



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

April 15, 2025

The Honorable Katie Jenner
Secretary of Education
Indiana Department of Education
100 N. Senate Ave., 9th Floor
Indianapolis, IN 46204

Dear Secretary Jenner:

I am writing in response to the Indiana Department of Education's (IDOE's) request on December 26, 2024, 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). Indiana requested this waiver extension because, based on State data for school year (SY) 2023-2024, IDOE 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 IDOE's waiver extension request, I am declining to exercise my authority under section 8401(b) of the ESEA for a one-year waiver for the 2024-2025 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, Indiana did not demonstrate substantial progress in reducing AA-AAAS participation rates in the 2023-2024 school year compared to the 2022-2023 school year. In fact, the rates increased in each subject. In addition, the State did not provide evidence that, when it collected public comment as required by ESEA section 8401(b)(3), the State shared the complete waiver extension request. The request that was shared with the public did not contain the data from the current or previous school year on the number and percentage of students overall and for each subgroup of students who took the AA-AAAS in each subject.

If IDOE 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, IDOE 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.

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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.

I appreciate your work to improve Indiana'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/

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

cc: Jennifer Spencer, Special Education Specialist



INDIANA
DEPARTMENT *of*
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Indiana's 1% Waiver Extension Request

ESEA § 111(b)(2)(D) and 34 CFR 200.6(c) and (d)

Indiana Department of Education

100 N. Senate Ave.
Indianapolis, IN 46204



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Introduction & Federal Requirements

Requirement One: Waiver Submission

34 Code of Federal Regulations (CFR) §200.6(c)(4)(i): "...submit an alternate assessment waiver request (or extension request) at least 90 days prior to the start of the relevant subject testing windows."

Title 1 of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESEA), requires states to submit a waiver request for exceeding the one percent (1.0%) cap for the number of students who participate in the state's alternate assessment aligned with alternate academic achievement standards (AA-AAAS).

As described in 34 CFR 200.6(c)(3), states may not prohibit a local educational agency (LEA) from assessing more than one percent of its assessed students with an AA-AAAS; however, the LEA must submit information justifying the need to exceed this threshold. Section 34 of CFR 200.6(c)(4) requires states to submit a waiver to the U.S. Department of Education if it anticipates exceeding the one percent cap for any subject using the AA-AAAS.

Indiana's Alternate Measure (I AM) is the selected alternate statewide assessment for Indiana students with the most significant cognitive disabilities and assesses students using the alternate achievement standards (i.e., Content Connectors). The Indiana Department of Education (IDOE) submits this waiver extension request to the U.S. Department of Education 90 days before the alternate assessment window in fulfillment of requirement one. **The I AM assessment window is from March 31 through May 9, 2025.**

Requirement Two: Alternate Assessment Participation Data

Pursuant to 34 CFR § 200.6(c)(4)(ii), IDOE must provide state-level data from the current or previous school year to show:

(A) The number and percentage of students in each subgroup of students defined in Section 1111(c)(2)(A), (B), and (D) of the law who took the alternate assessment aligned with alternate academic achievement standards; and

(B) The state has measured the achievement of at least 95 percent of all students and 95 percent of students in the children with disabilities subgroup under Section 1111(c)(2)(C) of the law who are enrolled in grades for which the assessment is required under [§ 200.5\(a\)](#);

The following information provides historical data trends for students in Indiana who participated in I AM for English/Language Arts (ELA), Mathematics (Math), and Science.

In response to the system-wide technical issue with assessment data that occurred in December of 2024, data was reevaluated and has now been confirmed. The updated data is provided in this waiver extension request.

Overall Statewide Participation Data

Table 1. Historic Statewide Participation Rate by Content Area

Content Area	2016-2017	2017-2018	2018-2019	2020-2021	2021-2022	2022-2023	2023-2024
ELA	1.25%	1.21%	1.14%	1.00%	1.01%	1.08%	
Math	1.25%	1.21%	1.14%	1.01%	1.01%	1.08%	
Science	1.30%	1.26%	1.14%	1.00%	0.97%	1.13%	

Table 1a. Participation Data by Content Area: 2023-2024

Content Area	I AM Participation	ILEARN Participation	Total	Percent: I AM Participation
ELA	6,344	532,765	539,109	1.18%
Math	6,322	532,423	538,745	1.17%
Science	2,856	226,828	229,684	1.24%

2023-2024 Participation Data by Content Area

Table 2. I AM ELA Participation: 2023-2024

I AM ELA Participation: 2023-2024			
Group	Total Participants in Grades 3-8 and High School (HS)	I AM Participant Number in Grades 3-8 & HS	I AM Participant Percent in Grades 3-8 & HS
All Students	532,765	6,344	1.18%
Hispanic or Latino	69,951	1,043	1.47%
American Indian/Alaskan Native	850	10	1.16%
Asian	16,614	220	1.31%
Black or African American	79,621	913	1.13%
Hawaiian/Pacific Islander	336,220	3,772	1.11%
White	28,953	377	1.29%

Two or More Races			1.59%
Male	272,372	4,215	1.52%
Female	260,393	2,129	0.81%
English Learner	44,840	812	1.78%
Students Receiving Free/Reduced Price Meals	254,208	3,535	1.37%

**Student count was redacted in compliance with the Family Educational Records and Privacy Act (FERPA), 20 U.S.C. 1232g; 34 CFR Part 99. Data is redacted in any cells that represent fewer than 10 students. In addition, at least two cells must be redacted where any total is available to prevent any cell required for redaction to be derived.

Table 3. I AM Mathematics Participation: 2023-2024

I AM Mathematics Participation: 2023-2024			
Group	Total Participants in Grades 3-8 and HS	I AM Participant Number in Grades 3-8 & HS	I AM Participant Percent in Grades 3-8 & HS
All Students	532,423	6,322	1.17%
Hispanic or Latino	69,892	1,034	1.46%
American Indian/Alaskan Native	848	10	1.17%
Asian	16,615	220	1.31%
Black or African American	79,545	910	1.13%
Hawaiian/Pacific Islander	336,059	3,766	1.11%
White	28,910	373	1.27%
Two or More Races			1.60%
Male	272,179	4,203	1.52%
Female	260,244	2,119	.81%
English Learner	44,789	807	1.77%
Students Receiving Free/Reduced Price Meals	253,992	3,519	1.37%

**Student count was redacted in compliance with FERPA, 20 U.S.C. 1232g; 34 CFR Part 99. Data is redacted in any cells that represent fewer than 10 students. In addition, at least two cells must be redacted where any total is available to prevent any cell required for redaction to be derived.

Table 4. I AM Science Participation: 2023-2024

I AM Science Participation: 2023-2024			
Group	Total Participants in Grades 3-8 and HS	I AM Participant Number in Grades 3-8 & HS	I AM Participant Percent in Grades 3-8 & HS
All Students	226,828	2,856	1.24%
Hispanic or Latino	29,467	501	1.67%
American Indian/Alaskan Native			2.27%
Asian	7,313	84	1.14%
Black or African American	33,884	410	1.20%
Hawaiian/Pacific Islander	143,418	1,684	1.16%
White	12,154	167	1.36%
Two or More Races			0.80%
Male	1,905	116,017	1.62%
Female	951	110,811	0.85%
English Learner	19,589	342	1.72%
Students Receiving Free/Reduced Price Meals	107,789	1,617	1.48%

**Student count was redacted in compliance with FERPA, 20 U.S.C. 1232g; 34 CFR Part 99. Data is redacted in any cells that represent fewer than 10 students. In addition, at least two cells must be redacted where any total is available to prevent any cell required for redaction to be derived.

Data Comparison: Alternate Assessment Participation by Content Area

IDOE calculated the following data regarding the participation of I AM content areas by ethnicity from the 2016-2017 school year through the 2023-2024 school year. The following findings were examined:

Table 5. I AM ELA Participation: 2016-2017 to 2023-2024

Student Populations	2016-2017	2017-2018	2018-2019	2020-2021	2021-2022	2022-2023	2023-2024	Difference from 2016-2017 and 2023-2024
All Students	1.25%	1.21%	1.14%	1.00%	1.01%	1.01%	1.18%	-0.07%

American Indian or Alaska Native	1.44%	1.06%	0.93%	0.95%	1.25%	1.27%	1.16%	-0.28%
Asian	0.82%	0.87%	0.86%	0.71%	0.94%	0.93%	1.31%	+0.49%
Hawaiian or Other Pacific Islander	2.14%	2.46%	1.56%	1.28%	0.92%	0.85%	1.11%	-1.03%
Black or African American	1.71%	1.57%	1.48%	1.25%	1.29%	1.32%	1.13%	-0.58%
Hispanic or Latino	1.14%	1.15%	1.13%	0.95%	1.00%	1.02%	1.47%	+0.33%
White	1.20%	1.16%	1.09%	0.97%	0.97%	0.94%	1.29%	+0.09%
Two or more Races	1.26%	1.21%	1.27%	1.17%	1.04%	0.14%	1.59%	+0.33%
English Learner	2.55%	2.43%	1.54%	1.43%	1.56%	1.50%	1.78%	-0.77%
Free/Reduced Price Meals	1.62%	1.54%	1.41%	1.13%	1.18%	1.22%	1.37%	-0.25%
Male	1.61%	1.55%	1.46%	1.30%	1.34%	1.33%	1.52%	-0.09%
Female	0.88%	0.84%	0.81%	0.70%	0.68%	0.68%	.81%	-0.07%

