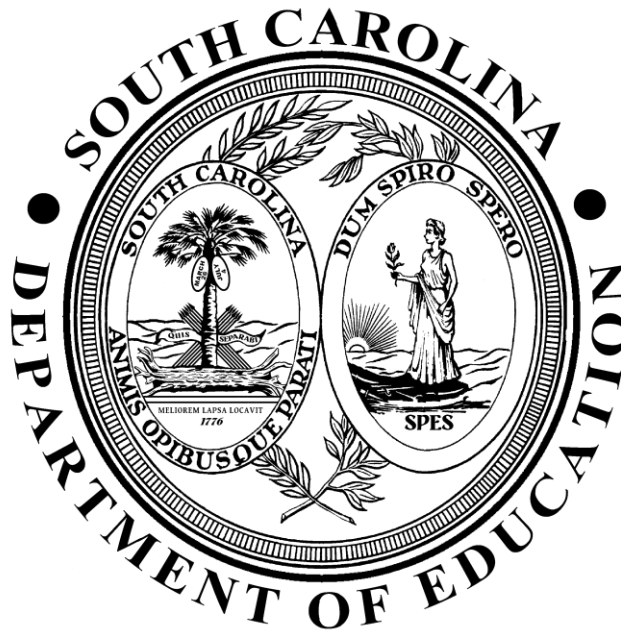


STATE OF SOUTH CAROLINA
DEPARTMENT OF EDUCATION

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STATE SUPERINTENDENT OF EDUCATION



**Public Comments to South Carolina's Proposed Waiver to
the US Department of Education**

October 21, 2020

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Background

In March 2020, the world began experiencing a historic pandemic from the novel coronavirus, COVID-19. In that effort, schools' physical buildings were closed for the remainder of school year 2019–20 to avoid additional infection, and schools worked diligently to provide continued, emergency learning.

In April 2020, the South Carolina Department of Education (SCDE) informed the United States Department of Education (USED) that it intended to suspend all end-of-year assessments, as required by the Every Student Succeeds Act (ESSA). On March 27, 2020, the USED issued South Carolina an emergency waiver approving the suspensions of testing and concomitant accountability measures.

In summer 2020, the South Carolina General Assembly passed, and South Carolina Governor Henry McMaster signed into law, [Act 142](#). Act 142 instructed the SCDE to seek a waiver for 2020–21 ESSA-required assessments and concomitant accountability requirements, school identifications, and reporting requirements. Act 142 also suspended all state-required assessments and concomitant state accountability measures unless prohibited by federal law

In contrast to the Emergency Waiver given to South Carolina in spring 2020, the USED instructed the SCDE to follow the typical waiver requests as outlined in the ESSA. The typical waiver requests requires states to take public comment on the proposed waiver, then review and respond as appropriate prior to submitting the waiver request to the USED for consideration. This report is the SCDE's summary of the comments received and the SCDE's responses to those comments.

Comments Methodology

In order to facilitate a streamlined system for accepting comments, the SCDE created and widely distributed a short, online survey that was publicly available. The survey sought responses to four items:

- The role of the individual submitting the comments (e.g., parent, teacher, administrator, community member);
- Whether or not they supported the SCDE submitting the waiver as required by Act 142;
- Any comments on the waiver request; and
- An optional e-mail address.

Additional information was also obtained by the survey platform, such as IP addresses, the browser, and the date/time the survey was completed.

The survey was opened on August 24, 2020, and closed on September 11, 2020, consistent with other feedback opportunities given to the public. The SCDE marketed the survey via various social media, to school districts, and organizations.

During the course of the survey window, the SCDE received 33,621 individual responses. Those responses included multiple comments from 295 individuals.ⁱ There were also multiple surveys from the same IP addresses (n=1069), however the SCDE does not have data to know whether or not those were individuals submitting the survey multiple times, or a commonly used computer, such as one available at a public library. For example, 1069 IP addresses had between 3 and 574 responses.

Since the public is not limited in the number or type of comments provided, the SCDE analyzed all responses although there likely were multiple comments from single individuals.

Quantitative Results

The SCDE received 33,621 responses to the waiver survey. The first question posed in the survey asked participants to select the role that best describes them. The breakdown of the roles of those responding is found in Table 1.

