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SECRETARY OF EDUCATION

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GOVERNOR

April 20, 2020

**MEMORANDUM**

**TO: Superintendents and Charter School Leaders**

**FROM: Dr. Gwen Perea Warniment, Deputy Secretary; Katarina Sandoval, Deputy Secretary; and Dr. Tim Hand, Deputy Secretary**

**RE: Assessment and Accountability Waiver SY 2019-2020**

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Due to the unprecedented circumstances brought on by the COVID-19 pandemic and the closure of schools, the U.S. Department of Education has granted the New Mexico Public Education Department (PED) a waiver to bypass assessment and accountability requirements under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA).

The waiver has been [approved](#) and public comments regarding the [request for waiver](#) can still be submitted to [PED.Assessment@state.nm.us](mailto:PED.Assessment@state.nm.us).

Specifically, the waiver addresses the state's inability to administer assessments as required under ESEA section 1111(b)(2) or to comply with the test administration, reporting requirements, and school identification, as would normally be planned due to extensive school closures in the state.

**Spring 2020 Assessment & Accountability Implications**

This waiver is applicable for the 2019-20 SY and allows New Mexico to forgo or cancel statewide testing that would be typically administrated during this time of year. The following is provided to assist schools in understanding the impact of the waiver in relationship to all federal required assessments:

<b>Assessment Program</b>	<b>Status Upon Statewide Closure</b>	<b>Assessment Results</b>
ACCESS for ELLs	ACCESS Testing window concluded on 3/6/2020	Results will be valid, and LEAs will still receive individual, school, and district level reports.
Dynamic Learning Maps (DLM)	Minimal number of students tested	LEAs will receive individual score reports for students who completed an entire test for one or more subject areas.
Assessment of Science Readiness (ASR)	70% of census field test completed.	Results will be used to develop operational ASR for Spring 2021. New Mexico is not required to report results for the census field test. <sup>1</sup>
Measures of Student Success & Achievement (MSSA)	Cancelled	N/A
SBA Spanish	Cancelled	N/A
SAT School Day and PSAT 10	Cancelled	N/A

<sup>1</sup> PED applied for a science waiver in fall of 2019 to administer a statewide field test. The waiver was approved by USDE on the condition results would not be reported or used for accountability purposes.

In addition, given the closure and concerns around opportunity to learn, Istation end-of-year and End of Course (EOC) Exams have been canceled.

The PED is currently in discussion with College Board to consider an opt-in SAT School Day administration for this year’s grade 11 students to have an opportunity to take SAT in the fall as seniors. This would allow students to receive a college reportable score for admissions applications, but the results would not be used for state or federal accountability purposes.

**Accountability and School Ratings**

Due to the waiver, PED will not be producing district and school level reports as required by ESEA. The Accountability system will be devoid of Assessment and Teacher Quality Survey data; hence, no performance-based evaluation of schools will be conducted this year. However, where available, PED may publish the school and/or district level data that were previously published in these reports.

**Federal Designations, CSI and TSI Hold Constant**

As a result of the waiver and with the absence of data, the PED will “**hold-constant**” the federal designations of Comprehensive Support and Improvement (CSI) and Targeted Support and Improvement (TSI) through the 2020-2021 school year.

The new cycle of Annual Meaningful Differentiation required by the federal statute, identifying schools in three categories, More Rigorous Interventions (MRI), CSI, and TSI will be moved to a new 3-year cycle as identified below:

Annual Meaningful Differentiation Cycle	
December of 2021-22SY	Initial Identification (relies upon spring 2021 data)
January-June of the 2021-2022SY	Planning
2022-2023SY	Year 1 of Implementation
2023-2024SY	Year 2 of Implementation
2024-2025SY	Year 3 of Implementation

Currently identified CSI Schools will be eligible to receive an additional year of funding, based on an equity-based formula, through an application; additional information regarding this process will be released in the coming weeks. We appreciate your flexibility and understanding. Please do not hesitate to reach out if we can be of support to you and your communities.

GW/lv

cc: Dr. Ryan Stewart, Secretary of Education  
Adan Delgado, Deputy Secretary  
Kara Bobroff, Deputy Secretary