



COMMONWEALTH of VIRGINIA
Department of Education

DATE: February 23, 2018
TO: Division Superintendents
FROM: Steven M. Constantino, Ed.D., Acting Superintendent of Public Instruction
SUBJECT: **Opportunity to Comment on Virginia's Request for a Waiver from Certain Requirements of the *Every Student Succeeds Act of 2015* (ESSA)**

The Virginia Department of Education is seeking input on a waiver request from certain statutory requirements under the *Every Student Succeeds Act of 2015* ([ESSA](#)) (PDF). If granted, the waiver request would allow students below grade eight who are enrolled in advanced mathematics courses to take the end-of-course test that is aligned with their mathematics course of study instead of the grade level mathematics test for the grade in which they are enrolled.

Under Section 1111(b)(2)(B)(i)(I) of ESSA, all students in grades three through eight must take the state-approved mathematics test that is administered for the grade in which they are enrolled. Limited exceptions to this requirement include a provision that allows states to administer an end-of-course mathematics test instead of the grade-level test to eighth grade students who are enrolled in a high school level mathematics course.

Virginia was permitted under its *Elementary and Secondary Education Act of 1965* (ESEA) Flexibility Plan to administer end-of-course mathematics test to students below grade eight who were enrolled in high school mathematics courses without "double testing," as those students were exempted from also taking the grade-level mathematics test. Virginia's waiver request, if granted, would allow this practice to continue. All students will be required to take an end-of-course mathematics test while enrolled in high school to meet the assessment participation requirement under ESSA.

The Virginia Department of Education welcomes comments on this waiver request. Comments may be submitted electronically by [Friday, March 23, 2018](#), to ESSA@doe.virginia.gov. Comments may also be presented in person during one of the following public meetings:


- Board of Education Committee on School and Division Accountability
Wednesday, March 21, 2018 at TBD
(The time for this meeting will be posted on the [Committee on School and Division Accountability webpage](#))
- Board of Education Business Meeting
Thursday, March 22, 2018, at 9 a.m.

Both meetings will convene in the Jefferson Conference Room, 22nd floor, James Monroe Building, 101 N. 14th Street, Richmond, Virginia. Speakers intending to present comment at either meeting above are encouraged to contact Sonya Broady, Secretary, Office of Board Relations, at sonya.broadly@doe.virginia.gov to be placed on the speaker list.

Questions regarding Virginia's [ESSA State Plan](#) (PDF) may be submitted to ESSA@doe.virginia.gov.

SMC/lc

Links:

[*Every Student Succeeds Act of 2015 \(ESSA\)*](#)  (PDF)

[Committee on School and Division Accountability webpage](#)

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