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March 27, 2020

MEMORANDUM

TO: Nevada School District Superintendents;
Nevada School District and Charter School Testing Directors

FROM: Jhone M. Ebert 
Superintendent of Public Instruction

SUBJECT: ESEA Assessment and Accountability Waiver for the 2019-2020 School Year:
Nevada School Performance Framework and the Identification of Schools for
Support and Improvement

Assessment and Accountability Waivers

On March 20, 2020, the Nevada Department of Education (NDE) submitted a request to the U.S. Department of Education (USDOE) for a waiver of various requirements related to assessments and accountability. The waiver request was subsequently approved. The USDOE indicated that they intend to issue a formal approval of the NDE waiver request in the coming weeks and that we may begin to implement the waivers while the formal documents are processed. As a result of the approval, the following requirements are waived for the 2019-2020 school year:

- Assessment requirements in section 1111(b)(2): the requirements to administer all required assessments in school year 2019-2020
- Accountability and school identification requirements in section 1111(c)(4) and 1111(d)(2)(C)-(D): the requirements that a state annually meaningfully differentiate all public and charter schools and the requirements to identify schools for comprehensive and targeted support and improvement and additional targeted support and improvement based on data from the 2019-2020 school year.
- Report card provisions related to certain assessments and accountability in section 1111(h) based on data from 2019-2020 school year, specifically:
 - o Section 1111(h)(1)(C)(i): accountability system description
 - o Section 1111(h)(1)(C)(ii): assessment results
 - o Section 1111(h)(1)(C)(iii)(I): other academic indicators
 - o Section 1111(h)(1)(C)(iv): English language proficiency assessment results

- Section 1111(h)(1)(C)(v): school quality or student success indicator results
- Section 1111(h)(1)(C)(vi): progress toward meeting long-term goals and measurements of interim progress
- Section 1111(h)(1)(C)(vii): percentage of students assessed and not assessed
- Section 1111(h)(1)(C)(xi): number and percentage of students with the most significant cognitive disabilities taking an alternate assessment
- Section 1111(h)(2)(C) with respect to all waived requirements in section 1111(h)(1)(C) as well as 1111(h)(2)(C)(i)-(ii): information showing how students in a local educational agency (LEA) and each school respectively, achieved on the academic assessments compared to students in the State and LEA

In summary, Nevada will **not** be required to administer its statewide assessments to all students; make annual accountability determinations; identify schools for support and improvement; nor provide data on State and local report cards regarding assessment and accountability information. The sections below outline the impact of the approved waiver on Nevada’s Assessment System, the Nevada School Performance Framework (NSPF), and the Identification of Schools for Support and Improvement.

Suspension of State Requirements

Also, on March 20, 2020, Governor Steve Sisolak issued Declaration of Emergency Directive 005 that suspended:

- The requirements to conduct criterion referenced examinations pursuant to Nevada Revised Statutes section 390.105 and college and career readiness assessments pursuant to Nevada Revised Statutes section 390.610 and all related reporting requirements; as well as
- The requirements to administer end of course exams pursuant to Nevada Revised Statutes 390.700 and all accompanying regulations.

Removing these requirements will necessitate adjustments to student grading guidelines by Local Education Agencies (LEA). **Regarding end of course exams, please calculate student grades using their coursework and classroom or school-based assessments from the current school year.**

Nevada’s Assessment System

As a result of the federal accountability waiver, students **will not** be required to participate in the following federally mandated assessments for the 2019-2020 school year¹:

- The Nevada Summative Assessment or Smarter Balanced (SBAC)
- The Nevada Alternate Assessment (NAA)

¹ Due to the approval of the federal waiver, the assessment system for Nevada’s summative assessments has been closed. As a result, Nevada’s summative assessments are no longer available for administration.

- The Nevada Science Assessments in grades 5, 8, and high school

As a result of Emergency Directive 005, students **will not** be required to participate in the following federally mandated assessments for the 2019-2020 school year:

- End of Course Exams
- Measures of Academic Progress (MAP) assessment requirements for reading in grades kindergarten through third

Those students who participated in state assessments before March 16, 2020 will receive student-level reports. These reports will be shipped by Data Recognition Corporation (DRC) to each student's school as in previous years, including roster reports. These reports will only be provided for students who completed any assessment in its totality prior to the March 16, 2020 closure of school buildings.

