



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

December 31, 2025

The Honorable Anastasios Kamoutsas
Commissioner of Education
Florida Department of Education
325 West Gaines Street
Tallahassee, FL 32399-0100

Dear Commissioner Kamoutsas:

I am writing in response to the Florida Department of Education's (FDOE's) request on December 1, 2025, 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). Florida requested this waiver extension because, based on State data for school year (SY) 2024-2025, FDOE concluded that it may exceed the 1.0 percent cap on AA-AAAS participation in reading/language arts (R/LA), mathematics, and science.

After reviewing FDOE's waiver extension request, I am declining to exercise my authority under section 8401(b) of the ESEA for an extension of the one-year waiver for the 2025-2026 school year of section 1111(b)(2)(D)(i)(I) of the ESEA so that the State may assess with an AA-AAAS more than 1.0 percent of students in R/LA, mathematics, and science. I am declining the request because I do not find that approving the waiver will advance student academic achievement, as required in ESEA section 8401(b)(1)(C). Specifically, Florida did not demonstrate substantial progress reducing AA-AAAS participation rates in the 2024-2025 school year compared to the 2023-2024 school year. In fact, the rates have increased in each subject.

If FDOE can demonstrate that the current rate of participation on the AA-AAAS has in fact substantially declined in R/LA, mathematics, and science, how granting this waiver would contribute to improved student achievement and is in the public interest and that the State provided the public and LEAs in the State the opportunity to comment on the full waiver request, FDOE may revise its waiver request, consistent with section 8401(b)(4)(B)(ii) of the ESEA, to meet the requirements under 8401(b)(1)(C) and (F) and 34 CFR § 200.6(c)(4)(ii) and (iii). The revised waiver request must be submitted no later than 60 days from the date of this letter.

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 make available your State's plan, timeline, and progress to date in reducing the percentage of students taking the AA-AAAS.

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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 your work to improve Florida'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,

/s/

Kirsten Baesler
Assistant Secretary
Office of Elementary & Secondary Education

cc: Holly Edenfield, FDOE Office of the Chancellor



Every Student Succeeds Act
(ESSA) 1% Waiver
Extension Request

2025



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Current Situation

Florida is the third-largest state in the country, with over 2.8 million students and 67 traditional local educational agencies (LEAs). In the 2024-25 school year (SY), the number of Florida students with disabilities (SWD) was 448,482, representing a steady increase from 377,272 in 2016-17. The percentage of SWD in the total student population has increased from 13.4% in 2016-17 to 15.7% in 2024-25 (see Table 1). Florida continues to see a significant influx of students and families from other states due to our services and access to opportunities for all students and, specifically, for SWD. Families from across the country continue to relocate to Florida in record numbers, and school districts in Florida regularly welcome new students throughout the year. In March 2025, EdChoice Friedman Index named Florida as number one in education freedom for having the most robust school choice options in the nation. Florida scored a 77 on the index, reflecting the state's expansive school choice programs and the availability of Education Savings Accounts (ESAs) for families to use for additional educational services. Additionally, in June 2025, the Center for Education Reform released the 2025 Parent Power! Index, ranking Florida number one on the index for the fourth year in a row.

Families with children with disabilities from across the country are relocating to Florida and, as a result, school districts in Florida regularly welcome new students throughout the year, drawn by the state's services and access to opportunities for all students, and specifically for SWD. In fact, the number of students in public schools has increased by approximately 200,000 in the last decade. Of the total number of students, over 15% are SWD. Florida has a strong history of supporting SWD from ages 3 to 22, including services that have resulted in positive secondary transition and post-school outcomes in recent years.

Florida's expansive school choice landscape, including the Family Empowerment Scholarship for Educational Options (FES-EO), Florida Tax Credit Scholarship (FTC), Family Empowerment Scholarship for Students with Unique Abilities (FES-UA), and the Personalized Education Program (PEP), has significantly reshaped the state's public education accountability framework. Following the passage of House Bill 1 on March 27, 2023, families gained broader access to personalized education options, including private school enrollment and education savings accounts (ESAs) that fund tutoring, online learning, and other approved services. As of the 2024-25 school year, 307,609 students are enrolled in FTC/FES-EO, 122,051 participate in FES-UA, and 59,925 are served through PEP. Students who use these scholarships are publicly funded but not enrolled in public schools and are not required to participate in statewide standardized assessments, including the Florida Alternate Assessment. In 2014, Florida became the second state in the nation to create an Education Savings Account program for children with unique abilities. In its inaugural year, the program served 1,491 students. In the 2024-25 SY, 122,051 students received the Family Empowerment Scholarship for Students with Unique Abilities, making this one of the largest programs for students with special needs in the United States.

Florida continues to offer two formats of the FAA, which provide more choices to meet students' needs appropriately. Other states may limit choice in this area, but Florida continues to prioritize appropriate decisions for the participation in the FAA made by the individual educational plan (IEP) team. Florida is proud to prioritize student learning and the IEP team process, which complies with federal guidelines.

Table 1: Student Enrollment

| School Year | Total Number of Students Enrolled | Number of Students Identified as SWD | Percentage of Students Identified as SWD |
|--------------------|--|---|---|
| 16-17 | 2,816,824 | 377,153 | 13.4% |
| 17-18 | 2,833,115 | 385,545 | 13.6% |
| 18-19 | 2,846,857 | 401,745 | 14.1% |
| 19-20 | 2,858,952 | 414,352 | 14.5% |
| 20-21 | 2,791,687 | 406,944 | 14.6% |
| 21-22 | 2,833,179 | 415,980 | 14.7% |
| 22-23 | 2,870,507 | 428,213 | 14.9% |
| 23-24 | 2,872,309 | 441,347 | 15.4% |
| 24-25 | 2,859,655 | 448,482 | 15.7% |

Source: Florida Department of Education, Division of Accountability, Research, and Measurement, Survey 2

The mission of the Florida Department of Education (FDOE) is to increase the proficiency of all students within one seamless, efficient system by providing them with the opportunity to expand their knowledge and skills through learning opportunities valued by students, parents and communities, and to maintain an accountability system that measures student progress.

Florida continues to uphold high expectations for all students, including those with disabilities. These expectations have contributed to sustained academic achievement across the state. According to the 2024 National Assessment of Educational Progress, Florida remains among the top five states in average scale scores for SWD in grades four and eight. Florida’s SWD also maintained their number one national ranking in grade four reading and grade four mathematics.

In addition to academic performance, Florida’s graduation outcomes for SWD continue to increase. The graduation rate for SWD rose to 85.5% in the 2023-24 SY, an increase of 4.9 percentage points since the 2021-22 SY.

Extension Request for the 1% Waiver

Florida's initial waiver extension request for 2019 was approved, and its waiver extension requests for the 2020-21, 2021-22 and the 2023-24 SYs were approved. Florida's waiver request was again approved for the 2024-25 SY and the state is seeking an extension for the 2025-26 SY.

FDOE has been actively involved in providing support to LEAs to ensure adherence to guidelines. FDOE has implemented various initiatives, including an annual assurance process, 1% Data Discussions and revisions to Rule 6A-1.0943, Florida Administrative Code (F.A.C.), to enhance the assessment process for SWD. FDOE has also offered extensive monitoring, tiered support and technical assistance to LEAs, in an effort to reduce the number of students participating in Florida's statewide, standardized alternate assessment. Furthermore, FDOE has collaborated with LEA exceptional student education (ESE) directors to identify trends in participation data and is seeking a waiver extension to support continued efforts in reducing assessment participation and providing appropriate instruction to every student.

Since the last waiver request, FDOE continues to consult with other states to identify effective strategies and guidelines related to participation in the alternate assessment aligned with alternate academic achievement standards (AA-AAAS). Additionally, Florida continues to provide technical assistance for all stakeholders, review state educational agency (SEA) and LEA AA-AAAS data, and monitor the assessment practices for students participating in the AA-AAAS.

FDOE will continue to engage the State Advisory Panel and content experts, and will convene a workgroup that will work collaboratively to develop and revise resources and strategies for implementation of state guidelines. Strategies include the development of an individual educational plan (IEP) team decision-making guide for IEP teams, the development of a parent and family flyer for students with most significant cognitive disabilities, and the enhancement of the LEA annual justification process.

Florida's AA-AAAS is the Florida Alternate Assessment (FAA). FAA participation rates for the 2024-2025 SY were 1.39% in English language arts (ELA), 1.48% in mathematics and 1.49% in science. Florida remains committed to consistent monitoring of LEAs' practices and continued prioritization of IEP team decisions.

Requirement 1, Title 34, section (§) 200.6(c)(4)(i), Code of Federal Regulations (C.F.R.)

