



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

December 9, 2022

The Honorable Randy Watson
Commissioner of Education
Kansas State Department of Education
900 SW Jackson St.
Topeka, KS 66612

Dear Commissioner Watson:

I am writing in response to Kansas' request on September 9, 2022, updated on October 26, 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). Kansas requested these amendments to account for short-term changes to its system of annual meaningful differentiation in school year 2021-2022 due to extraordinary circumstances related to the COVID-19 pandemic and in response to the waivers the Department granted Kansas from the accountability requirements of the ESEA for the 2019-2020 and 2020-2021 school years and the assessment requirements for the 2019-2020 school year.

Specifically, Kansas requested amendments to:

- Shift forward by two years long-term goals for academic achievement, graduation rate, and progress in achieving English language proficiency.
- Use data from the 2018-2019, 2020-2021, and 2021-2022 school years when calculating its system of annual meaningful differentiation to identify schools for comprehensive, targeted, and additional targeted support and improvement (i.e., rather than using the three most current years of data, skipping the 2019-2020 school year, in which no assessment data are available).
- Omit the 2019-2020 and 2020-2021 school years when determining whether a school has met the statewide exit criteria for comprehensive support and improvement and additional targeted support and improvement schools.

I am approving Kansas' short-term changes to its ESEA consolidated State plan. This letter and Kansas' approved Addendum for the 2021-2022 school year will be posted on the Department's website along with the currently approved version of Kansas' 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 (e.g., the shifting of long-term goals and measurements of interim progress), 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 Kansas' consolidated State plan is not a determination that all the information and data included in the amended State plan comply with Federal

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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 Kansas' responsibility to comply with these civil rights requirements.

Thank you for all you are doing to support your districts and schools to ensure the health and well-being of students and educators. 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: Doug Boline, Assistant Director of Special Education and Title Services