



#183-21

**Commonwealth of Virginia
Virginia Department of Education
Superintendent's Memo #183-21**

DATE: July 9, 2021
TO: Division Superintendents
FROM: James F. Lane, Ed.D., Superintendent of Public Instruction
SUBJECT: **Approval of Virginia's Request for a Waiver from Certain Requirements of ESSA**

The purpose of this memorandum is to provide school divisions with an update on Virginia's request for a waiver from certain mathematics assessment requirements under the *Every Student Succeeds Act of 2015* (ESSA) as described in [Superintendent's Memo 084-21](#), dated April 2, 2021. On June 29, 2021, the United States Department of Education (USED) approved Virginia's request to allow students below grade 8 who are enrolled in high school mathematics courses to take the end-of-course mathematics 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. ESSA includes 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. Based on this flexibility, a waiver for grade 8 students was not necessary.

All students are required to take an end-of-course mathematics test while enrolled in high school to meet the assessment participation requirement under ESSA. Students who take the Algebra I Standards of Learning (SOL) test prior to ninth grade may take the Geometry or Algebra II test in high school to meet this requirement. Under the waiver, students who take all end-of-course mathematics SOL tests prior to their ninth grade year may take a substitute

mathematics test (AP, IB, SAT, or ACT) to meet the participation requirement. The substitute test will count towards the school's pass and participation rates.

This approval extends a previous waiver with the same flexibilities through the 2024-2025 school year.

For more information

The waiver request approval letter from USED is attached to this email. Questions should be directed to the Virginia Department of Education Accountability Office by email at Accountability@doe.virginia.gov.

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- A. Attachment: [Waiver Request Approval Letter from USED](#) (PDF)