

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To require, on an emergency basis, the Office of the State Superintendent for Education to submit a request for a waiver from certain federal requirements, and to prohibit the Office of the State Superintendent, District of Columbia Public Schools, the Public Charter School Board, and public charter schools from considering the results of standardized assessments for certain purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “State Education Assessment Waiver Emergency Act of 2021”.

Sec. 2. (a) Within 30 days after the effective date of this act, the Office of the State Superintendent for Education (“OSSE”) shall submit to the U.S. Department of Education a request for a waiver of certain requirements of section 1111 of the Elementary and Secondary Education Act of 1965, approved January 8, 2002 (115 Stat. 1444; 20 U.S.C. § 6311) (“ESEA”), and regulations adopted pursuant to the ESEA, during the 2020-2021 school year, including:

(1) The requirement to implement academic assessments pursuant to section 1111(b)(2) of the ESEA; provided, that requirement of this paragraph may be met by requesting a delay, until the 2021-2022 school year, of assessments otherwise required to be implemented during the 2020-2021 school year;

35 (2) The requirement to consider and report the result of academic assessments
36 required pursuant to section 1111(b)(2) of the ESEA when:

37 (A) Calculating progress toward long-term goals and making meaningful
38 differentiation between schools, pursuant to section 1111(c)(4) of the ESEA; and

39 (B) Making a plan for additional targeted support, pursuant to section
40 1111(d)(2)(C) or (D) of the ESEA.

41 (b) OSSE, District of Columbia Public Schools, the Public Charter School Board, and
42 public charter schools, as that term is defined in section 2002(29) of the District of Columbia
43 School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C Official Code § 38-
44 1800.02(29)), shall not consider the results of the Partnership for Assessment of Readiness for
45 College and Careers assessment, or another standardized assessment that is required, pursuant to
46 section 1111(b)(2) of the ESEA, to be administered during the 2020-2021 school year, including
47 an assessment that is delayed until the 2021-2022 school year pursuant to a waiver requested
48 pursuant to subsection (a) of this section, for the purpose of:

49 (1) Promotion or retention of a student; or

50 (2) Publishing rankings of schools, including the School Transparency and
51 Reporting Framework.

52 Sec. 3. Fiscal impact statement.

53 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
54 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
55 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

56 Sec. 4. Effective date.

57 This act shall take effect following approval by the Mayor (or in the event of veto by the
58 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
59 90 days, as provided for emergency acts of the Council of the District of Columbia in section
60 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
61 D.C. Official Code § 1-204.12(a)).

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