



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

April 15, 2022

The Honorable Carey M. Wright
State Superintendent of Education
Mississippi Department of Education
P.O. Box 771
Jackson, MS 39205-0771

Dear Superintendent Wright:

I am writing in response to Mississippi Department of Education's (MDE's) request on December 17, 2021, for a waiver of section 1111(b)(2)(H) of the Elementary and Secondary Education Act of 1965 (ESEA) and 34 CFR § 200.3(b)(2)(ii) which stipulates that, before a State may approve a locally selected, nationally recognized high school academic assessment (LSNRHSA) for use by a local education agency (LEA), the State must submit evidence to the U.S. Department of Education (Department) that demonstrates that each LSNRHSA meets the requirements under 34 CFR § 200.3, including peer review by the Department under section 1111(a)(4) of the ESEA. MDE requested this waiver to permit the Corinth School District (Corinth) to administer the Cambridge International General Certificate of Secondary Education (Cambridge IGCSE) assessment in lieu of the current statewide high school assessment (Mississippi Academic Assessment Program or MAAP) during the 2021-2022 school year.

Prior to a State's submitting a locally selected, nationally recognized high school assessment for peer review by the Department and allowing its use by local education agencies (LEAs) in place of the statewide assessment, ESEA section 1111(b)(2)(H) and 34 CFR § 200.3(b)(1) requires that the State conduct a technical review of the assessment. That review must determine if the assessment: (1) is aligned with the State's challenging academic standards; (2) addresses the depth and breadth of those standards; (3) is equivalent to or more rigorous than the statewide assessment with respect to the coverage of academic content, the difficulty of the assessment, the overall quality of the assessment, and other aspects that address the State's technical criteria; (4) meets the requirements in 34 CFR § 200.2(b); and (5) produces valid and reliable data on student academic achievement that are comparable to student academic achievement data for all high school students and each subgroup on the statewide academic achievement standards, and provide unbiased, rationale, and consistent differentiation among schools within the State for the purpose of the State-determined accountability system. Also, 34 CFR § 200.3(b)(2)(i) requires the State to ensure that the use of appropriate accommodations does not deny a student with a disability or an English learner the opportunity to participate in the assessment nor any of the benefits from participation in the assessment that are afforded to students without disabilities or student who are not English learners. The regulations require that this evidence be submitted for Department's assessment peer review. These regulations are in place to ensure that, before a LSNRHSA may be used in place of the statewide assessment, it fairly evaluates the achievement

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of the State’s challenging academic standards and for all students and each subgroup of students in an LEA that selects the assessment.

After carefully reviewing this information in the context of MDE’s request, I do not believe it sufficiently demonstrates that the Cambridge IGCSE would meet all statutory and regulatory requirements. It is unclear, for example, how MDE can be sure that the Cambridge IGCSE produces valid and reliable data on student academic achievement that are comparable to student academic achievement data for all high school students and each subgroup on the statewide high school assessment. Moreover, the information does not sufficiently demonstrate that the Cambridge IGCSE is equivalent to (or more rigorous than) the statewide high school assessment regarding academic content coverage and alignment. It is also important that MDE has completed an evaluation as to whether accommodations permitted by the Cambridge IGCSE do not deny a student with a disability or an English learner any of the benefits from participation in the assessment that are afforded to students without disabilities or students who are not English learners. For these reasons, I do not believe that the Cambridge IGCSE warrants use as an LSNRHSA in Mississippi prior to MDE completing its review and providing that information to the Department for peer review. Therefore, I am declining to approve MDE’s request to waive ESEA section 1111(b)(2)(H) and 34 CFR § 200.3(b)(2)(ii).

MDE may revise its waiver request, consistent with section 8401(b)(4)(B)(ii) of the ESEA to meet the requirements under section 8401(b)(1)(C) and (F) and resubmit the revised waiver request. If MDE decides to resubmit, it must do so no later than 60 days from the date of this letter.

I appreciate the work you are doing to improve your schools and provide a high-quality education for your students. If you have any questions, please contact my staff at ESEA.Assessment@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: Alan Burrow, Executive Director District and School Performance