



February 9, 2021

NYS PTA notes in support of NYSED Waiver Application

As you may be aware, as of March 31, 2020 the U.S. Department of Education (USDE) uniformly granted waivers to all 50 states, the District of Columbia, Puerto Rico and the Bureau of Indian Education for the 2019-20 school year to allow those jurisdictions to forgo the requirement in the Every Student Succeeds Act (ESSA) to standardized test their students in grades 3-8 and once in high school. This was due to the fact that schools across the country, and ALL schools in NYS, had closed school buildings due to the COVID-19 Pandemic.

Original guidance on March 12, 2020 from USDE was going to allow for individual state waivers. They then adopted guidance on March 20 which allowed for a streamlined waiver application process, and every state applied for a waiver by March 31, which were uniformly granted. You can read original guidance here: <https://oese.ed.gov/files/2020/03/COVID-19-OESE-FINAL-3.12.20.pdf>.

In NYS, this meant that schools were no longer required to give the federally mandated 3-8 assessments (as administered by Questar Assessment in NYS), and our Board of Regents cancelled the NYS High School Regents Examinations (which are NYS developed).

Interestingly, students then were still in school buildings fully from September (in NYS) to March – 6.5 months, missing the last 2.5 months (in NYS) of in-person instruction.

As FYI, for the 2020-21 school year, NYS cancelled the January administration of the NYS High School Regents Examinations, which all of NYS education stakeholders supported.

You can read this information here: <http://www.nysed.gov/news/2020/january-2021-regents-examinations-cancelled-due-ongoing-pandemic>.

For the 2020-21 school year, the U.S. Department of Education has reopened this discussion, and NYS will be seeking a waiver again from certain federal testing requirements.

You can read the draft NYS Education Department (NYSED) to USDE here: http://www.nysed.gov/common/nysed/files/usde-waiver-request-for-spring-2021-nys-tests-1-23-21-for-posting_0.pdf

You can also read draft letter to the Acting Secretary of Education here on this matter: <http://www.nysed.gov/common/nysed/files/usde-waiver-request-for-20-21-accountability-1-23-21-for-posting.pdf>

NYS PTA fully supports the NYSED Assessment Waiver Application.

We must focus now our students and their needs, their mental health, and the steep equity issues which continue to hamper education – especially during the COVID-19 pandemic.

We stand with all other NYS Educational Stakeholders in support of our children.

“...[R]esearchers at Columbia University have discovered significant disparities in the degree to which ESSA accountability subgroups are receiving instruction through remote learning during the pandemic. Specifically, the researchers found that: Schools recording the lowest third-grade math scores are nearly twice as likely to be closed compared to schools recording the highest math scores. The average racial composition of closed schools is 25 percentage points less white compared to schools operating in-person (40% versus 65%). Moreover, closures are more common in schools with a higher share of students who experience homelessness, are of limited English proficiency, are eligible for free or reduced-price school lunch, live in single-parent families, or are racial/ethnic minorities. Distance learning is more common in high schools and middle schools relative to elementary schools, but disparities in exposure to distance learning are comparable across school type. Given the potential negative consequences of school closures on educational performance, the vast inequalities in exposure to distance learning portend rising disparities in learning outcomes.”

We further offer that “Scott Marion, Executive Director at the National Center for the Improvement of Educational Assessment argues that “using [statewide assessment] scores in school accountability systems—whether federally or state-mandated—during the 2020-2021 school year may lead to serious potential unintended consequences. Dr. Marion further states that *‘disentangling the cumulative and uneven effects of the pandemic from school performance will be difficult, if not impossible, to achieve. Attributing outcomes to school performance is uncertain in any year, but it is simply indefensible immediately following the pandemic.’* (emphasis added).”

Also, “Daniel Koretz, a research professor at the Harvard Graduate School of Education, has similarly argued that discerning trends in a typical fashion has been disrupted beyond the point of being useful, including for accountability, and that states could not trust comparative data.”

Some NYS Data:

- 63% of NYS schools planned to start the school year with hybrid instruction;
- Only 20% of NYS schools planned to provide full in-person instruction;
- 17% of NYS schools indicated they will be sadly providing remote only teaching and learning.

Worse yet, “[w]hile the rate of schools planning remote only learning was the lowest of the three models, those schools providing remote only instruction tended to be located in urban settings and were more likely to serve communities with higher concentrations of students from racial and ethnic subgroups.” According to NYC data, 52% of students – or 500,000 children, selected remote instruction.

Further, “NYSED anticipates that a significant percentage of students who have learned exclusively in a remote setting all year or those that elected to transition from an in-person or hybrid model to a remote learning environment due to health and safety concerns will be unable to participate in such assessments as the State may administer in the 2020-21 school year, which must be administered in-person.”

As a point of information, NYS PTA is working extensively on digital equity issues. A recent NYSED Digital Equity survey indicated that more than 215,000 NYS students do not have access to a computer, Chromebook or tablet to use for instruction.

From NYSED, “Students in urban/suburban/high needs schools were twice as likely as their peers in average need schools to lack access to a device and five times more likely than their peers in low-need districts.”

The same survey indicated that 165,000 NYS students lack internet access to fully participate in home/remote instruction and learning.

As reminder, NYS does, and always has had, an assessment plan for students - as under our state assessment plan, each school building administers authentic performance-based assessments annually, or other NYS state approved assessments.

The NYS PTA Policy Position on Assessments is here (Use of Student Assessment and It’s Impact on High Stakes Educational Decisions (NEW) - <https://nyspta.org/home/advocacy/advocacy-legislative-program/position-papers/>

Further, some of our largest school districts, or city school districts, are still fully remote. Those children have been out of a school building now for 11 months. They join 17% of our schools that are remote only. The same 17% of remote only and 63% of hybrid districts have indicated overwhelmingly that they cannot safely administer these in-person examinations under current COVID-19 conditions in our schools.

NYS PTA was proudly was the only statewide stakeholder group that was represented on the Governor’s Reimagine/Reopening Council. We strongly advocated for a safe reopening for all school buildings and for the highest level of instruction. We also were able to advocate to shift many policies, including critical issues like enabling in-person summer special education instruction for students. However, because of the sheer number of students in NYS schools, and because many school buildings lack of space and adequate ventilation, many NYS schools remain in hybrid instruction; and in some severe cases, remote instruction.

Further, please remember the state of NYS health and safety under COVID-19. Sadly NYS has one of the highest COVID-19 death rates, as 228 New Yorkers per 100,000, here - <https://www.beckershospitalreview.com/public-health/us-coronavirus-deaths-by-state-july-1.html> or here - <https://covid19tracker.health.ny.gov/views/NYS-COVID19-Tracker/NYSDOHCOVID-19Tracker-Fatalities?%3Aembed=yes&%3Atoolbar=no&%3Atabs=n>.

Also, we are just overcoming our second spike, which saw MORE cases than our spring onslaught and forced many schools who were previously open to move to remote.

We have suffered greatly. Our children and families have suffered greatly. We have lost 40,000 of our citizens. And our children are in trauma. USDE must waive the end of year federally mandated tests.