



UNITED STATES DEPARTMENT OF EDUCATION

March 3, 2021

MEMORANDUM

TO: Lindsay Abate
Office of Management and Budget Desk Officer

FROM: Andrew Brake
Office of Elementary and Secondary Education Information
Collection Coordinator

RE: Emergency request for Paperwork Reduction Act (PRA) approval

Pursuant to the Office of Management and Budget (OMB) procedures established at 5 CFR 1320, the U.S. Department of Education (Department) requests that the following collection of information, Title I, Part A Accountability Waiver Requests for School Year 2020-2021, be processed in accordance with section 1320.13 Emergency Processing. On February 22, 2021, the Department invited State educational agencies (SEAs) to request waivers, for the 2020-2021 school year, of accountability, school identification, and related reporting requirements under Title I, Part A of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESEA), pursuant to the Department's authority under section 8401 of the ESEA. Thus, the Department is requesting emergency clearance and OMB approval in order to collect waiver requests from SEAs as soon as possible.

State accountability systems play an important role in advancing educational equity. At the same time, it is clear that the pandemic requires significant flexibility for the 2020-2021 school year so that schools can respond to the unique circumstances they are facing; keep students, staff, and their families safe; and maintain their immediate focus on supporting students' social, emotional, and academic development. The administration was unable to consider the flexibility needed until early 2021, resulting in the letter on February 22, 2021 that invited waivers of the accountability and school identification requirements. At this point in the school year, many States have already begun administering assessments. Knowing whether a State is going to request and be granted the invited waivers is essential to providing support for districts, schools, and parents to understand how the data will be used and what are the ramifications of the assessment data. Removing the accountability and school identification requirements will ease concerns about the assessments and encourage the continued administration of the assessments to provide data to drive supports for students for the 2021-2022 school year. In addition, if States know that they will be given relief from accountability and school identification, they will be more willing

400 MARYLAND AVE. SW, WASHINGTON, DC 20202
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to change the administration of the assessment; generally, States are very cautious about any changes to the administration (such as administering assessments over a longer timeframe, in the fall, or offering a remote option) because it may impact scoring in ways that raise concerns about using the data for high-stakes accountability purposes. Providing a streamlined process for SEA waiver requests will speed the process for both the SEA and the Department and help ensure State and local staff are able to maintain focus on the pressing needs of students. Any additional delay will have a negative impact on schools and students.

In order to reduce the burden on States, the Department has created an optional template for States to collect the information required under ESEA section 8401 to request waivers of accountability, school identification, and related reporting requirements. The optional template requests only information that is required under ESEA section 8401.

Given the short timeframe, the Department is unable to consult with the public prior to issuing the optional template, however the Department has ample experience designing other similar forms in a way that is clear and minimizes burden. We estimate that each optional template will take 3 hours for an SEA to complete and submit to the Department. The Department requests approval of this submission by March 4, 2021. Given the inability to seek public comment during such a short timeframe for this emergency collection, the Department will also provide 60-day language as part of the notice in the *Federal Register* seeking public comment for the regular information collection.