those standards to measure student achievement and to inform instruction.
- Sections 1111(b)(2)(B)(x) and (xii) and 1111(h)(1)(C)(ii) and (2)(C), which require the State and local educational agencies to provide individual student reports to parents, teachers and principals and to include the results of science assessments on State and local report cards.

Please note that this waiver is only applicable for the 2019-2020 school year during the administration of the statewide field test of the MSA and the AMSA. Failure to administer general and alternate science assessments in the 2020-2021 school year that meet all requirements, including setting achievement standards and reporting results to parents and the public, would result in OPI being out of compliance with Title I of the ESEA and the Individuals with Disabilities Education Act, which could result in a number of enforcement actions, including withholding of funds. I also note that OPI includes the results of the science assessments in its accountability system; the State will need to

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amend its consolidated State plan to account for the State not having science data for the 2019-2020 school year. I encourage you to reach out to my team at OESE.TitleI-a@ed.gov to discuss how you will amend your consolidated State plan.

We appreciate our continued relationship with OPI and remain committed to working with you. If you have any questions, please contact my staff at: ESEA.Assessment@ed.gov.

Thank you for your continued commitment to ensuring that all students have access to a high-quality education.

Sincerely,

/s/

Frank T. Brogan
Assistant Secretary
for Elementary and Secondary Education

cc: Ashley McGrath, Director of Assessment