Table 1: Role of Respondents

Role	Number of Responses
District Administrator	368
Parent	16,301
School Administrator	1,083
Student	1,916
Taxpayer	2,435
Teacher	11,518
Total	33,621

The second survey question asked participants whether or not (Yes or No) they supported the SCDE seeking the waiver from the USED as required in Act 142. The overwhelming majority of respondents selected “Yes,” as noted in Table 2.

Table 2: Support Waiver (Yes/No)

Support (Yes/No)	Number of Responses
Yes	31,077
No	2,544
Total	33,621

To better understand responses, the SCDE analyzed roles compared to their response to the first item. As shown in Table 3, roughly ninety percent of each role answered “Yes” to supporting the waiver.

Table 3: Respondents by Support Category

Role	No	Yes
District Administrator	18	350
Parent	1,952	14,349
School Administrator	22	1,061
Student	169	1,747
Taxpayer	185	2,250
Teacher	198	11,320
Total	2,544	31,077

Qualitative Results

The next item on the survey asked respondents to provide any additional comments related to the waiver. Of the 33,621 responses, the majority (n=21,868) did not provide any additional comments; there were 11,753 responses with comments.

Of the 2,544 respondents who said “No” to supporting the waiver, 965 gave additional comments. Of the 31,077 who said “Yes” to supporting the waiver, 10,788 gave additional comments.

In order to best understand the comments given, the SCDE conducted a thematic analysis of the qualitative data. Thematic analyses involve reviewing qualitative responses and organizing them by themes. Each theme is assigned an ordinal number, then frequency tables with percentages, are completed. This approach allows qualitative data to transform into quantitative measures, which may be rank ordered and understood as to respondents’ open-ended comments.

Two sets of analyses were conducted. The first set of analyses involved looking at the comments from the respondents who said “No” to supporting the waiver. The second set of analyses involved looking at the comments from the respondents who said “Yes” to supporting the waiver.

Within each set of responses, nine themes were identified. The following section of this report summarizes those themes, as well as provides the SCDE’s responses to those comments.

Yes Comments

Of the 33,621 responses, there were 11,753 responses with additional comments from those who said “Yes” in support of the waiver. Within these responses, nine themes were identified as outlined in Table 4.

Table 4: Themes from Respondents Who Support the Waiver

Theme	Frequency
Pandemic Disruption	1,348
Need to catch up from missed face-to-face time	1,095
Work load/stress warrants waiver	4,099
Issues with opening of schools/methods of learning	1,979
Students/Social-Emotional needs	693
Need to focus on teaching	259
Comments opposite to response	39
Testing not accurate/calls to discontinue assessments	1,071
Other	205
Total	11,753

Pandemic Disruption Theme

A number of commenters (n=1,348) support the waiver due to the disruption caused by the COVID-19 pandemic. Exemplar comments to this theme include the following:

- *I do not think it is wise to require in person testing during the Covid-19 pandemic and would support a waiver and remote learning until a vaccine is developed.*
- *The pressures placed on schools and students during the pandemic do not make a good testing environment. Testing needs to be waived another year.*
- *I believe that with COVID and the uncertainty of school this year that students will not perform their best. I also feel as if learning for students will be impacted this year unlike other years. Students will not be learning in a comfortable environment and therefore with all the stressors it would be difficult to ask them to take these assessments.*
- *Due to COVID and being out of school for so long, I think the waiver is important this year.*

SCDE Response

The SCDE recognizes the negative impact caused by COVID-19 beginning in March 2020 on student learning. While the SCDE, school districts, schools, and teachers have been working diligently to address the adverse effects that the pandemic has had on student learning, the SCDE agrees that the pandemic may yield lower assessment results for students. The SCDE believes that through teacher-developed assessments and curriculum-based measures, as well as interim assessments, school districts and the state will be able to judge the “COVID-slide” and provide necessary interventions and supports to get students caught up.