Table 6. I AM Mathematics Participation: 2016-2017 to 2023-2024 School Year

Student Populations	2016-2017	2017-2018	2018-2019	2020-2021	2021-2022	2022-2023	2023-2024	Difference from 2016-2017 to 2023-2024
All Students	1.25%	1.21%	1.14%	1.01%	1.01%	1.00%	1.17%	-.08%
American Indian or Alaska Native	1.44%	1.06%	0.92%	0.95%	1.36%	1.26%	1.17%	-.30%
Asian	0.79%	0.86%	0.86%	0.71%	0.94%	0.92%	1.31%	+.52%
Hawaiian or Other Pacific Islander	2.10%	2.45%	1.77%	1.28%	0.93%	0.85%	1.11%	-.99%
Black or African American	1.69%	1.57%	1.47%	1.25%	1.28%	1.31%	1.13%	-.56%
Hispanic or Latino	1.13%	1.14%	1.12%	0.96%	0.99%	1.01%	1.46%	+.33%
White	1.20%	1.16%	1.08%	0.96%	0.97%	0.94%	1.27%	+.07%
Two or more Races	1.24%	1.20%	1.26%	1.17%	1.05%	1.32%	1.60%	+.39%
English Learner	2.41%	2.42%	1.53%	1.43%	1.57%	1.48%	1.77%	-.64%
Students	1.60%	1.54%	1.40%	1.13%	1.17%	1.21%	1.37%	-.23%

Receiving Free/Reduced Price Meals								
Male	1.60%	1.55%	1.46%	1.29%	1.34%	1.32%	1.52%	-.09%
Female	0.88%	0.84%	0.81%	0.70%	0.68%	0.67%	.81%	-.07%

Table 7. I AM Science Participation: 2016-2017 to 2023-2024 School Year

Student Populations	2016-2017	2017-2018	2018-2019	2020-2021	2021-2022	2022-2023	2023-2024	Difference from 2016-2017 to 2023-2024
All Students	1.30%	1.26%	1.14%	1.04%	0.97%	1.06%	1.24%	-.06%
American Indian or Alaska Native	1.35%	1.35%	0.74%	0.78%	1.36%	1.27%	2.27%	+.92%
Asian	0.75%	1.00%	0.99%	0.92%	0.71%	0.99%	1.14%	+.39%
Hawaiian or Other Pacific Islander	2.40%	1.64%	1.78%	0.50%	0.42%	1.98%	1.16%	-1.24%
Black or African American	1.74%	1.71%	1.54%	1.23%	1.33%	1.44%	1.20%	-.54%
Hispanic or Latino	1.12%	1.22%	1.09%	1.04%	0.91%	1.06%	1.67%	+.55%
White	1.26%	1.20%	1.06%	1.01%	0.93%	0.97%	1.36%	+.10%
Two or more Races	1.46%	1.09%	1.39%	1.21%	1.04%	1.25%	.80%	-.66%
English Learner	2.45%	2.44%	1.48%	1.68%	1.32%	1.64%	1.72%	-.73%
Students Receiving Free/Reduced Price Meals	1.66%	1.64%	1.40%	1.17%	1.15%	1.27%	1.48%	-.18%
Male	1.67%	1.62%	1.45%	1.35%	1.27%	1.40%	1.62%	-.05%
Female	0.93%	0.88%	0.81%	0.74%	0.68%	0.70%	.85%	-.08%

Statewide Achievement Measuring at Least 95% of Students

Pursuant to waiver requirements under CFR 200.6(c)(4)(ii)(B), 95% of eligible students shall participate in the standard, state-required assessments for grades 3-8 and 10. The following table demonstrates data for achieving the 95% state-measured achievement requirement.

Table 8. Standard Statewide Assessment Participation Percentages: Grades 3-8 and 10

Content Area	All Students Assessed	All Students Enrolled	Assessment Participation	All Students with Disabilities Assessed	All Students with Disabilities Enrolled	Assessment Participation
ELA	585,590	589,292	99.4%	100,893	102,508	98.4%
Math	585,219	589,184	99.3%	100,800	102,496	98.3%
Science	167,466	169,103	99.0%	30,978	31,619	98.0%

Requirement Three: Alternate Assessment Participation Assurances

Pursuant to 34 CFR § 200.6(c)(4)(ii), IDOE must include assurances that it has verified that each LEA that anticipates assessing over one percent of its assessed students in any subject for which assessments are administered under [§ 200.2\(a\)\(1\)](#) that school year using an AA-AAAS:

1. Followed each of the state's guidelines under [paragraph \(d\)](#) of this section, except paragraph (d)(6); and
2. Will address any disproportionality in the percentage of students in any subgroup under Section 1111(c)(2)(A), (B), or (D) of the law taking an AA-AAAS;

Assurances and justifications were handled separately for the 2024-2025 school year.

Assurances

LEAs that exceeded the one percent cap on alternate assessment participation during the 2023-2024 school year were required to complete the Alternate Assessment Assurance Survey in the winter of 2024 to assure that only students most appropriate will participate in the alternate assessment in the spring of 2025. In the survey, LEAs indicated:

1. If exceeding the one percent participation cap is anticipated, and
2. If local policies and procedures addressing disproportionality are adhered to.

LEAs must provide assurances for the following:

- Appropriate LEA staff (including special education teachers, general education teachers, building administrators, Corporation Test Coordinators [CTCs], School Test Coordinators [STCs], special education directors, and school psychologists) have viewed the [Alternate Assessment Participation](#) webinar from IDOE. These stakeholders agree the appropriate students will participate in the alternate assessment during the 2024-2025 school year.
 - Appropriate stakeholders (including parents of students with significant cognitive disabilities, special education teachers, general education teachers, building administrators, CTCs, STCs, special education directors, and school psychologists) have reviewed the [criteria for determining I AM participation and flowchart](#), [participation frequently asked questions](#) provided on IDOE's [I AM](#)

[webpage](#), as well as IDOE's [Alternate Assessment ESSA 1% Cap webpage](#). Stakeholders agree the appropriate students will participate in the alternate assessment during the 2024-2025 school year.

- o Appropriate LEA staff (including special education teachers, general education teachers, building administrators, CTCs, STCs, special education directors, and school psychologists) have reviewed the 1% Disproportionality Data provided by IDOE. Stakeholders agree any disproportionality will be addressed, and the appropriate students will participate in the alternate assessment during the 2024-2025 school year.

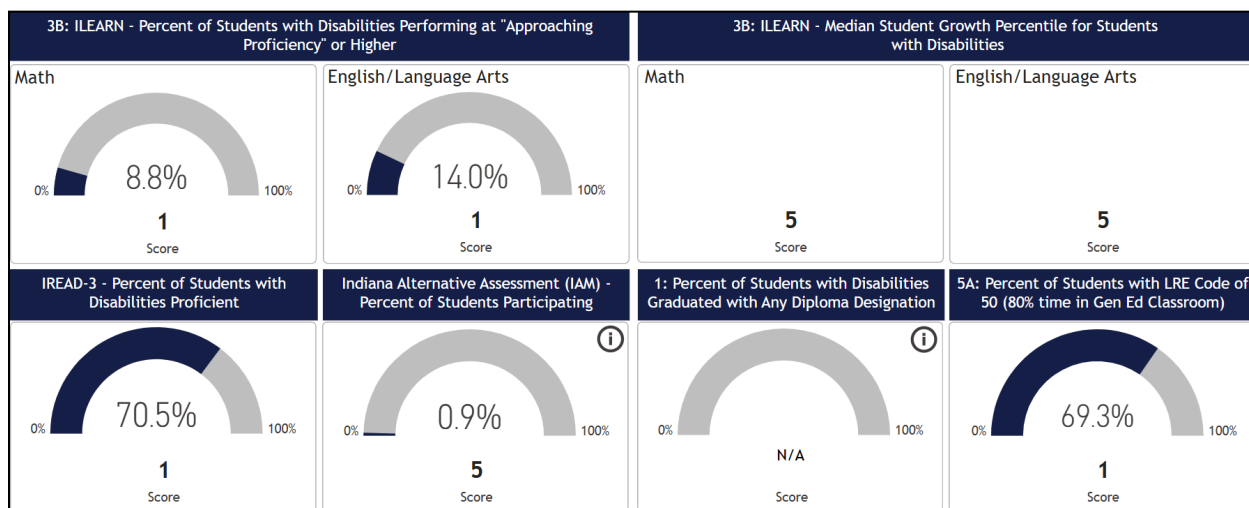
Justifications

A justification survey is required of any LEA demonstrating an overage in participation in the alternate assessment. This survey requires the submission of additional evidence to support the final participation rate and rationale for why the LEA exceeded the one percent I AM participation cap.

IDOE will then engage in a targeted analysis that compares and contrasts the responses of each survey. Justifications are publicly posted and can be found [here](#).

Results Driven Accountability

Participation data is shared on the Results Driven Accountability (RDA) dashboard and illustrated below. See below for an example. The RDA dashboard and monitoring user guide can be found [here](#). LEAs complete the assurances and/or justification survey to confirm data accuracy and rationale.