States are required by 34 C.F.R. § 200.6(c)(4)(i) to submit the alternate assessment waiver request at least 90 days before the start of the relevant subject testing windows. The FAA testing window will be open from March 2 to April 17, 2026, for elementary and middle school (grades 3 through 8) and civics end-of-course (EOC) assessments. The FAA testing window will be open from March 9 to April 24, 2026, for FAA high school ELA I, ELA II, Algebra I, Geometry, Biology I and U.S. History EOC assessments. Since the earliest start of the testing window occurs on March 2, 2026, to meet the 90-day requirement, FDOE’s waiver extension request must be submitted by December 2, 2025. FDOE will submit a waiver extension request to the United States Education Department in ELA, mathematics and science.

Requirement 2, 34 C.F.R. § 200.6(c)(4)(ii)

In submitting a waiver extension request, states are required by 34 C.F.R. § 200.6(c)(4)(ii) to provide the number and percentage of students in each subgroup defined in the Elementary and Secondary Education Act (ESEA) section 1111(c)(2)(A), (B) and (D) who were assessed using the AA-AAAS. Florida has met the requirement to assess at least 95% of all students in ELA, mathematics and science, and 95% of students in the SWD subgroup under ESEA section 1111(c)(2)(C) who are enrolled in grades for which the assessment is required under 34 C.F.R. § 200.5(a) in ELA, mathematics and science.

Number, Percentage and Risk Ratio of Students who Took the FAA During the 2024-25 SY

Tables 2 through 4 provide the number, percentage and risk ratio of each student subgroup, as defined in ESEA section 1111(c)(2)(A), (B) and (D), during the 2024-25 SY. The risk ratio measures potential disproportionality among FAA participants based on membership in the target group. Risk ratios exceeding 1.0 indicate that the target group is overrepresented among the population of students participating in the alternate assessment compared to participation rates of students who are not members of the target group.

Table 2: 2024-25 FAA Participation by Student Subgroup – ELA

NOTE: FAST is the Florida Assessment of Student Thinking, which is Florida’s statewide, standardized assessment program.

| ELA | | | | | | | |
|--------------------------------|-------------------------------|---|-----------------------|-------------------------------|---|-----------------------|------------|
| Target Group | Target Group | | | Comparison Group | | | Risk Ratio |
| | Number of Students Taking FAA | Number of Students Taking FAST, FAA or EOCs | Percentage Taking FAA | Number of Students Taking FAA | Number of Students Taking FAST, FAA or EOCs | Percentage Taking FAA | |
| American Indian/Native Alaskan | | 3,909 | | 23,202 | 1,679,952 | 1.38 | 1.0 |

| ELA | | | | | | | |
|----------------------------|-------------------------------|---|-----------------------|-------------------------------|---|-----------------------|------------|
| Target Group | Target Group | | | Comparison Group | | | Risk Ratio |
| | Number of Students Taking FAA | Number of Students Taking FAST, FAA or EOCs | Percentage Taking FAA | Number of Students Taking FAA | Number of Students Taking FAST, FAA or EOCs | Percentage Taking FAA | |
| Asian | 619 | 50,966 | 1.21 | 22,637 | 1,632,895 | 1.39 | 0.88 |
| Pacific Islander | | 2,906 | | 23,217 | 1,680,955 | 1.38 | 0.97 |
| Black/African American | 7,043 | 343,154 | 2.05 | 16,213 | 1,340,707 | 1.21 | 1.70 |
| White | 6,413 | 562,236 | 1.14 | 16,843 | 1,121,625 | 1.50 | 0.76 |
| Multi-racial | 985 | 70,762 | 1.39 | 22,271 | 1,613,099 | 1.38 | 1.01 |
| Hispanic | 8,103 | 649,928 | 1.25 | 15,153 | 1,033,933 | 1.47 | 0.85 |
| Economically Disadvantaged | 14,443 | 852,371 | 1.69 | 8,813 | 831,490 | 1.06 | 1.60 |
| English Language Learners | 2,639 | 336,602 | 0.78 | 20,617 | 1,347,259 | 1.53 | 0.51 |

Source: Florida Department of Education, Division of Accountability, Research, and Measurement

Table 3: 2024-25 FAA Participation by Student Subgroup – Mathematics

| Mathematics | | | | | | | |
|--------------------------------|-------------------------------|---|-----------------------|-------------------------------|---|-----------------------|------------|
| Target Group | Target Group | | | Comparison Group | | | Risk Ratio |
| | Number of Students Taking FAA | Number of Students Taking FAST, FAA or EOCs | Percentage Taking FAA | Number of Students Taking FAA | Number of Students Taking FAST, FAA or EOCs | Percentage Taking FAA | |
| American Indian/Native Alaskan | | 3,636 | | 23,249 | 1,576,375 | 1.47 | 0.99 |
| Asian | 617 | 44,712 | 1.38 | 22,685 | 1,535,299 | 1.48 | 0.93 |
| Pacific Islander | | 2,675 | | 23,268 | 1,577,336 | 1.48 | 0.86 |

| Mathematics | | | | | | | |
|----------------------------|-------------------------------|---|-----------------------|-------------------------------|---|-----------------------|------------|
| Target Group | Target Group | | | Comparison Group | | | Risk Ratio |
| | Number of Students Taking FAA | Number of Students Taking FAST, FAA or EOCs | Percentage Taking FAA | Number of Students Taking FAA | Number of Students Taking FAST, FAA or EOCs | Percentage Taking FAA | |
| Black/African American | 6,968 | 330,116 | 2.11 | 16,334 | 1,249,895 | 1.31 | 1.62 |
| White | 6,558 | 516,732 | 1.27 | 16,744 | 1,063,279 | 1.57 | 0.81 |
| Multi-racial | 965 | 66,035 | 1.46 | 22,337 | 1,513,976 | 1.48 | 0.99 |
| Hispanic | 8,107 | 616,105 | 1.32 | 15,195 | 963,906 | 1.58 | 0.83 |
| Economically Disadvantaged | 14,395 | 815,187 | 1.77 | 8,907 | 764,824 | 1.16 | 1.52 |
| English Language Learners | 2,576 | 330,857 | 0.78 | 20,726 | 1,249,154 | 1.66 | 0.47 |

Source: Florida Department of Education, Division of Accountability, Research, and Measurement

Table 4: 2024-25 FAA Participation by Student Subgroup – Science

| Science | | | | | | | |
|--------------------------------|-------------------------------|---|-----------------------|-------------------------------|---|-----------------------|------------|
| Target Group | Target Group | | | Comparison Group | | | Risk Ratio |
| | Number of Students Taking FAA | Number of Students Taking FAST, FAA or EOCs | Percentage Taking FAA | Number of Students Taking FAA | Number of Students Taking FAST, FAA or EOCs | Percentage Taking FAA | |
| American Indian/Native Alaskan | | 1,499 | | 9,385 | 633,701 | 1.48 | 1.04 |
| Asian | 234 | 18,998 | 1.23 | 9,174 | 616,202 | 1.49 | 0.83 |
| Pacific Islander | | 1,110 | | 9,391 | 634,090 | 1.48 | 1.03 |
| Black/African American | 2,925 | 130,627 | 2.24 | 6,483 | 504,573 | 1.28 | 1.74 |
| White | 2,595 | 211,018 | 1.23 | 6,813 | 424,182 | 1.61 | 0.77 |

| Science | | | | | | | |
|----------------------------|-------------------------------|---|-----------------------|-------------------------------|---|-----------------------|------------|
| Target Group | Target Group | | | Comparison Group | | | Risk Ratio |
| | Number of Students Taking FAA | Number of Students Taking FAST, FAA or EOCs | Percentage Taking FAA | Number of Students Taking FAA | Number of Students Taking FAST, FAA or EOCs | Percentage Taking FAA | |
| Multi-racial | 374 | 25,657 | 1.46 | 9,034 | 609,543 | 1.48 | 0.98 |
| Hispanic | 3,240 | 246,291 | 1.32 | 6,168 | 388,909 | 1.59 | 0.83 |
| Economically Disadvantaged | 5,807 | 314,919 | 1.84 | 3,601 | 320,281 | 1.12 | 1.64 |
| English Language Learners | 996 | 122,228 | 0.81 | 8,412 | 512,972 | 1.64 | 0.50 |

Source: Florida Department of Education, Division of Accountability, Research, and Measurement

Rate of AA-AAAS Participation

States who are requesting a waiver, consistent with 34 C.F.R. § 200.6(c)(4)(v), must demonstrate progress toward reducing participation in the alternate assessment. The following data reflect participation rates in the 2024-25 FAA in ELA, mathematics and science .

