In accordance with Section 8401 of the [*Elementary and Secondary Education Act (ESEA)* as amended by the *Every Student Succeeds Act (ESSA)*](http://legcounsel.house.gov/Comps/Elementary%20And%20Secondary%20Education%20Act%20Of%201965.pdf), the U.S. Secretary of Education is authorized to waive for state educational agencies (SEAs), local educational agencies (LEAs), schools, or Indian tribes certain Federal statutory or regulatory requirements of the *ESEA-ESSA*.

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| 1. **Identify the Federal program(s) affected by this waiver request.** | 1. **Describe which Federal statutory or regulatory requirement(s) will be waived.** |
| Title I, Section 1003(a) is primarily impacted by this waiver request. Maine is requesting these waivers because although Maine has administered all assessment requirements under ESEA section 1111(b)(2) due to transitions in state administered assessments as a direct result of the COVID-19 global pandemic and, due to a continued focus to implement a purposeful and meaningful approach to accountability, Maine DOE is unable to comply with the concomitant accountability, school identification, and reporting requirements as originally planned.  Maine’s Model of School Supports identifications will be impacted due to the following reasons:   * ***Academic Achievement Indicator***   Maine transitioned math and ELA assessments in the fall of 2020. Maine’s Model of School Support has identified academic achievement goals for each school & student population. These goals were developed using the prior summative assessment and therefore cannot be utilized within the accountability model.  Maine will report the participation rate for all SAUs.  Standard setting of the new assessment is scheduled for Summer 2023 and will populate subsequent baselines to establish goals.   * ***Other Academic Indicator (Academic Growth)***   Maine utilized a transition table and examined spring to spring student growth within the prior accountability model. The transition in math and ELA assessments for most of the student population does not allow for comparison of data and determination of student growth. Fall to Spring growth will be examined and will be available at the conclusion of the spring 2022 administration. CSI/TSI/ATSI supports are determined both the academic achievement and growth indicators. A complete data set is unavailable.   * ***Exclusion of additional school identifications and subsequent supports to schools***   When excluding the academic achievement indicator and other academic indicator (academic growth), Maine’s Model of School Support will not have a complete data set. Available and complete data sets include: School Quality and Student Success (SQSS) indicators, English language proficiency and graduation rate. The SQSS indicators must remain less in the aggregate. | 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 targeted and comprehensive support and improvement and additional targeted support and improvement based on the data from the 2021-2022 school year.  Report card provisions related to certain assessments and accountability in section 1111(h) based on data from the 2021-2022 school year, namely:   * Section 1111(h)(1)(C)(i) Accountability system description * Section 1111(h)(1)(C)(iii)(I) other academic indicator 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). |
| 1. **Describe how waiving the requirement(s) indicated above will advance student academic achievement.** | |
| Waiving §8401(b) of the Elementary and Secondary Education Act (ESEA) as amended by the Every Student Succeeds Act (ESSA) of 2015 will continue to advance student achievement as all Maine students continue to receive instruction and participate in a variety of local and state assessment. This ongoing relationship between curriculum, instruction, and assessment, provides the opportunity for schools to continue focusing on student (group) achievement and to identify and support students (groups) who may be experiencing challenges. Identification of schools in a disingenuous manner impacts the credibility of not only Maine’s Model of School Support but the Maine DOE. Maintaining supports for currently identified schools will:   * Allow the Maine DOE to provide continuous support to school and classroom leaders during the 2022-2023 school year. Currently identified schools have indicated their preference to remain identified and receive assigned supports. * Ensure the trust developed between the Maine DOE and the Maine SAUs/schools is preserved. * Avoid the identification new schools during a transition of assessments without the ability to develop relevant, realistic, and achievable goals.   Maine DOE is committed to providing a differentiated method of support to schools experiencing challenges and who, subsequently, have been identified to receive additional support. Maine’s Model of School Support includes coaching and mentoring for school leaders, evidence-based professional learning for educators, and content-specific instructional coaching in classrooms. | |

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| 1. **Describe how Maine DOE will monitor and regularly evaluate the effectiveness of the implementation plan for the waiver request(s).** |
| The Department will continue to collaborate with schools eligible to receive Tier III (CSI) and Tier I (ATSI) support to ensure funds are utilized in a manner that is reasonable, necessary, and allowable under the ESEA as amended by the ESSA of 2015. During the 2022-2023 school year, the Department will continue to analyze data and work directly with the schools to ensure that identification within the accountability model can be completed during school year 2023-2024. Schools eligible to receive Tier III (CSI) supports will continue to document all school improvement related work. Each school is also supported and monitored by an assigned school leadership coach. Maine DOE leadership and instructional coaches visit each Tier III eligible school several times throughout the school year. |
| 1. **Describe how Maine DOE will provide assistance to the student populations served by programs impacted by the waiver request(s).** |
| Schools will continue to utilize their completed comprehensive needs analysis to direct and implement the work without negative impact to specific student populations. With the waiver from accountability identification, Maine DOE will have the opportunity to provide extended, meaningful professional learning to districts and schools around the updated state assessment, its purposes, and appropriate applications of the data.  These professional learning opportunities will also serve to expand state assessment literacy and engagement among the field and increase the capacity of educators and administrators to share this information in an accurate and timely way with Maine students, families, and community stakeholders.  Schools will continue to share and engage with communities and families in ways they have found beneficial, and which meet the needs of schools and their communities. |

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| 1. **If the waiver request relates to provisions of subsections (b) or (h) of section 1111 of *ESEA-ESSA*, describe how Maine DOE will maintain or improve transparency in reporting to parents and the public on student achievement and school performance, including the achievement of the subgroups of students identified in section 1111(b)(2)(B)(xi) of *ESEA-ESSA*.** |
| Maine DOE will continue to utilize the ESSA Data Dashboard to publicly report academic achievement disaggregated by student population in addition to assessment participation rates. Additionally, all other data sets, except for accountability identifications, will be reported and provided on the ESSA Data Dashboard. This dashboard, maintained on the Maine DOE website, is publicly accessible.  Locally, Maine SAUs and schools will continue to share student data through the modalities which they have found are most beneficial and meet the needs of their local community. Educators will continue to share student assessment data with students’ families to ensure families and schools are collaborating to support student achievement. The Department remains committed to support SAUs ensuring relevant documents and information are provided in an accessible format to all student populations and their families. |

**Public Comment**

Section 8401(b)(3)(B)(ii) of *ESEA-ESSA* requires the LEA requesting the waiver to providenotice and reasonable opportunity for the public to comment on any waiver request. The notice and opportunity for comment must be in the manner in which the applying agency customarily provides similar notice and opportunity to comment to the public.

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| 1. **Describe how Maine DOE informed the public of the waiver request(s) and provided opportunity for public comment on the request. Include the timeline given to the public to provide comments on the waiver request(s).** |
| Maine will continue to use the DOE Newsroom to share information related to public comment. Additionally, targeted communication is provided to Maine Superintendents, school administrators and District Assessment Coordinators (DACs). All comments are sent to a designated mailbox. |
| 1. **Public comments received regarding the waiver request(s) are attached.** |
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