Steve Sisolak
Governor

Jhone M. Ebert
Superintendent of Public Instruction

Southern Nevada Office
2080 East Flamingo Rd,
Suite 210
Las Vegas, Nevada 89119-0811
Phone: (702) 486-6458
Fax: (702) 486-6450

STATE OF NEVADA
DEPARTMENT OF EDUCATION

700 E. Fifth Street | Carson City, Nevada 89701-5096
Phone: (775) 687-9200 | www.doe.nv.gov | Fax: (775) 687-9101

March 20, 2020

The Honorable Frank T. Brogan
Assistant Secretary for Elementary and Secondary Education
Office of Elementary and Secondary Education
U.S. Department of Education 400
Maryland Avenue, SW Washington,
DC 20202

Dear Assistant Secretary Brogan:

I am writing to request a waiver, pursuant to section 8401(b) of the Elementary and Secondary Education Act of 1965 (ESEA), as amended, of the following requirements for the State of **Nevada.**

Please check all that apply:

☑ Assessment requirements in section 1111(b)(2): the requirements to administer all required assessments in school year 2019-2020.

☑ Accountability and school identification requirements in sections 1111(c)(4) and 1111(d)(2)(C)-(D): the requirements that a State annually meaningfully differentiate all public schools and the requirements to identify schools for comprehensive and targeted support and improvement and additional targeted support and improvement based on data from the 2019-2020 school year.

☑ Report card provisions related to certain assessments and accountability in section 1111(h) based on data from the 2019-2020 school year, namely:

- Section 1111(h)(1)(C)(i) (*accountability system description*).
- Section 1111(h)(1)(C)(ii) (*assessment results*).
- Section 1111(h)(1)(C)(iii)(I) (*other academic indicator results).*
- Section 1111(h)(1)(C)(iv) (*English language proficiency assessment results*).
- Section 1111(h)(1)(C)(v) (*school quality or student success indicator results*).
- Section 1111(h)(1)(C)(vi) (*progress toward meeting long-terms goals and measurements of interim progress*).
- Section 1111(h)(1)(C)(vii) (*percentage of students assessed and not assessed*).
- Section 1111(h)(1)(C)(xi) (*number and percentage of students with the most significant cognitive disabilities taking an alternate assessment*).

- ○ Section 1111(h)(2)(C) with respect to all waived requirements in section 1111(h)(1)(C) as well as 1111(h)(2)(C)(i)-(ii) (*information showing how students in a local educational agency (LEA) and each school, respectively, achieved on the academic assessments compared to students in the State and LEA*).

I am requesting these waivers because it is not possible to administer assessments required under ESEA section 1111(b)(2) or comply with the concomitant accountability, school identification, and reporting requirements as originally planned due to extensive school closures in the State.

These closures are in response to extraordinary circumstances for which a national emergency has been duly declared by the President of the United States under the Robert T. Stafford Disaster Relief and Emergency Assistance Act and this action will protect the health and safety of students, staff, and our communities.

In seeking this waiver, I assure that:

- ☑ Any school that is identified for comprehensive or targeted support and improvement or additional targeted support and improvement in the 2019-2020 school year will maintain that identification status in the 2020-2021 school year and continue to receive supports and interventions consistent with the school's support and improvement plan in the 2020- 2021 school year.

- ☑ The State educational agency will provide the public and all LEAs in the State with notice of and the opportunity to comment on this request (*e.g.*, by posting information regarding the waiver request and the process for commenting, on the State website).

Thank you for your consideration.

Sincerely,

With this signature, I affirm submission of this waiver on behalf of the State of Nevada.

Jhone M. Ebert
Superintendent of Public Instruction
Chief State School Officer, Nevada