

*Public Notice from the Washington Office of Superintendent of Public Instruction (OSPI) for a
Waiver Request to the U.S. Department of Education
November 7, 2013*

Notice to the public of OSPI's intent to request from the U.S. Department of Education the double-testing flexibility one-year waiver.

In the 2013–2014 school year, Washington Office of Superintendent of Public Instruction (OSPI) will be field testing the new Smarter Balanced reading/language arts and mathematics assessments aligned to college- and career-ready standards. Per the Secretary's [June 18, 2013](#), announcement, OSPI is requesting the double-testing flexibility one-year waiver of the following requirements in Title I, Part A of the Elementary and Secondary Education Act of 1965 (ESEA), as amended, and their associated regulatory provisions:

- ESEA sections 1111(b)(1)(B) and 1111(b)(3)(C)(i), which require a State educational agency (SEA) to apply the same academic achievement standards, and to use the same academic assessments, for all public school children in the State. OSPI requests these waivers so that any individual student within Washington will be permitted to take only one assessment in each content area in 2013–2014 — either the current State assessment or the full form of the field test of the new assessment aligned to college- and career-ready standards.
- ESEA section 1111(b)(3)(C)(xii), which requires the provision of individual student interpretive, descriptive, and diagnostic reports that include information regarding achievement on State assessments to parents, teachers, and principals as soon as is practically possible after an assessment is given. OSPI requests this waiver to permit OSPI and its local educational agencies (LEAs) to refrain from producing or providing these reports for a student's performance on the field test.

OSPI is also requesting the determination flexibility by requesting a one-year waiver of the following ESEA requirements and their associated regulatory provisions:

- ESEA sections 1111(h)(1)(C)(ii) and 1111(h)(2)(B), which require an SEA and an LEA, respectively, to report on performance against annual measurable objectives (AMOs). OSPI requests these waivers to permit OSPI and its LEAs to refrain from reporting performance against AMOs for the subject(s) being field tested in any school or single-school LEA that participates in the field test of new assessments aligned to college- and career-ready standards. OSPI and its LEAs, however, will report performance against AMOs, as applicable, for a subject that is not part of the field test in a school or single-school LEA that is participating in the field test, for all schools or single-school LEAs that are not participating in the field test, and for all LEAs (except single-school LEAs participating in the field test).

OSPI hereby assures that if it is granted the requested waivers:

- OSPI and its LEAs will ensure that all students in the tested grades who do not take the field test in a particular subject will take the current State assessment in that subject, as required by the ESEA.
- OSPI and its LEAs will report performance against AMOs for a subject that is not being field tested in a school that participates in the field test, for all schools that do not participate in the field test, and for all LEAs (except single-school LEAs that participate in the field test of a tested subject).

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- OSPI and its LEAs will meet all reporting obligations with respect to reporting the achievement of students who take the current State assessments.
- OSPI has properly notified all LEAs and schools that will participate in the field test of that participation.
- OSPI has ensured that parents of students in each school participating in the field test have been notified of the school's participation, including by ensuring that the notification to parents includes a discussion of the implications of the school's participation in the field test and whether the parents' child will participate in the field test. (See OSPI Web site at <http://www.k12.wa.us/Resources/LetterTemplates.aspx>.)
- In 2014–2015, OSPI will administer the new reading/language arts and mathematics assessments aligned to college- and career-ready standards, as well as State science assessments, to all students in the grades required to be tested in accordance with the ESEA.

Please go to the following OSPI Web site

<http://www.k12.wa.us/SMARTER/pubdocs/SBFieldTestList102313.xls>, for a list of all schools, including single-school LEAs, within Washington that will participate in the field test of the new assessments aligned to college- and career-ready standards.

As part of this waiver request, Washington seeks to amend its approved ESEA flexibility request, to clarify that determinations of reward, priority, or focus schools following the 2013–2014 school year will be based on 2014 results on current state assessments in schools that administer these tests, and on 2013 results on current state assessments in schools that only participate in the Smarter Balanced field tests. OSPI will resume identifying new lists of reward, priority, and focus schools using Smarter Balanced results following the 2014–2015 school year.

The Office of Superintendent of Public Instruction (OSPI) is required to notify the public that the agency is requesting a waiver from the U.S. Department of Education. Comments regarding this notice must be submitted to OSPI by 5 p.m. on **November 14, 2013**. This information will be included in the waiver request to the U.S. Department of Education. Please direct your comments to Jami Peterson, Executive Assistant of Special Programs and Federal Accountability, via email, at jami.peterson@k12.wa.us.

If you have any questions regarding this information, please contact Gil Mendoza, Assistant Superintendent of Special Programs and Federal Accountability at (360) 725-6170 or email gil.mendoza@k12.wa.us.