Assurances to Address Disproportionality

Indiana disaggregated disproportionality data based on participation rates from the 2023-2024 school year. IDOE utilizes a risk index to analyze this data for all student populations. Below is a list of student populations included in the analysis.

1. Ethnicity:
 - a. American Indian or Alaska Native
 - b. Asian
 - c. Pacific Islander or Other Pacific Islander
 - d. Black or African American (not Hispanic)
 - e. Hispanic or Latino
 - f. White (not Hispanic)
 - g. Two or more races (multiracial, not Hispanic)
2. Identified English learner (EL): Yes or No
3. Socioeconomic status (as determined by free and reduced price lunch status): Yes or No
4. Gender: Male or Female

The state must ensure LEAs provide assurances that any disproportionality in the percentage of students in any one student population identified for or participating in the alternate assessment will be addressed, which is requested based on participation data. LEAs demonstrating disproportionality were required to complete a justification.

Requirement Four: State Plan and Timeline

34 CFR § 200.6(c)(4) requires a plan and timeline by which:

“(A). The State will improve the implementation of its guidelines for participation in the AA-AAAS (including by reviewing and, if necessary, revising its definition of children with significant cognitive disabilities so that the State meets the cap in each subject in future school years).”

- **Staff Training:** IDOE staff engaged in bi-monthly participation in the National Center on Education Outcomes (NCEO) Community of Practice, which began in July of 2023. This is an ongoing initiative.
- **Office Hours:** IDOE staff offer monthly office hours sessions, which began in August of 2023.
- **I AM Question and Answer (Q&A) Sessions:** Two Q&A sessions were held before the opening of the I AM spring assessment window on March 13 and 14, 2024.
- **Additional Informational Presentations:** IDOE staff offer additional presentations for targeted training each year. In November 2024, staff presented with IN*SOURCE, a parent advocacy group, to outline procedures for the alternate diploma for students with significant cognitive disabilities. In September and November 2024, state staff presented ELs with Significant Cognitive Disabilities, consisting of [part one](#) and [part two](#), to stakeholders in the field to inform teachers and administrators in decision-making when supporting students in this subgroup. Each of these items was created after receiving feedback from the field.

IDOE's monthly I AM office hours sessions were well attended by multiple levels of education professionals, including new teachers, test administrators, and seasoned administrators. A combined effort by IDOE's Office of Special Education and the Office of Student Assessment

targeted discussions among these groups to find the best topics for the field. Feedback was considered from last year's assurances, where educators completed a brief survey on the topics most desired to support instruction and behavior of students with significant cognitive disabilities. Examples include the taxonomy of interventions, unpacking the Content Connectors, disproportionality, progress monitoring, and identifying students with significant disabilities.

Additional efforts for monitoring include desk audits and soliciting the field for public comments. Public comment was received from stakeholders (i.e., educators and families) in September 2024. Requesting public comments ensures the waiver extension request is in the best interest of the field and stakeholders. Desk audits ensure students participating in the alternate assessment are appropriately identified in the student's Individualized Education Program (IEP). Desk audits will occur once the corrected data is received.

“(B). The SEA will take additional steps to support and provide appropriate oversight to each LEA that the State anticipates will assess more than 1.0 percent of its assessed students with an AA-AAAS to ensure that only students with the most significant cognitive disabilities take an AA-AAAS. The State must describe how it will monitor and regularly evaluate each such LEA to ensure that the LEA provides sufficient training such that school staff who participate as members of an IEP team or other placement team understand and implement the guidelines established by the State so that all students are appropriately assessed; and”

Tier notifications are supplied to LEAs through data reporting in the RDA dashboard, which is typically published each November.

“(C). The State will address any disproportionality in the percentage of students taking an alternate assessment aligned with alternate academic achievement standards as identified through the data provided in accordance with paragraph (c)(4)(ii)(A) of this section.”

A risk index of 2.0 is used to measure significant disproportionality. The results are shared with LEAs in the same month they are collected. Where disproportionality exists, LEAs are asked to review the provided data and consider their student demographics, ensuring policies and procedures do not result in overrepresentation or underrepresentation of any subgroup.

Components for the state's plan are outlined below, followed by a cumulative timeline of all activities.

Alternate Assessment Participation Criteria

The criteria for participating in the alternate assessment were revised for the 2022-2023 school year and can be found on IDOE's [IAM webpage](#) and [Accountability Dashboard webpage](#). The criteria are as follows:

1. A review of the student's record indicates a disability that significantly impacts intellectual functions and adaptive behavior. Adaptive behavior is defined as essential for someone to live independently and to function safely in daily life.
2. The student requires extensive, repeated, individualized direct instruction and substantial support that is not of a temporary nature.
3. The student requires substantially adapted materials and individualized methods of accessing information in alternative ways to achieve measurable gains on the state academic content standards for the grade in which the student is enrolled.

This information and the I AM Participation Decision Flowchart for LEAs are available in both [English](#) and [Spanish](#). IDOE also developed a frequently asked questions resource for additional support in both [English](#) and [Spanish](#).

LEA Support and Oversight

In its commitment to ensuring that only students with the most significant cognitive disabilities participate in the alternate assessment, IDOE's plan aims to provide data to LEAs regarding alternate assessment participation and preparation. In doing this, special education directors and other stakeholders can provide sufficient training to support special education staff in allocating assessments to students appropriately.

Universal LEA Support Efforts

Indiana's RDA determination includes alternate assessment participation as a subcomponent within the calculation. LEAs are informed of the points possible out of each category, how many points their district received in those categories, and an overall percentage that correlates to a tier of technical assistance in the [guidance document](#). Alternate assessment participation data is included in the data review. Indiana resource centers will also provide support to LEAs that exceed the one percent cap. Technical assistance may include onsite visits, webinars, emails, and/or phone calls. This [presentation](#) was created to explain the calculation to stakeholders. Refer to slide 10 for documentation addressing RDA procedures.

- A participation rate of less than or equal to 1.0% will yield a score of five.
- A participation rate of more than 1.0% but less than 1.02% will yield a score of three.
- A participation rate of greater than 1.02% will yield a score of one.

Additional universal effort includes IDOE's monthly I AM office hours, weekly I AM listserv newsletters, and professional development, including [Improved Outcomes for Students with Significant Cognitive Disabilities](#) in November of 2023, and the statewide conference [Elevating Education: Improving Outcomes for All](#), which was held in December of 2024.

As previously mentioned, IDOE also meets with the federally-recognized parent training institute, IN*SOURCE, annually. In the 2023-2024 school year, a session was held to discuss the alternate assessment via IDOE's digital learning platform, the [Indiana Learning Lab](#). An IDOE intense intervention specialist also met with IN*SOURCE in November of 2024 to discuss the alternate diploma with stakeholders.

Additional efforts are listed below:

- IDOE's Office of Student Assessment hosts general monthly CTC office hours to offer tailored support for statewide assessments, including I AM.
- The Indiana Learning Lab provides various [professional learning communities](#), including a special education group with weekly resource dissemination and discussion threads.

Targeted LEA Support Efforts

IDOE requires specific activities for LEAs exceeding the one percent cap through a targeted monitoring program. In addition to considering participation percentages for monitoring, IDOE also considers student counts, as some LEAs with small populations may have a high participation rate due to calculations. These student count parameters will be adjusted annually to address the needs of Indiana LEAs.

Participation must adhere to the three criteria outlined by IDOE, and it must be clear from the IEP that the student meets these criteria. The case conference committee (CCC) for the student ultimately makes the decision to move students to the alternate assessment, and this monitoring cannot challenge a CCC decision, but evidence and justifications can be requested by IDOE to ensure that decision-making adheres to the identified criteria.

Table 10. Monitoring Level Tiers and Required Activities

Monitoring Level	Minimum Percentage	Participation Count	Activities
Tier 1	1.1%	N/A	General guidance
Tier 2	1.1%	20-99	General guidance, IEP audits
Tier 3	1.1%	100 or More	General guidance, IEP audits, targeted support as needed

For the Tier 3 monitoring level, IEP reviews consist of five IEPs of students who participated in I AM selected at random by IDOE. IDOE reserves the right to perform more in-depth monitoring as needed. A Tier 3 LEA that demonstrates significant unresolved and/or consistent concerns related to this monitoring and the application of practices may be required to participate in a one-on-one meeting with IDOE in person. The decision to move a student to the alternate assessment is made by the CCC after a targeted review. Any LEA that exceeds the cap receives support in understanding the eligibility criteria; it is not assumed that an overage in participation is an error but rather an opportunity for more discussion.

Components Timeline

IDOE provides annual [I AM Milestones](#) to provide a detailed timeline of events before, during, and after the annual alternate assessment. It is the responsibility of the LEA to ensure that all tasks and deadlines are monitored and completed to ensure that the assessment is administered with fidelity. This includes ensuring staff members are properly trained, accommodations are confirmed in the testing system, and all needed materials are provided.

Requirement Five: Substantial Statewide Progress

As required in 34 CFR § 200.6(c)(4)(v), the state must demonstrate substantial progress towards achieving each component of the prior year’s plan and timeline in the following areas:

"(A)... improve the implementation of its guidelines for participation in the AA-AAAS Guidance is available online through a flowchart and an FAQ for decision-making and is evaluated each year for the need to update to improve implementation and ensure student outcomes are appropriate for each student.

