



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

February 13, 2026

The Honorable Michele L. Blatt
State Superintendent of Schools
West Virginia Department of Education
1900 Kanawha Boulevard East
Charleston, WV 25305-0330

Dear Superintendent Blatt:

I am writing in response to the West Virginia Department of Education's (WVDE's) request on November 7, 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). West Virginia requested this waiver extension because, based on State data for school year (SY) 2024-2025, WVDE 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 WVDE'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, West Virginia did not demonstrate substantial progress in reducing either the number or percentage of students taking the AA-AAAS in the 2024-2025 school year compared to the 2023-2024 school year; instead, participation rates increased in each subject. In addition, WVDE did not assess at least 95 percent of students with disabilities in science, as required in 34 CFR § 200.6(c)(4)(ii).

If WVDE 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, WVDE 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

400 MARYLAND AVE., SW, WASHINGTON, DC 20202
<http://www.ed.gov/>

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

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

I appreciate your work to improve West Virginia'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: Sheila Paitsel, Director of Special
Education WVDE Division of Federal
Programs and Support



1900 Kanawha Boulevard, East, Building 6 • Charleston, WV 25305
wvde.us

November 6, 2025

Office of Special Education Programs
Office of Special Education Rehabilitative Services
United States Department of Education
400 Maryland Ave., SW
Washington, DC 20202

RE: 1.0 Percent State-Level Cap Waiver Extension Request

To Whom it May Concern,

The West Virginia Department of Education (WVDE) respectfully requests an extension of the current waiver of the 1.0 percent cap on participation in the alternate assessment for school year (SY) 2025-26, in accordance with 34 C.F.R. § 200.6(c)(4).

The WVDE is committed to ensuring appropriate assessment placement for students with disabilities by providing Local Education Agencies (LEAs) with enhanced resources, technical assistance, data literacy training, and oversight of state guideline implementation. Based on assessment data from SY 2024-25, the WVDE anticipates that participation in the alternate assessment may exceed the 1.0 percent cap in English/Language Arts (ELA), Mathematics, and Science for the upcoming school year.

The 1.0 Percent State-Level Cap Waiver Extension Request was posted on the WVDE's website following the State's customary procedure for public notice and comment. No comments were received.

Thank you for considering the waiver extension request for West Virginia. The WVDE remains dedicated to achieving the 1.0% target.

Sincerely,

/s/

Michele L. Blatt
State Superintendent of Schools
Attachment

MB/mb

West Virginia

1.0 Percent State-Level Cap Waiver Extension Request

School Year 2025-26

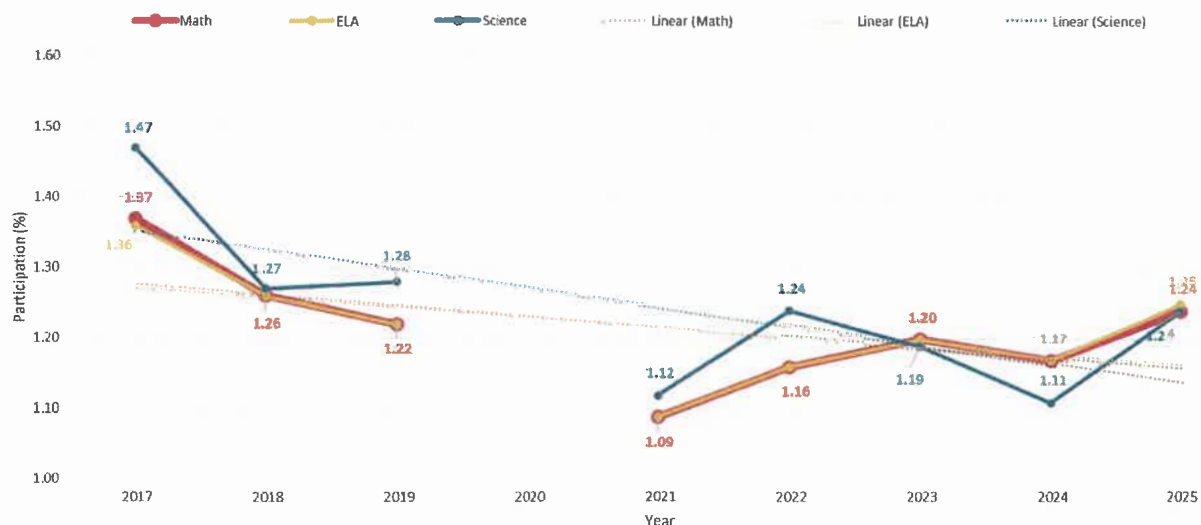
In accordance with 34 CFR § 200.6(c)(4), the West Virginia Department of Education (WVDE) would like to request an extension from the Secretary of the United States Department of Education (USDOE) to West Virginia's current 1.0% cap waiver for participation in the alternate assessment for school year SY 2025-26. The West Virginia Alternate Summative Assessment (WVASA) is the alternate assessment based on the alternate academic achievement standards for West Virginia.

