

Steve Sisolak  
Governor

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**STATE OF NEVADA**  
**DEPARTMENT OF EDUCATION**  
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February 1, 2021

The Honorable Phil Rosenfelt  
Acting Secretary of Education  
United States Department of Education  
400 Maryland Ave., SW  
Washington, DC 20202

Dear Acting Secretary Rosenfelt,

Pursuant to sec. 8401(a), (20 U.S.C. 7861), of the Every Student Succeeds Act (ESSA), Nevada hereby requests the provision of a targeted, two-year waiver of the requirements of sec. 1111(d)(2)(A) of the Every Student Succeeds Act (ESSA), pertaining to the annual identification of schools for targeted support and improvement (TSI) due to one or more student group determined to be consistently underperforming.

The Nevada Department of Education (NDE) requests that this targeted, two-year waiver of the above-referenced statutory requirements applies for TSI identifications utilizing data from the 2020-2021 school year.

Nevada considers a school to have a “consistently underperforming” student group if, for two (2) consecutive years, the student group fails to meet measures of interim progress (MIPs) (for indicators with related long-term goals (LTGs) and MIPs) or the established point attribution tables (for measures without LTGs and MIPs).

As a result of the waiver from accountability and school identification requirements in sections 1111(c)(4) and 1111(d)(2)(C)-(D) for the 2019-2020 school year, Nevada did not have two (2) consecutive years of overall accountability scores and ratings with which to identify schools for TSI status in the Fall of 2020. Further, Nevada is requesting an addendum to its ESEA Consolidated State Plan due to the COVID-19 national emergency. This addendum includes a provision that Nevada will revise its system of annual meaningful differentiation so as not to calculate overall accountability scores and ratings for schools based on data from the 2020-2021 school year. The culmination of the 2020 waiver and the 2021 addendum results in the lack of two (2) consecutive years of data needed to identify schools for TSI status in the Fall of 2021.

Nevada intends to maintain its definition of a “consistently underperforming” student group currently incorporated in its ESEA Consolidated State Plan. Given this definition, Nevada would not have the data

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necessary to identify schools for TSI status until the Fall of 2023, based on data from the 2021-2022 and 2022-2023 school years. Until new TSI identifications can be made, Nevada will continue to provide resources and support to those schools with student groups currently identified with TSI status in the same manner as identified in Nevada's ESEA Consolidated State Plan. Schools that are not currently identified with TSI status may request technical assistance from the Nevada Department of Education.

The Nevada Department of Education will provide performance data that are available to schools for use in the advancement of student achievement during these unprecedented times. All available data will be published on the NDE's website: <https://doe.nv.gov/>.

Nevada remains committed to supporting our students and educators during this unprecedented time. We thank you for your attention to this request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jhone M. Ebert".

Jhone M. Ebert  
State Superintendent of Public Instruction

cc: Dr. Jonathan Moore, Deputy Superintendent for Student Achievement