"(B)... Support and provide appropriate oversight to each LEA that the state anticipates will assess more than 1.0 percent of its assessed students with an AA-AAAS to ensure that only students with the most significant cognitive disabilities take an AA-AAAS."

IDOE’s Office of Special Education implements targeted IEP reviews for students participating in the alternate assessment. LEAs also provide their justification and assurances that only students meeting the criteria will participate.

"(C)... address any disproportionality in the percentage of students taking an alternate assessment aligned with alternate academic achievement standards."

IDOE has made substantial progress toward meeting the one percent cap for the alternate assessment since the submission and approval of the original waiver request in 2016. This advancement is evident in I AM participation data and completion of state plan and timeline activities outlined in this year’s waiver extension request. A comparison of 2016 through 2023 data confirms Indiana’s progress toward reducing the number of students participating in the alternate assessment.

IDOE’s Office of Special Education collaborated with the Office of English Learning and Migrant Education to create technical assistance for the field to guide decision-making in placement and instruction for students who are identified as ELs and a student with a significant cognitive disability.

Table 11. LEAs Exceeding One Percent Cap: 2016-2017 to 2023-2024

Content Area	2016-2017	2017-2018	2018-2019	2020-2021	2021-2022	2022-2023	2023-2024	2016 to 2024
ELA	190	186	166	146	142	147	160	-30
Math	189	186	165	144	142	146	160	-29
Science	183	183	153	149	134	160	151	-32

A Synthesis of Indiana’s I AM Participation

Factors and circumstances of I AM participation rates were carefully evaluated to learn what is occurring at the local level. Three years of enrollment data was collected and synthesized. Evidence provided by each LEA in the justification illustrating the circumstances of the overage

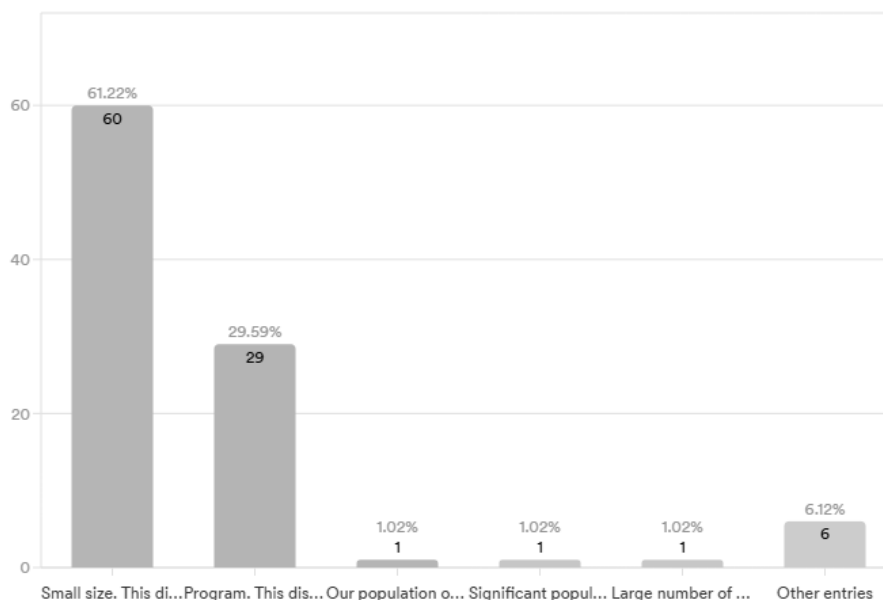
was carefully analyzed. The alternate assessment is a requirement for eligibility for the alternate diploma, so participation data of high school students was specifically sought out for review. Many of Indiana's schools are reporting a decrease in enrollment, while the number of special education students is static. The needs of community members are changing, so families are moving to be closer to social services and schools of choice. Finally, a change in the demographics of students has been observed. Each of these circumstances has resulted in a change in the participation of I AM. Tables and charts have been prepared to illustrate this occurrence. The data of three LEAs is provided.

Enrollment

Enrollment is noted as a cause for increased participation. Open enrollment and LEA size are factors. Indiana's LEAs provide open enrollment to students; students may attend the school they choose. Families are sending students with significant cognitive disabilities to schools they deem excellent. As a result, an LEA with a dynamic program and rich support may have significant participation rates in the alternate assessment. And smaller LEAs are at risk of demonstrating an overage in participation due to the calculation of percentages. For example, an LEA with two students participating in the alternate assessment and 98 students participating in all assessments will yield a participation rate of 2.04%.

An analysis of the enrollment of LEAs submitting a justification demonstrated that over 60% are identified as small, with fewer than one thousand students. See Table 12.

Table 12. Justification for Overage in Participation by LEA



Decreased overall enrollment is resulting in an overage in alternate assessment participation when the number of students with IEPs remains the same. Enrollment of four LEAs was

analyzed against alternate assessment participation rates. Data is shared below. Each LEA is assigned an anonymous label to protect their identity.