Need to catch up from missed face-to-face learning Theme

A number of commenters (n=1,095) support the waiver because they believe there is a need to catch up from missed face-to-face learning. Exemplar comments to this theme include the following:

- *Our focus in education should be on learning and bridging gaps from last year's school closure.*
- *Students need more support with learning because students are behind in completing tasks at certain academic levels.*
- *Students need these extra days in class to learn instead of taking standardized tests.*
- *Due to COVID-19, students lost 3 months of face to face instruction of the grade level standards that were not taught.*

SCDE Response

The SCDE recognizes the negative impact caused by COVID-19 beginning in March 2020 on student learning. While the SCDE, school districts, schools, and teachers have been working diligently to address the adverse effects that the pandemic has had on student learning, the SCDE agrees and supports the need for additional classroom time to address the lost learning from spring 2020. The SCDE believes that through teacher-developed assessments and curriculum-based measures, as well as interim assessments, school districts and the state will be able to judge the “COVID-slide” and provide necessary interventions and supports to get students caught up.

Work load/stress warrants waiver

The majority of commenters (n=4,099) support the waiver because of the additional workload and stress that the pandemic has had on educators and families. Exemplar comments to this theme include the following:

- *Children are already stressed enough over the pandemic. They should not have additional stressors.*
- *Many students already deal with testing anxiety related to these assessments. With the inconsistent and complicated world we live in today, I believe it is best that students NOT have the added stress of these tests during the upcoming school year!*
- *Teachers all over the country have very little idea what they will see with students walking into their classes this fall. I do not believe it is fair to anyone in the school system to have to deal with the added stress of these standardized assessments.*
- *I feel that this exemption will relieve stress on already stressed students and teachers.*

SCDE Response

The SCDE recognizes the extensive stress caused by COVID-19 beginning in March 2020 and its effect on teachers, students, and South Carolina communities. While the SCDE, school districts, schools, and teachers have been working diligently to address the adverse effects that the pandemic has had on student learning, the SCDE agrees that waiving accountability assessments and concomitant accountability requirements for the 2020–21 year would assist in eliminating stress. The SCDE believes that through teacher-developed assessments and curriculum-based measures, as well as interim assessments, school districts and the state will be

able to judge the “COVID-slide” and provide necessary interventions and supports to get students caught up.

Issues with opening of schools/methods of learning

A number of commenters (n=1,979) support the waiver due to issues related to opening of schools and methods of instruction. Exemplar comments to this theme include the following:

- *Student performance will be impacted by the COVID-19 pandemic, and parents were given the opportunity to choose virtual instruction. Assessments should only occur when face-to-face is implemented continuously for more than 2/3 of the year.*
- *With face to face instruction being effected, and quality of face to face further being impacted (nerves, masks, attendance) it would be cruel and unfair to not grant a waiver.*
- *The differences between instructional models between counties and school districts in SC, coupled with the inconsistency in student schedules (for example, if a student is attending on a cohort schedule but has to stay home for an extended period in order to quarantine), will inevitably skew testing data. Skewed data may result in the implementation of instructional changes that aren't appropriate; obtaining a testing waiver will prevent this.*
- *The technical support is not in place for everyone to benefit with the various learning styles.*

SCDE Response

The SCDE recognizes the fluidity of school reopening plans based on local needs and supports districts using the latest data and guidance from public health officials to inform when fully reopening may be done safely. The SCDE equally supports face-to-face instruction as soon as possible, particularly for more vulnerable populations of students, but recognizes the impact the varying models may have on student performance on statewide assessments. The SCDE has worked diligently to address the digital divide by working to procure Learning Management Systems (LMS) licenses for districts, providing increased technology support, and procuring and launching a Learning Object Repository. Furthermore, in collaboration with the South Carolina General Assembly and the Governor’s Office, the SCDE has been working to ensure that school districts safety needs (e.g., personal protective equipment, Plexiglas) are in place. Because of the pandemic and the fluidity of schools’ reopening models, coupled with the uncertainty of the times, there will be differences in students’ opportunity to learn the content equally, which may impact accountability assessment results.