Table 5 compares the percentages of all students assessed on statewide, standardized assessments; SWD assessed on statewide, standardized assessments; and the percentage of students assessed on the statewide, standardized alternate assessment from 2018-19 to 2024-25 SYs.

Table 5: Overall Rates of Statewide, Standardized Assessment

| Year | ELA | | | Mathematics | | | Science | | |
|----------|-----------------------------|-----------------------------|---------------------|-----------------------------|-----------------------------|---------------------|-----------------------------|-----------------------------|---------------------|
| | % Tested All (FAST and FAA) | % Tested SWD (FAST and FAA) | % Tested (FAA only) | % Tested All (FAST and FAA) | % Tested SWD (FAST and FAA) | % Tested (FAA only) | % Tested All (FAST and FAA) | % Tested SWD (FAST and FAA) | % Tested (FAA only) |
| 2017-18 | 97.57% | 94.99% | 1.40% | 96.95% | 95.00% | 1.53% | 97.36% | 94.33% | 1.46% |
| 2018-19 | 99.20% | 98.40% | 1.54% | 98.40% | 97.30% | 1.63% | 99.20% | 96.10% | 1.56% |
| 2019-20* | / | / | / | / | / | / | / | / | / |
| 2020-21 | 95.70% | 92.90% | 1.40% | 92.90% | 89.90% | 1.54% | 91.60% | 87.50% | 1.56% |
| 2021-22 | 98.60% | 97.40% | 1.46% | 97.20% | 95.70% | 1.60% | 96.50% | 94.50% | 1.53% |
| 2022-23 | 98.30% | 97.00% | 1.42% | 97.90% | 96.70% | 1.48% | 97.50% | 95.70% | 1.51% |
| 2023-24 | 98.39% | 97.15% | 1.38% | 98.01% | 96.73% | 1.44% | 97.62% | 95.81% | 1.42% |
| 2024-25 | 98.44% | 97.13% | 1.39% | 98.06% | 96.71% | 1.48% | 97.65% | 95.85% | 1.48% |

Source: Florida Department of Education, Division of Accountability, Research, and Measurement

*Note: The 2019-20 assessments were canceled pursuant to [FDOE Emergency Order No. 2020-EO-01](#).

Table 6 compares the overall rates of FAA participation in ELA during the 2018-19 through 2024-25 SYs.

Table 6: Overall Rates of FAA Participation – ELA

| ELA | | | |
|------------------------------|--|--|---|
| School Year | Number of Total Students Tested | Number of Students Whose Only Subject Test was an FAA | Percentage of Students Tested Whose Only Subject Test was an FAA |
| 2018-19 | 1,705,251 | 26,243 | 1.54% |
| 2019-20* | / | / | / |
| 2020-21 | 1,637,903 | 22,876 | 1.40% |
| 2021-22 | 1,697,158 | 24,790 | 1.46% |
| 2022-23 | 1,691,688 | 24,138 | 1.43% |
| 2023-24 | 1,692,098 | 23,328 | 1.38% |
| 2024-25 | 1,678,754 | 23,256 | 1.39% |
| Change from Last Year | -13,344 | -72 | +0.01 percentage points |
| Change Since 2019 | -26,497 | -2,987 | -0.15 percentage points |

Source: Florida Department of Education, Division of Accountability, Research, and Measurement

*Note: The 2019-20 assessments were canceled pursuant to [FDOE Emergency Order No. 2020-EO-01](#).

Table 7 compares the overall rates of FAA participation in mathematics during the 2018-19 through 2024-25 SYs.

Table 7: Overall Rates of FAA Participation – Mathematics

| Mathematics | | | |
|------------------------------|--|--|---|
| School Year | Number of Total Students Tested | Number of Students Whose Only Subject Test was an FAA | Percentage of Students Tested Whose Only Subject Test was an FAA |
| 2018-19 | 1,576,300 | 25,744 | 1.63% |
| 2019-20* | / | / | / |
| 2020-21 | 1,492,811 | 22,923 | 1.54% |
| 2021-22 | 1,539,116 | 24,556 | 1.60% |
| 2022-23 | 1,583,047 | 23,441 | 1.48% |
| 2023-24 | 1,572,070 | 22,618 | 1.44% |
| 2024-25 | 1,569,857 | 23,302 | 1.48% |
| Change from Last Year | -2,213 | +684 | +0.04 percentage points |

| | | | |
|-----------------------------|--------|--------|-------------------------|
| Change Since 2018-19 | -6,443 | -2,442 | -0.15 percentage points |
|-----------------------------|--------|--------|-------------------------|

Source: Florida Department of Education, Division of Accountability, Research, and Measurement

*Note: The 2019-20 assessments were canceled pursuant to [FDOE Emergency Order No. 2020-EO-01](#).

Table 8 compares the overall rates of FAA participation in science during the 2018-19 through 2024-25 SYs.

Table 8: Overall Rates of FAA Participation – Science

| Science | | | |
|------------------------------|--|--|---|
| School Year | Number of Total Students Tested | Number of Students Whose Only Subject Test was an FAA | Percentage of Students Tested Whose Only Subject Test was an FAA |
| 2018-19 | 616,991 | 9,621 | 1.56% |
| 2019-20* | / | / | / |
| 2020-21 | 577,461 | 8,986 | 1.56% |
| 2021-22 | 622,568 | 9,506 | 1.53% |
| 2022-23 | 620,713 | 9,377 | 1.51% |
| 2023-24 | 617,695 | 8,802 | 1.42% |
| 2024-25 | 633,244 | 9,408 | 1.49% |
| Change from Last Year | +15,549 | +606 | +0.07 percentage points |
| Change Since 2018-19 | +16,253 | -213 | -0.07 percentage points |

Source: Florida Department of Education, Division of Accountability, Research, and Measurement

*Note: The 2019-20 assessments were canceled pursuant to [FDOE Emergency Order No. 2020-EO-01](#).

Requirement 3, 34 C.F.R. § 200.6(c)(4)(iii) Evidence That LEAs Followed the State’s Participation Guidelines

Definition of “Most Significant Cognitive Disabilities”

Consistent with guidance resulting from Florida’s participation in the National Center for Educational Outcomes (NCEO) 1% Cap Community of Practice and at the request of LEAs, Florida revised Rule 6A-1.0943, F.A.C., Statewide Assessment for Students with Disabilities, which was approved by the State Board of Education (SBOE) on June 10, 2021, to include increased guidance specific to the definition of “most significant cognitive disabilities.” Per these revisions, “most significant cognitive disability” is now defined as a global cognitive impairment that adversely impacts multiple areas of functioning across many settings; is a result of a congenital, acquired, or traumatic brain injury or syndrome; and is verified by either:

1. A statistically significant below-average global cognitive score that falls within the first percentile rank (i.e., a standard, full-scale score of 67 or under); or
2. In the extraordinary circumstance when a global, full-scale intelligent quotient score is unattainable, an LEA-determined procedure has been approved by FDOE under Rule 6A-1.0943(5)(e), F.A.C.

In determining whether a student has a cognitive disability that is among the most significant cognitive disabilities, IEP teams must carefully consider and remain cognizant that qualifying a student for standards-based instruction via the access points – alternate academic achievement standards (AP-AAAS) can significantly affect the extent of a student’s access to postsecondary opportunities. Furthermore, the Individuals with Disabilities Education Act (IDEA), the United States Education Department Office of Special Education Programs and the SEA provide clear expectations that the general education curriculum is the first consideration for providing educational services to SWD.

LEA Requirements

Florida verifies that each LEA that exceeds the 1% cap has adopted FDOE’s guidelines in this area by reviewing and approving their policies. Section 1003.57(1)(b)1., Florida Statutes (F.S.), requires that school boards submit to FDOE proposed ESE policies and procedures (P&P) for the provision of special instruction and services for exceptional students once every three years. Approval of this document by FDOE is required by Rule 6A-6.03411, F.A.C., Definitions, ESE Policies and Procedures, and ESE Administrators, as a prerequisite for an LEA’s use of weighted cost factors under the Florida Education Finance Program. This document also serves as a basis for the identification, evaluation, eligibility determination and placement of students to receive ESE services and is a component of the LEA’s application for funds available under the IDEA. All approved ESE P&P are posted for public view through the Bureau of Exceptional Education and Student Services (BEESS) website at <http://beessgsw.org/#/spp/institution/public/>.

FDOE has developed, implemented and delivered support to LEAs to ensure that guidelines are followed. Florida has continued to provide robust technical assistance and outreach to all its stakeholders and anticipates continued success in increasing student performance with its SWD while decreasing participation in the FAA. Highlights include:

- FDOE meets with each LEA that is over 1% to discuss the 1% participation rates for ELA, mathematics and science to review data and procedures.