Table 13. LEA 1 Participation and Enrollment Analysis: LEA-1

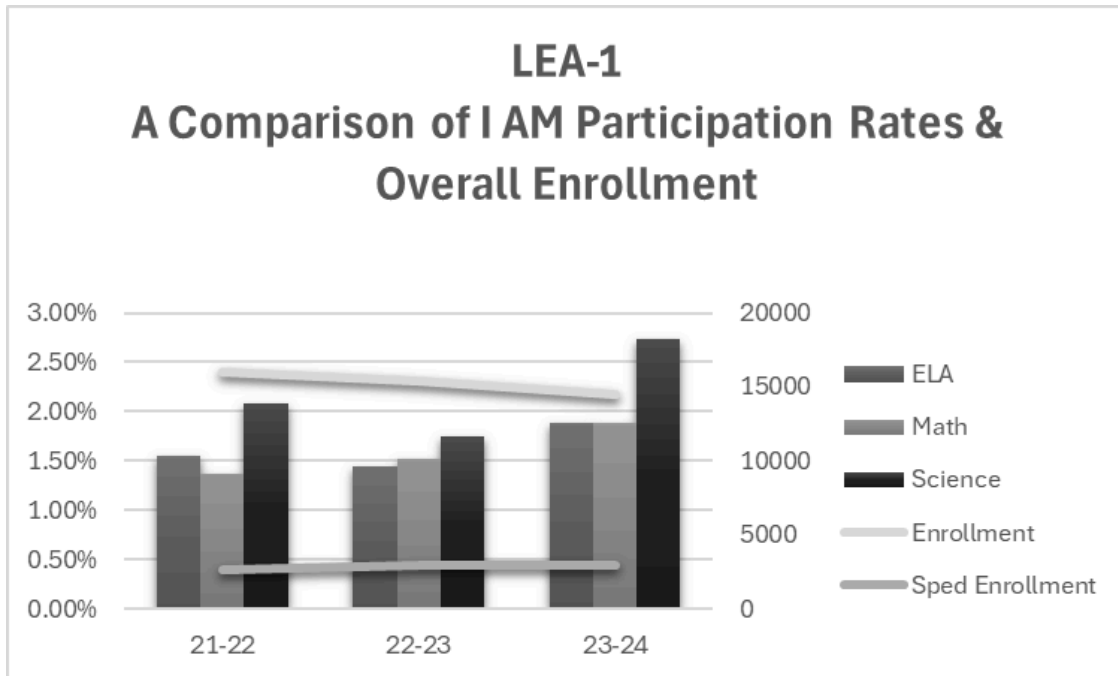


Table 14. LEA 2 Participation and Enrollment Analysis: LEA-2

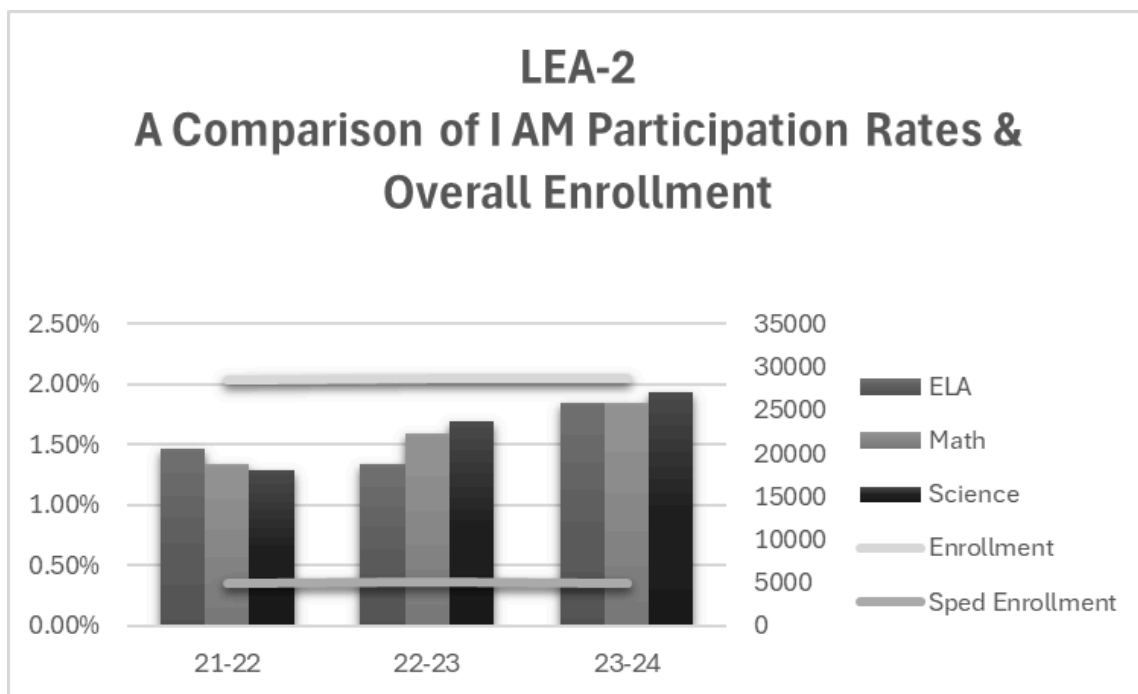


Table 15. LEA-3 Participation and Enrollment Analysis: LEA-3

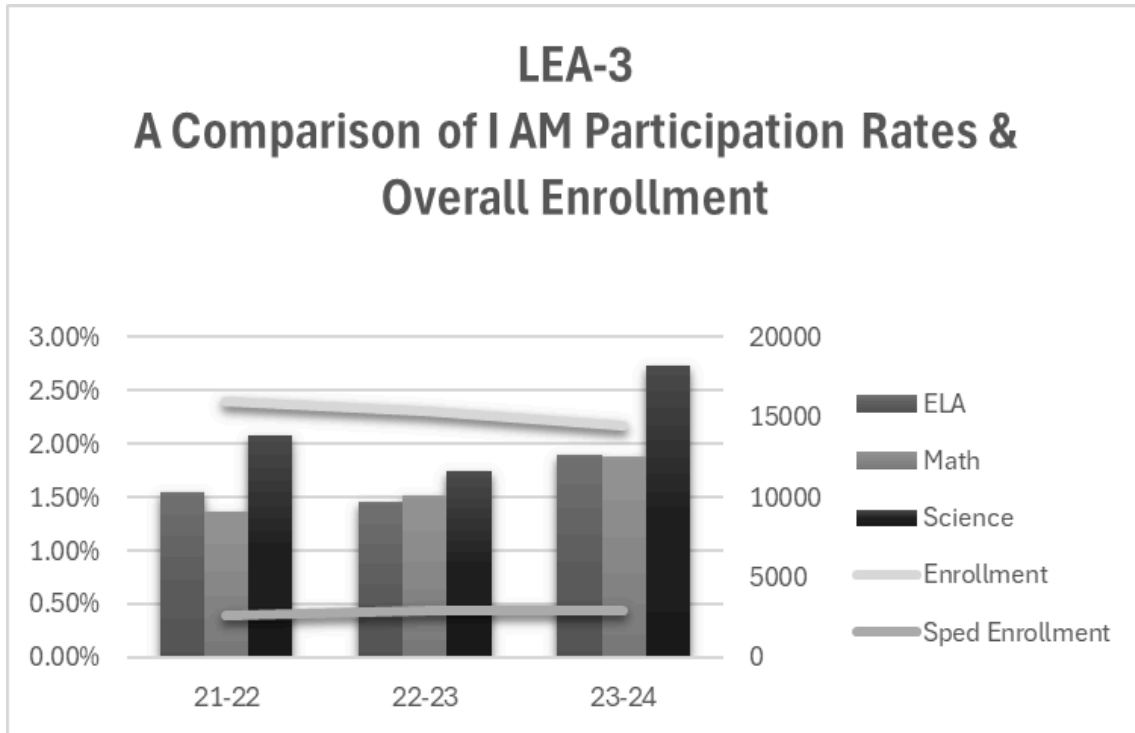
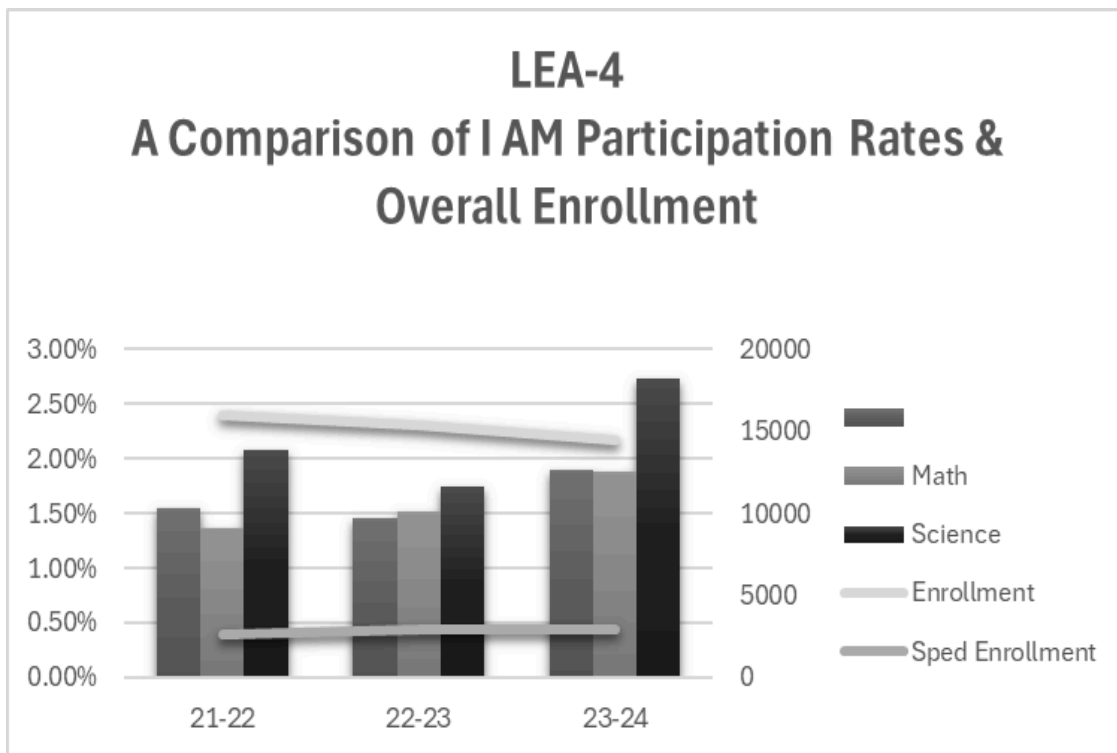


Table 16. Participation and Enrollment Analysis: LEA-4



Alternate Diploma

With the provision of the alternate diploma, there has been an increase in participation in Science. Students in high school may be considered for the alternate diploma. If the student is found eligible, they must participate in the alternate assessment, and because this subgroup is enrolled in high school, they participate in the alternate assessment for secondary students, Biology. Participation in Science continues to increase. See Tables 13–16 for an illustration.

Programs & Services

Feedback from the justifications completed by LEAs indicated many students participating in the alternate assessment are move-in students. LEAs also indicated the school's location relative to the state border may result in increased participation. Finally, LEAs noted that dynamic programming has attracted families of students with significant cognitive disabilities. Co-operatives often recommend students attend particular schools due to the availability of resources or robust programs.

Training and Additional Guidance

IDOE Support and Guidance for I AM

The following resources are developed to support educators and LEAs in overseeing administration and determination for participation in the alternate assessment.

Accessibility and Accommodations Training: IDOE provides accessibility and accommodations training overviews for statewide assessments, including the [Accessibility & Accommodations for Statewide Assessments](#). This document includes topics such as universal accessibility tools, designated accessibility tools, and accommodations available to students. Viewing this training is an annual requirement for Test Administrators (TAs) and CTCs.

Statewide Assessment Webpages: IDOE's [Assessment webpage](#), [I AM webpage](#), and [Indiana Assessment Portal](#) house information, resources, training materials, and links for special education professionals supporting students with disabilities. The webpage and portal are updated throughout the school year to provide the most relevant information regarding I AM.

CTC Pretest Workshops: IDOE's Office of Assessment provides pretest workshops for all statewide assessments before the opening of the testing window. For I AM testing, the Spring 2024 Pretest Workshop contains important administration information for CTCs to prepare their corporation for testing. This workshop is found annually in the Moodle Test Coordinator Corner and begins February 7, 2025.

PowerSchool: IDOE's Office of Special Education has elected to use a new vendor for the management of IEPs. In the 2023-2024 school year, multiple strategic meetings have occurred to discuss the needs of the state to ensure accurate reporting and service provision for students and staff. The discussion has addressed the needs of students with significant disabilities, specifically students participating in the alternate assessment, and how to best capture the

needs of these students and record their participation in I AM. PowerSchool is expected to go live for statewide IEP implementation for the 2025-2026 school year.

I AM TA Certification and First Year I AM TA Training: TAs administering the I AM assessment must complete annual requirements. The I AM TA Certification Course is assessment-specific and becomes available on the [Indiana Assessment Portal](#) in January. Additionally, TAs administering I AM for the first time must have completed a first-year training webinar, which will be held in February. The recording of the live training will be available on the Indiana Assessment Portal.

Understanding I AM Webinar: Each year, IDOE and Cambium Assessment, Inc. (CAI) releases a webinar providing an overview of the assessment titled [Understanding I AM](#). The targeted audience is educators, administrators, and other school personnel involved in the administration of the alternate assessment. The recording was made available online in October.

