

Congress of the United States
Washington, DC 20515

February 14, 2019

The Honorable Betsy DeVos
United States Secretary of Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Dear Secretary DeVos:

The undersigned Members of the Arizona delegation write to you today to urge you and the U.S. Department of Education (USDOE) to grant the waiver request of the Arizona Department of Education submitted on December 20, 2018.

In 2016, Arizona was the first state in the nation to pass an innovative and new approach to student achievement assessments. Through this bipartisan legislation, Arizona wanted to move away from centralized student assessments and delegate this responsibility to local schools. This policy will allow school districts and charter schools to choose from a list of locally procured achievement assessments. These assessments would have to meet a variety of requirements to ensure that they either met or exceeded the level of rigor adopted by the state academic standards. The state law would also require that assessment scores be able to scale for the purposes of state accountability programs and establishing comparable student performance levels.

After the passage of this groundbreaking law, many of our local school leaders in Arizona celebrated this new way of utilizing assessments to increase student achievement. Changes were made to the law in 2017 to accommodate concerns that this policy was not in compliance with the Every Student Succeeds Act (ESSA). Some of these changes included requirements that the assessment be administered in accordance with English language learner requirements and with the necessary modifications and accommodations required by a student's individualized education program. After giving sufficient time to the Arizona Department of Education and the Arizona State Board of Education to implement these changes, Arizona schools with grades 9 through 12 were able to begin selecting from the Menu of Assessments for the 2018-2019 school year.

Section 1111 (b)(2)(H) in Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by ESSA, allows states to authorize Local Education Agencies to administer locally selected, nationally recognized high school academic assessments in lieu of the statewide high school assessment. When Congress passed ESSA, it was done so in a bipartisan way to empower the states and delegate more authority regarding standards, assessments and school improvement. Arizona has taken that charge seriously by implementing a

robust school accountability system that is student focused, which includes innovative policies like the Menu of Assessments.

In fact, we believe that policies like the Menu of Assessments is exactly what states should be focusing on. Under this proposal, local schools will be invested in a high-quality assessment that they choose but with state-mandated quality control that protects accountability, increases equity for students and reduces over testing. Furthermore, the current Menu of Assessments in Arizona includes assessments like the SAT, ACT, AP Exams, Cambridge International Exam, and the International Baccalaureate exams. All of these exams are in the best interest of students and put them on a path to be college or career ready. During the first opportunity to select an assessment from the menu, over 50 schools decided to participate and positively impact approximately 35,000 students. These schools opted for a more rigorous and meaningful testing environment while staying the course on state standards aligned with being college and career ready.

Arizona has been leading the nation in academic gains over the last decade and we urge the U.S. Department of Education to give Arizona the flexibility it needs to ensure that it can continue to meet students' needs and prepare them for life and future success. This waiver represents an opportunity to restore flexibility and autonomy to states in education decision making while protecting rigor and the ability of a parent to choose the learning and testing environment that best suits their child's needs. My colleagues and I ask for your support.

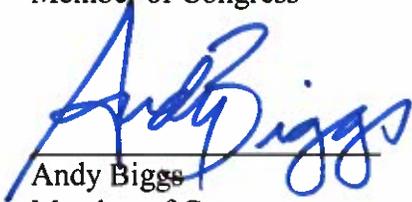
Sincerely,



Debbie Lesko
Member of Congress



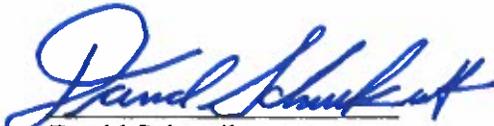
Martha McSally
U.S. Senator



Andy Biggs
Member of Congress



Paul A. Gosar, D.D.S.
Member of Congress



David Schweikert
Member of Congress