- Extensive monitoring and tiered support continue from FDOE as LEAs implement these new provisions (described in detail later in this document).
- FDOE has provided multiple opportunities for Florida’s LEAs to receive additional information and resources, while providing targeted and intensive support and technical assistance based on commitments made as part of Florida’s previously approved waiver requests. Through a combination of improved policy guidance and these opportunities, assessment data indicate an improvement in the overall reduction in the number of students participating in Florida’s statewide, standardized alternate assessment.
- FDOE implemented an annual assurance process in which districts provide supporting data for students who will participate in the FAA. This process is included in the monitoring and compliance procedures. Beginning with the 2022-23 SY, Florida LEAs must complete a Level 1 – 1% self-assessment, which requires the LEA to review the appropriateness of each student’s participation in the FAA annually.
- FDOE staff worked with LEA ESE directors to discuss discrepancies in primary exceptionalities not indicative of the most significant cognitive disabilities. Trends were identified in the 2020-21, 2021-22, 2022-23 and 2023-24 SYs’ FAA participation data unique to each LEA. FDOE is seeking a waiver extension from the requirement as detailed in 34 C.F.R. § 200.6(c)(4), for ELA, mathematics and science assessed via the FAA. Receiving this waiver would allow Florida to continue to progress in reducing FAA participation and providing technical assistance and support to its LEAs to ensure that the most appropriate instruction is delivered, and the most appropriate assessment is administered to every student.
- The SBOE approved revisions to Rule 6A-1.0943, F.A.C., Statewide Assessment for Students with Disabilities, at the SBOE meeting on June 10, 2021. Rule 6A-1.0943, F.A.C., was revised to establish a definition for “most significant cognitive disability” and specify the criteria required for a student to participate in the administration of the statewide, standardized alternate assessment. FDOE continues to review materials and revise its resources to ensure the definition for the most significant cognitive disability is consistent for all IEP teams to make informed decisions.

Table 9 compares the number of LEAs that exceeded the 1% threshold in 2023-24 and 2024-25 SYs and the progress with the reduction of the percentage of students participating in the FAA. Currently, five Florida LEAs do not exceed the 1% cap for participation in the FAA.

Table 9: Comparison of the Number of LEAs Exceeding the 1.0% Cap for 2023-24 and 2024-25 SY for ELA, Mathematics and Science

Of the 74 represented LEAs, 42 (60.00%) LEAs showed a reduction in ELA alternate assessment participation, 39 (55.71%) LEAs showed a reduction in math alternate assessment participation, and 41 (58.57%) showed a reduction in science alternate assessment participation in the 2024-25 school year.

NOTE: The highlighted green cells indicate a reduction in the percentage of students participating in the FAA (although some of the numbers presented may appear identical and suggest no change, this is a result of rounding to the tenths place).

| LEA | 2023-24 ELA | 2023-24 Mathematics | 2023-24 Science | 2024-25 ELA | 2024-25 Math | 2024-25 Science |
|--------------------------------|----------------|------------------------|--------------------|----------------|-----------------|--------------------|
| State | 1.4% | 1.4% | 1.4% | 1.4% | 1.5% | 1.5% |
| Alachua | 1.1% | 1.2% | 1.2% | 1.1% | 1.2% | 1.2% |
| Baker | 1.9% | 1.8% | 1.9% | 2.0% | 2.0% | 2.5% |
| Bay | 1.3% | 1.4% | 1.3% | 1.3% | 1.3% | 1.5% |
| Bradford | 2.8% | 2.8% | 1.6% | 3.3% | 3.2% | 4.9% |
| Brevard | 1.0% | 1.1% | 1.2% | 0.8% | 1.0% | 1.0% |
| Broward | 1.2% | 0.9% | 0.9% | 1.1% | 1.2% | 1.3% |
| Calhoun | 2.1% | 1.9% | 2.1% | 2.0% | 2.2% | 2.4% |
| Charlotte | 1.5% | 1.8% | 1.5% | 1.5% | 1.6% | 1.2% |
| Citrus | 1.9% | 2.1% | 2.1% | 1.9% | 2.1% | 1.9% |
| Clay | 1.5% | 1.6% | 1.5% | 1.4% | 1.5% | 1.4% |
| Collier | 1.6% | 1.8% | 1.5% | 1.7% | 1.8% | 1.7% |
| Columbia | 1.6% | 1.8% | 1.3% | 1.5% | 1.7% | 1.4% |
| FSDB* | 2.0% | 1.9% | 3.0% | 2.1% | 1.7% | 1.6% |
| DeSoto | 2.0% | 2.1% | 3.4% | 2.0% | 1.9% | 2.4% |
| Dixie | 2.4% | 1.9% | 1.8% | 1.5% | 2.1% | 1.8% |
| Duval | 1.9% | 2.0% | 2.1% | 1.9% | 2.0% | 2.1% |
| Escambia | 1.5% | 1.6% | 1.9% | 1.5% | 1.7% | 1.7% |
| Flagler | 1.0% | 1.2% | 0.9% | 1.2% | 1.3% | 1.0% |
| FAU Lab** | 0.5% | 0.6% | 0.5% | 0.0% | 0.0% | 0.0% |
| Florida Scholars Academy | N/A | N/A | N/A | 1.8% | 5.0% | 4.0% |
| Franklin | 2.6% | 2.7% | 2.1% | 3.1% | 3.3% | 4.7% |
| Gadsden | 3.3% | 3.2% | 5.6% | 2.5% | 3.2% | 2.8% |
| Gilchrist | 1.5% | 1.8% | 1.7% | 1.9% | 2.1% | 1.9% |
| Glades | 0.9% | 0.9% | 0.3% | 1.1% | 1.1% | 2.1% |
| Gulf | 1.5% | 1.9% | 1.9% | 1.3% | 1.2% | 1.9% |
| Hamilton | 0.7% | 1.0% | 1.0% | 0.7% | 0.7% | 0.6% |
| Hardee | 2.2% | 1.9% | 4.5% | 2.0% | 1.9% | 0.9% |
| Hendry | 1.1% | 1.3% | 1.3% | 1.9% | 1.7% | 2.8% |
| Hernando | 1.3% | 1.4% | 1.0% | 1.4% | 1.5% | 1.7% |
| Highlands | 2.0% | 1.8% | 2.7% | 2.2% | 2.4% | 2.1% |
| Hillsborough | 1.6% | 1.7% | 1.8% | 1.6% | 1.7% | 1.7% |
| Holmes | 2.0% | 1.8% | 2.5% | 1.9% | 1.9% | 1.9% |
| IDEA Public Schools | 1.2% | 1.1% | 1.5% | 1.1% | 1.1% | 1.2% |
| Indian River | 0.9% | 1.1% | 1.3% | 1.0% | 1.1% | 0.9% |
| Jackson | 2.2% | 2.4% | 2.2% | 2.7% | 2.8% | 2.9% |
| Jefferson | 1.5% | 1.1% | 2.0% | 2.7% | 2.0% | 2.9% |
| KIPP Charter | N/A | N/A | N/A | 1.3% | 1.3% | 0.5% |
| Lafayette | 1.1% | 1.3% | 2.1% | 1.4% | 1.4% | 0.8% |
| Lake | 1.6% | 1.7% | 1.7% | 1.5% | 1.7% | 1.9% |
| Lake Wales Charter | N/A | N/A | N/A | 2.6% | 2.5% | 3.1% |
| Lee | 1.2% | 1.3% | 1.2% | 1.2% | 1.3% | 1.2% |
| Leon | 1.8% | 2.2% | 2.5% | 1.9% | 2.0% | 2.4% |