Q&A Sessions: IDOE's two Q&A sessions address the field's frequently asked questions (FAQs) regarding the administration of I AM. Any administrator or educator can attend one of these live webinars. The 2024-2025 I AM Q&A sessions will be hosted on February 3, 2025. The sessions will be recorded and shared with CTCs in listservs from IDOE

I AM Practitioner Virtual Panel: Stakeholders in the field participated in a virtual panel to provide feedback on the through-year design of the new I AM. Practitioners participated in discussions on test items, test format, accommodations, and accessibility. These meetings were held monthly.

Office Hours: IDOE's monthly office hours sessions covered general and specific guidance for educators. Content was based on requests by the field and was identified through the review of data. Sessions were held in 2023 on September 6, October 4, November 1, and December 6, and in 2024 on January 3, February 7, March 6, April 3, and May 1.

I AM Participation Guidance: IDOE sought input from stakeholders on the participation criteria documents, including Participation Guidance in [English](#) and [Spanish](#) and Participation FAQ in [English](#) and [Spanish](#). These documents explain participation in the alternate assessment and are posted on IDOE's [I AM webpage](#).

Indiana Learning Lab: IDOE partners with FiveStar, an educational technology solutions organization, to oversee the Indiana Learning Lab, a digital learning platform to support teachers and staff directly in the field. The Indiana Learning Lab empowers specific communities of practice to initiate discussions and share resources. IDOE disseminates weekly posts regarding high-leverage practices, RDA, indicator and monitoring supports, and other relevant information to the field. The Learning Lab has been utilized to share important guidance to the field related to No Mode of Communication (NMC), an important concept for testing administrators related to students who may appear to have no observable means of communication and will participate in the alternate assessment. This online forum will continue to be used to educate the field on procedures related to the alternate assessment participation with topics such as: selecting students appropriate for the alternate assessment, criteria for participation, required justifications and procedures related to the IEP, information on supports

and services, and information on the state alternate achievement standards (i.e., Content Connectors).

New Directors Training: IDOE held New Directors Training for special education directors in July 2024 for the 2024-2025 school year. This in-person training introduced new directors to the policies and procedures related to I AM and support for students with significant cognitive disabilities.

I AM Blueprint Stakeholder Collaborative: Indiana's Content Connectors were adopted in Spring 2024. Indiana will be moving to a through-year assessment for I AM to coincide with the general assessment ILEARN Through-Year assessment. IDOE conducted an I AM blueprint committee on November 4, 2024, for a targeted discussion on the pacing of Content Connectors in the curriculums of LEAs to develop a testing blueprint for the new assessment.

Content Connectors Revisions: Following the reduction and [streamlining of the Indiana Academic Standards](#), the Indiana Content Connectors were reviewed and adjusted accordingly. IDOE staff, consisting of content experts and special education specialists, reviewed the Content Connectors for vertical alignment and accessibility for the intended population. Standards were then reviewed by educators from the field and will be presented for public comment in the coming months before formal review from the Indiana State Board of Education. Currently, frameworks are being developed to support educators in facilitating Content Connectors in instruction.

Test Items Review: Following a formal analysis from stakeholders consisting of assessment experts, field experts, and special education specialists, Indiana is leveraging the opportunity to develop a revised alternate assessment format to consist of a through-year design for ELA and mathematics. Following this determination, test items are currently under review for alignment. This new through-year format intends to better measure students' performance and needs to allow timely data that can further support areas of greatest need.

IDOE collaborates with key stakeholders, using feedback to improve the accessibility, accuracy, and usefulness of alternate assessment training resources. Resource engagement is carefully monitored, and IDOE works to incorporate feedback into improving these practices.

Collaborative State Efforts

Below is a summary of resources and activities to support the appropriate determination of participation in the alternate assessment.

- **IDOE's Alternate Assessment Specialist and Accessibility and Accommodations Specialist:** These two specialists exist in the Office of Student Assessment to serve as liaisons between LEAs on I AM and accessibility needs. Specialists work closely with the intense intervention specialist in the Office of Special Education to oversee appropriate participation in I AM. The Office of Student Assessment also contracts with a nationally recognized accessibility expert to provide guidance and input on policies and procedures. A statewide advisory group of various special education and accommodations stakeholders meets twice a year to review policies and procedures.

- **IDOE's Intense Intervention Specialist:** This role leads efforts related to the one percent cap, participating in training by the National Center on Educational Outcomes (NCEO), monitoring participation data to create resources, and developing programming based on the tiered intervention system of supports. This specialist audits districts exceeding the one percent cap and oversees interventions.
- **IDOE's Technical Assistance Specialists:** These specialists assist the field in supporting students of specialized populations, which include students with low-incidence disabilities. These specialists collaborate with federal resource networks such as the TIES Center, the National Technical Assistance Center on Transition (NTACT), and NCEO to support students, families, and educators.
- **Multi-State Collaborative Groups:** IDOE participates in the NCEO one percent cap community of practice bi-monthly webinars and the Council of Chief State School Officers (CCSSO) State Collaborative on Assessment and Student Standards (SCASS) Assessing Special Education Students (ASES) meetings.
- **Peer Learning Groups Effective Communication of Assessment Data:** The intense interventionist has participated in a peer learning group facilitated by the University of Minnesota/NCEO to support state education agency (SEA) staff in providing assessment data to stakeholders using methods that are meaningful and accurate. Topics include considering the stakeholder's present level of understanding and using accurate terminology and strategies to enable understanding.
- **Education Peer Action Learning (PAL) 2024 Cohort:** IDOE participated in an in-depth learning opportunity to advance their knowledge base and skills in the provision of Assistive Technology.
- **Stakeholder Feedback:** IDOE shares information, collaborates, and seeks feedback from stakeholders regarding the one percent cap on alternate assessment participation. Stakeholders include LEAs, Indiana's Council of Administrators of Special Education (ICASE), State Advisory Committee (SAC), IN*SOURCE, IDOE's Office of Student Support and Accessibility, and IDOE's Assessment Implementation Advisory Group (AIAG). AIAG is a small group of administrators and data managers that meet monthly to discuss updates for assessments, provide feedback on procedures, and review information regarding legislative changes and research being completed.
- **National Technical Assistance Center on Transition (NTACT), Complex Support Needs Community of Practice Group:** IDOE's intense intervention specialist participated in monthly meetings facilitated by NTACT to address the needs of college students with complex support needs. Content provides information that can be applied to high school students to improve support before college and ensure the best outcomes for students with significant cognitive disabilities.
- **How Educators Can Help Students with Intellectual Disabilities Think College:** IDOE's intense intervention specialist participated in this nationwide training facilitated by the Council for Exceptional Children that provided training in December of 2023 on how to engage students with significant cognitive disabilities in the concept of postsecondary education.
- **CCSSO ASES Virtual Collaborative:** IDOE's intense intervention specialist participated in a nationwide virtual collaborative on assessment to learn from other intense

intervention specialists across the country and improve monitoring practices in managing the one percent participation cap. This occurred in February of 2024.

- **Indiana Council of Administrators of Special Education (ICASE) Town Hall:** ICASE facilitated a one-day meeting in February of 2024 with special education professionals across the state to make introductions of the state staff, provide a forum for asking and answering questions, and provide the field with information on upcoming changes.
- **IEP Technical Assistance (TA) Center State Conference:** The IEP TA Center facilitated a statewide conference for Indiana's education professionals called *Elevating Education*, which was held in November of 2023 and 2024. IDOE's intense intervention specialist presented with a colleague of the Office of Special Education on unpacking the Content Connectors, which provided understanding and assistance in using these standards for instruction.
- **Ocalicon:** IDOE's intense intervention specialist participated in the fall 2023 Ocalicon conference. Multiple sessions were held on accessibility, accommodations, and best practices to support students with significant cognitive disabilities and support students transitioning from the alternate assessment to the general assessment. This event was attended by SEA staff from multiple states.
- **Three-Year Review Process for NMC Guidance:** IDOE has shared guidance within the [Indiana Assessments Policy Manual](#) regarding the three-year review process and IEP audit for students with NMC.
- **Indiana's Special Education Annual Determination:** As part of the state's general supervision system, each LEA is assigned an annual determination that includes measures of compliance, results, and data timeliness. The results measures consist of growth and proficiency on the general assessment and participation in the alternate assessment. Indiana achieved the "meets requirement" from the U.S. Department of Education following the previous SPP/APR submission.
- **INDATA:** IDOE's intense intervention specialist is a member of the INDATA advisory council. Easterseals Crossroads partnered with IDOE and the Bureau of Rehabilitative Services to establish the Indiana Assistive Technology Act (INDATA) Project. The INDATA Project is one of 56 similar federally funded projects designed to increase access and awareness of assistive technology. Quarterly meetings include discussions on how to support students with significant cognitive disabilities through the use of technology.
- **Indiana School for the Blind and Visually Impaired, School Board:** IDOE's intense intervention specialist is the designee for the Office of Special Education board member and participates in monthly executive sessions and general sessions with the Indiana School for the Blind and Visually Impaired school board. This collaboration provides a direct connection between IDOE and the school's stakeholders, as well as extra guidance for students statewide with sensory loss.
- **Center for Deaf and Hard of Hearing (DHH) Education Roundtables:** IDOE's intense intervention specialist also participates in roundtable meetings with DHH educators and speech-language pathologists who serve students around the state.

