*****Massachusetts Department of***

***Elementary and Secondary Education***

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| Jeffrey C. Riley  *Commissioner* |  |

# MEMORANDUM

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| **To:** | Members of the Board of Elementary and Secondary Education |
| **From:** | Jeffrey C. Riley, Commissioner |
| **Date:** | April 9, 2021 |
| **Subject:** | Proposed Amendment to Regulations on Accountability and Assistance for School Districts and Schools, 603 CMR 2.00 (Modification due to COVID-19 Pandemic) |

I am presenting to the Board of Elementary and Secondary Education a proposed amendment to *603 CMR 2.00: Accountability and Assistance for School Districts and Schools.* I recommend that the Board vote on April 20, 2021 to solicit public comment on the proposed amendment.

Among other matters, the regulations describe the Commonwealth’s framework for district accountability and assistance and the process for issuing annual performance determinations for districts and schools. The proposed amendment would allow the Department of Elementary and Secondary Education to refrain from issuing new accountability determinations for districts and schools for school year 2020-2021.

As I informed the Board at our meeting in February, the Department requested – and has since received – a waiver of certain federal accountability requirements for the 2020-2021 school year from the United States Department of Education (USED). Our waiver request stemmed from the fact that in 2020 we cancelled 2020 MCAS testing due to the COVID-19 pandemic, under special state legislation and an assessment waiver granted by USED. Given this recently approved waiver, and to maintain consistency across state and federal accountability reporting requirements, I am proposing that the Board amend the state regulations by adding a new section 603 CMR 2.03(11) to specify that the Department may refrain from issuing 2021 district and school accountability determinations this fall.

Instead of issuing new accountability determinations in fall 2021, the Department will use each district’s and school’s most recent accountability determinations (from 2019), to ensure that they continue to receive support as needed. The Department will resume its regular annual accountability reporting practices following the 2021-2022 school year.

With the Board’s approval, the Department will solicit public comment on the proposed amendment. I will also share the proposed amendment with the Board's Advisory Council on School and District Accountability and Assistance at their next meeting on May 12, 2021, for the council’s review and comment. After reviewing all the comments and determining whether further changes are needed, I plan to bring the amendment back to the Board in June 2021 for final adoption.

A redlined version of the regulations is attached, along with a motion to solicit public comment on the proposed amendment. Associate Commissioner Robert Curtin will be at the Board meeting on April 20 to answer your questions.

Enclosures:

603 CMR 2.00: Strikethrough version of regulations showing proposed amendment

Motion