



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

February 14, 2025

The Honorable Ryan Walters
Superintendent of Public Instruction
Oklahoma State Department of Education
2500 North Lincoln Boulevard
Oklahoma City, OK 73105-4599

Dear Superintendent Walters:

I am writing in response to the Oklahoma State Department of Education's (OSDE's) request on December 19, 2024, for a waiver of section 1111(b)(2)(D)(i)(I) of the Elementary and Secondary Education Act of 1965 (ESEA), which stipulates that a State may not assess more than 1.0 percent of all students in the grades assessed using an alternate assessment aligned with alternate academic achievement standards (AA-AAAS). OSDE requested this waiver because, based on State data for the 2023-2024 school year, OSDE concluded that it may exceed the 1.0 percent cap on AA-AAAS in reading/language arts (R/LA), mathematics, and science in the 2024-2025 school year.

After reviewing OSDE's waiver request, I am granting, pursuant to my authority under section 8401(b) of the ESEA, an extension of the one-year waiver (for school year 2024-2025) of section 1111(b)(2)(D)(i)(I) of the ESEA so that the State may assess more than 1.0 percent of students with an AA-AAAS in R/LA, mathematics, and science.

As part of this waiver, OSDE assured that it:

- Will continue to meet all other requirements of section 1111 of the ESEA and implement regulations with respect to all State-determined academic standards and assessments, including reporting student achievement and school performance, disaggregated by subgroups, to parents and the public.
- Had assessed in SY 2023-2024 at least 95 percent of all students and all students with disabilities who are enrolled in grades for which the R/LA assessments are required.
- Will require that a local educational agency (LEA) submit information justifying the need of the LEA to assess more than 1.0 percent of its assessed students in any such subject with an AA-AAAS.
- Will provide appropriate oversight of an LEA that is required to submit such information to the State.
- Will verify that each LEA that is required to submit such information to the State is following all State guidelines in 34 CFR § 200.6(d) – excluding (d)(6) – and will address any subgroup disproportionality in the percentage of students taking an AA-AAAS.

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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.

- Will implement, consistent with the plan submitted in OSDE's waiver extension request, system improvements and will monitor future administrations of the AA-AAAS to avoid exceeding the 1.0 percent cap.

As a reminder, 34 CFR § 200.6(c)(3)(iv) requires a State to make publicly available the information submitted by an LEA justifying the need to assess more than 1.0 percent of its students on the AA-AAAS, provided that such information does not reveal personally identifiable information about an individual student. I also encourage you to continue to publish your State's plan, timeline, and progress in reducing the percentage of students taking the AA-AAAS.

Given the workplan submitted by OSDE, I expect to continue to see positive results of this plan in the 2024-2025 school year and beyond. Based on the data OSDE submitted, the State has substantially reduced the percentage of students assessed on an AA-AAAS over the past several years (from 1.66 percent in the 2017-2018 school year to 1.35 percent in the 2023-2024 school year in both R/LA and mathematics and from 2.27 to 1.31 percent in science over the same period). Thank you for your continued efforts in achieving such progress. Future requests for a waiver extension will continue to expect both continued progress implementing your plan and progress in reducing the current percentage of students taking the AA-AAAS in all tested subjects.

I appreciate the work you are doing to improve Oklahoma's 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,

A handwritten signature in cursive script, reading "Ruth E. Ryder".

Ruth E. Ryder
Deputy Assistant Secretary for Policy and Programs
and Acting Assistant Secretary
Office of Elementary and Secondary Education

cc: Catherine Boomer, Executive Director of Assessments