All secure materials typically returned to assessment vendors must still be returned in alignment with past practice. The deadline to return all DRC materials is Friday, June 5, 2020, however materials may be returned earlier. These materials include all secure NAA materials as well as all braille and large print versions of the SBAC and Science assessments.

Please note that DRC will be adjusting their customer service hours to Monday through Friday from 6:00 am to 2:30 pm PST in order to be available for support.

Nevada School Performance Framework (NSPF)

The following is provided to further clarify the impact of the approved federal waiver and Emergency Directive 005 on the Nevada School Performance Framework (NSPF) for the 2019-2020 school year.

- The closure of school buildings due to the COVID-19 pandemic has prevented, or negatively impacted, the ability of Nevada's schools to administer state assessments (Smarter Balanced Summative Assessment, Nevada Alternative Assessment (NAA), and the Nevada Science Assessment) in a manner that ensures reliable data on which to base performance ratings.^{2 3}
- The issuance of star-ratings for Nevada's public and charter schools under the NSPF will be suspended for the 2019-2020 school year. School performance information and star-ratings from the 2018-2019 school will be applied to the 2019-2020 school year. This will be reflected on each school's NSPF report.
- Data from state assessments provide the basis for the Growth and Closing Opportunity Gaps Indicators for Elementary and Middle school ratings. Elementary and Middle Schools without data for the Growth Indicator cannot be rated under the NSPF.

² The assessment window for WIDA, Nevada's assessment to measure English Language Proficiency, occurred during January 6, 2020 – February 28, 2020 for Kindergarten students. The assessment window for students in grades first through twelve occurred during January 21, 2020 – February 28, 2020.

³ The ACT, which serves as Nevada's College and Career Readiness Assessment, was administered as a census exam to all students in grade 11 across the state on February 25, 2020 with a make-up date on March 10, 2020.

- The Every Student Succeeds Act (ESSA) sets certain student attendance requirements for results to be included in the State's system for rating school performance. The emergency closure of school buildings due to the COVID-19 pandemic may impact the reporting of schools' performance on other non-assessment dependent NSPF measures, such as Chronic Absenteeism.
- School ratings under the Alternative Performance Framework (APF) will also be suspended for the 2019-2020 school year due to the lack of available assessment data.

While the new school ratings on the NSPF will be suspended for the 2019-2020 school year, NDE will make every attempt to continue reporting available data on the Nevada Report Card in accordance with Federal and State reporting requirements. This will include, but is not limited to, available student data, State information, achievement data, personnel, safety, fiscal, graduation rates, and civil rights data collections.

Identification of Schools for Support and Improvement (CSI, TSI, and ATSI)

In the absence of the data required to determine school ratings for the 2019-2020 school year, the identification of schools for Comprehensive Support and Improvement (CSI), Targeted Support and Improvement (TSI) and Additional Targeted Support and Improvement (TSI/ATSI) will also be suspended for the 2019-2020 school year. As a requirement of the federal waiver approval, any school that is identified for comprehensive or targeted support and improvement or additional targeted support and improvement in the 2019-2020 school year will maintain that identification status in the 2020-2021 school year and continue to receive supports and interventions consistent with the school's support and improvement plan in the 2020-2021 school year.

The Nevada Department of Education will continue to work collaboratively with LEAs to further evaluate and communicate the impact of the COVID-19 pandemic and related school building closures on federal, state, and local reporting requirements. NDE's goal is to implement the waiver requirements effectively while continuing to provide relevant data across the State and districts to support student growth.

For questions related to assessment or the NSPF, please contact Peter Zutz, Director of the Office of Assessment, Data, and Accountability Management at pzutz@doe.nv.gov.

For questions related to the identification of schools for support and improvement, please contact Dr. Seng-Dao Keo at skeo@doe.nv.gov.

cc: Dr. Jonathan Moore, Deputy Superintendent of Student Achievement
Dr. Seng-Dao Keo, Director of the Office of Student and School Supports
Peter Zutz, Director of the Office of Assessment, Data, and Accountability Management