| LEA | 2023-24 ELA | 2023-24 Mathematics | 2023-24 Science | 2024-25 ELA | 2024-25 Math | 2024-25 Science |
|-------------|----------------|------------------------|--------------------|----------------|-----------------|--------------------|
| Levy | 1.8% | 1.7% | 1.8% | 1.8% | 1.5% | 1.7% |
| Liberty | 3.8% | 3.8% | 3.2% | 3.9% | 3.6% | 4.8% |
| Madison | 2.4% | 2.9% | 3.3% | 2.3% | 2.8% | 3.0% |
| Manatee | 0.8% | 0.8% | 1.1% | 0.8% | 0.8% | 0.8% |
| Marion | 1.8% | 1.9% | 2.1% | 1.8% | 2.0% | 2.0% |
| Martin | 1.2% | 1.5% | 0.8% | 1.3% | 1.7% | 2.1% |
| Miami-Dade | 1.5% | 1.6% | 1.6% | 1.5% | 1.6% | 1.6% |
| Monroe | 1.5% | 1.7% | 2.2% | 1.6% | 1.6% | 1.1% |
| Nassau | 1.0% | 1.1% | 0.6% | 1.2% | 1.2% | 1.3% |
| Okaloosa | 1.7% | 1.8% | 2.2% | 1.5% | 1.6% | 1.4% |
| Okeechobee | 1.6% | 1.4% | 1.4% | 1.7% | 2.0% | 2.9% |
| Orange | 1.1% | 1.2% | 1.3% | 1.1% | 1.1% | 1.2% |
| Osceola | 1.2% | 1.3% | 1.2% | 1.1% | 1.2% | 1.3% |
| Palm Beach | 1.2% | 1.3% | 1.2% | 1.2% | 1.3% | 1.3% |
| Pasco | 1.3% | 1.1% | 0.9% | 1.4% | 1.8% | 0.8% |
| Pinellas | 1.3% | 1.4% | 1.3% | 1.3% | 1.5% | 1.6% |
| Polk | 1.7% | 1.7% | 1.8% | 1.7% | 1.7% | 1.8% |
| Putnam | 3.1% | 3.1% | 4.1% | 3.1% | 3.2% | 3.6% |
| Santa Rosa | 1.3% | 1.3% | 1.6% | 1.3% | 1.4% | 1.3% |
| Sarasota | 0.9% | 1.0% | 1.0% | 0.9% | 1.0% | 0.6% |
| Seminole | 1.0% | 1.1% | 0.9% | 1.1% | 1.3% | 1.1% |
| St. Johns | 1.1% | 1.1% | 1.1% | 1.2% | 1.3% | 1.0% |
| St. Lucie | 1.4% | 1.4% | 1.4% | 1.4% | 1.5% | 1.3% |
| Sumter | 1.1% | 1.3% | 1.5% | 1.3% | 1.3% | 1.2% |
| Suwannee | 1.9% | 1.9% | 2.3% | 1.7% | 1.7% | 1.5% |
| Taylor | 3.0% | 3.4% | 4.4% | 3.0% | 2.7% | 3.3% |
| UCP Charter | N/A | N/A | N/A | 18.7% | 21.3% | 25.0% |
| Union | 2.5% | 2.7% | 2.3% | 2.9% | 3.1% | 3.5% |
| Volusia | 1.4% | 1.6% | 0.9% | 1.4% | 1.5% | 2.9% |
| Wakulla | 1.7% | 1.8% | 1.1% | 1.8% | 1.9% | 2.3% |
| Walton | 1.6% | 1.6% | 2.2% | 1.5% | 1.3% | 1.1% |
| Washington | 3.2% | 3.4% | 3.0% | 3.4% | 3.6% | 4.6% |

Source: Florida Department of Education, Bureau of Exceptional Education and Student Services (Kipp Charter, Lake Wales Charter, UCP Charter); Division of Accountability, Research, and Measurement (all other LEAs)

*Florida School for the Deaf and the Blind (FSDB).

**Florida Atlantic University (FAU) Lab.

Course Instruction and Participation in Statewide, Standardized Assessment

IEP teams are responsible for determining whether SWD will be instructed in the general education state academic standards or instruction in the AP-AAAS and, subsequently, assessed through the administration of the general statewide, standardized assessment (with or without accommodations) or the AA-AAAS based on criteria outlined in Rule 6A-1.0943(5)(c) and (d), F.A.C. IEP teams must also determine whether students participating in the FAA should be assessed via the FAA – Performance Task or FAA – Datafolio.

Step 1 – Checklist for Course and Assessment Participation

To facilitate informed decision making, IEP teams should answer each of the following questions, which align with Rule 6A-1.0943, F.A.C., when determining the appropriate course of instruction and assessment:

1. Is the student identified only as eligible for services as a student who is deaf or hard of hearing or has a visual impairment, a dual sensory impairment, an emotional or behavioral disability, a language impairment, a speech impairment, or an orthopedic impairment?
2. Does the student receive ESE services as identified through a current IEP, and has the student been enrolled in the appropriate and aligned courses using alternate achievement standards for two consecutive full-time equivalent reporting periods before the assessment?
3. Does the student receive specially designed instruction which provides individualized instruction and intervention supports that are determined, designed and delivered through a team approach, ensuring access to instruction through the adaptation of content, methodology or delivery of instruction and is exhibiting very limited to no progress in the general education curriculum standards?
4. Does the student receive support through systematic, explicit and interactive small-group instruction focused on foundational skills and instruction in the general education curriculum standards?
5. Even with documented evidence of exhausting all appropriate and allowable instructional accommodations, does the student require modifications to the general education curriculum standards?
6. Even with documented evidence of accessing various supplementary instructional materials, does the student require modifications to the general education curriculum standards?
7. Even with documented evidence of the provision and use of assistive technology, does the student require modifications to the general education curriculum standards?
8. Even with direct instruction in all academic areas (i.e., ELA, mathematics, social studies and science), is the student exhibiting limited or no progress on the general education curriculum standards and requires modifications?
9. Does the student have a most significant cognitive disability, defined as a global cognitive impairment that adversely impacts multiple areas of functioning across many settings and is a result of a congenital, acquired, or traumatic brain injury or syndrome that is verified by either:
 - A statistically significant below-average global cognitive score that falls within the first percentile rank (i.e., a standard, the full-scale score of 67 or under); or
 - An evaluation process with procedures to identify students with the most significant cognitive disabilities when a global, full-scale intelligent quotient score is unattainable. This procedure must be approved by FDOE and documented in the LEA's ESE P&P, as required by Rule 6A-1.0943, F.A.C.

10. Was the student available and present for grade-level general education curriculum standards instruction for at least 70 percent of the prior school year? (Not applicable for transfer students.)
11. Did a certified teacher instruct the student for at least 80 percent of the prior school year? (Not applicable for transfer students.)
12. Was the assessment instrument used to measure the student’s global level of cognitive functioning selected to limit the adverse impact of already identified limitations and impairments (e.g., language acquisition, mode of communication, culture, hearing, vision, orthopedic functioning, hypersensitivities and distractibility)?
13. Was the assessment instrument used to measure the student’s global level of cognitive functioning selected to limit the adverse impact of already-identified limitations and impairments (e.g., language acquisition, mode of communication, culture, hearing, vision, orthopedic functioning, hypersensitivities and distractibility)?

Once the IEP team has determined that a student will be instructed in the AP-AAAS and participate in the FAA, the next step is to determine how the student will be assessed – via the FAA – Performance Task or FAA – Datafolio. The FAA – Datafolio is an alternate achievement standards-based assessment explicitly designed for students with the most significant cognitive disabilities who have limited to no formal mode of communication.

Parental Consent Form

Pursuant to Rule 6A-6.0331(10)(b), F.A.C., General Education Intervention Procedures, Evaluation, Determination of Eligibility, Reevaluation and the Provision of Exceptional Student Education Services, if the IEP team decides that the student will be instructed in the AP-AAAS and participate in the FAA, the parent or guardian of the student must sign consent *to have their* child instructed in the AP-AAAS. Their child’s achievement is measured based on alternate academic achievement standards. This decision must be documented on the Parental Consent Form AP-AAAS and Administration of the Statewide, Standardized Alternate Assessment, available at <http://www.fldoe.org/academics/exceptional-student-edu/beess-resources/parental-consent-form-prior-written-no.shtml>. In the event that the parents or guardians fail to respond after reasonable efforts by the LEA to obtain consent, the LEA may provide instruction in the AP-AAAS and administer the FAA. The IEP should include why the student cannot participate in the general assessment and why the alternate assessment is appropriate.

Step 2 – Datafolio Participation Guidelines

After carefully reviewing the “Checklist for Course and Assessment Participation,” the IEP team determined that the most meaningful evaluation of the student’s current academic achievement is through participation in the FAA. Next, the IEP team should answer the following questions when determining how the student will participate in the FAA. Check all that apply.

| Questions to Guide the Decision-Making Process to Determine How the Student Will Participate in the FAA | YES | NO |
|---|------------|-----------|
| 1. Does the student primarily communicate through cries, facial expression, eye gaze and change in muscle tone that requires interpretation by listeners/observers? | | |
| 2. Does the student respond/react to sensory (e.g., auditory, visual, touch, movement) input from another person BUT requires actual physical assistance to follow simple directions? | | |
| 3. Does the student react primarily to stimuli (e.g., student only communicates being hungry, tired, uncomfortable and sleepy)? | | |
| Previous FAA—Performance Task Performance (If Applicable) | | |
| 4. Has the student’s previous performance on the FAA – Performance Task provided limited information and reflected limited growth within Level 1? * | | |

*For a student in grade 3 or 4 or a student who does not have previous FAA – Performance Task scores, question 4 does not apply.

