



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

March 26, 2021

The Honorable Colt Gill  
Director of the Oregon Department of Education and  
Deputy Superintendent of Public Instruction  
Oregon Department of Education  
255 Capitol Street N.E.  
Salem, OR 97310

Dear Director Gill:

I am writing in response to the Oregon Department of Education's (ODE's) request on January 22, 2021, to the U.S. Department of Education (Department) to waive the requirements in section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (ESEA) to administer the same statewide assessments to all public elementary and secondary school students in the State in reading/language arts, mathematics, and science for the 2020-2021 school year. ODE also requested to waive the requirements in section 1111(h) to report assessment results on State and local report cards. ODE also requested a waiver of the accountability and school identification requirements in sections 1111(c)(4) and 1111(d)(2)(C)-(D), which the Department is reviewing and to which we will respond separately.

ODE requested these waivers due to the impact of the novel Coronavirus Disease 2019 (COVID-19) in the 2020-2021 school year. I appreciate the information that ODE submitted in its waiver request and shared in conversation between our staff. You indicated that ODE will provide the option for Oregon's local educational agencies to use its existing statewide interim assessments, though the State does not intend to require their use or report results to parents or the public. In addition, you noted that ODE intends to prioritize the administration of the English language proficiency (ELP) assessment and a diagnostic evaluation for children with disabilities.

ODE has also developed a student survey, the Student Educational Equity Development Survey (SEED Survey), that will collect information regarding access to educational resources, opportunity to learn, and self-efficacy and beliefs to help inform instructional and support practices and contextualize assessment data.

The Department appreciates ODE's work to develop the SEED Survey. The information that you collect through this survey will provide useful information to support you, your schools, and your educators as you plan for student needs next year. We believe there is a great deal to learn from ODE's work in this area, and we strongly support expanded use of opportunity to learn measures nationwide.

As promising as information from the SEED Survey will be in informing plans for next year, we believe that this information should complement and not replace student learning data. Obtaining data on student learning includes high-quality statewide assessments, which can help identify where opportunity gaps are persistent and have been exacerbated – particularly during the

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pandemic – and, along with other data, can help States direct resources and support to close those gaps. Accordingly, as we continue to review ODE's request, we are offering this initial feedback for your consideration.

We remain committed to supporting Oregon and all States in assessing the learning of all students, while we recognize that we are in the midst of a pandemic that requires real flexibility and creativity. We are eager to continue to work with ODE on a plan that addresses your State's specific circumstances and maximizes the amount of comparable, reliable, and valid student learning data alongside the important data you plan to collect from the SEED Survey.

As always, you can contact me or my staff at [ESEA.Assessment@ed.gov](mailto:ESEA.Assessment@ed.gov).

Sincerely,

/s/

Ian Rosenblum  
Deputy Assistant Secretary for Policy and  
Programs  
Delegated the Authority to Perform the  
Functions and Duties of the Assistant Secretary  
Office of Elementary and Secondary Education

cc: Jennifer Patterson, Assistant Superintendent,  
Teaching & Learning & Systems Management/Coordination, ODE  
Dan Farley, Director of Assessment, ODE