Pursuant to 34 CFR § 200.6(c)(2):

For each subject in which assessments are administered, the total number of students assessed in that subject using an alternate assessment with alternate academic achievement standards may not exceed 1.0 percent of the total number of students in the state who are assessed in that subject.

While West Virginia has seen a steady decline in alternate assessment participation rates in the past few years, the most recent data reflect a slight increase for SY 2024-25. The WVDE remains committed to reaching the federally mandated statewide 1.0 percent participation cap and will continue to prioritize efforts to ensure appropriate identification and assessment of students with the most significant cognitive disabilities. Our ongoing work reflects the dedication of the WVDE to support educators, administrators, and stakeholders across the state to uphold high standards and provide equitable access to meaningful educational opportunities for all students with disabilities.

Figure 1. WVASA Participation: 2017-2025 (All Subjects)



Data Source: WVEIS RPTCRD17, WVEIS RPTCRD18, WVEIS RPTCRD19, WVEIS RPTCRD21, WVEIS RPTCRD22, WVEIS RPTCRD23, WVEIS RPTCRD24 a nd WVEIS RPTCRD25

Note: WVASA = West Virginia Alternate Summative Assessment

Figure 1 above illustrates the trend of participation rates in the WVASA in each subject area for West Virginia beginning in SY 2016-17, apart from SY 2019-20 in which assessments were not administered due to the COVID-19 pandemic.

Tables 1 through 4 provide a comprehensive view of alternate assessment participation trends in West Virginia for SY 2024–25. Table 1 shows participation rates by subject area. Although the number of students with disabilities has increased in grades 3–8 and 11 (see Table 2), the number of students participating in the WVASA has not increased proportionally (see Table 3). While there was a slight increase in alternate assessment participation, the overall number of students assessed statewide has declined. This reduction in student population can inflate WVASA percentages, as illustrated in Table 4.

Table 1. WVASA 2024-25 Participation by Content Area

Content Area	Number Participating in Statewide Assessment	Number Participating in Alternate Assessment	Percent Participating in Alternate Assessment
Math Grades 3-8, and 11	118,230	1,471	1.24%
ELA Grades 3-8, and 11	118,215	1,474	1.25%
Science Grades 5, 8, and 11	49,337	614	1.24%

Data Source: WVEIS RPTCRD25

Note: WVASA = West Virginia Alternate Summative Assessment

Table 2. Change in Number of Students with Disabilities from SY 2023-24 to SY 2024-25

Grade Levels	Number Students with Disabilities in SY 2023-24	Number Students with Disabilities in SY 2024-25	Change in Number Students with Disabilities	Percent Change in Number Students with Disabilities
Grades 3-8, and 11	25,977	26,690	713	2.74%

Data Source: WVEIS RPTCRD24 and WVEIS RPTCRD25

Note: SY = School Year

Table 3. Change in Alternate Assessment Participation by Content Area from SY 2023-24 to SY 2024-25

Content Area	Number Participating in Alternate Assessment in SY 2023-24	Number Participating in Alternate Assessment in SY 2024-25	Change in Number Participating in Alternate Assessment	Percent Change in Number Participating in Alternate Assessment
Math Grades 3-8, and 11	1,446	1,471	25	1.73%
ELA Grades 3-8, and 11	1,445	1,474	29	2.01%
Science Grades 5, 8, and 11	612	614	2	0.33%

Data Source: WVEIS RPTCRD24 and WVEIS RPTCRD25

Note: SY = School Year

Table 4. Change in Total State Assessment Participation by Content Area from SY 2023-24 Compared to SY 2024-25.