If “NO” is selected for each of the first three questions, the IEP team should conclude that the FAA – Performance Task is the more appropriate statewide, standardized assessment. If “YES” is selected for any of the first three questions and “YES” is also selected for the fourth question (when applicable), then the IEP team should conclude that the FAA – Datafolio is the appropriate method to provide meaningful evaluation of the student’s current academic achievement.

Administration of the AA-AAAS

The student’s ESE teacher will administer the assessment individually. If this is not possible, the test administrator will be a certified teacher or other licensed professional who has worked extensively with the student. All individuals who administer the AA-AAAS must be trained in administration procedures and receive annual updated training.

The Access Project

The [Access Project](#) is an IDEA-funded state project of FDOE’s BEESS. The Access Project’s mission is to provide resources that facilitate the teaching and learning of the AP-AAAS. The Access Project focuses on evidence-based instructional strategies and supports that align with Florida’s AP-AAAS for students with the most significant cognitive disabilities. The Access Project continues to support statewide professional learning for districts and teachers to ensure a greater understanding of Florida’s AP-AAAS, providing professional learning on appropriate supports and strategies for students with the most significant cognitive disabilities, including developing communication strategies for this population. The project also supports alternate assessment activities that align instruction with assessment, as needed.

Requirement 4, 34 C.F.R. § 200.6(c)(4)(iv)

Participation Plan

Improving the Implementation of State Guidelines

FDOE has reviewed the definition of students with the “most significant cognitive disabilities” and revised the FAA participation guidelines, as required by 34 C.F.R. § 200.6(c)(4)(iv)(A), to ensure that FDOE has adequately addressed all guidelines included in 34 C.F.R. § 200.6(d). FDOE has reviewed and updated supporting resources and documentation that all LEAs are provided.

- The SBOE approved revisions to Rule 6A-1.0943, F.A.C., Statewide Assessment for Students with Disabilities, at the SBOE meeting on June 10, 2021. Rule 6A-1.0943, F.A.C., was revised to establish a definition for “most significant cognitive disability” and specify the criteria required for a student to participate in the administration of the statewide, standardized alternate assessment.
- FDOE leadership staff participated in the Office of Elementary and Secondary Education 2023 Assessment Conference in September 2023 to collaborate with other SEAs on strategies to reduce alternate assessment participation.
- FDOE has actively participated in the NCEO 1% Community of Practice from 2018 to present to learn with and from other states, using guidance provided by national technical assistance centers, and incorporating resources and information gained. For example, when considering the LEA justifications submitted in the ESE P&P, FDOE staff referenced the *NCEO Tool 4 District Dialogue Guide: Addressing the Percentage of Students Participating in the Alternate Assessment* to help LEAs consider data sources, methods of analysis and other information about the percentage of students participating in the FAA. The LEA justifications help ensure appropriate implementation of state guidelines for participation in the AA-AAAS in the LEAs.

Support and Oversight of LEA Implementation

In addition to updated FAA participation guidelines, FDOE provides oversight, technical assistance and support, as required by 34 C.F.R. § 200.6(c)(4)(iv)(B), to promote the proper implementation of the guidelines by LEAs. Florida provides a multi-tiered system of supports to assist all LEAs in problem-solving and data-based decision making. Tier 1 (universal support) includes general, statewide support designed to inform, assist and improve results for all LEAs. Tier 2 (supplemental supports) includes more focused, targeted, frequent support aligned with the universal support provided to LEAs’ subgroups in response to identified needs. Tier 3 (intensive support) is the most focused, targeted, frequent support in addition to and aligned with the universal support provided to individual LEAs in response to identified needs. Based on the FAA participation data, LEAs with the highest number and the highest percentage of students participating in the FAA are provided universal, targeted and individualized support.

Professionals within BEESS, the Bureau of K-12 Student Assessment and staff of several IDEA-funded state projects are dedicated to supporting all LEAs in the appropriate instruction and assessment of SWD, including students with the most significant cognitive disabilities.

The following is based on the FDOE AA-AAAS Participation Plan.

Universal Professional Learning and Supports (Tier 1)

FDOE provides universal resources, technical assistance and support to all LEAs to improve the implementation of FAA participation guidelines. Listed below are the universal resources, technical assistance and support FDOE provided and enhanced to meet the needs of LEAs as they work to provide the most appropriate instruction and aligned assessments to all students.

- An Assessment Planning Checklist for IEP teams is included in the Teacher Administration Manual on the [FAA Portal](#) to reflect the revisions to [Rule 6A-1.0943, F.A.C., Statewide Assessment for Students with Disabilities](#).
- The [Updates to Access Points – Alternate Academic Achievement Standards \(AP-AAAS\)](#) presentation is another resource available for stakeholders. This module reviews the SBOE's approved revisions to Rule 6A-1.0943, F.A.C.
- [Florida's Access Points – Alternate Academic Achievement Standards](#) brochure provides LEAs and families with an overview of the AP-AAAS.
- LEAs must complete a self-assessment process annually, which is reviewed and validated by the SEA to identify additional technical assistance opportunities concerning student eligibility for AP-AAAS instruction and participation in the FAA. The protocol for this process is outlined in the *Participation in Alternate Assessments Based on Alternate Academic Achievement Standards (AA-AAAS) Compliance Protocol* document found at <https://www.fldoe.org/academics/exceptional-student-edu/monitoring/>.
- Professionals within BEESS, the Bureau of K-12 Student Assessment and BEESS-managed IDEA-funded state projects are dedicated to supporting all LEAs in the appropriate instruction and assessment of SWD, including students with the most significant cognitive disabilities. Such support is provided through professional learning, meetings and presentations at regional and statewide conferences.
- LEAs are required annually to submit FAA Assurances. With these submissions, LEAs assure that each student scheduled to be assessed via the FAA meets the criteria of Rule 6A-1.0943, F.A.C., Statewide Assessment for Students with Disabilities, which includes conditions for determining if the student has a most significant cognitive disability. Review of the FAA Assurances for each LEA includes data analysis and information about each student (primary exceptionality, verification of signed parental consent, IEP justification for the appropriateness of participation in the alternate assessment, the last IEP review date and course enrollment). FAA Assurances are submitted to FDOE via the Test Information Distribution Engine (TIDE) system by the end of January. During LEA Data Discussions, FDOE staff review these data extensively with LEA personnel.
- BEESS collaborated with the Bureau of Standards and Instructional Support (BSIS) to both attend and facilitate the IDEA-Funded State Projects Train-the-Trainer Expos, which were held in two regions across the state for over 124 LEA staff members. Each expo featured three sessions tailored to grade bands K-5, 6-8, and 9-12 with nearly 1,000 educators participating. One of the key topics addressed was the implementation of AP-AAAS strategies in elementary, middle and high school classrooms.

Targeted Technical Assistance and Support (Tier 2)

- After reviewing FAA Participation and FAA Assurances data, LEA staff meet with FDOE staff to review the data during 1% LEA Data Discussions. Data related to subgroups, performance, significant disproportionality, exceptionality, course enrollment, assessment alignment, parent consent obtained, participation rate and data entry are addressed during these discussions. Technical assistance and support are provided virtually, and a digital copy of the data reviewed is provided to LEAs. More detailed information about these discussions is provided in the Appendix.
- Professionals within BEESS, the Bureau of K-12 Student Assessment and several BEESS-managed IDEA-funded state projects support LEAs and provide targeted technical assistance.
- The Bureau of K-12 Student Assessment and BEESS collaborate for desktop monitoring of the FAA administration and eligibility criteria for the most significant cognitive disability for participation in the FAA. Desktop monitoring activities include the review of IEPs, FAA administration materials, FAA training materials and FAA security protocols.
- LEAs with over 1% of their students on the FAA provide a justification, including a reason for the overage, as part of the triannual ESE P&P update process. This information will be reviewed and approved by FDOE before publishing online. LEA justifications are accessible to the public through the BEESS website at <https://www.fldoe.org/academics/exceptional-student-edu/data/>.

Intensive Individualized Interventions and Supports (Tier 3)

FDOE provides additional, more frequently focused, targeted instruction or intervention and supplemental support in addition to and aligned with universal professional learning, interventions and supports.

