

Dear XX,

Pursuant to sec. 8401(a), (20 U.S.C. 7861), of the Every Student Succeeds Act (ESSA), Delaware hereby requests the provision of a targeted, two-year waiver of the requirements of sec. 1111(d)(2)(A) of the Every Student Succeeds Act (ESSA), pertaining to the annual identification of schools for targeted support and improvement (TSI) due to one or more subgroup determined to be “consistently underperforming”. The Delaware Department of Education (DDOE) requests that this waiver of the above-referenced statutory requirements applies to TSI identifications utilizing school accountability data from the 2020-2021 school year.

Delaware considers a school to have a “consistently underperforming” subgroup if, for two (2) consecutive years, the overall accountability score of the subgroup, which includes all required indicators, falls at or below the lowest performing five (5) percent of the All Students subgroup statewide, which is the threshold utilized to identify schools for comprehensive support and improvement (CSI). Schools with one or more “consistently underperforming” subgroup(s) are identified annually, and the TSI identifications occurring in the Fall of 2019 were based on data from the 2017-2018 and 2018-2019 school years. As a result of the USED waiver from accountability and school identification requirements in sections 1111(c)(4) and 1111(d)(2)(C)-(D) for the 2019-2020 school year, Delaware did not have two (2) consecutive years of overall accountability scores with which to identify schools for TSI status in the Fall of 2020, and those TSI schools identified in the Fall of 2019 carried over their status through the 2020-2021 school year and continue to receive supports.

Moreover, Delaware is requesting an addendum to its ESSA Consolidated State Plan for the 2020-2021 school year due to the ongoing COVID-19 national emergency. This addendum includes a provision that Delaware will temporarily suspend its system of annual meaningful differentiation so as not to calculate overall accountability scores and ratings for schools based on data from the 2020-2021 school year. The combination of the 2020 waiver and the 2021 addendum results in the lack of two (2) consecutive years of comparable and consistent data needed to credibly identify schools for TSI status in the Fall of 2021.

Delaware intends to maintain its definition of a “consistently underperforming” subgroup as stated in its ESSA Consolidated State Plan. Given this definition, Delaware would not have the data necessary to restart its identification of schools for TSI status until the Fall of 2023, based on data from the 2021-2022 and 2022-2023 school years. Until new TSI identifications can be made, Delaware will provide available performance data to schools for continuous improvement and will continue to provide resources and support to those schools with subgroups currently identified with TSI status in alignment with our approved ESSA Consolidated State Plan. As always, and especially during these unprecedented and unpredictable times, all schools are continuing to receive focused supports to meet the needs of staff, students, and their families.

We appreciate your attention to this matter.

Sincerely,

Susan Bunting, Ed.D.