



# Oregon

Kate Brown, Governor



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DEPARTMENT OF  
EDUCATION

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**Colt Gill**

Director of the Oregon Department of Education

April 1, 2021

Ian Rosenblum  
Delegated the Authority to Perform the Functions and  
Duties of the Assistant Secretary  
Office of Elementary and Secondary Education  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

Dear Assistant Secretary Rosenblum,

On Friday, March 26, 2021, the United States Department of Education (ED) informed the Oregon Department of Education (ODE) that our [strategic assessment and accountability waiver request](#), submitted on January 22, 2021, would [not likely be approved](#). The letter acknowledged the work we've done on the Student Educational Equity Development Survey (SEED Survey), but maintained that the data from the SEED Survey pilot could not stand alone.

I am formally requesting an amended assessment waiver for spring 2021 state summative assessments, pursuant to the impact of the pandemic and other factors on our ability to provide sufficient secure test administration on-site in Oregon schools. Most of Oregon's students have experienced remote learning this entire school year and are only recently returning to in-person instruction. Governor Brown required all students to receive in-person instruction in Grades K-5 by the week of March 29, 2021 and students in Grades 6-12 by the week of April 19, 2021. Our test windows open on April 13, 2021, before our upper-grade students will be in person, and students and staff need time to acclimate to a new educational environment, with new schedules and health and safety protocols in place. Our educators have worked diligently to ensure that our school buildings meet rigorous health and safety requirements, but those same requirements reduce the number of students who can participate in state assessments at the same time in our classrooms and also require substantial cleaning and maintenance of technology to support, as our assessments are predominantly provided online. These factors substantially interfere with our ability to conduct a complete statewide assessment process, yet we acknowledge ED's expectation that statewide summative assessments must be administered.

This amended waiver includes a commitment that ODE will make all statewide summative general and alternate assessments in English Language Arts (ELA) and Mathematics in Grades

**Oregon Department of Education**

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3-8 & 11, and Science in Grades 5, 8, & 11 available for administration in Spring 2021 for parents and families who choose to have their child to participate in all statewide assessments. We would also commit to requiring that the majority of grade levels be assessed with state summative assessments, both general and alternate, as indicated in the specific content areas and grades indicated in the table below.

**Plan for 2021 OSAS Summative Assessment Administration**

Grade Level	Required Administration (except for students opted-out of ELA and/or Math per <a href="#">ORS 329.479</a> or exempted from Science per <a href="#">OAR 581-021-009</a> )
3	English Language Arts (ELA)
4	Mathematics
5	Science
6	ELA
7	ELA & Mathematics
8	Mathematics & Science
11	ELA & Mathematics

This assessment plan is grounded in five values that we used to define our rationale for this specific approach:

- Maintain the health and safety of Oregon’s students and educators
- Administer assessments in the majority of grade levels (4 of 7 grade levels in ELA and mathematics and 2 of 3 grade levels in science)
- Preserve general alignment with [SEED Surveys](#) data content area emphases
- Ensure that young students with minimal experience of our state assessment system are not tested in more than one content area (3<sup>rd</sup> and 4<sup>th</sup> graders)
- Require no more than 2 content area assessments at the end of each grade band (5<sup>th</sup>, 8<sup>th</sup>, and 11<sup>th</sup>)

We are encouraging all Oregon districts to participate in the SEED Survey pilot, as the surveys can be administered remotely and provide actionable information for districts. Survey results can also serve to support appropriate interpretations of summative assessment in the areas of access to learning resources, sense of belonging, opportunity to learn, and self-efficacy beliefs.

While I continue to question the value and wisdom of administering statewide summative assessments this school year and have significant concerns regarding the validity and possible misuse of data collected from these assessments, I also want to reiterate three concerns I believe are unique to Oregon:

1. Oregon education and community partners were overwhelmingly in favor of suspending the summative assessment.
2. The vast majority of Oregon's students are just now returning to classrooms. For most of these students, it will be in a hybrid model where students attend in-person on a limited basis. This is a time to prioritize care, connection, and learning between students and educators. Many of our students are meeting their teachers for the first time in-person and some have experienced significant trauma during the pandemic, historic wildfires, and the national reckoning on current and long-standing systemic racism. Right now we need to create trust that our students experience stability and support in our schools. In-person time must prioritize and center on teaching and learning, community building, reacclimating students to school, and relational connection. It is a notable hardship on students and educators to replace up to a quarter of this limited time for in-person instruction with computer-based assessment.
3. Oregon is home to a unique opt-out statute. While we will put forward a good faith effort to offer and require assessments this school year, I expect opt-outs to increase significantly in our state. This creates concern for the carryover impact on meeting future participation requirements and the ways that will impact needed investments in teaching and learning for our students. Local efforts to broadly opt-out of state testing this year are quickly gaining steam.

We anticipate this modified assessment schedule meets the Department's criteria. As our state assessment windows for ELA, mathematics, and science open on April 13, 2021, it will be important to know the status of this waiver request as soon as possible. A public comment period regarding this amended waiver request will be put in place today and run through next week. ODE is committed to sharing the results of that public comment with the Department once the process is complete.

Sincerely,



Colt Gill  
Director of Oregon Department of Education and  
Deputy Superintendent of Public Instruction