

Mike DeWine, Governor
Paolo DeMaria, Superintendent of Public Instruction

DATE: January 2021
TO: Interested Parties and Stakeholders
FROM: Paolo DeMaria, Superintendent of Public Instruction
SUBJECT: SUBMISSION OF ONE-YEAR FLEXIBILITIES TO EVERY STUDENT SUCCEEDS ACT PLAN

SUMMARY

- The US Department of Education is allowing states to make limited, one-year adjustments, through the submission of a plan addendum, to certain elements of approved Every Student Succeeds Act (ESSA) state plans. *This document outlines and seeks feedback on Ohio's proposal.*
- The ESSA addendum process does not provide for a blanket waiver from federal accountability and report card requirements.
- These are limited, technical adjustments based on the inability to implement parts of the plan due to the COVID-19 pandemic (such as assessment data being unavailable).
- The intent of Ohio's proposal is to limit the consequences of any data generated during this school year, in the context of missing data from last year, to the extent allowable and make allowable technical adjustments to relevant aspects of the report card.
- If additional federal flexibilities for accountability become available at a later date, Ohio will explore those opportunities.

BACKGROUND

As educators and students work through the unique challenges of the 2020-2021 school year, many questions and discussions have centered on the short-term and long-term future of the accountability system.

During the early days of the pandemic and related school closures, the U.S. Department of Education allowed states to seek one-year waivers from the Every Student Succeeds Act's testing and accountability requirements for the 2019-2020 school year. The Ohio General Assembly subsequently passed emergency legislation canceling the spring 2020 administration of Ohio's State Tests and subsequent changes to the 2019-2020 Ohio School Report Cards. Accordingly, the Ohio Department of Education sought and received a federal waiver for the 2019-2020 school year.

As the 2020-2021 school year began, the U.S. Department of Education shared guidance (September 2020) clearly noting states *"should not anticipate such waivers being granted again"* for the 2020-2021 school year. Subsequently (October 2020), the U.S. Department of Education provided states with *some limited one-year technical flexibilities related to federal accountability and school improvement support requirements.*

This memo summarizes those limited flexibilities available to Ohio through the limited one-year ESSA addendum.

- **The intent of Ohio's proposal is to limit the consequences of any data generated during this school year, in the context of missing data from last year, to the extent allowable and make allowable technical adjustments to relevant aspects of the report card.**

- **If additional federal flexibilities for accountability become available at a later date, Ohio will explore those opportunities.**

Before the pandemic, many education stakeholders discussed the long-term future of the state accountability system. While this year has impacted the pace of those discussions, that work continues to build upon [Each Child, Our Future's](#) Strategy 6 to refine the state's accountability system to be a fairer, more meaningful process.

Ohio is focused on the critical use of data for continuous improvement, which is especially important at this juncture. Accordingly, Ohio is utilizing some of its state-level [CARES Act funding](#) to support the use of data including optional online assessments for educators to use in grades 3 through high school. The [Restart Readiness Assessments](#), available for English language arts, mathematics, science and social studies, are designed to help schools and districts identify student progress early and receive actionable performance data. These assessments, *which may be offered remotely*, will be administered using systems with which Ohio educators and students are familiar from the administration of Ohio's State Tests. [Regional Data Leads](#) will be developing additional support materials and training.

ESSA PLAN ONE-YEAR ADDENDUM

The U.S. Department of Education issued guidance in October 2020 specifying how states can submit an addendum to their ESSA plans for one-year flexibilities related to states' Every Student Succeeds Act state plans. This addendum allows states to address specific issues arising from missing data from the 2019-2020 school year due to the COVID-19 pandemic, ordered school building closures, and the cancellation of the spring 2020 assessments.

It should be emphasized that the ESSA addendum process does not provide for a blanket waiver from federal accountability and report card requirements. Rather, it allows states to propose technical short-term changes to address the lack of 2019-2020 data.

From the U.S Department of Education's addendum guidance:

Assessment, accountability, school identification, and reporting requirements under Title I are not waived for the 2020-2021 school year (i.e., an SEA must administer statewide assessments in the 2020-2021 school year and meet requirements for accountability, school identification, and report cards based on data from the 2020-2021 school year).