- 1% LEA Data Discussions – After reviewing FAA Participation and FAA Assurances data, LEA staff meet with FDOE staff to review the data. Technical assistance and support are provided virtually, and a digital copy of the data reviewed is provided to the LEA. FDOE staff review proficiency assessment data, including perfect scores in one or more subject areas with districts over the 1% cap of students participating in the FAA. More detailed information about these discussions is provided in the Appendix.
- The Bureau of K-12 Student Assessment and BEESS collaborate for on-site monitoring of the FAA administration and eligibility criteria for the most significant cognitive disability for participation on the FAA. On-site monitoring activities include the review of IEPs, FAA administration materials, FAA training materials, FAA security protocols and classroom walk throughs.
- LEAs with findings of noncompliance through the 1% Monitoring and Compliance activity for AA-AAAS participation must engage in frequent technical assistance and the submission of documentation indicating the completion of a corrective action plan within one year of findings of noncompliance related to AA-AAAS participation. Superintendents of these identified LEAs must engage in technical assistance meetings

hosted by FDOE to discuss participation rates and action steps for AA-AAAS monitoring.

- During the 2022-23 SY 1% Monitoring and Compliance activity for AA-AAAS participation, 36 LEAs were identified as noncompliant as determined by the protocol outlined in the *Participation in Alternate Assessments Based on Alternate Academic Achievement Standards (AA-AAAS) Compliance Protocol* document found at <https://www.fldoe.org/academics/exceptional-student-edu/monitoring/>. Furthermore, LEAs participated in additional technical assistance discussions to improve LEA protocols for obtaining parental consent for the student to be instructed on alternate academic achievement standards and to participate in the FAA. All LEAs completed additional discussions within the permitted time frame and included a district action plan to correct noncompliance. Each quarter, LEAs found noncompliant will submit up to three IEPs to FDOE for validation to ensure future compliance.
- During the 2023-24 SY 1% Monitoring and Compliance activity for AA-AAAS participation, three LEAs were identified as noncompliant as determined by the protocol outlined in the *Participation in Alternate Assessments Based on Alternate Academic Achievement Standards (AA-AAAS) Compliance Protocol* document found at <https://www.fldoe.org/academics/exceptional-student-edu/monitoring/>. Furthermore, LEAs participated in additional technical assistance discussions to improve LEA protocols for obtaining parental consent for the student to be instructed on alternate academic achievement standards and to participate in the FAA. All LEAs completed additional discussions within the permitted time frame and included a district action plan to correct noncompliance. Each quarter, LEAs found noncompliant will submit up to three IEPs to FDOE for validation to ensure future compliance.
- During the 2024-25 SY 1% Monitoring and Compliance activity for AA-AAAS participation, two LEAs were identified as noncompliant as determined by the protocol outlined in the *Participation in Alternate Assessments Based on Alternate Academic Achievement Standards (AA-AAAS) Compliance Protocol* document found at <https://www.fldoe.org/academics/exceptional-student-edu/monitoring/>. LEAs found noncompliant must develop an action plan and are required to demonstrate compliance for protocol standards found noncompliant. The demonstration of this compliance requires that the LEA review the IEPs of students initially found eligible for instruction in AP-AAAS and scheduled to take the AA-AAAS as indicated on their IEPs. Submissions of students found initially eligible for participation in the AA-AAAS and instruction in the AP-AAAS will be required quarterly until compliance is achieved. Furthermore, LEAs participated in additional technical assistance discussions to improve LEA protocols for obtaining parental consent for the student to be instructed on alternate academic achievement standards and to participate in the FAA. All LEAs completed additional discussions within the permitted time frame and included a district action plan to correct noncompliance. Each quarter, LEAs found noncompliant will submit up to three IEPs to FDOE for validation to ensure compliance.

LEA-Level Risk Ratios

FDOE will continue to address any disproportionality issues, as required by 34 C.F.R. § 200.6(c)(4)(iv)(C). LEA-level relative risk ratios will be calculated for all student subgroups included in ESEA section 1111(c)(2)(A), (B) and (D) for all four content areas.

FDOE will determine the need for improvements at the state and LEA levels following thorough data analysis of these relative risk ratios. Technical assistance and support are provided to LEAs as deemed appropriate.

FDOE Required FAA Participation Reporting

FDOE Reporting to LEAs

FDOE provides annual data reports to LEAs identifying trends and patterns in FAA participation at the LEA and school levels. These reports are used to inform and, if necessary, improve local FAA implementation efforts.

- During the 1% LEA Data Discussion, this information was reviewed and compared to the 2025 FAA Assurances. LEAs were able to identify data entry errors and trends that were taking place (i.e., primary exceptionalities identified as not being the most educationally relevant and students enrolled in the incorrect courses).

LEA Reporting to FDOE

Any LEA above 1% FAA participation will be required (34 C.F.R. § 200.6(c)(3)(ii)) to submit information to FDOE with a justification for exceeding the 1% threshold of students taking the FAA.

FDOE Reporting to the Public

Under ESEA, FDOE must make the LEA justifications for exceeding 1%, as stated above, available to the public if doing so does not reveal any personally identifiable student information (34 C.F.R. § 200.6(c)(3)(iv)). Currently, these justifications can be found at <https://www.fldoe.org/academics/exceptional-student-edu/data/>.

Timeline

Table 10: Timeline of Implementation

| Date | Implementation Evidence |
|-----------------------------|--|
| October 1-December 31, 2024 | Quarter 1 - The Access Project provided technical assistance and services to stakeholders supporting the implementation of state guidelines for the most significant cognitive disabilities and instruction in the AP-AAAS and participation in the FAA. |
| October 29, 2024 | State Advisory Panel Meeting discussed the 2024-25 1% Waiver Request. |
| November 20, 2024 | FAA Datafolio Committee Meeting. |
| December 2024 | Workgroup meeting for 1% state implementation of guidelines and practices. |
| December 20, 2024 | LEAs uploaded the FAA Assurances into TIDE for state monitoring. |

| Date | Implementation Evidence |
|--------------------------|---|
| January 1-March 31, 2025 | Quarter 2 - The Access Project provided technical assistance and services to stakeholders supporting the implementation of state guidelines for the most significant cognitive disabilities and instruction in the AP-AAAS and participation in the FAA. |
| January 21, 2025 | FAA Desktop Monitoring Random Student Selection from the FAA Assurances. |
| January 2025 | Technical assistance presentation posted for AA-AAAS desktop monitoring. |
| February 2025 | LEA justification enhancement. |
| February 2025 | The 1% data analysis files developed for all LEAs. |
| March 2025 | FAA Datafolio supervised scoring in Austin, Texas. |
| March 12, 2025 | Student selection correspondence for AA-AAAS desktop monitoring sent to all LEAs. |
| March 2025 | FDOE developed and posted a webpage to include all Florida 1% waiver and extension requests, LEA justifications, assurances, 1% state- and LEA-level data, and state guidelines and best practices resources for all stakeholders. |
| April 1-June 30, 2025 | Quarter 3 - The Access Project provided technical assistance and services to stakeholders supporting the implementation of state guidelines for the most significant cognitive disabilities and instruction in the AP-AAAS and participation in the FAA. |
| April 8, 2025 | Regional Intellectual Disabilities Contacts Meeting (Small). |
| April 9, 2025 | Regional Intellectual Disabilities Contacts Meeting (Medium). |
| April 10, 2025 | Regional Intellectual Disabilities Contacts Meeting (Large). |
| April 23, 2025 | Student selection correspondence for validation of AA-AAAS desktop monitoring sent to LEAs. |
| May 2025 | 1% Data Discussion emails sent to all LEAs. |
| May-July 2025 | 1% Data Discussion meetings with all LEAs (refer to the Appendix for more information). |
| May 6-24, 2025 | Individual technical assistance provided to all LEAs with findings of noncompliance for AA-AAAS desktop monitoring. |
| May 28-29 2025 | FDOE staff presented at the Florida Organization of Instructional Leaders conference. The purpose of this presentation was to provide LEA administrators of ESE and student service programs, representatives of college and university training programs, special and IDEA-funded state projects personnel, and state agency programs with technical assistance and guidance relating to the eligibility requirements, per Rule 6A-1.0943, F.A.C., for students with the most significant cognitive disabilities to be instructed on alternate academic achievement standards and to participate in the FAA. |
| June 2025 | Datafolio Panhandle Train-the-Trainer professional learning. |
| June 13-15, 2024 | FDOE staff presented at the 27th Annual Family Café to provide an overview of the AP-AAAS. Information was presented to inform |

