



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

April 22, 2022

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' request on February 8, 2022, 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) 2021-2022 due to extraordinary circumstances related to the novel Coronavirus (COVID-19) and in response to the waiver the Department granted Arkansas from the assessment and accountability requirements of the ESEA for the 2019-2020 school year.

Specifically, Arkansas requested the amendments to:

- Identify schools for comprehensive, targeted, and additional targeted support and improvement in fall 2022 based on data from SY 2021-2022;
- Modify its 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 fall 2022 based on data from SYs 2018-2019, 2020-2021, and 2021-2022); 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' changes to its ESEA consolidated State plan. This letter and Arkansas' approved Addendum for SY 2021-2022 will be posted on the Department's website along with the currently approved version of Arkansas' ESEA consolidated State plan (available at: <https://oese.ed.gov/offices/office-of-formula-grants/school-support-and-accountability/essa-consolidated-state-plans/>). Because I am approving changes through the Addendum that are not limited to the 2021-2022 school year (i.e., shifted school identification timeline and modified exit criteria), the State must submit an updated ESEA consolidated State plan that incorporates those approved changes at a later date.

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

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Americans with Disabilities Act, and requirements under the Individuals with Disabilities Education Act. It is Arkansas' responsibility to comply with these civil rights requirements.

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, please contact my staff at OESE.TitleI-a@ed.gov.

Sincerely,

/s/

James F. Lane, Ed.D.
Senior Advisor, Office of the Secretary
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