Students/Social-Emotional needs

Some commenters (n=693) support the waiver due to issues related to students and social-emotional needs. Exemplars comments to this theme include the following:

- *This is a time that we need to focus on the social emotional needs of students while helping fill learning gaps. Standardized testing does not help facilitate this.*

- *I fully support this waiver. In addition, teachers should be strongly encouraged to focus on social and emotional development this year in addition to academic development.*
- *Students are already starting the year behind. Many have significant stressors in their lives right now. It is essential to students' academics, as well as social/emotional health to waive the assessments this year.*

SCDE Response

The SCDE recognizes the importance of addressing students and educators' social-emotional needs as South Carolina continues through this historic event. To that end, the SCDE has spent extensive time in summer 2020 to develop resources, professional development, and an [online repository](#) of information and tools related to social emotional learning. The SCDE believes that the additional time and support needed to focus on students and educators' social, emotional, behavioral, and mental health needs is a strong reason for seeking a waiver from the USED.

Need to focus on teaching

A small number of commenters (n=259) support the waiver due to the need to focus on teaching. Exemplar comments for this theme include:

- *Schools need to be able to focus on core curriculum and teach for mastery and not spend time on test-taking skills.*
- *The time for additional assessment will take away from additional teaching time.*
- *Instructional time should not be sacrificed for high stakes at any time but particularly in the current environment.*

SCDE Response

The SCDE recognizes the importance of assessments, as well as focusing on teaching and learning in 2020–21. The SCDE believes that focusing on diagnostic assessments through the year as well as teaching and learning are strong reasons for seeking a waiver from the USED. The SCDE believes that through teacher-developed assessments and curriculum-based measures, as well as interim assessments, school districts and the state will be able to judge the “COVID-slide” and provide necessary interventions and supports to get students caught up.

Comments opposite to response

A few commenters (n=39) gave comments that seem to contradict their “Yes” rating. An exemplar theme to this includes:

- *There still should be student assessments to ensure that students are not promoted to the next grade level unless they are proficient with the material they should have learned.*

SCDE Response

Because the SCDE is unable to discern comments that do not seem to support the waiver requests for assessments, the SCDE is unable to respond coherently to these commenters.

Testing not accurate/calls to discontinue assessments

A number of commenters (n=1,071) support the waiver as they believe that testing is not accurate and/or call for accountability assessments to be discontinued. Exemplar comments to this theme include:

- *I believe mandated testing should be eliminated permanently. I don't believe it benefits the children.*
- *These tests should definitely be waived this year! They should be done away with forever!*
- *I do not support standardized testing. I would love to see South Carolina do away with this practice.*
- *Given current conditions, standardized tests seem unlikely to be an informative metric of student/school performance.*

SCDE Response

The SCDE often receives public input on accountability assessments; however, both federal and state law require the SCDE and school districts to administer assessments to measure the degree to which the public educational system is accountable for ensuring students are meeting South Carolina's rigorous college- and career-readiness standards. Although the state may seek a one-year waiver under the ESSA, the SCDE does not have the authority or ability to permanently discontinue accountability assessments. The SCDE, working with nationally-renowned experts in testing, ensures that the assessments are valid and reliable. Those assessments undergo rigorous reviews (both at the state and national level) to ensure that they meet extensive criteria to measure students' achievement on state standards.

Other Response

A few commenters (n=205) provided comments that could not arguably be categorized. As such, the SCDE developed an "other" category. Examples include comments about specific individuals, standalone phrases (e.g., "unique circumstances), and quotes.

SCDE Response

The SCDE has reviewed these comments.

No Comments

Of the 33,621 responses, there were 965 responses with additional comments from those who said “No” to supporting the waiver. Within these responses, nine themes were identified as outlined in Table 5.

Table 5: Themes from Respondents Who Do Not Support the Waiver

Theme	Frequency
Importance of accountability	108
Importance of testing/data	404
Issues related to social promotion/passing	81
Comments opposite to response	60
Teacher/school district responsibility	65
Opening of schools	63
Pandemic/connectivity	78
National education ranking/funding	81
Other	25
Total	965

Importance of accountability

A number of commenters (n=108) do not support the waiver due to issues related to the importance of accountability. Exemplar comments to this theme include:

- *If there is no accountability, schools will not teach the state standards or to the rigor of learning students deserve.*
- *We need accountability in place this year to ensure schools are focused and motivated towards student achievement.*
- *Children still need to be taught this information and our district should be held accountable to ensure the standards are being met.*

SCDE Response

The SCDE supports a system of accountability to ensure that all students have the opportunity to meet the *Profile of the South Carolina Graduate*. The SCDE understands the importance of and supports assessments as they are strong and meaningful tools that give educators, parents, leaders, and the public important accountability information about schools. In fact, accountability assessments were created to give measures of classrooms, schools, districts, and states in terms of how well students were achieving state academic standards. A major part of accountability is comparing year over year and comparing schools/districts to each other. Because of the impact of the COVID-19 pandemic, this sort of comparability is not possible for the current school year. The SCDE trusts educators in continuing to provide quality instruction aligned to state standards,

and believes in their professionalism and dedication to deliver quality instruction despite the obstacles they are currently facing.

