



## Montana Strategic Waiver Process: FAQ for Report Card

As of [Timestamp: 12/23/2020], the participation requirement to administer annual state standardized assessments is required under [federal](#) and [state law](#). The Montana Office of Public Instruction (OPI) recognizes that the novel coronavirus (COVID-19) pandemic poses many new challenges and is seeking maximum flexibility and options under the Elementary and Secondary Education Act (ESEA), reauthorized as the Every Student Succeeds Act (ESSA). With the promise of COVID-19 vaccines on the horizon, the OPI is optimistic that these flexibilities will only be necessary for the 2020–2021 school year. This [Montana Strategic Waiver Actions Timeline](#) is specific to the 2020–2021 school year and reflects the state activities that led to Superintendent Arntzen’s December 2020 decision to submit a request for testing, accountability, and reporting federal waivers under [20 U.S. Code §7861](#) and [ESEA-ESSA Section 8401](#). Any comments on this waiver should be directed to [essainput@mt.gov](mailto:essainput@mt.gov).

### Q: What does this strategic waiver process mean?

**Answer:** The OPI and school districts cannot act on these efforts until a determination has been made by the Department and the Montana Board of Public Education (Board). The Department may take up to 120 days to approve or deny the waiver requests under the Section 8401 process. While we wait for a decision from the Department we are obligated to proceed with all requirements existing in law and policy. Because of the OPI’s experience with the COVID universal waivers from last school year and the scope of Montana’s accountability system it is likely the OPI will need to engage in waivers, the addendum process, and the amendment process to appropriately address the changes needed. Each of these three processes has a different role, as described below:

- The [addendum process](#) if allowed by the Department again would be for temporary changes designed to address the impact of missing data from the 2020-2021 school year. In other words, it is a solution the Department has granted states through the OPI’s current [ESSA State Plan Addendum Process](#) to “look backwards”.
- The [amendment process](#) is for changes in 2020–2021 and beyond. It addresses the current school year and “looks forward” by design.
- The [waiver process](#) under [ESEA-ESSA Section 8401](#) is intended to provide states with relief from statutory requirements.

### Q: What is the Montana Report Card?

**Answer:** A concise and accessible way to show how each of Montana’s schools and districts are doing by giving the public one place to access and find a number of important aspects of school performance.

### Q: What data is on the Montana Report Card?

**Answer:** More information on the report card can be found in [Montana’s ESSA State Plan](#), the [State, District, and School Reports](#), and the [federal non-regulatory guidance](#) for public reporting of data. Montana’s report card includes:

- Enrollment information
- Accountability status of Universal, Targeted, or Comprehensive
- Progress toward long-term performance goals
- Summary student performance on math, reading, and science tests, broken down by categories such as sex, ethnicity, foster care, special education, homeless, and military-connected
- Summary student growth over two years in math and reading, also broken down by categories
- English Learner test performance and growth
- Graduation rates, college and career readiness, and post-secondary enrollment (high schools)
- Attendance rates
- Educator qualifications
- Civil Rights information
- Per-pupil expenditures



**Q: What do these strategic waivers in accountability do?**

**Answer:** Should the Department grant the OPI the state Section 1111(b)(2) testing waivers, then the OPI would further request maximum flexibility under the statutory and regulatory requirements for the report card provisions related to certain assessments and accountability requirements in Section 1111(h) based on data from the 2020–2021 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-term 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); and
- Section 1111(h)(2)(C) with respect to all waived requirements in section 1111(h)(1)(C) as well section 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).

**Q: If the Smarter Balanced, ACT with Writing, Multi-State Alternate, Science, and Alt Science assessment results are not available, what will be available for reporting on the 2020–2021 Report Card?**

**Answer:** Table 1 illustrates what remaining data elements would be available and the subsequent effects should the Department grant the OPI the state Section 1111(b)(2) testing waivers. The rows colored in light gray indicate the element is not affected by the strategic waiver request.

**Table 1.** Data Elements Available to Report on for the 2020–2021 Report Card

Element	Effect
Enrollment information	Not affected – will be on the Report Card for 2020–2021.
Accountability Status of Universal, Targeted, or Comprehensive	Designations will be moved forward one year.
Progress toward long-term performance goals	Long-term performance goals will be moved forward one year.
Summary student performance	Not available – will <b>not</b> be on the Report Card for 2020–2021.
Summary student growth	Not available – will <b>not</b> be on the Report Card for 2020–2021.
English Learner test performance and growth	Not affected – available to publish on the Report Card for 2020–2021. (The ACCESS for ELLs assessment is not included in the strategic waiver request.)
Graduation rates	Not affected – will be on the Report Card for 2020–2021.
College and career readiness	ACT not available – will <b>not</b> be on the Report Card for 2020–2021.
Post-secondary enrollment	Not affected – will be on the Report Card for 2020–2021.
Attendance rates	Not affected – will be on the Report Card for 2020–2021.
Educator qualifications	Not affected – will be on the Report Card for 2020–2021.
Civil Rights information	Not affected – will be on the Report Card for 2020–2021.
Per-pupil expenditures	Not affected – will be on the Report Card for 2020–2021.



