



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

October 27, 2020

The Honorable Paolo DeMaria
Superintendent of Public Instruction
Ohio Department of Education
25 South Front Street
Columbus, OH 43215

Dear Superintendent DeMaria:

I am writing in response to the Ohio Department of Education's (ODE's) request for a waiver extension of sections 1111(b)(1)(B) and 1111(b)(2)(B)(i) of the Elementary and Secondary Education Act of 1965 (ESEA) to permit any Ohio middle school student to take a high school end-of-course assessment in reading/language arts, mathematics, and science (not just eighth grade mathematics) when the student is enrolled in the corresponding course for high school credit. This waiver extension was requested through the 2024-2025 school year.

After reviewing ODE's request, I am pleased to grant, pursuant to my authority under ESEA section 8401(a)(3), a waiver extension of sections 1111(b)(1)(B) and 1111(b)(2)(B)(i) of the ESEA. This waiver extension will permit any Ohio middle school student to take a high school end-of-course assessment in reading/language arts, mathematics, and science (not just eighth grade mathematics) when the student is enrolled in the corresponding course for high school credit. This waiver is in effect from the 2021-2022 school year through the 2024-2025 school year.

By granting this waiver, the Department and ODE have mutually agreed that:

- ODE would apply the rules established in section 1111(b)(2)(C)(i) through (iii) and 34 CFR 200.5(b)(1) through (3) to any student who does not take the assessment typically administered in the grade in which the student is enrolled.
- Specifically, if a student does not take the assessment typically administered in the grade in which he or she is enrolled:
 - The student will take the related subject and/or grade-level assessment the State administers to the student to comply with assessment requirements established in section 1111(b)(2)(B)(v)(I)(bb) of ESEA;
 - The student's performance and participation on the assessment will be used in the year in which the student takes the assessment for the purposes of measuring academic achievement and participation as it pertains to the school-based accountability system required under ESEA; and
 - In high school, the student will take a more advanced, State-administered end-of-course assessment or a nationally recognized high school academic assessment and the student's performance on and participation in that assessment will be used for the

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

purposes of measuring academic achievement and participation as it pertains to the school-based accountability system required under 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,

/s/

Frank T. Brogan

Assistant Secretary

for Elementary and Secondary Education

cc: Jeremy Marks, Director of Federal Programs/Federal Liaison; Office of Federal Programs
Christopher Woolard, Senior Executive Director, Center for Accountability and Continuous Improvement
Lisa Chandler Director, Office of Assessment