Content Area	Number Participating in Statewide Assessment in SY 2023-24	Number Participating in Statewide Assessment in SY 2024-25	Change in Number Participating in Statewide Assessment	Percent Change in Number Participating in Statewide Assessment
Math Grades 3-8, and 11	119,065	118,230	-835	-0.70%
ELA Grades 3-8, and 11	119,095	118,215	-880	-0.74%
Science Grades 5, 8, and 11	51,533	49,337	-2,196	-4.26%

Data Source: WVEIS RPTCRD24 and WVEIS RPTCRD25

Note: SY = School Year

Data currently supports a disproportionate decrease in the number of *all* students being assessed in West Virginia compared to the number of students taking the alternate assessment. The significant decline in the overall number of students in West Virginia being assessed in required grades and content areas may be due to a decrease in overall population for the entire state (see Table 5).

Table 5. Change in Estimated Population for WV from 2021 to 2024

State Population	Population Estimates 2021	Population Estimates 2024	Change in Population Estimates from 2021 to 2023	Percent Change in Population Estimates from 2021 to 2023
West Virginia	1,782,959	1,769,979	-12,980	-0.73%

Data Source: <https://www.census.gov/>

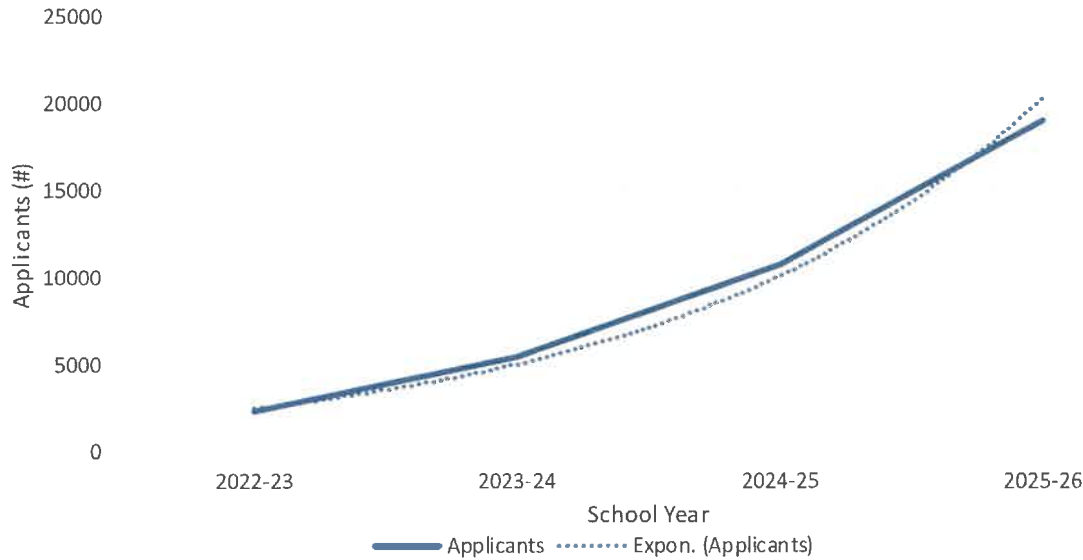
A decrease in overall student enrollment in public schools and participation in state assessments in West Virginia is also partly due to the growing number of students receiving the HOPE Scholarship. This scholarship is part of West Virginia's school choice initiative and functions as an education savings account, providing parents with greater flexibility in making decisions about their children's education. Established in 2021, the HOPE Scholarship has seen exponential growth each year in the number of participating students. Because the HOPE Scholarship recipients are not required to take state assessments, their growing numbers have contributed to fewer students being tested in West Virginia's required grades and content areas.

The [2023-24 Hope Scholarship Annual Report](#)¹ provides historical data showing 2,333 participants in SY 2022-2023 and 5443 participants in SY 2023-2024. Building on this trend, this [press release](#)² from the West Virginia State Treasurer's office, dated July 8, 2025, announced 10,750 students received funding from the HOPE Scholarship for SY 2024-25 and it is expected to reach nearly 19,000 applicants for SY 2025-26, suggesting a potential significant increase in school choice participation across the state. Figure 2 shows that the increasing participation follows an exponential growth trend, and it is expected that this will continue to have an impact on future participation rates.

