



## UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

The Honorable Stephen L. Pruitt  
Commissioner of Education  
Kentucky State Department of Education  
500 Mero Streets  
Frankfort, KY 40601

December 13, 2016

Dear Commissioner Pruitt:

I am writing in response to Kentucky's request on April 22, 2016, for a limited waiver of the requirement in section 1111(b) of the Elementary and Secondary Education Act of 1965 (ESEA) to assess the full range of the State's academic content standards so that the State's assessment system need not measure the State's speaking and listening standards at this time. Kentucky requested this waiver because assessing speaking and listening skills in a large-scale summative assessment is not practicable at this time.

After reviewing Kentucky's request, I am pleased to grant, pursuant to my authority under section 8401(b) of the ESEA, as amended by the Every Student Succeeds Act (ESSA), a limited waiver of section 1111(b)(3)(C)(ii) of the ESEA, as amended by the No Child Left Behind Act of 2001 (NCLB), for school year (SY) 2016–2017 and of section 1111(b)(2)(B)(ii) of the ESEA, as amended by the ESSA, for SYs 2017–2018 and 2018–2019 so that the State's assessment system need not measure the State's speaking and listening standards at this time.

This waiver is granted to Kentucky on the condition that it will implement the following assurances:

- It will continue to meet for each year of the waiver all other requirements in the ESEA, as amended by NCLB or the ESSA, as applicable, for State assessment systems and the implementing regulations with respect to the State's academic content and achievement standards and assessments, including reporting student achievement and school performance, disaggregated by subgroups, to parents and the public.
- It will work toward assessing speaking and listening consistent with the State's academic content standards.

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<http://www.ed.gov/>

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

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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 Chuenée Boston or Millie Bentley-Memon at: [OSS.Kentucky@ed.gov](mailto:OSS.Kentucky@ed.gov).

Sincerely,

/s/

Ann Whalen  
Senior Advisor to the Secretary  
Delegated the Duties of Assistant Secretary for  
Elementary and Secondary Education

cc: MaryAnn Miller, Policy Advisor