



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

March 17, 2025

The Honorable Mike Morath  
Commissioner of Education  
Texas Education Agency  
1701 North Congress Avenue  
Austin, TX 78701

Dear Commissioner Morath:

I am writing in response to the Texas Education Agency's (TEA's) request to the U.S. Department of Education (Department) on December 18, 2024, for an extension of the waiver for the requirements in sections 1111(b)(1)(B) and 1111(b)(2)(B)(i)(I) of the Elementary and Secondary Education Act of 1965 (ESEA), which require a State to hold all students to the same academic standards and administer the same aligned academic assessments to all students. TEA requested that the exception afforded to 8<sup>th</sup>-grade students taking advanced mathematics courses under section 1111(b)(2)(C) of the ESEA also be afforded to 6<sup>th</sup>- and 7<sup>th</sup>-grade students in mathematics; and to students in grades 6-8 in reading/language arts (R/LA) and science. More specifically, the State requested a waiver extension to permit any student in 6<sup>th</sup>-, 7<sup>th</sup>-, or 8<sup>th</sup>-grade who is enrolled in an advanced course in R/LA (i.e., English I or II), mathematics (i.e., Algebra I), or science (i.e., Biology) to take the corresponding end-of-course (EOC) assessment in lieu of the statewide grade-level assessment. These students will take a more-advanced assessment in high school. TEA requested this waiver extension for school years (SYs) 2024-2025 through 2027-2028.

After carefully reviewing TEA's waiver extension request, I am approving, pursuant to my authority under ESEA section 8401(a)(3), a waiver extension of sections 1111(b)(1)(B) and 1111(b)(2)(B)(i)(I) of the ESEA, as well as the corresponding regulation 34 CFR § 200.2(b)(1)(i), to permit any Texas student in 6<sup>th</sup>-, 7<sup>th</sup>-, and 8<sup>th</sup>-grade who is enrolled in an advanced course in R/LA, mathematics, or science to take the corresponding EOC assessment in lieu of the statewide grade-level assessment. In high school, the student will take the ACT or SAT as the more-advanced assessment. This waiver extension is in effect from SYs 2024-2025 through 2027-2028.

In requesting this waiver extension, TEA assured the following for any student affected by this waiver:

- The student will take the EOC assessment in R/LA, mathematics, or science that is given to high school students under section 1111(b)(2)(B)(v)(I)(bb) and 1111(b)(2)(B)(v)(II)(cc) of the ESEA.
- The student's performance on the EOC assessment will be used in the year the student takes the assessment for Federal accountability purposes.

400 MARYLAND AVE., SW, WASHINGTON, DC 20202  
<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.*

- While in high school, the student will take a State-administered assessment or nationally recognized high school assessment as defined by 34 CFR § 200.3(d) that is more advanced than the statewide assessment given under sections 1111(b)(2)(B)(v)(I)(bb) and 1111(b)(2)(B)(v)(II)(cc) of the ESEA.
- The student’s performance on the more advanced assessment will be used for Federal accountability purposes.

I appreciate the work you are doing to improve Texas’ schools and provide a high-quality education for your students. If you have any questions, please contact my staff at: [ESEA.Assessment@ed.gov](mailto:ESEA.Assessment@ed.gov).

Sincerely,



Hayley B. Sanon  
Principal Deputy Assistant Secretary  
and Acting Assistant Secretary  
Office of Elementary & Secondary Education

cc: Julie Cole, Director of Policy and Publications  
Student Assessment Division