| Date | Implementation Evidence |
|---------------------------|--|
| | families of the eligibility criteria for students being instructed in the AP-AAAS and participating in the FAA. A high-level overview of access course enrollment versus class placement was addressed and information about available support for students with cognitive impairments in the regular education classroom was provided. Potential implications of instruction in the AP-AAAS and participation in alternate assessments were also discussed. |
| July 1-September 30, 2025 | Quarter 4 - The Access Project provided technical assistance and services to stakeholders supporting the implementation of state guidelines for the most significant cognitive disabilities and instruction in the AP-AAAS and participation in the FAA. |
| July 2025 | FAA Performance Task and Datafolio Train-the-Trainer professional learning in Orlando, Florida. |
| July 2025 | BEES collaborated with the Bureau of Standards and Instructional Support (BSIS) to both attend and facilitate the IDEA-Funded State Projects Train-the-Trainer Expos, which were held in two regions across the state for LEA staff. |
| August 2025 | The 1% data analysis was calculated and sent to BEES by the Division of Accountability, Research and Measurement. |
| September 2025 | FDOE will disseminate a flyer for parents and families regarding participation in the AA-AAAS. |
| September 2025 | FDOE staff participated in LEA meetings hosted by the Institute for Small and Rural Districts to provide training and technical assistance on developing improvement plans aimed at reducing participation rates in alternative assessments. |
| <u>September 2025</u> | In collaboration with the Institute for Small and Rural Districts, Fernandina Region, FDOE staff continues to provide ongoing technical support and in-person training to ensure that only students with the most significant cognitive disabilities are participating in AA-AAAS. |
| October 2025 | In collaboration with the Institute for Small and Rural Districts, Heartland Region, FDOE staff continues to provide ongoing technical support and in-person training to ensure that only students with the most significant cognitive disabilities are participating in AA-AAAS. |
| October 1, 2025 | LEAs updated the ESE P&P to include LEA justifications for exceeding the 1% cap. |
| December 2025 | In collaboration with the Institute for Small and Rural Districts, Panhandle Region, FDOE staff continues to provide ongoing technical support and in-person training to ensure that only students with the most significant cognitive disabilities are participating in AA-AAAS. |
| January 2026 | FDOE will continue to disseminate a guide for LEAs and IEP teams to use in determining participation in the FAA. |

| Date | Implementation Evidence |
|--------------------|--|
| January 2026 | LEAs will upload the 25-26 FAA Assurances into TIDE for AA-AAAS desktop monitoring. |
| January 2026 | FAA Desktop Monitoring Random Student Selection from the 25-26 FAA Assurances will be completed. |
| January 2026 | LEAs will receive student selection correspondence for AA-AAAS desktop monitoring. |
| February 2026 | LEA justification enhancement for posting on the 1% webpage will be completed. |
| February 2026 | The 1% data analysis files will be developed for all LEAs. |
| February 2026 | 1% Data Discussion emails will be sent to all LEAs exceeding the 1% cap. |
| February-July 2026 | 1% Data Discussion meetings with all LEAs (refer to the Appendix for more information). |
| March 2026 | Student selection correspondence for validation of AA-AAAS desktop monitoring sent to all LEAs with students participating in the 25-26 FAA. |
| April 2026 | Size-Alike Intellectual Disabilities Contacts' meetings. |
| May 2026 | Individual technical assistance with all LEAs with findings of noncompliance for AA-AAAS desktop monitoring. |
| June 2026 | Datafolio Panhandle Train-the-Trainer professional learning. |
| June 2026 | FDOE staff will present at the 28th Annual Family Café to provide an overview of the AP-AAAS. Information will be presented to inform families of the eligibility criteria for students being instructed in the AP-AAAS and participating in the FAA. A high-level overview of access course enrollment versus class placement will be addressed and more information about available support for students with cognitive impairments in the regular education classroom will be provided. Potential implications of instruction in the AP-AAAS and participation in alternate assessments will also be discussed. |
| August 2026 | The 1% data analysis will be calculated and sent to BEESS by the Division of Accountability, Research and Measurement. |
| August 2026 | LEAs will update their ESE P&P to include LEA justifications for exceeding the 1% cap. |

Public and LEA Comments and FDOE Responses

FDOE uses the Florida Administrative Register (F.A.R.), published by the Florida Department of State, to post grant applications, rules and meeting notifications to the public and provide an opportunity for comment. This publication serves as the official publication for most agency-related matters, such as rulemaking, petitions and other materials. (See section 120.55, F.S.) The [F.A.R.](#) was used to solicit public comment on the FDOE Alternate Assessment 1% Cap Waiver Request. LEA comments were also solicited via a Chancellor's Memo to superintendents, the BEESS Weekly electronic newsletter and an email to all LEA ESE directors.

BEES received one comment during the public comment period.

Submitted Comment

As a principal, I believe a blanket rule regarding assessments is not effective. I’ve observed students with severe disabilities being forced to take the FAST test, resulting in significant distress—such as banging on tables and hiding under furniture. This stress is a direct consequence of a broad policy.

Several students referenced were retained in third grade for not meeting the general reading expectations, despite their disabilities.

I strongly advocate for a waiver and urge reconsideration of this law. Students should be considered for alternate assessments earlier, rather than waiting until third grade.

BEES Response

Thank you for your valuable feedback during this process. We will continue to keep stakeholders apprised of the next steps. If you have any questions or want more information, please do not hesitate to contact the FDOE at DOEBEES@fldoe.org.

Appendix: Implementation of State Guidelines

NOTE: This chart illustrates the tiered supports provided to LEAs.

| Date of Implementation | Number of LEAs | Overview |
|----------------------------------|----------------|--|
| February 21 through June 5, 2025 | 74 LEAs | Universal Professional Learning and Supports (Tier 1). 1% Data Discussions (state, LEA, school level student level) in each subject area (ELA, mathematics and science). |
| February 21 through June 5, 2025 | 40 LEAs | Targeted Technical Assistance and Support (Tier 2). 1% Data Discussions (state, LEA, school level and student level) in each subject area (ELA, mathematics and science), missing some primary and other exceptionalities that are indicative of the most significant cognitive disability, disproportionality, missing some access course enrollment, missing some parental consent forms, 2025 FAA Assurances, proficient scores on 2024 assessment participation. |
| February 21 through June 5, 2025 | 34 LEAs | Intensive Individualized Interventions and Supports (Tier 3). 1% Data Discussions (state, LEA, school level and student level) in each subject area (ELA, mathematics and science), missing many primary and other exceptionalities that are indicative of the most significant cognitive disability, disproportionality, missing many access course enrollment, missing many parental consent forms, 2025 FAA Assurances, perfect scores on 2024 assessment participation. |

| | | |
|--|-----------------|--|
| <p>October 1, 2024, through September 30, 2025</p> | <p>All LEAs</p> | <p>Below is a summary of implementation evidence provided by the Access Project.</p> <ul style="list-style-type: none"> • Access Project directly served 2,516 education professionals at 96 training events. <ul style="list-style-type: none"> ○ Access Points –Seven trainings with 127 participants. ○ Present Levels of Academic Achievement and Functional Performance (PLAAFP) – Eight trainings with 137 participants. ○ Access Points in the General Education Setting – 20 trainings with 444 participants. ○ Datafolio: Content Differentiation – 17 trainings with 600 participants. ○ Supported district-level Environmental Communication Teaching (ECT) for Indian River, Leon and Volusia counties for six events with 28 participants. • In collaboration with other BEESS IDEA-funded state projects, the Access Project participated in 15 events. <ul style="list-style-type: none"> ○ BSIS 2025 Summer Professional Learning Series, Florida Statewide IDEA-Funded State Project Expo, two regional conferences with 981 participants visiting the expo. ○ Two grade band K-5 Access trainings with a total of 48 participants. ○ Two grade band 6-8 Access trainings with a total of 24 participants. ○ Two grade band 9-12 Access trainings with a total of 21 participants. • Environmental Communication Teaching in collaboration with Technology Learning Connections resulted in growth in communication as shown on the Communication Matrix – 16.3% on average for 9 students. • Held six events in which 154 district-level staff who supported students with the most significant cognitive disabilities and IDEA-funded state project personnel attended. • Participated in 37 leadership activities with state, regional and local stakeholders. • Maintained an independent Access website www.accesstofls.org and performed monthly accessibility checks. • Created writing teams and updated Access Points for kindergarten through 12th grade Social Studies to include creating a new Access Psychology course, new African American Access Points, and a new Access Personal Finance and Money Management course. • Participated in the FAA alignment study. |
|--|-----------------|--|

| Date of Implementation | Number of LEAs | Overview |
|-------------------------------|-----------------------|---|
| | | <ul style="list-style-type: none"> • The Access website had 6,273 unique visitors, 9,909 visits and 21,755 pages accessed from October 1, 2024, until August 1, 2025. • FAA Performance Outcomes: Percent Participated in FAA who scored Level 3 and above. |