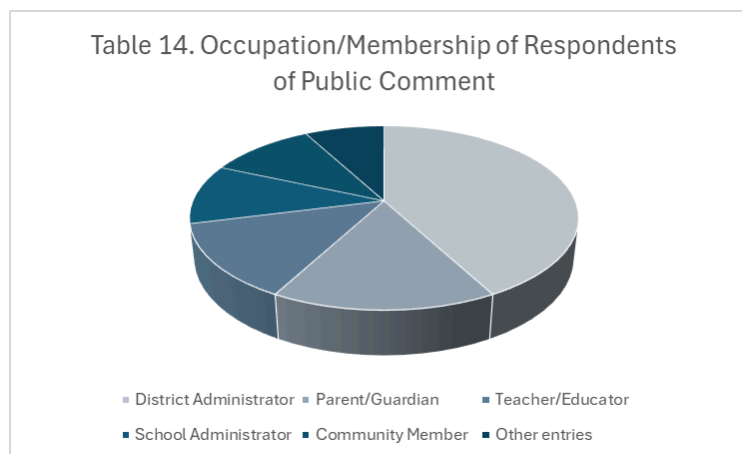
Indiana has diligently worked to improve the participation rate in the alternate assessment since the 2016-2017 school year. Through new and continuing initiatives, Indiana will continue to

persist in holding LEAs accountable and projecting high expectations for students with significant cognitive disabilities.

Appendix A: Public Comment & Response

IDOE provided direct information to stakeholders via email regarding the changes pursuant to ESEA §111(b)(2)(D) and 34 CFR 200.6(c) and (d) to the one percent cap on alternate assessment participation, a copy of the initial Indiana 1% Cap Waiver Extension Request, and guidelines for submitting comments through the online form. Stakeholders included, but were not limited to, CTCs and special education directors. To ensure public access, a copy of the Indiana 1% Cap Waiver Extension Request and guidelines for providing comments were posted on IDOE's [Alternate Assessment ESSA 1% Cap webpage](#). An invitation to comment on the Indiana 1% Cap Waiver Extension Request was included in [Dr. Jenner's Weekly Updates](#) and IDOE's [Office of Special Education Newsletter](#). IDOE allowed two weeks for public comment, and responses can be found below.

Table 17. Occupation/Membership of Respondents of Public Comment



"Thank you for taking the time to read my concern. I work in a cooperative that services three smaller (two being rural) corporations. The LEA is in a town and this is where cooperative programs for more significant needs are housed. Additionally, the LEA has a higher population and the impression in the community is that they staff more for unique needs. I regularly hear in the community and read on community social media recommendations to parents if your child has any struggles, they need to go to X corporation (the LEA). Parents want to have their students go where they feel there are the most resources, so we have a high number of cash transfer requests. Therefore, the LEA exceeds the 1% annually. I have worked with the DOE to ensure that it isn't a matter of how we are reporting some of the shared students' scores with their home corporations and I haven't gotten a clear answer on that and other directors have reported they have had similar experiences. Again, thank you for your time."

"I don't agree that there should be a 1% cap on the number of students that can be assessed by IAM. Public schools don't turn students with special needs away so it is not in the corporations control how many students fall into an eligibility category. If there happens to be a large number of students who have been labeled, how is a school or corporation supposed to explain to a parent that their student has to take

the general education assessment (ILearn) because of a 1% cap??? How is it determined which student has to be moved from IAM to ILearn because of a 1% cap? Students shouldn't be penalized because of their disability. The 1% cap has the possibility of doing just that.

So, yes, the waiver should be extended if there aren't changes to the 1% cap. Corporations nor schools nor students should be penalized due to the number of students eligible to take the IAM assessment. Schools should not be forced to require students who are incapable of success on the ILEARN to take the general education assessment."

"I am in agreement that Indiana submit this waiver. The number of young children with significant delays continue to grow and 1% is not a true reality."

"I would like to advocate for a waiver extension on the number of students who can be tested using an alternate assessment on annual statewide tests. Over the past several years in our school districts, we have noticed a substantial increase in the number of students with significant disabilities who benefit from the alternate assessment vs. the regular state assessment. We receive a number of students with significant disabilities through open enrollments into the district, as well as many students who are found eligible with a significant intellectual disability and/or autism. As evaluations are completed, the number of students with higher needs has greatly increased over the past several years."

"I support the waiver extension application. Thank you for your hard work and dedication to our students."

"Our district is currently above the 1% cap for I AM assessments, largely due to higher poverty levels and the specialized resources available that attract families to our area. Many of our students move in with IEPs already in place that require I AM assessments. Additionally, our proximity to the Illinois border significantly impacts this trend. In Illinois, many students are required to travel long distances, often involving lengthy bus rides to access specialized services outside their home schools. This creates a strong incentive for parents to move to Indiana, where their children can receive the necessary services within their local schools, resulting in a more accessible and inclusive educational environment."

"The number of students needing to access this waiver is above the 1% cap. This is an arbitrary number set that is set with no corresponding data with each school such as residential homes in the school district, out-of-school placements by DCS, move-ins from out of state. Additionally, the a school system has no was of adjusting the number of students who live and/or move into their district who meet this criteria. Thus, the 1% cap is an unrealistic criteria since schools have no ability to control the population who truly meet this criteria. Either a student does or does not and if they do, whether that puts a school above the 1% or not, that has no bearing on what is best for the student. And, ultimately, as educators, what is best for the student is what we are challenged to provide."

"While I understand the recommendation for a 1% cap, that may not represent a district's student population. Districts should be trusted to make data driven decisions while considering students' unique strengths and needs. If a district or the state of IN exceeds the 1% cap, that should be OK. If there is a pattern, then a review should occur."

"IDEA gives each IEP team the authority to determine what is appropriate for each individual student. Decisions at that level are not to be influenced by programmatic capacity but rather the needs of the student. An LEA cannot say, "we don't do that here" when it comes to providing for the student a program that has been determined by the IEP team to be appropriate and calculated for educational benefit. The

idea of an arbitrary 1% limit on students who have been determined to be best served in alternative programming and assessment is inconsistent with the decision rights that have been provided to the individual IEP teams. The history of establishing the 1% limit was more of an administrative assertion than a statistical finding and is lacking the precision by which slight variances could be justified as significant. Has there been any research to maintain this precise cutoff that has existed for nearly two decades?"

"I am in support of the waiver. While I understand and applaud the efforts of the federal government to promote LRE, it is simply not appropriate nor ethical to relegate the number of students taking the alternate assessment to a specific percentage. First of all the definition of "most significant cognitive disabilities" is very loosely defined. Secondly, our district (including many others in Indiana) take careful consideration and deliberation over the determination for participation in alternate assessment. It is NOT a decision that is taken lightly- however, if we, as a school team have gone through the criteria and HAVE the data to substantiate the alternate assessment/alternate diploma, a case conference decision SHOULD be enough. We are supposed to make data-based decisions...NOT quota-based decisions."

"We are the largest public school system in the state. We have had a major increase in students who need to take IAM that just entered school after being in ABA centers for years. This will put us over the 1%."

"Our district cannot control who moves in and what they may need to support their learning needs. If we have over 1% of students move into our district who are significantly behind grade level due to their disability, we have zero control on the appropriate assessment unless we place them on a pathway that is not appropriate only to meet some standard. That is harmful to students and prohibits them from making progress."

"In our small district, the overall number is low for the total student population. Of this data, our numbers as a whole are not growing much. However, the number for special education has grown significantly. With this being said, the students we are serving are requiring more and more services as the needs of each individual increase. I am an essential skills teacher who supports a greater than 1% cap for districts."

"Due to the small size of our rural school district we are not able to stay below the 1% threshold for alternative testing. Our students that take the alternative assessment are of high need and for a few of them medical conditions do not make it a possibility for them to take other state standardized testing. We ensure that when the decision is made for students to take alternative testing that discussions have been held with families and that it is what is best for the student."

"The 1% waiver extension is absolutely necessary. Our students deserve to take a test that is most appropriate for their academic path."

"1% is an arbitrary number. When students meet criteria for alternative assessment and the case conference committee deems it appropriate, that student needs to take the alternative assessment. The process in decision making should be monitored, not some random percentage."

"I strongly feel the members of the CCC know the student best and what is best for him or her. We as professionals and family members should have the freedom to place on the alternative testing track because it's what is best for him or her, not because we aren't allowed as it would exceed 1%. Let's do what is right for kids".

"I checked 4 items since they all applied to me at one time or another. In addition, my husband's sister had Down Syndrome and was mildly mentally retarded. She was in public school for awhile and then the School of Hope a couple years in Wabash county. Later she lived in a group home in Wabash and worked at the Sheltered Workshop. Even the thought of the "lostness" she endured in P.S. makes me cringe. To expect her to participate in such tests as you're describing would be unfair to her, to the teachers. What a complete and total joke our current legislature is turning our state's education into. (Same goes for the US Congress.) They want everyone uneducated and stupid so they can undermine our democracy. Sorry for the rant but we must be very vigilant or all will be lost."