*While the Department realizes that some SEAs, LEAs, and schools are developing plans for further reopening schools and safely providing instruction, based on information currently available, **the Department expects that an SEA will meet all ESEA assessment, accountability, school identification, and reporting requirements in the 2020-2021 school year.***

Specific Addendum Components:

The following are the specific addendum components allowable under the U.S. Department of Education guidance and Ohio's proposed requests for each.

- A. ESSA long-term and interim goals.** The guidance gives states the ability to shift previously established long-term goals by one year to account for the missing data from 2019-2020. ***The Department is proposing to take advantage of this flexibility by shifting the timeline forward by one year for the allowable long-term goals.*** This would shift the timeline forward by one year for the goals established

for English language arts, mathematics, graduation rates, and progress in achieving English language proficiency. These goals are all used within the Gap Closing Component on Ohio's School Report Cards.

B. Technical revisions to accountability measures. The guidance gives Ohio the ability to make one-year, temporary technical revisions to some measures. ***While this does not waive report card requirements, it gives states the ability to make technical clarifications to account for missing data from 2019-2020.*** These revisions are limited to the 2020-2021 school year and are limited in scope by the U.S. Department of Education guidance. ***Revisions are allowed only when the missing data from the 2019-2020 school year impacts the calculation of the measure.***

- 1) **Academic Achievement:** The available achievement options allowed under the guidance do not apply to Ohio's system; therefore, ***Ohio is not proposing any revisions to the Performance Index or the test-based indicators within Indicators Met*** (i.e. the Academic Component on Ohio's School Report Cards). Both measures are single-year calculations of data and are not impacted by the missing data from the 2019-2020 school year and the cancelation of the Spring 2020 state tests.
- 2) **Progress (Growth):** The guidance allows states to modify progress or growth measures to accommodate missing prior year data. Ohio's Progress Component is also known as the "other academic indicator" in the Every Student Succeeds Act requirement. Ohio uses a value-added measure to gauge student progress. This measure relies on multiple years of data and will be impacted by the lack of state assessment data from 2019-2020. Ohio will continue to measure progress using a "gap year" approach which measures student growth from the 2018-2019 school year to the 2020-2021 school year in math and English language arts in grades 4-8. ***While the basic methodology will remain the same, the interpretation of this year's value-added measure will be somewhat different than in most years in that it will be measuring the growth of students over two years instead of one.*** Value-Added measures for end of course exams and science courses, which do not require consecutive years of data, will be calculated accordingly as they typically are done although some may have fewer data points available based on the lack of 2019-2020 data.
- 3) **Graduation Rate:** The graduation rate options allowable under the guidance do not apply to Ohio's system; therefore, ***Ohio is not proposing any revisions to the Graduation Rate.*** While the graduation requirements in Ohio were adjusted temporarily to adapt to the impacts of school building closures and COVID-19, there was no disruption to the reporting of graduation data for the 2019-2020 school year. Therefore, the calculation of the graduation rate is not impacted by missing data.
- 4) **Progress in achieving English language proficiency (ELP):** The guidance allows states to modify the computation of progress toward achieving English language proficiency. Ohio's ELP indicator was significantly impacted by the lack of data and due to its multi-year structure, it cannot be calculated this year. The proposed addendum will request that the progress measure not be used for the 2020-2021 accountability reports.

Ohio's English Language Proficiency Indicator uses two years of data to award points for making year over year improvement in increasing the percentage of students meeting their annual proficiency improvement goals. Each school or district with the English Language Proficiency Indicator can earn points toward the Gap Closing Component by outright meeting

the interim goal or by improving from the prior year (with points weighted accordingly for 1 – 9% improvement).

Due to the use of multiple years of data, this measure cannot be fully calculated with incomplete data from the 2019-2020 school year. Additionally, this measure uses student level annual improvement goals and it is therefore not ideal to use data going back further to the 2018-2019 school year. The Department was not able to set baseline improvement goals for new students, nor measure the progress from year to year for existing students.

Ohio’s proposal is to report the limited data that exists for English Learner proficiency, but it will not be factored in the Gap Closing measure for 2020-2021.

