

EXAMPLE OF REQUEST TO WAIVE THE SPEAKING AND LISTENING REQUIREMENT
UNDER THE EVERY STUDENT SUCCEEDS ACT (ESSA)

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Senior Advisor to the Secretary
Delegated the Duties of Assistant
Secretary for Elementary and Secondary Education
Office of Elementary and Secondary Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Ms. Whalen:

I am writing to request a waiver, pursuant to section 8401(b) of the Every Student Succeeds Act (ESSA), of section 1111(b)(3)(C)(ii) of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001 (NCLB), that [State]'s assessment system measure the full range of the State's academic content standards. [State] requests this waiver only *with respect to measuring the State's speaking and listening content standards, which are part of the State's reading/language arts academic content standards*. [State] requests this waiver because it is not practicable at this time for [State] to administer a large-scale summative assessment that includes speaking and listening standards. This waiver will advance student achievement by permitting [State] to have a valid and reliable assessment system that measures the full range of the rest of the State's academic content standards while providing time to complete the work necessary to have a valid and reliable measure of speaking and listening content standards.

[State] requests this waiver to allow for continued State and local receipt of Title I, Part A funding in good standing while [State] completes additional work to develop accurate, valid, reliable, and instructionally useful assessments related to speaking and listening. This waiver is requested for the 2015-2016 school year [(if requesting) through the 2016-2017 school year]. [State] assures that, if it is granted the requested waiver —

- It will continue to meet all other requirements of section 1111(b)(3) of the ESEA, as amended by NCLB, and implementing regulations with respect to all State-determined academic content standards and assessments, including reporting student achievement and school performance, disaggregated by subgroups, to parents and the public.
- It will continue to work toward assessing speaking and listening consistent with the State's academic content standards.

Prior to submitting this waiver request, [State] provided all LEAs in the State with notice and a reasonable opportunity to comment on this request. [State] provided such notice by [*insert description of notice, e.g., sending a letter to each LEA on [date] or sending an email to each LEA on [date]*] (*see copy of notice attached*). Copies of all comments that [State] received from LEAs in response to this notice are attached hereto. [State] also provided notice and a

reasonable opportunity to comment regarding this waiver request to the public in the manner in which [State] customarily provides such notice and opportunity to comment to the public [*e.g., by publishing a notice of the waiver request in the following newspapers; by posting information regarding the waiver request on its website*] (*see attached copy of public notice*).

Please feel free to contact me by phone or email at [*contact information*] if you have any questions regarding this request. Thank you for your consideration.

Sincerely,