

MARK GREEN

7TH DISTRICT, TENNESSEE

COMMITTEE ON HOMELAND SECURITY

SUBCOMMITTEE ON INTELLIGENCE
AND COUNTERTERRORISM

SUBCOMMITTEE ON TRANSPORTATION
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March 16, 2020

The Honorable Betsy DeVos
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-3100

Dear Madam Secretary,

The COVID-19 outbreak is an international health crisis that will require an unprecedented response. President Donald Trump has declared a National Emergency, and the World Health Organization has labeled the outbreak a pandemic. Sports leagues are postponing their seasons, public events and concerts are being canceled, and states are ordering businesses to close.

Schools are also facing extreme difficulties, such as sending their students home indefinitely. The gravity of the current situation they are facing navigating the COVID-19 outbreak creates an undue burden for preparing and administering statewide assessments. Therefore, I respectfully ask you to immediately grant any state requests for a one-year waiver from Section 8401 of the Elementary and Secondary Education Act (20 U.S.C. § 7861). No state or district should have their participation rate or absenteeism metric factored into any school's Academic Achievement indicators.

Our state and local education agencies cannot be expected to administer assessments that are reliable and valid during this unforeseen and challenging academic year. For instance, the impact to Tennessee caused by inclement weather and COVID-19 will undeniably affect our state's accountability system due to school closures and student absences. States should be encouraged to postpone pending annual assessments where education has been interrupted by COVID-19

We must recognize that our districts could face critical challenges meeting certain Elementary and Secondary Education Act fiscal requirements, such as maintenance of effort; the requirement to obligate funds in the current federal fiscal year for providing equitable services to eligible private school students, teachers, and families; and the limitation on carrying over no more than 15% of Title I, Part A funds.

We must continue to work together to ensure the safety and security of our citizens. The health and safety of our students, staff, and their families must be our top priority. Please grant any state request for a one-year waiver from Section 8401 of the Elementary and Secondary Education Act (20 U.S.C. § 7861).

Sincerely,

A handwritten signature in blue ink that reads "Mark E. Green". The signature is written in a cursive style and is positioned above a horizontal line.

MARK E. GREEN, M.D.

Member of Congress