



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

The Honorable Penny Schwinn
Commissioner of Education
Tennessee Department of Education
710 James Robertson Parkway
Nashville, TN 37243

February 4, 2019

Dear Commissioner Schwinn:

I am writing in response to the Tennessee Department of Education's (TDOE) request on October 5, 2018, for a waiver under section 8401 of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA) related to TDOE's implementation of new science assessments.

TDOE requested a one-year waiver of certain ESEA requirements to support its transition to new general and alternate science assessments aligned with the State's new academic content standards, the Tennessee Academic Standards for Science. During the 2018-2019 school year, TDOE will administer a statewide field test of its new general and alternate assessments to all students in the grades in which science tests are administered. TDOE will not administer its current science assessments and will not report individual assessment results to parents, educators or the public. However, TDOE will hold districts and schools accountable for participation in the field test and will provide participation rates at school and district levels for the field test to the U.S. Department of Education (Department).

After reviewing TDOE's request, I find that the waiver will benefit school children in Tennessee, so I am approving TDOE's request for the 2018-2019 school year and waiving the following statutory requirements of the ESEA, as amended by the ESSA:

- Sections 1111(b)(1)(A) and (C) and 1111(b)(2)(B)(ii) and (v)(II), which require the State to establish student academic achievement standards in science and implement high-quality, yearly student academic assessments in science that are aligned with those standards to measure student achievement and to inform instruction.
- Sections 1111(b)(2)(B)(x) and (xii) and 1111(h)(1)(C)(ii) and (2)(C), which require the State and local educational agencies to provide individual student reports to parents, teachers and principals and to include the results of science assessments on State and local report cards.

Please note that this waiver is only applicable for the 2018-2019 school year during the administration of the statewide field test of Tennessee's new general and alternate science assessments. During this school year only, TDOE will exclude the science results from its

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accountability system and will reassign the points for science to the reading/language arts and mathematics assessments.

Please note that a failure to administer general and alternate science assessments in the 2019-2020 school year that meet all requirements would result in TDOE being out of compliance with Title I of the ESEA and the Individuals with Disabilities Education Act, which could result in a number of enforcement actions, including withholding of funds.

We appreciate our continued relationship with TDOE and remain committed to working with you. If you have any questions, please contact Nkemjika Ofodile-Carruthers of my staff at: OSS.Tennessee@ed.gov.

Thank you for your continued commitment to ensuring that all students have access to a high-quality education.

Sincerely,

/s/

Frank T. Brogan
Assistant Secretary
for Elementary and Secondary Education

cc: Heather Peltier, Chief Assessment Officer