

April 2, 2020

**TONY THURMOND**

State Superintendent of Public Instruction  
California Department of Education

**LINDA DARLING-HAMMOND**

President  
California State Board of Education

RE: Support of Request for Waiver of Section 8401(b) of the Elementary and Secondary Education Act of 1965

Dear President Darling-Hammond and Superintendent Thurmond:

The Davis Joint Unified School District Board of Education writes in support of the California State Board of Education and the California Department of Education (CDE) 2019 - 2020 school year waiver request for the following sections to the Elementary and Secondary Education Act of 1965:

- Assessment requirements in section 1111(b)(2);
- Accountability and school identification requirements in sections 1111(c)(4) and 1111(d)(2)(C)-(D); and
- Reporting requirements related to assessments and accountability in section 1111(h).

On March 19, 2020, California Governor Gavin Newsom issued Executive Order N-33-20, a Statewide “shelter in place” to protect the health and well-being of all Californians and to establish consistency across the state in order to slow the spread of COVID-19.

Additionally, on March 18, 2020, Governor Newsom issued Executive Order N-30-20 announcing California’s intent to pursue a federal waiver of testing requirements. In this Executive Order, Governor Newsom acknowledged that California’s schools were in the middle of the testing window and it was necessary to waive state testing requirements to allow local educational agencies (LEAs) to take appropriate actions to mitigate the COVID-19 threat.

Governor Newsom called this “an unprecedented time, and our main focus is on supporting the mental and socioemotional health of students, while continuing to provide educational opportunities such as distance learning.”

The Davis Joint Unified School District supports the efforts of the Governor, the SBE and the CDE in pursuing approval of the streamlined waiver application by the United States Department of Education. This waiver is crucial for our district because of the extraordinary measures that have been undertaken in this period.

On March 13, 2020, we, the members of the Board of Education for the Davis Joint Unified School District, announced our support of Superintendent John Bowes’ decision to close our schools. Since that time, we have embarked on Phase 1 of our continued learning initiative and will begin our Phase 2 on April 13 with our Distance Learning Program. During this time, we have focused on access, equity, and innovation, but under

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no circumstances are our students prepared for statewide assessments. In fact, administering statewide assessments at this time would only mislabel our district's education efforts and bring harm to our individual students. This waiver is necessary for the well-being of our students as testing would only impose an invalid and unreliable stamp of failure on those most directly and adversely affected.

Thank you for your efforts on behalf of the students of the Davis Joint Unified School District and the students of the State of California.

Sincerely,

Cindy Pickett  
President

Joe DiNunzio  
Vice President

Thomas Adams  
Trustee

Alan Fernandes  
Trustee

Bob Poppenga  
Trustee