April 20, 2016

Ms. Ann Whalen
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 Alabama’s assessment system measures the full range of the state’s academic content standards. Alabama requests this waiver only with respect to measuring the state’s speaking and listening content standards that are part of the state’s reading/language arts academic content standards. Alabama requests this waiver because it is not practicable at this time for Alabama to administer a large-scale summative assessment that includes speaking and listening standards. This waiver will advance student achievement by permitting Alabama 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.

Alabama requests this waiver to allow for continued state and local receipt of Title I, Part A funding in good standing while Alabama 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 through the 2016-2017 school year. Alabama 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 implement 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, Alabama provided all local education agencies (LEAs) in the state with notice and a reasonable opportunity to comment on this request. Alabama provided such notice by sending an e-mail to each LEA on April 7, 2016 (see copy of notice attached). Copies of all comments that Alabama received from LEAs in response to this notice are attached hereto. Alabama also provided notice and a reasonable
opportunity to comment regarding this waiver request to the public in the manner in which Alabama customarily provides such notice and opportunity to comment to the public by sending a news release and posting to social media a notice of the waiver request (see attached copy of public notice).

Please feel free to contact Rebecca Mims, Coordinator of the Student Assessment Section, by telephone at 334.242.8038 or by e-mail at rmims@alsde.edu if you have any questions regarding this request. Thank you for your consideration.

Sincerely,

Sherrill W. Parris.
Senior Deputy State Superintendent of Education
Chief Academic Officer

SWP:RM

Attachments