



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

March 26, 2021

The Honorable Carolyn Stanford Taylor
State Superintendent of Education
Wisconsin Department of Public Instruction
125 S. Webster Street
Madison, WI 53703

Dear Superintendent Stanford Taylor:

I am writing in response to the Wisconsin Department of Public Instruction's (WDPI's) request on February 12, 2021, for a waiver of section 1111(b)(2)(B)(i) of the Elementary and Secondary Education Act of 1965 (ESEA) that the State administer its academic assessments to all public elementary and secondary school students in the State. WDPI also requested a waiver of section 1111(c)(4)(E), regarding measuring the achievement of at least 95 percent of all students and using test participation as a factor in calculating the achievement indicator in the State's school and district accountability system. WDPI requested these waivers in order to accommodate concerns about testing all students and any local health orders or requirements that may impact testing.

We remain committed to supporting all States in assessing the learning of all students. 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 pandemic – and, along with other data, can help States direct resources and support to close those gaps. At the same time, we must also recognize that we are in the midst of a pandemic that requires real flexibility.

I appreciate the information that your staff shared with our staff about the approach you are considering in Wisconsin. Based on the information you have provided, I understand that WDPI is making every effort to administer your statewide assessments and that you will assess all students to the extent practicable. I also understand that WDPI has considered how to take advantage of the flexibility available to you to make it possible to administer your statewide assessments, including changing and extending your window for administering your assessments. Therefore, the Department does not believe that waiver is needed at this time. Accordingly, as we continue to review WDPI's request, we wanted to offer this initial feedback for your consideration.

We recognize that participation statewide may be lower than in prior years. As I noted in my letter to all States on February 22, the Department does not believe that if there are places where students are unable to attend school safely in person because of the pandemic they should be brought into school buildings for the sole purpose of taking a test. Should circumstances in Wisconsin change, please let us know, including whether WDPI would like to request a waiver retroactively, following the conclusion of your test administration window.

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

In cases where students are unable to take the statewide summative assessment, we hope that WDPI uses other assessments to measure student learning and progress and to provide information to parents and educators. These interim, diagnostic, or formative assessments do not replace statewide summative assessments, but they can serve to provide valuable information to meet our goal of maximizing the number of students for whom we have quality data this year.

We appreciate the challenges you, your school districts, and your schools are facing this year. Having assessment data that are based on your State's academic and content standards for as many students as possible is important to provide useful information to parents, educators, and the public, and to address existing and increased gaps in opportunity. If you have any questions, please contact me or my staff at 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 Kammerud, Senior Policy Advisor
Visalakshi Somasundaram, Director of Student Assessment