¹ "Annual Reports." [Hopescholarshipwv.gov](https://hopescholarshipwv.gov), 2025, hopescholarshipwv.gov/Home/About/Annual-Reports. Accessed 14 Oct. 2025.

² "Treasurer Pack Announces Nearly 15,000 Students to Receive 100% Hope Scholarship Funding for 2025-2026 School Year" [Wvtreasury.gov](https://wvtreasury.gov), 2025, wvtreasury.gov/About/Press-Releases/details/treasurer-pack-announces-nearly-15-000-students-to-receive-100-hope-scholarship-funding-for-2025-2026-school-year. Accessed 14 Oct. 2025.

Figure 2. HOPE Scholarship Applicants: SY 2022-23 to SY 2025-26



Data Source: hopescholarshipwv.gov and wvtreasury.gov

Note: SY = School Year

When looking at the withdrawal records for the state in the West Virginia Education Information System (WVEIS), the trend shows the majority of students who are withdrawing due to the HOPE scholarship are students working towards regular diplomas. This disproportionate ratio causes an overall increase in the WVASA participation percentages.

West Virginia has fulfilled the following waiver and waiver extension requirements:

- (i) *Be submitted at least 90 days prior to the start of the State's testing window for the relevant subject;*

West Virginia's testing window for SY 2025-26 opens February 10, 2026; therefore, the waiver request must be submitted to the USDOE prior to November 12, 2025.

- (ii) *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 Act who took the alternate assessment aligned with alternate academic achievement standards, and*

Itemization of the numbers and percentages of students assessed on the WVASA by subgroup and content area is provided in [Tables 7 through 18](#) of Appendix A. Subgroups include gender, socioeconomic status, English learner status, race/ethnicity, and primary exceptionality.

- (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 Act who are enrolled in grades for which the assessment is required under §200.5(a);*

West Virginia met the federal participation requirements in SY 2024-25 for all students assessed, as well as the required participation rates for the children with disabilities subgroup. Table 7 below shows the SY 2024-25 participation rates. [Tables 16 and 17](#) in Appendix A provide further information on statewide assessment participation rates.

Table 6. Statewide Assessment Participation Rates for SY 2024-25

Content Area	All Student Participation	Students with Disabilities Participation
Math Grades 3-8, and 11	99.53%	99.79%
ELA Grades 3-8, and 11	99.53%	99.79%
Science Grades 5, 8, and 11	99.46%	99.73%

Data Source: WVEIS RPTCRD25

Note: SY = School Year

West Virginia mandates federal participation requirements for assessment to be followed. All students enrolled in public K-12 schools are to be assessed with the West Virginia General Summative Assessment (WVGA), with or without accommodations, or with the WVASA. The only exception to participation for any student is a medical or extraordinary circumstances non-participation waiver.

(iii) Include assurances from the State that it has verified that each LEA that the State anticipates will assess more than 1.0 percent of its assessed students in any subject for which assessments are administered under §200.2(a)(1) in that school year using an alternate assessment aligned with alternate academic achievement standards –

(A) Followed each of the States guidelines under paragraph (d) of this section, except paragraph (d)(6); and

The WVDE provides assurance that all LEAs in West Virginia, including those exceeding the 1.0% participation cap, are required to provide assurance to the WVDE that state guidelines for WVASA eligibility determination are being followed consistently. Under state guidelines, LEAs must use the [Eligibility Determination Checklist for Participation in the West Virginia Alternate Summative Assessment](#), to make eligibility decisions for participation in the alternate assessment.

WVDE Special Education coordinators provide virtual support to LEAs to assist with understanding data prior to submission of their LEA assurance and justification survey, particularly as it relates to alternate assessment participation.

Each LEA has a secure folder in a Microsoft Team to help the LEA make data-based decisions regarding their assurance and justification information. The following information is provided to each LEA:

- Historical [LEA Snapshots](#) of data from previous school year’s assessment participation for reference and to assist in identifying trends.
- Current [LEA Snapshot](#) of data from the most recent school year’s assessment participation.
 - This includes current disproportionality data specific to each LEA, as well as an explanation of risk ratios and basic guidance for their interpretation.
- [LEA Anticipated Snapshot](#) of *anticipated* alternate assessment participation numbers for the upcoming school year based on student enrollment as of October child count.

