BRIAN SANDOVAL
Governor

STEVE CANAVERO, Ph.D.
Superintendent
of Public Instruction

STATE OF NEVADA

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April 22, 2016

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

REQUEST TO WAIVE THE SPEAKING AND LISTENING REQUIREMENT UNDER THE EVERY STUDENT SUCCEEDS ACT (ESSA)

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 Nevada's assessment system measure the full range of the State's academic content standards. As part of its *English language arts and literacy academic content standards,* Nevada measures the assessable elements of its listening standards. Nevada however, is not yet ready to measure some elements of the standards included in the speaking and listening strand. Nevada therefore requests this waiver only *with respect to measuring the content in the State's speaking and listening strand that is not otherwise currently assessed by the State*. Nevada requests this waiver because it is not practicable at this time for Nevada to administer a large-scale summative assessment that includes measures of the full range of the standards included in the speaking and listening strand. This waiver will advance student achievement by permitting Nevada 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 the full range of the standards included in the speaking and listening strand.

Nevada requests this waiver to allow for continued State and local receipt of Title I, Part A funding in good standing while Nevada completes additional work to develop accurate, valid, reliable, and instructionally useful assessments related to additional content within the speaking and listening strand. This waiver is requested for the 2015-2016 through the 2016-2017 school years. Nevada 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 implementing 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 additional content within the speaking and listening strand consistent with the State's academic content standards.

Prior to submitting this waiver request, Nevada provided all LEAs in the State with notice and a reasonable opportunity to comment on this request. Nevada provided such notice by emailing each of the 18 LEA's on April 22nd at noon. Copies of all comments that Nevada received from the LEAs in response to this notice are attached hereto. Nevada also provided notice and a reasonable opportunity to comment regarding this waiver request to the public in the manner in which Nevada customarily provides such notice and opportunity to comment by the public by sending an email out to each district and placing the waiver on the Nevada Department of Education website.

Please feel free to contact me by phone (775-687-9221) or email at scanavero@doe.nv.gov if you have any questions regarding this request. Thank you for your consideration.

Sincerely,

STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction