



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

August 20, 2021

The Honorable Johnny Key
Commissioner of Education
Arkansas Department of Education
Four Capitol Mall, Room 304A
Little Rock, AR 72201-1071

Dear Commissioner Key:

I am writing in response to Arkansas' requests on February 10 and July 7, 2021, to the U.S. Department of Education (Department) to amend its approved consolidated State plan under the Elementary and Secondary Education Act of 1965 (ESEA), using the COVID-19 State Plan Addendum (Addendum) to account for one-year changes in school year (SY) 2020-2021 due to widespread school closures related to the novel Coronavirus (COVID-19) and in response to the waiver the Department granted Arkansas from the requirement to administer statewide assessments in SY 2019-2020.

Specifically, Arkansas requested the one-year amendments to:

- Shift forward the timeline for identifying schools for comprehensive and additional targeted support and improvement by one year (i.e., to next identify such schools in SY 2022-2023 based on data from SY 2021-2022);
- Modify the methodology to identify schools for targeted support and improvement by excluding SY 2019-2020 from the three previous years of data used in the State's definition of "consistently underperforming" student subgroups (i.e., to identify such schools in SY 2021-2022 based on data from SYs 2017-2018, 2018-2019, and 2020-2021); and
- Omit SY 2019-2020 when determining whether the school has met the statewide exit criteria for comprehensive and additional targeted support and improvement.

I am approving Arkansas' one-year changes to its ESEA consolidated State plan. This letter and Arkansas' approved Addendum will be posted on the Department's website along with the currently approved version of Arkansas' ESEA consolidated State plan.

Please be aware that approval of this amendment to Arkansas' consolidated State plan is not a determination that all the information and data included in the amended State plan comply with Federal civil rights requirements, including Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and requirements under the Individuals with Disabilities Education Act. It is Arkansas' responsibility to comply with these civil rights requirements.

It remains vitally important that parents, educators, and the public have access to data on student learning and success. The Department encourages all States, when posting State assessment results for the 2020-2021 school year, to prominently and in clear language provide information about the context of the data, including its limitations as a result of the pandemic. For example, in a situation where

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participation rates are low and/or uneven across student groups as a result of the pandemic, the results should include clearly worded context that such data are incomplete and, where applicable, are not representative of the make-up of the State, district, or school population. We know you are already planning to do this and appreciate your thoughtfulness about how to present your data. As always, assessment data should also be viewed alongside other important measures of student outcomes and opportunity to learn data to provide a more complete perspective on resources, support, and student success. We also encourage you and your school districts to consider other steps within your purview to further reduce the stakes of assessments this year, such as excluding their use from students' final grades, grade promotion decisions, educator evaluations, and local school ratings.

I know that you are doing all in your power to support your districts and schools to ensure the health and well-being of students and educators. Thank you for your dedication to this effort. If you have any questions about this waiver, please contact my staff at OESE.Titlei-a@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: Deborah Coffman, Arkansas Department of Education