

The Honorable Ian Rosenblum
Deputy Assistant Secretary for Policy and Programs, Delegated the authority to perform the
functions and duties of the Assistant Secretary for Elementary and Secondary Education
Office of Elementary and Secondary Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Deputy Assistant Secretary Rosenblum:

I am writing to request a waiver, pursuant to section 8401 of the Elementary and Secondary Education Act of 1965 (ESEA), of the following requirements as a result of ongoing challenges related to the novel Coronavirus Disease 2019 (COVID-19):

State: ***Kansas***

Please check all that apply:

- ✓ Accountability and school identification requirements in ESEA sections 1111(c)(4) and 1111(d)(2)(C)-(D): the requirements that a State measure progress toward long-term goals and measurements of interim progress; meaningfully differentiate, on an annual basis, all public schools, including by adjusting the Academic Achievement indicator based on a participation rate below 95 percent; and identify schools for comprehensive, targeted, and additional targeted support and improvement based on data from the 2020-2021 school year.
- ✓ Report card provisions related to accountability in ESEA section 1111(h) based on data from the 2020-2021 school year. These include:
 - Section 1111(h)(1)(C)(i)(I)-(IV) and (VI) (*Accountability system description, other than the list of comprehensive, targeted, and additional targeted support and improvement schools*).
 - Section 1111(h)(1)(C)(iii)(I) (*Other Academic indicator results for schools that are not high schools*).
 - Section 1111(h)(1)(C)(v) (*School Quality or Student Success indicator results*).
 - Section 1111(h)(1)(C)(vi) (*Progress toward meeting long-terms goals and measurements of interim progress*).
 - Section 1111(h)(2)(C) with respect, at the local educational agency (LEA) and school levels, to all waived requirements in section 1111(h)(1)(C).

Consistent with the requirements of ESEA section 8401(b)(1)(C), describe how the waiving of such requirements will advance student academic achievement.

Kansas still will require all districts to test all in person students on the annual state assessment in Spring of 2021. We also expect the LEAs to continue their local assessments and use all of these data sources to help drive instruction in closing student learning gaps. The KSDE will continue to collect state assessment participation and results data and report what information we have available on our public reporting site.

Consistent with the requirements of ESEA section 8401(b)(1)(F), in order to maintain or improve transparency in reporting to parents and the public on student achievement and school performance in school year 2020-2021, including the achievement of subgroups of students, I assure that:

- The State will make publicly available chronic absenteeism data, either as defined in the State's School Quality or Student Success indicator, if applicable, or ED*Facts*, disaggregated to the extent such data are available by the subgroups in ESEA section 1111(c)(2), on State and local report cards (or in another publicly available location).
- The State will make publicly available data on student and/or teacher access to technology devices and high-speed internet, disaggregated by the subgroups in ESEA section 1111(c)(2), to the extent such data are collected at the state or LEA level.

Kansas will continue to publicly post all relevant data.

Consistent with the requirements of ESEA section 8401(b)(1)(F), in order to ensure that schools will continue to provide assistance to the same populations served by Title I, Part A (e.g., subgroups in section 1111(c)(2)), I assure that:

- Any school that is identified for comprehensive, targeted, or additional targeted support and improvement in the 2019-2020 school year (i.e., any school that was in that status as of the 2019-2020 school year), except for comprehensive support and improvement schools identified based on low graduation rates that meet the State's exit criteria, will maintain that identification status in the 2021-2022 school year, implement its support and improvement plan, and receive appropriate supports and interventions.

We will continue to serve previously identified CSI, TSI, and ATSI schools through our Kansas Learning Network team as stated in our state plan.

- The State will identify comprehensive, targeted, and additional targeted support and improvement schools using data from the 2021-2022 school year in the fall of 2022 to ensure school identification resumes as quickly as possible.

Consistent with the requirements of ESEA section 8401(b)(3)(A), prior to submitting this waiver, the State provided interested LEAs and the public with notice and a reasonable opportunity to comment and provide input on this waiver request and considered the feedback and input in finalizing this request. The comments and input received, as well as the State's description of how it addressed the comments and input, are enclosed with this request.

Thank you for your consideration.

Sincerely,

Chief State School Officer (or Authorized Representative)

Digital Signature

OR

Typed Name and Date

Randy Watson Digitally signed by Randy Watson
Date: 2021.04.07 08:13:57 -05'00'

Randy Watson 04/07/2021

By typing my name here, I am affirming submission of this waiver on behalf of the State.

OMB Number: 1810-0752

Expiration Date: September 30, 2021

Public Burden Statement: According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1810-0752. Public reporting burden for this collection of information is estimated to average 3 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is voluntary. If you have any comments concerning the accuracy of the time estimate, suggestions for improving this individual collection, or if you have comments or concerns regarding the status of your individual form, application or survey, please contact the Office of School Support and Accountability, 400 Maryland Avenue, SW, LBJ Federal Office Building, Washington, DC, 20202 or OESE.TitleI-a@ed.gov.

DRAFT