



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

May 17, 2021

The Honorable Pender Makin
Commissioner
Maine Department of Education
23 State House Station
Augusta, ME 04333-0023

Dear Commissioner Makin:

I am writing in response to the Maine State Department of Education's (MDOE's) request on November 18, 2020, for a waiver to permit MDOE to field test new general and alternate assessments in science in grades 5, 8 and 11 in school year (SY) 2020-2021.

MDOE requested a one-year waiver of certain Elementary and Secondary Education Act of 1965 (ESEA) requirements to support a census field test of the general and alternate assessments in spring 2021 for all eligible students enrolled in grades 5, 8 and 11. MDOE will not report assessment field test results to parents, educators or the public. However, MDOE will hold districts and schools accountable for participation in the field test. On January 12, 2021, the Department approved MDOE's request for a waiver to field test the alternate assessment.

After reviewing MDOE's request for the MDOE general assessment in science, I find that the waiver will benefit school children in Maine, so I am approving MDOE's request for the 2020-2021 school year and waiving the following statutory requirements of the ESEA:

- Sections 1111(b)(1)(A) and (C) and (E) and 1111(b)(2)(B)(ii) and (v)(II), which require the State to establish student academic achievement standards and alternate 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 2020-2021 school year during the administration of the statewide field test of the general science test. Failure to administer general science assessments in the 2021-2022 school year that meet all requirements would result in MDOE 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.

In addition, in recent conversations with you and your staff, you let us know that MDOE has awarded a new contract for its reading/language arts and mathematics assessments. I would also like to remind of

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Page 2 – The Honorable Pender Makin

your obligation to administer general and alternate assessments in reading/language arts and mathematics in grades 3-8 and high school in the 2020-2021 school year, set academic achievement standards, and report the results to parents and publicly.

We appreciate our continued relationship with MDOE 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/

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

cc: Janette Kirk, Chief of Learning Systems