Importance of testing/data

The majority of commenters (n=404) do not support the waiver due to issues related to the importance of testing/data. Exemplar comments to this theme include:

- *South Carolina students need to be assessed. We currently waived assessments for the 2019-2020 school year. We do not know where we have shortfalls at this point. Assessments give us important data. We need to know if students are falling through the cracks. Also is ""Virtual Learning"" really effective we have no data. I really feel that we should assess our students this year.*
- *It is in the best interest of all children in SC to be assessed. If the children are not assessed how do the educators know which areas our children struggle in?*
- *These kids have missed way too much of well needed education. They(the kids) need these test*

SCDE Response

The SCDE understands the importance of and supports assessments as they are strong and meaningful tools that give educators, parents, leaders, and the public important information about schools. In fact, accountability assessments were created to give measures of classrooms, schools, districts, and states in terms of how well students were achieving state academic standards. These assessments are not diagnostic measures. Other assessments such as interim measures and teacher-developed and curriculum-based measures, give in-depth, actionable information about students' knowledge. Because of the pandemic, and its effect on student learning, the SCDE believes that this year these diagnostic assessments are more important measures to administer since they provide actionable data that teachers can use in instruction. For the 2020–21 school year, all districts were required to give a pre-assessment (at the beginning of school) and a post-assessment in December. Many districts will also likely administer similar measures at the end of the school year to determine summer learning needs and to prepare for the 2021–22 school year.

Issues related to social promotion/passing

A few commenters (n=81) do not support the waiver due to issues related to social promotion and passing grades. Exemplar comments to this theme include:

- *I feel the students should be tested and if their scores aren't high enough to for their grade level they should not be given a passing score.*
- *South Carolina should seek no such waiver. Students need to be taught accordingly to the standards provided. The test will be a good way to show where students are at this time. This will allow for proper placement of where students need to be if they need to repeat the lower grade are stay in the current one. Time missed must be made up. There are no excuses. Adult life has no excuses neither should this.*

- *By not having the test, too many students will not be properly evaluated on what they should know. This could cause them to be passed to the next grade when they aren't properly prepared for the next grade.*

SCDE Response

The SCDE appreciates the input from these commenters. Except for third grade retention for South Carolina's Read to Succeed Act, accountability assessments in elementary and middle schools are not used for grading and promoting students from one grade to the next. At the high school level, end-of-course examination results in English, Algebra, Biology, and U.S. History and Constitution make up twenty-percent of the students' final grade. For all other classes and subjects, students' grades are based on other classroom, teacher-developed measures for grading/passing students in a course, or for promoting them from one grade to the next.

Comments opposite to response

A few commenters (n=60) gave comments that seem to contradict their "No" rating. Exemplar comments to this theme to this includes:

- *I don't think that it's safe for state testing to be given out.*
- *The students' social emotional health will be compromised further with high stakes testing.*

SCDE Response

Because the SCDE is unable to discern comments that seem to support the waiver requests for assessments, the SCDE is unable to respond coherently to these commenters.

