This template is an example that may be used for the submission of a request for waivers of accountability, school identification, and related reporting requirements under the Elementary and Secondary Education Act of 1965, as amended. Note that a State educational agency is not required to use this template. For assistance on this accountability waiver template, or to discuss assessment flexibility that a State may need based on the specific circumstances within the State, please contact [OESE.Titlei-a@ed.gov](mailto:OESE.Titlei-a@ed.gov).

The Honorable Ian Rosenblum

Deputy Assistant Secretary for Policy and Programs, Delegated the authority to perform the functions and duties of the 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 Deputy Assistant Secretary Rosenblum:

I am writing to request a waiver, pursuant to section 8401 of the Elementary and Secondary Education Act of 1965 (ESEA), of the following requirements as a result of ongoing challenges related to the novel Coronavirus Disease 2019 (COVID-19):

State: ***Colorado***

Please check all that apply:

Accountability and school identification requirements in ESEA sections 1111(c)(4) and 1111(d)(2)(C)-(D): the requirements that a State measure progress toward long-term goals and measurements of interim progress; meaningfully differentiate, on an annual basis, all public schools, including by adjusting the Academic Achievement indicator based on a participation rate below 95 percent; and identify schools for comprehensive, targeted, and additional targeted support and improvement based on data from the 2020- 2021 school year.

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Report card provisions related to accountability in ESEA section 1111(h) based on data from the 2020-2021 school year. These include:

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* Section 1111(h)(1)(C)(i)(I)-(IV) and (VI) *(Accountability system description*, *other than the list of comprehensive, targeted, and additional targeted support and improvement schools).*
* Section 1111(h)(1)(C)(iii)(I) *(Other Academic indicator results for schools that are not high schools).*
* Section 1111(h)(1)(C)(v) *(School Quality or Student Success indicator results).*
* Section 1111(h)(1)(C)(vi) *(Progress toward meeting long-terms goals and measurements of interim progress).*
* Section 1111(h)(2)(C) with respect, at the local educational agency (LEA) and school levels, to all waived requirements in section 1111(h)(1)(C).

Consistent with the requirements of ESEA section 8401(b)(1)(C), describe how the waiving of such requirements will advance student academic achievement.

The extraordinary events resulting from the COVID-19 pandemic have caused historic disruptions to school districts across Colorado. Educators have been asked to teach in unfamiliar ways using unknown tools and resources, support students across multiple settings both instructionally and emotionally, and adjust quickly in response to rapidly changing local health circumstances, creating heightened anxiety and stress. By waiving the above requirements, leaders and educators in local education agencies will be able to focus on making up for lost instructional time.

Specifically, leaders and educators in local education agencies will be able to focus on using available state assessment data coupled with local assessment data to inform instructional practices, instructional interventions, and address student needs relative to COVID learning loss. The focus on instruction, rather than district and school identification and comparison, will benefit districts in Colorado and advance student academic achievement in the state.

Similarly, the Colorado Department of Education (CDE) will use available state assessment

Consistent with the requirements of ESEA section 8401(b)(1)(F), in order to maintain or improve transparency in reporting to parents and the public on student achievement and school performance in school year 2020-2021, including the achievement of subgroups of students, I assure that:

The State will make publicly available chronic absenteeism data, either as defined in the State’s School Quality or Student Success indicator, if applicable, or ED*Facts*, disaggregated to the extent such data are available by the subgroups in ESEA section 1111(c)(2), on State and local report cards (or in another publicly available location).

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The State will make publicly available data on student and/or teacher access to technology devices and high-speed internet, disaggregated by the subgroups in ESEA section 1111(c)(2), to the extent such data are collected at the state or LEA level.

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The Colorado Department of Education will report chronic absenteeism data but does not have a formal mechanism to collect student or teacher data with regard to access to technological devices. CDE is committed to providing support, resources, and technical assistance relative to the goal of connecting all of Colorado students to high-speed Internet (including the implementation of a state funded connectivity grant in December of 2020.

To the extent that federal stimulus funds or state grants were used to support LEAs purchase technology or provide connectivity, CDE would be able to provide limited data. However, that data would not be representative of all available technology in schools and districts.

CDE is committed to continuing to make available data pertaining to school discipline, access to well-rounded education, and access to qualified educators.

Consistent with the requirements of ESEA section 8401(b)(1)(F), in order to ensure that schools will continue to provide assistance to the same populations served by Title I, Part A (e.g., subgroups in section 1111(c)(2)), I assure that:

Any school that is identified for comprehensive, targeted, or additional targeted support and improvement in the 2019-2020 school year (i.e., any school that was in that status as of the 2019-2020 school year), except for comprehensive support and improvement schools identified based on low graduation rates that meet the State’s exit criteria, will maintain that identification status in the 2021-2022 school year, implement its support and improvement plan, and receive appropriate supports and interventions.

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Any schools identified for ESSA support and improvement in 2019-2021 will maintain their status, except for schools identified solely on the basis of graduation rates which will be exited if they meet the exit criteria (i.e., earn graduation rates above 67%). All other identified schools will be supported with funds from Title I, II, III, IV, and V, as allowable and allocable. Any identified schools that are currently funded through Title I, Part A, School Improvement funds (i.e., 1003) will continue to implement funded activities, strategies, and programs. Any schools identified for support and improvement in 2019-2021 that are not currently funded will be eligible for supports in fall 2021.

CDE will continue to review, approve, and monitor implementation of the improvement plans from CS schools and monitor the LEA's approval and monitoring of TS/ATS improvement plans.

The State will identify comprehensive, targeted, and additional targeted support and improvement schools using data from the 2021-2022 school year in the fall of 2022 to ensure school identification resumes as quickly as possible.

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Consistent with the requirements of ESEA section 8401(b)(3)(A), prior to submitting this waiver, the State provided interested LEAs and the public with notice and a reasonable opportunity to comment and provide input on this waiver request and considered the feedback and input in finalizing this request. The comments and input received, as well as the State’s description of how it addressed the comments and input, are enclosed with this request.

Thank you for your consideration.

Sincerely,

Chief State School Officer (or Authorized Representative)

Digital Signature OR

Typed Name and Date

By typing my name here, I am affirming submission of this waiver on behalf of the State.

***OMB Number:*** *1810-0752*

***Expiration Date:*** *September 30, 2021*

**Public Burden Statement:** According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1810-0752. Public reporting burden for this collection of information is estimated to average 3 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is voluntary. If you have any comments concerning the accuracy of the time estimate, suggestions for improving this individual collection, or if you have comments or concerns regarding the status of your individual form, application or survey, please contact the Office of School Support and Accountability, 400 Maryland Avenue, SW, LBJ Federal Office Building, Washington, DC, 20202 or [OESE.Titlei-a@ed.gov.](mailto:OESE.Titlei-a@ed.gov)