- 5) **Chronic Absenteeism:** The guidance allows states to modify non-academic indicators that use multiple years of data and for which prior year data is missing or in which the interpretation of the data may be misleading or inappropriate. Ohio uses its Chronic Absenteeism Indicator (within the Indicators Met measure) to meet the federal requirements of a School Quality or Student Success Indicator. The indicator uses two years of data to emphasize the improvement and reduction of chronic absenteeism year over year at the school and district level. While the data is technically available for the 2019-2020 school year and the 2020-2021 school year, the interpretability of the data has been dramatically impacted by not only the school-building closures in 2019-2020 but the continued change of learning mode and rolling closures in 2020-2021 due to COVID-19 infection rates and guidance from local health departments.

In response to the flexibility provided, Ohio proposes to continue reporting the chronic absenteeism rates at the school and district level, but it will not be factored into the Indicators Met measure for 2020-2021 (further described in C.2 below). This maintains reporting transparency but will not factor into the ratings or grades assigned to schools and districts for this one-year flexibility period.

- C. **Impact of accountability on school improvement identification.** Federal accountability requirements are the basis for identifying schools for improvement and support. The federal guidance, as well as sections D and E below, provide the state the most flexibility in how accountability data is used or not used from the current school year. Some of the flexibility options are ‘either/or’ – meaning states can select one of the options provided but not both.

- 1) **Annual Meaningful Differentiation.** Ohio’s annual meaningful differentiation is the accountability system and ratings that identifies the lowest performing schools for additional supports. In Ohio, the accountability system and ratings are also echoed in state law. Ohio State law recently made short-term adjustments to account for the impact of the pandemic on data. Therefore, Ohio will not issue letter grades for the 2020-21 school year. This short-term legislative adjustment only impacts the current school year. ***Therefore, the only short-term changes Ohio proposes are to not issue letter grades in 2020-2021 and other technical adjustments as noted below in section C.2 regarding weighting and section D.1 regarding timelines for identification.***
- 2) **Weighting of Indicators.** ***Ohio is proposing revisions to reduce the weight of the English Learner Progress Indicator and the Chronic Absenteeism Indicator to 0 percent.*** This flexibility provided in the federal guidance keeps the accountability system and calculations intact, and for one year only will reduce the weight of these measures to 0 percent.

- 3) **Methodology.** *Ohio is proposing only one additional change to the methodology of calculations captured under the federal guidance.* The Gap Closing Component calculation measures the academic improvement in English language arts and mathematics from the previous year to the current year. In 2020-2021, this measure will use the performance data from the 2018-2019 school year for the English language arts and mathematics portion as the “prior year” data. Ohio is not proposing any other methodology changes to the indicator calculations for the 2020-2021 school year – except as noted above regarding the Progress Component.
- D. **Identification of Schools.** Ohio’s schools are typically identified every three years for school improvement supports and funding based on their performance on Ohio’s School Report Cards.
- 1) **Timeline.** *The Department is proposing in its addendum to shift forward by one-year the school identifications as allowed through the federal guidance.* This means that all current Priority, Focus and Warning schools will remain in their current status for one additional year – and in Fall 2022, the Department will release updated identifications based on the data from the 2021-2022 school year. All identified schools will receive updated letters of identification from the Office for Improvement and Innovation. The identification was originally scheduled to be released in Fall 2021 based on the performance data from the 2020-2021 school year.
- E. **Continued Support for School and LEA Improvement.** The federal guidance allows flexibility to revise the exit criteria for schools identified for supports and funding. Prior to allowing schools to exit their identification status, Ohio reviews multiple years of data to ensure schools would not exit and then be immediately reidentified based on a different criteria point. For the purpose of maintaining ongoing supports and implementation of school improvement plans, *Ohio is not proposing including in its addendum changes to the exit criteria.* Once a new round of identification is completed, and complete data available in future years, schools will again be able to demonstrate improved performance allowing them to exit identification statuses.

REQUEST FOR COMMENTS and NEXT STEPS

The Department would like to hear from interested stakeholders about the proposed usage of the one-year flexibilities for the Every Student Succeeds Act state plan. **Please provide feedback by Wednesday, January 27, 2021.** Please email all input to eseawaiver@education.ohio.gov. We look forward to receiving your comments.

The addendum template draft will be posted for public comment and shared via the Ohio Department of Education’s communication channels. The Department will engage stakeholders including the major education associations and the ESEA Committee of Practitioners. All feedback will be reviewed prior to the official submission of the addendum request by February 1, 2021 to the U.S. Department of Education.