"While I agree for the state of Indiana to submit a waiver request for the ESEA's cap of 1% of students with disabilities taking an alternative assessment, the state of Indiana must also put into their IEP system the programming of an OPT OUT/refusal option and develop the procedures and policy for parents to Opt Out/refuse state standardized assessments. The continued historical bullying of parent's federal rights to refuse state standardized assessments by IDOE by not developing the federally allowed policy/procedure and stating no policy exists must stop. Develop the Indiana Opt Out/Refusal of assessments policy NOW and program the option within the IEP system."

"We are slightly above 1% due to the small number of students in our district. We have also had a lot of move-in students who came in with the alternate assessment option."

"The 1% cap is arbitrary and forces schools and districts into recommending less-appropriate services for students."

"With the addition of the alternative diploma, this will likely increase our students taking the alternative assessment. As there was not alternative assessment requirement with the CoC previously, if students were not given this but were not capable of meeting requirements associated with the general diploma we could still give them a completion "diploma". Now that this is a requirement for these students we are going to have more students even in 11+ grade who started in general assessments but through reevaluation and CCC decisions have been moved to the alternative diploma. We have a large intensive interventions population due to the makeup of our district. The number of our locally created CoC students is our 1%, giving us really no room for our Alternative Diploma students."

"Based on the data within my school corporation, we will be above the 1% cap for the alternate assessment. We have had a lot of students move into the district that qualify for the alternate assessment."

"I AM count should be based upon the school's SE population and NOT on a set percent across the board."

"I have had the privilege to give the assessment to students in the past three years. I am thrilled there is another type of assessment for our students in life skills but the cap doesn't seem appropriate. We may have 5 students one year then have up to 10 another year who struggle already on the alternative assessment then to say we have to have a cap is worse. It breaks my heart each time I administer the test as the student struggles to do the assessment and is frustrated because they can't read or comprehend what it is asking based on their IQ then to turn around and decide who is the lowest to make the 1% cap is even worse. We don't just put students on this form of assessment. Students have IEPs that state they are life skills bound which should be enough for the students to be granted this alternative assessment if we aren't going to waive them from the standardized tests we give. They have daily struggles the way it is then to put them through this and then to say there is a cap is frustrating. I have a

student who wants to be like the other kids so bad and wants to read but can't no matter how hard he tries. Then we say take this test but you may have to take the other version because we have a cap. I am not sure those who make this benchmark have ever given the alternative assessment to students in life skills or there is no way they would think this is a good idea. Thanks for allowing us to share our concerns."

"I feel strongly that we need this waiver in place. Having worked with students with disabilities in the community and in schools I have found that for many, the alternate assessment is absolutely necessary and still challenging. To think that we cannot exceed 1% when we are seeing a significant increase in students with autism and more significant needs is a failure on our part as a state. We must do what is best for children and an alternate assessment for some is necessary to cut down on the stress and anxiety that testing causes. It is great to have high expectations but we must also be realistic. I am 100% in favor of the waiver."

"What criteria was used to determine 1% as cap? The way the 1% is calculated is misleading--it's 1% of a tested grade level, not 1% of the district's overall K-12 population. Uneven distribution of alternate testers in particular grade levels can make compliance difficult for small districts. Do we force students on alternate diploma tracks to take ILEARN/SAT simply to meet a quota? In theory, these students should then be placed into grade-level courses, not modified courses. Best practice and common sense state that assessment should align to curriculum. The new punitive measures for schools exceeding 1% seem completely misguided. Why should schools have to devote tens of thousands of dollars in retraining teachers to properly identify alternate learners when that is not the problem? The problem we have is a growing number of students with unique needs coupled with a flawed algorithm. As both a parent and an educator, I am completely baffled at the logic involved with this policy."

"With the new alternative diploma that has been released, there is a graduation pathway that has been created between a certificate of completion and a general diploma. It seems that an alternative assessment correlates with this new diploma. Parents want this for their students as it is the most appropriate pathway for their students however districts are hesitant to put too many students in this cohort because of the 1% cap. We are forcing students to take a test on curriculum and enduring work that is too difficult. We push off aligning and modifying at the appropriate level for fear that we are putting too many students on the alternative assessment. We do this even when alternative assessment has been clearly identified as most appropriate. Why do we push students through at the elementary and middle school level to stay on an assessment we know ultimately we will take them off at the high school level? We have just wasted years of pushing them through material that is inappropriate and causing them frustration and dislike for learning. This 1% cap is absurd. We need a way to track that a student is performing well below grade level and use that data to support moving to an alternative assessment. Students move, demographics impact some areas more than others, and we have a system that is creating a disservice to students and school corporations. This topic is one of the most frustrating as a special education director. WE NEED TO DO WHAT IS BEST FOR KIDS! 1% is not looking at each individual. Untie our hands and let us do what benefits students. Take a survey of special education staff and parents and you will get an overwhelming response that this needs to be changed. DO BETTER INDIANA."

"I am a teacher of students with cognitive disabilities. I find it troublesome that the state puts a limit on the number of students who can participate in the alternate testing. Public schools accept all children - regardless of disability. How can you put a cap on the number of students with cognitive disabilities who are tested if the school is not able to cap the number of students they accept?? Why is there a 1% limit?"

“I fully believe that case conference committees spend time discussing the pros and cons of a child taking the alternate assessment. Educators, parents and other relevant professionals should be trusted by the state/federal government to make these decisions and not limit to 1%. A child is not a number. It is wrong to force a child to take a test that is too difficult and beyond their capability.”

“Please request a waiver extension on the number of students who can be tested using an alternate assessment. Alternative options are necessary for lots of kids. Waiver is crucial.”

IDOE's response was shared directly with the participants in the public comment:

The Indiana Department of Education (IDOE) appreciates your participation in the public comment period for the 2025 Indiana 1% Waiver Extension Request for the U.S. Department of Education. [Title I of the Elementary and Secondary Education Act of 1965 \(ESEA\)](#) requires that:

- *Only students with the most significant cognitive disabilities participate in an alternate assessment; and*
- *No more than 1.0% of all students assessed participate in the alternate assessment.*

For each subject for which assessments are administered, the total number of students assessed in that subject using an alternate assessment may not exceed 1% of the total number of students in the state who are assessed in that subject. Local educational agencies (LEAs) that anticipate exceeding this cap must provide justification and assurances that they will review disproportionality data for students taking the alternate assessment.

A case conference committee (CCC) determination based on the [identified participation criteria for I AM](#) and the student's needs is used to determine participation in the general or alternate assessment. CCCs must be informed that the decision to participate in I AM means that the student will have modified exposure to grade-level standards, which could result in a significant impact on academic and post-secondary outcomes.

LEAs can calculate alternate assessment participation by dividing the total number of students participating in I AM by the total number of all tested students in the LEA multiplied by 100. While this can be calculated at the building level for a more comprehensive understanding, IDOE only examines the LEA participation rate.

Technical assistance is available for LEAs to receive support in decision-making and examining both the functional and academic skills of students. Request technical assistance [here](#) and find more information on IDOE's [website](#).

Appendix B: Indiana Alternate Diploma

In May 2021, the Indiana State Board of Education approved an amendment for 511 Indiana Administrative Code (IAC) 6-7.1 to establish an alternate diploma and implement corresponding changes to the existing regulatory language in 511 IAC 7.

The alternate diploma is intended for students with the most significant cognitive disabilities for whom a CCC has determined that the alternate diploma is appropriate, as indicated in the

student's IEP, and has taken the alternate assessment. To earn an Indiana alternate diploma, a student must complete the following:

- A minimum of 40 high school credits, applied units, or a combination of high school credits and applied units.
- At least one of the following activities aligned with the student's transition goals:
 - Complete an industry-recognized certification, one-year certificate, or state-approved alternative;
 - Complete a project-based or work-based learning experience as determined by the CCC;
 - Earn a work ethic certificate; or
 - Participate in part-time employment or other work-related activities as determined by the CCC.

Beginning with cohort 2023 students, develop a transition portfolio that demonstrates the work experience, credentials, or work certificates the student completed during high school.

- A comprehensive understanding of the whole student, including a review of educational considerations and data obtained through the IEP process, is required to make this determination. The CCC must agree that the following criteria apply to the student:
- A review of the student's record indicates a disability that significantly impacts intellectual functions and adaptive behavior. Adaptive behavior is defined as essential for someone to live independently and to function safely in daily life.
- The student requires extensive, repeated, individualized direct instruction and substantial support that is not of a temporary nature.
- The student requires substantially adapted materials and individualized methods of accessing information in alternative ways to achieve measurable gains on the state academic content standards for the grade in which the student is enrolled.

More information regarding the alternate diploma can be found [here](#).

Summary

Indiana is committed to adhering to the one percent participation cap for the alternate assessment, and all associated requirements have been met. IDOE has submitted this waiver request more than 90 days before the next assessment administration.

This waiver extension request does not contain identifiable LEA data. Public comment has been included to ensure the request aligns with stakeholder needs and interests.

The state will continue to monitor each LEA's progress closely to identify any opportunities for technical assistance and ensure compliance with participation and disproportionality policies. This waiver extension request reflects Indiana's substantial progress toward meeting all components of the alternate assessment.

Thank you for your consideration of this request.