



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

August 22, 2025

The Honorable Stephen D. Dackin
Director
Ohio Department of Education & Workforce
25 South Front Street
Columbus, OH 43215

Dear Director Dackin:

I am writing in response to the Ohio Department of Education & Workforce's (ODEW's) request to the U.S. Department of Education (Department) on July 3, 2025 (with additional information provided on August 8, 2025), to extend ODEW's prior waiver of certain statutory requirements under the Elementary and Secondary Education Act of 1965 (ESEA). The State requested to extend its waiver to allow any elementary and middle school student enrolled in an above-grade-level course in reading/language arts (R/LA), mathematics, or science to take the corresponding assessment aligned to the course in lieu of the statewide grade-level assessment typically administered to the student. The request was made for school years (SYs) 2025-2026 through 2028-2029.

After carefully reviewing ODEW's waiver request, I am approving, pursuant to my authority under ESEA section 8401(a)(3), a waiver extension of sections 1111(b)(1)(B) and 1111(b)(2)(B) of the ESEA to permit any elementary and middle school student enrolled in an above-grade-level course in R/LA, mathematics, or science to take the corresponding assessment aligned to the course in lieu of the statewide grade-level assessment typically administered to the student. This waiver is in effect for SYs 2025-2026 through 2028-2029.

In requesting this waiver, ODEW assured that it will apply the rules established in sections 1111(b)(2)(C)(i) through (iii) of the ESEA and 34 CFR § 200.5(b)(1) through (3) to any student affected by this waiver.

- The student will take the related above-grade-level assessment the State administers to the student to comply with assessment requirements under ESEA section 1111(b)(2)(B)(v)(I)(bb) for R/LA and mathematics and ESEA section 1111(b)(2)(B)(v)(II)(cc) for science.
- The student's performance and participation on the above-grade-level assessment will be used in the year the student takes the assessment for the purposes of measuring academic achievement and participation as it pertains to Federal accountability required under the ESEA.
- In high school, the student will take a more advanced, State-administered end-of-course (EOC) assessment and the student's performance and participation on the assessment will be used for the purposes of measuring academic achievement and

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participation as it pertains to Federal accountability required under the ESEA.

- If the student has exhausted all EOC assessments in a particular content area prior to entering high school, then the student will take a nationally recognized test (the ACT or the SAT) in high school and the student's performance and participation on the assessment will be used for the purposes of measuring academic achievement and participation as it pertains to Federal accountability required under the ESEA.

I appreciate the work you are doing to improve your schools and provide a high-quality education for your students. If you have any questions, please contact my staff at:

ESEA.Assessment@ed.gov.

Sincerely,



Hayley B. Sanon
Principal Deputy Assistant Secretary
and Acting Assistant Secretary
Office of Elementary and Secondary Education

cc: Rachel Wakefield, Administrator, Office of Accountability