



PUBLIC SCHOOLS OF NORTH CAROLINA

STATE BOARD OF EDUCATION | Eric C. Davis, Chairman

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January 21, 2022

The Honorable _____
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 Assistant Secretary _____:

The state of North Carolina's commitment to measuring student achievement and providing support for school improvement predates No Child Left Behind. In 1993, North Carolina began testing all students in grades 3–8 in reading and mathematics, building upon the end-of-course high school assessment model that began in the 1980s. With this assessment data, North Carolina built a school-based accountability model prioritizing academic achievement and growth for all students. This commitment to assessment and accountability is even more critical during the COVID-19 pandemic.

To ensure data for school improvement, North Carolina supported public school units to the greatest extent possible as they administered assessments in the 2020–21 school year. Statewide, North Carolina administered assessments to 90 to 95 percent of all students in the targeted populations. For some schools, participation was below the 95% tested expectation due to complications and interruptions from COVID-19. Unfortunately, this has an impact on the 2021–22 school year, particularly as any untested student in this year's high school cohorts, which includes students who were unable to participate in the assessments in the 2020–21 school year, will count negatively for participation and consequently impact the achievement score.

North Carolina uses a cohort model for participation in high school reading at grade 10 and mathematics at grade 11. In this model, students' participation in an end-of-course test from previous years is banked until the student is in membership in grade 10 or grade 11. The 2021–22 student cohort will include students who should have tested in the 2019–20 and the 2020–21 school years. As stated in the U.S. Department of Education FAQ (released on December 17, 2021), participation in state assessments was waived for the 2019–20 school year and the State may exclude from the high school assessment participation rate and performance rate calculations a student who completed a high school academic course to which an end-of-course assessment is aligned for the 2019–20 school year only. This allowance was not given to students who were unable to participate in assessments in the 2020–21 school year.

Given this, North Carolina requests a waiver from the requirement under Sec. 1111(c)(4)(E), to calculate the academic achievement score of the accountability model under Sec. 1111(c)(4)(B)(i) based on 95% of students in a school when the actual percentage of students participating is less than 95%. This waiver applies only to the high school reading and mathematics assessments under Sec. 1111(b)(2)(B)(V)(I)(bb) for the 2021–22 school year where student were

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unable to participate in the assessments due to COVID-19 in the 2020–21 school year.

The State is not seeking a waiver from Sec. 1111(h)(1)(C)(vii), which requires the State to report the percentage of students assessed and not assessed for all students and each subgroup of students described in subsection (b)(2)(B)(xi).

To ensure the approved waiver meets federal law, North Carolina will

- 1) Apply the consequences for missing 95% participation in grade 10 reading or grade 11 mathematics if missing 95% participation is a result of students not testing prior to the 2019–20 school year or in the 2021–22 school year.
- 2) Calculate and publish the participation rates on the North Carolina Department of Public Instruction’s website to increase transparency and provide access of the data to parents and the public.
- 3) Communicate to districts and high schools testing is required for all students, and the waiver from participation consequences from the 2020–21 school year does not remove the testing requirement or participation requirements for students in the cohort who were expected to test prior to the 2019–20 school year and in the 2021–22 school year.
- 4) Continue to monitor test administrations and participation.
- 5) Ensure parents and the public have access to the parameters and the implications of the waiver.

The North Carolina Department of Public Instruction (NCDPI) posted the proposed waiver for public comment on the NCDPI website from January 26, 2022, until February 24, 2022. The public comments are provided on the enclosed attachment.

Approval of this waiver request will ensure North Carolina students, parents, educators, and the public have accurate data to monitor and improve the student achievement and identify the appropriate schools for support and improvement. This waiver will also ensure high schools are not penalized unfairly because of COVID-19 impact and the associated complications and interruptions in the interest of public health. Thank you for your consideration.

Respectfully,

Eric C. Davis
Chairman, State Board of Education

ECD:tlh

- c. Catherine Truitt, State Superintendent
State Board Members
David Stegall, Deputy Superintendent of Innovation and Chief Academic Officer
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Tammy Howard, Director, Accountability Services

Enclosure