



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

OFFICE OF THE SUPERINTENDENT

April 16, 2020

The Honorable Donovan M. Dela Cruz
Hawaii State Capitol, Room 208
415 S. Beretania Street
Honolulu, Hawaii 96813

Dear Senator Dela Cruz:

Thank you for your interest in the actions the Hawaii State Department of Education (HIDOE) is taking to seize the opportunities that the federal government has offered to allow states to continue to provide educational services to all students. We have been keeping abreast of the developments taking place at the federal level regarding relief funding through the Coronavirus Aid, Relief, and Economic Support (CARES) Act and the flexibilities on certain fiscal and programmatic requirements of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESSA), extended.

Please find the information requested by the Senate Special Committee COVID-19 below.

- **Status of applying for Education Stabilization Funds**

HIDOE intends to apply for funds provided by the Elementary and Secondary School Emergency Relief Fund and is currently awaiting the release of the application. The United States Department of Education (ED) is expected to issue applications by April 19, 2020.

On April 13, 2020, ED issued the application for the Governor's Emergency Education Relief Fund with a deadline of June 1, 2020. The application is to be submitted by the Governor. HIDOE stands by to assist the Governor's office with completing the application if assistance is needed.

- **Total calculation of funds to be provided to the Department of Education**

HIDOE anticipates receiving an estimated \$43,435,000 from the Elementary and Secondary School Emergency Relief Fund.

Hawaii anticipates receiving \$9,993,387 from the Governor's Emergency Education Relief Fund. Allocation of these funds to HIDOE falls within the purview of the Governor's office.

- **The plan for waivers the Department intends to request, if any**

On March 20, 2020, HIDOE requested to waive the assessment and certain accountability requirements of ESSA due to the school closure and the inability to administer statewide assessments. HIDOE received a formal letter from ED approving this waiver request on March 27, 2020.

On April 7, 2020, HIDOE requested to waive certain fiscal and programmatic requirements of ESSA to allow for flexibility to obligate ESSA program funds to best address our current educational needs. HIDOE received approval of this waiver request from ED via email on April 7, 2020 and is awaiting the formal letter of approval.

HIDOE will consider additional waivers as opportunities from ED arise.

- **The Department's strategy to cover budget shortfalls due to Coronavirus**

While HIDOE stands ready to follow the directives given by the Governor and the Department of Budget and Finance, action has been taken to begin to prepare for the inevitable shortfall due to COVID-19. Directives have been given to all schools and offices to scrutinize any planned spending to minimize discretionary expenses and focus on essential items including, but not limited to, personal protective equipment and cleaning supplies and on instructional materials for students who are unable to access the curriculum via technology.

Thank you for this opportunity to respond to your inquiries and to share HIDOE's actions regarding the Education Stabilization Fund and ESSA flexibilities. Should you need further clarification, please contact Wanelle Kaneshiro of the Office of Strategy, Innovation and Performance via email at wanelle.kaneshiro@k12.hi.us.

Sincerely,



Dr. Christina M. Kishimoto
Superintendent

CMK:wk

c: The Honorable Jarrett Keohokalole
The Honorable Michelle N. Kidani
The Honorable Donna Mercado Kim
The Honorable Sharon Moriwaki
The Honorable Kurt Fevella
Office of Fiscal Services
Office of Strategy, Innovation and Performance

Attachment: Letter from the U.S. Department of Education dated March 27, 2020



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

March 27, 2020

The Honorable Christina Kishimoto
Superintendent of Education
Hawaii Department of Education
1390 Miller Street, Suite 307
Honolulu, HI 96813

Dear Superintendent Kishimoto:

I am writing in response to Hawaii's request on March 20, 2020 that the U.S. Department of Education (Department) waive statewide assessment, accountability and reporting requirements in the Elementary and Secondary Education Act (ESEA) for the 2019-2020 school year due to widespread school closures related to the novel Coronavirus disease (COVID-19).

Specifically, Hawaii requested a waiver of the following:

- Assessment requirements in section 1111(b)(2) for the school year 2019-2020.
- Accountability and school identification requirements in sections 1111(c)(4) and 1111(d)(2)(C)-(D) that are based on data from the 2019-2020 school year.
- Report card provisions related to assessments and accountability in section 1111(h) based on data from the 2019-2020 school year. These include:
 - 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 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 as 1111(h)(2)(C)(i)-(ii) (information showing how students in an LEA and each school, respectively, achieved on the academic assessments compared to students in the State and LEA).

After reviewing Hawaii's request, I am pleased to approve, pursuant to my authority under section 8401(b) of the ESEA, a waiver of the assessment, accountability and reporting requirements listed above for the 2019-2020 school year.

400 MARYLAND AVE., SW, WASHINGTON, DC 20202
<http://www.ed.gov/>

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

As part of this waiver, Hawaii assures that:

- Any school that is identified for comprehensive or targeted support and improvement or additional targeted support and improvement in the 2019-2020 school year will maintain that identification status in the 2020-2021 school year and continue to receive supports and interventions consistent with the school's support and improvement plan in the 2020-2021 school year.
- The State educational agency will provide the public and all LEAs in the State with notice of and the opportunity to comment on this request (*e.g.*, by posting information regarding the waiver request and the process for commenting, on the State website).

I know that you are doing all in your power to support your districts and schools to ensure the health and well-being of students and educators. Thank you for your dedication to this effort. If you have any questions about this waiver, please contact my staff at OESE.TitleI-a@ed.gov

Sincerely,

A handwritten signature in black ink that reads "Frank T. Brogan". The signature is written in a cursive style with a large, looping initial "F" and a long, sweeping underline.

Frank T. Brogan
Assistant Secretary
for Elementary and Secondary Education