Teacher/school district responsibility

A few commenters (n=65) do not support the waiver due to issues related to teachers' and school districts' responsibilities. Exemplar comments to this theme include:

- *Our school system should be working to provide the best education possible despite the tough circumstances not giving themselves an automatic out.*
- *If teachers educate our students, a waiver is not needed. It does not matter if students are being taught virtually or in-person. For many years, students attending virtual school and students being homeschooled have been required to participate in standardized testing. An exception should not be made for this year or any other.*

SCDE Response

The SCDE understands the importance of and supports assessments as they are strong and meaningful tools that give educators, parents, leaders, and the public important information about schools. In fact, accountability assessments were created to give measures of classrooms, schools, districts, and states in terms of how well students were achieving state academic

standards. These assessments are not diagnostic measures. Other assessments such as interim measures and teacher-developed and curriculum-based measures, give in-depth, actionable information about students' knowledge. Because of the pandemic, and its effect on student learning, the SCDE believes that this year these diagnostic assessments are more important measures to administer since they provide actionable data that teachers can use in instruction. For the 2020–21 school year, all districts were required to give a pre-assessment (at the beginning of school) and a post-assessment in December. Many districts will also likely administer similar measures at the end of the school year to determine summer learning needs and to prepare for the 2021–22 school year. The SCDE trusts educators in continuing to provide quality instruction aligned to state standards, and believes in their professionalism and dedication to deliver quality instruction despite the obstacles they are currently facing.

Opening of schools

A few commenters (n=63) do not support the waiver due to issues related to opening of schools. Exemplar comments to this theme include:

- *The schools need to open 5 days a week for in-person instruction immediately.*
- *Our schools need to go back to normal. If we are 5 days a week in person, there should be reason to be exempt from testing.*
- *Doing away with the testing would make this school year superfluous. Open the schools back up.*

SCDE Response

The SCDE recognizes the importance of a safe return to face-to-face instruction. In fact, on September 16, 2020, State Superintendent Spearman issued a [memorandum](#) strongly encouraging districts to return as soon as possible to face-to-face instruction, particularly for more vulnerable populations of students. In addition, SCDE staff are in touch weekly with school districts to get updates and discuss school operations plans, as more districts are moving to face-to-face instruction.

Pandemic/connectivity

A few commenters (n=78) do not support the waiver due to issues related to the pandemic and internet connectivity. Exemplar comments to this theme include:

- *I believe it should have documentation on how the effects of the pandemic and restrictions have affected education.*
- *I feel that we need to see where students are and how much they "lost" during the pandemic.*
- *We need to know the impact of virtual and e-learning on students' academic progress.*

SCDE Response

The SCDE agrees with commenters on issues related to the pandemic and internet connectivity/e-learning. The SCDE has invested millions of dollars into scaling up support for school districts and teachers by purchasing licenses for districts to have a learning management system to deliver virtual instruction as and when needed; as well as a learning object repository to house curriculum and materials that teachers can readily access. In addition, using emergency relief funds, South Carolina school districts have been busily working to upgrade their technological capacity, purchasing laptops, paying for internet connections, and meeting other technology needs.

National education ranking/funding

A few commenters (n=81) do not support the waiver due to issues related to national education rankings and funding. Exemplar comments to this theme include:

- *Our children are already behind the national average!*
- *South Carolina's ranks as one of the worst states in the nation when it comes to educational achievements, so taking a year off would only increase the gap between us and other states. We need to insist that education should be the last thing to be compromised on, despite the pandemic.*
- *I believe we will fall even further behind as a state as far as education standards go. We must test them to ensure their getting EXACTLY what our tax dollars are supposed to guarantee them.*

SCDE Response

State accountability assessments provide South Carolinians – including educators, parents, leaders, and the public with important information about students' progress toward meeting South Carolina's college and career readiness standards. South Carolina is participating in the National Assessment of Educational Progress (NAEP) in English language arts and mathematics during the 2020–21 school year, as it has since the assessment's inception. Additionally, high school students will still have the opportunity to take the ACT and SAT, and must take a career readiness assessments. The diagnostic measures being given also provide nationally comparable scores. These assessments provide important information that allow South Carolina to be compared to other states.

Other Response

A few commenters (n=25) provided comments that could not arguably be categorized. As such, the SCDE developed an "other" category. Examples would be comments about specific individuals, questions (e.g., "Why do we need to do it?"), and quotes.

SCDE Response

The SCDE has reviewed these comments.

Note: The SCDE expresses its gratitude and appreciation to Ms. Lauren Wentzel, an undergraduate education student who served as an intern for the SCDE during Summer/Fall 2020, for her extensive assistance in data collection and analysis for this report.

ⁱ There were 295 respondents (based on unique email addresses) that submitted 605 comments.