**Q: How can I share any concerns or thoughts on these state and federal waivers?**

**Public Comment Needed:** OPI is seeking comment to learn about the local impacts and implications of waiving the testing, accountability, and reporting requirements this school year. The OPI staff have developed the [2020-2021 Montana Strategic Waiver Website](#) and a [Public Comment Survey](#) to address topics of concern, but in the meantime, any comments on this waiver can be directed to [essainput@mt.gov](mailto:essainput@mt.gov). **Public comment will close on Thursday, January 28, 2021.** View the full [Montana Strategic Waiver Actions Timeline](#) to see other opportunities to lend your voice or an abbreviated view see **Table 2**.

**Table 2.** Strategic Waiver Webinar Schedule

<a href="#">January 7, 2021</a>	<b>Join Us for the Strategic Waiver Webinar #1 to Lend Your Voice</b> <a href="#">[Click here to register in advance to attend the Strategic Waiver Webinar #1.]</a>
<a href="#">January 14, 2021</a>	<b>Join Us for the Strategic Waiver Webinar #2 to Lend Your Voice</b> <a href="#">[Click here to register in advance to attend the Strategic Waiver Webinar #2.]</a>
<a href="#">January 21, 2021</a>	<b>Join Us for the Strategic Waiver Webinar #3 to Lend Your Voice</b> <a href="#">[Click here to register in advance to attend the Strategic Waiver Webinar #3.]</a>
<a href="#">January 28, 2021</a>	<b>Join Us for the Annual Data and Assessment Conference (ASSIST) Keynote Session, “Challenges and Practical Implications for State Testing”</b> <a href="#">[Click here to register in advance to attend the Strategic Waiver Webinar #4.]</a>

**Q: What OPI actions are being taken to communicate changes as this situation unfolds?**

**Answer:** The OPI is periodically holding Superintendent Meetings, Education Advocate meetings, district listening sessions, strategic waiver webinars, and other virtual public meetings to answer questions and share information. Activities related to the waivers and next steps are posted on the [2020-2021 Montana Strategic Waiver Website](#).

**Q: Are there any additional impacts from the testing waiver for state accountability, state reporting, and/or funding?**

**Answer:** The OPI is conducting the public comment process to learn more about any implications to other programs that rely on annual measures of student achievement such as the accreditation process (ARM 10.55.606), state reporting, and funding. Stakeholders are encouraged to express any concerns or ideas to us via email at [essainput@mt.gov](mailto:essainput@mt.gov). The following programs typically rely on assessment results to make determinations on schools and in some cases to allocate funding to provide equitable services to students. Here are a few programs known to rely on state testing results:

- **Title Programs** — For more information, contact Jack O'Connor (Title I and Federal Grants Unit Director) at [joconnor2@mt.gov](mailto:joconnor2@mt.gov) or 406-444-3083.
- **State Accountability Process: Accreditation** — For more information, contact the Accreditation & Educator Prep Unit email at [opiaccred@mt.gov](mailto:opiaccred@mt.gov) or phone at 406-444-5726 or 406-444-1852.
- **Special Education** — For more information, contact Jenifer Cline (Student Support Services Special Education Director) at [jenifer.cline@mt.gov](mailto:jenifer.cline@mt.gov) or 406-444-4426.
- **State Testing** — For more information, contact the Assessment Help Desk at [OPIAssessmentHelpDesk@mt.gov](mailto:OPIAssessmentHelpDesk@mt.gov) or 1.844.867.2569.
- **ESSA State Plan and Federal Accountability** — For more information, contact Julie Murgel (School Innovation and Improvement Senior Manager) at [Julie.Murgel@mt.gov](mailto:Julie.Murgel@mt.gov) or 406-444-3172.
- **CTAE Grants** — summative assessment results are an integral part of supporting career, technical education, and adult education (CTAE) programs. For more information on the Perkins grant or other CTAE programs, contact Shannon Boswell (CTAE Unit Manager) at [Shannon.Boswell@mt.gov](mailto:Shannon.Boswell@mt.gov) or 406-444-7915.

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**Q: Where can I find more information about this topic?**

**Answer:** All materials related to the waivers will be posted on the [2020–2021 Montana Strategic Waiver Website](#).

**Q: Who do I contact for technical support?**

**Answer:** You can also explore previous state, district, and school report cards using the [Montana Report Card](#). For technical questions about data shown in the Montana Report Card, contact the GEMS Help Desk at (406) 444-5222 or e-mail them at [opigemshelpdesk@mt.gov](mailto:opigemshelpdesk@mt.gov).

If granted, these 2020–2021 state and federal strategic waivers may provide school districts with some relief and the ability to focus on the basic educational services and needs of students. The OPI is seeking public comment on these approved waivers. Any comments on this waiver should be directed to [essainput@mt.gov](mailto:essainput@mt.gov).