



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

August 27<sup>th</sup>, 2021

The Honorable Eliezer Ramos Parés  
Interim Secretary of Education  
Puerto Rico Department of Education  
P.O. Box 190759  
San Juan, PR 00919-0759

Dear Interim Secretary Ramos Parés:

I am writing in response to the Puerto Rico Department of Education's (PRDE's) request on May 26, 2021, to the U.S. Department of Education (Department) to waive the requirements in section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (ESEA) to administer statewide assessments to all public elementary and secondary school students in the State in reading/language arts, mathematics, and science for the 2020-2021 school year. PRDE requested this waiver due to the significant impact the COVID-19 national pandemic has had in Puerto Rico. I note that PRDE has administered its Spanish language proficiency (SLP) assessments.

The Department remains committed to supporting all State educational agencies (SEAs) in assessing the learning of all students. Obtaining data on student learning includes high-quality statewide assessments, which can help identify where opportunity gaps are persistent and have been exacerbated – particularly during the pandemic – and, along with other data, can help SEAs direct resources and support to close those gaps. At the same time, we must also recognize that during the 2020-2021 school year we were in the midst of a pandemic that required real flexibility. Toward that end, on June 9, 2021, the Department granted PRDE a waiver of certain ESEA accountability, school identification and report card requirements for the 2020-2021 school year (see <https://oese.ed.gov/files/2021/06/pr-acct-waiver-response.pdf>).

In your request, you described PRDE's plans to reopen all schools for in person instruction on March 1, 2021, and to administer PRDE's assessments. However, due to the subsequent increase in the rates of COVID transmission across the island during the month of March, PRDE was unable to safely administer your statewide summative assessments last spring using standard practices. In particular, PRDE noted that the vast majority of schools in Puerto Rico (87 percent) were not able to offer in person instruction during this period. PRDE also explained that it was unable to implement either a remote administration or an administration in fall 2021 of the academic assessments.

After carefully considering the specific circumstances described in PRDE's request, I approve, pursuant to my authority under section 8401(b) of the ESEA, a waiver of the requirements in section 1111(b)(2) of the ESEA for the 2020-2021 school year to administer statewide general and alternate assessments in reading/language arts, mathematics, and science. In addition, I am approving a waiver of sections 1111(h)(1)(C)(ii), (vii), and (xi) of the ESEA regarding the

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reporting of student results on the general and alternate assessments in reading/language arts, mathematics, and science (and the related requirements in section 1111(h)(2)(C) for the local report cards). In the May 26 letter, PRDE also requested a waiver from the requirement in ESEA section 1111(b)(2)(G) to assess the Spanish language proficiency of Spanish language learners annually. Based on the information you have provided, I understand that PRDE administered your SLP assessments to the extent practicable. Therefore, the Department does not believe that waiver is needed.

In cases where students are unable to take the statewide summative assessments, we hope that schools use other assessments to measure student learning and progress and to provide information to parents and educators, as it appears PRDE is planning to do. These data do not replace statewide summative assessments, but they can serve to provide valuable information to meet our goal of maximizing the number of students for whom we have quality data this year.

The Department is eager to continue to work with PRDE to accelerate the safe return to in-person instruction for students in Puerto Rico and to support your administration of all required assessments in the coming school year. We will be in touch with your office to provide any necessary technical assistance on these issues. As always, you can contact me or my staff at [ESEA.Assessment@ed.gov](mailto:ESEA.Assessment@ed.gov).

Sincerely,



Ian Rosenblum  
Deputy Assistant Secretary for Policy and Programs  
Delegated the Authority to Perform the  
Functions and Duties of the Assistant Secretary  
Office of Elementary and Secondary Education

cc: Daisy Hernández González, Director of Assessment