



**Mohammed Choudhury**  
State Superintendent of Schools

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**TO:** Members of the State Board of Education  
**FROM:** Mohammed Choudhury  
**DATE:** July 27, 2021  
**SUBJECT:** Early Fall Assessment Reporting Waiver Request

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**PURPOSE:**

Request permission to seek approval from the United States Department of Education (USED) for a waiver of the Every Student Succeeds Act (ESSA) requirement to report three achievement levels for the assessment results of the spring 2021/early fall 2021 Maryland Comprehensive Assessments in English/language arts (ELA) and mathematics.

**BACKGROUND/HISTORICAL PERSPECTIVE:**

On February 22, 2021, USED sent guidance to States offering flexibility in the administration of the federally-mandated State assessments for mathematics, English language arts (ELA), and science. The Maryland State Department of Education (MSDE) sought and received approval for the flexibility. As a result, on March 4, 2021, the Maryland State Board of Education approved the plan to administer shortened forms of the ELA and mathematics assessments in early fall 2021.

**EXECUTIVE SUMMARY:**

For the federally-mandated State assessments in ELA and mathematics for spring 2021/early fall 2021, the MSDE proposes to report two levels of achievement instead of the minimum three levels as required under ESSA Section 1111(b)(1)(A). The early fall assessments will be about one-half the length of the full assessment. Due to the shortened length, the number of test items available to measure student performance is significantly diminished. Therefore, to improve the accuracy and reliability of the levels reported, the MSDE has proposed to report two levels of achievement.

Such an action necessitates that the MSDE submit a waiver request USED requesting an exemption from the ESSA requirements. Additionally, as stipulated under ESSA section 8401(b)(3)(A), prior to submitting a waiver request, the State must provide the public and local school systems with notice and a reasonable opportunity to comment and provide input on the proposed waiver request.

At its June 22, 2021, meeting, the State Board voted to share the proposed waiver request with local superintendents and to invite public comment. On June 25, 2021, announcements regarding the

proposed waiver request were: 1) sent to local superintendents as part of the State Superintendent of Schools' weekly communication to local superintendents, and 2) posted on the MSDE website. These two stakeholder groups -- local superintendents and members of the public -- were invited to submit their comments on the proposed waiver request by July 9, 2021. The MSDE received one comment from Dr. Monifa McKnight, Interim Superintendent of Schools, Montgomery County Public Schools, in support of the request.

If approved by the State Board, the MSDE will submit a letter to USED, along with information on the method for seeking comments and a copy of the letter of support, requesting a waiver from the ESSA achievement standard requirements, thereby allowing Maryland to report two levels of achievement for the spring 2021/early fall 2021 assessments in ELA and mathematics.

**ACTION:**

Request State Board approval to request a waiver from USED of the ESSA Section 1111(b)(1)(A) requirement to report three achievement levels for the spring 2021/early fall 2021 assessments in ELA and mathematics.

**ATTACHMENT:**

Letter from Dr. Monifa McKnight, Interim Superintendent of Schools, Montgomery County Public School

## MONTGOMERY COUNTY PUBLIC SCHOOLS

*Expanding Opportunity and Unleashing Potential*

OFFICE OF THE SUPERINTENDENT OF SCHOOLS

July 7, 2021

Mr. Mohammed Choudhury  
State Superintendent of Schools  
Maryland State Department of Education  
200 West Baltimore Street  
Baltimore, Maryland 21201

Dear Mr. Choudhury,

Thank you for your memorandum of June 25, 2021, regarding Every Student Succeeds Act (ESSA): Waiver Request Relating to Achievement Level Reporting. Montgomery County Public Schools supports the Maryland State Department of Education's request to the United States Department of Education to reduce the number of reporting levels for the ESSA required assessments in English Language Arts (ELA) and mathematics.

The ELA and mathematics assessments will be administered in fall 2021, but due to their shortened nature it is not clear how the proficiency cut off scores will be determined. It is anticipated that we will not have the data necessary for identifying multiple learning levels of students. Reducing the number of reporting levels to two will avoid inaccurately determining what students know and are able to do. In addition:

- Local school systems are best situated to assess student learning in ELA and mathematics using multiple measures that will provide the data necessary for accurately determining the learning needs of students.
- The spring Maryland Comprehensive Assessment Program assessment will be given in full and will provide the necessary data for determining a more nuanced level of student learning.

Please refer any questions to Mrs. Niki T. Hazel, associate superintendent for curriculum and instructional programs, Office of Teaching, Learning, and Schools, via e-mail at [Niki\\_T\\_Hazel@mcpsmd.org](mailto:Niki_T_Hazel@mcpsmd.org).

Sincerely,



Monifa B. McKnight, Ed.D.  
Interim Superintendent of Schools

MBM:RR:NTH:lec

Copy to:  
Ms. Reuben  
Mrs. Hazel  
Dr. Logan