- [WVASA 1% Participation Guidance Document](#) to assist with reading and understanding the data on each snapshot. This document provides the following guidance:
 - Explicit explanation of each data section
 - Assistance with critically interpreting LEA-level data
 - Use of LEA-level data to identify trends

LEA Assurance and Justification Submission

A link to the [LEA Assurance and Justification Form: Waiver SY 2025-2026](#) is provided annually to each LEA with the expectation that each LEA must submit the form survey to the WVDE. A PDF copy of the form survey for LEA submission is provided in Appendix B. Below is a summary of the content requested:

- LEA and contact information,
- Assurance of fidelity to state guidelines for eligibility,
- Reflection on most recent WVASA participation, including indications of what might impact those values and justification for any disproportionality, and
- Justification of considerations and assurance for the anticipated WVASA participation for the current school year.

If the LEA is identified as assessing more than 1.0 percent of students on the WVASA, the survey prompts the LEA to provide information on what might impact their participation rate. To assist LEAs, a Likert chart is provided for LEAs to gauge the perceived impact of common variables that impact participation rates.

(A) Will address any disproportionality in the percentage of students in any subgroup under section 1111(c)(2)(A)(B)(C) or (D) of the Act taking an alternate assessment aligned with alternate academic achievement standards;

To assist LEAs in identifying disproportionality, Snapshots are provided when risk ratios exceeded 3.0 for any subgroup during the previous school year. Anticipated Snapshots were also shared if projected risk ratios or school-level disproportionality were expected to exceed 3.0. The risk ratio of 3.0 was used since it aligns with the threshold for disproportionality in the State Performance Plan/Annual Performance Report (SPP/APR) indicators. If there was any disproportionality found in the LEA Snapshot, the LEA is required to state how the specific disproportionality is being addressed in the assurance and justification form.

Should there be a discrepancy between the LEA responses for the questions on whether the LEA tested over 1.0 percent of students and/or whether there was any disproportionality for the previous school year compared to what the WVDE Office of Special Education provided in the LEA Snapshot, the LEA receives an email advising them to reassess their data and resubmit their justification.

The [LEA Assurance and Justification Form: Waiver SY 2025-2026](#) is also linked to bi-weekly automatic email reminders prior to the submission date as well as a final reminder the day the form is due. When the LEA submits the form, they are sent an email with a PDF copy of their responses. A copy is also saved in their LEA Secure Folder in the WV Directors of Special Education Team.

If the LEA does not submit the form survey by the due date, an automatic email is sent the

next day to the LEA, the WVDE coordinator, and the WVDE Special Education director informing them that the survey has not been submitted and it is past the due date. The assigned WVDE coordinator will directly contact the LEA Special Education director.

Failure to submit the [LEA Assurance and Justification Form: Waiver SY 2025-2026](#), despite multiple reminders and direct contact attempts, will result in a loss of points on the LEA's Determination for Timely and Accurate Data Submission.

LEA assurances/justifications will be made publicly available upon request with all confidential student information redacted. Requests for LEA assurances and justification information should be made to Mimi Browning, WVDE Office of Special Education (mcbrowning@k12.wv.us).

(iv) *Include a plan and timeline by which –*

(C) The State will improve the implementation of its guidelines under paragraph (d) of this section, including by reviewing and, if necessary, revisiting its definition under paragraph (d)(1), so that the State meets the cap in paragraph (c)(2) of this section in each subject for which assessments are administered under §200.2(a)(1) in future school years;

WVDE Plan and Timeline to Improve the Implementation of State Guidelines for Participation in the WVASA:

The WVDE Office of Special Education has evaluated the State's current definition of a student with the most significant cognitive disabilities as stated in West Virginia Board of Education (WVBE) [Policy 2419: Regulations for the Education of Students with Exceptionalities](#), and determined the definition, in conjunction with the use of the WVASA eligibility checklist, remains appropriate for determining alternate assessment participation.

The definition in Policy 2419 is as follows:

Students with the most significant cognitive disabilities (moderate to severe intellectual disability) have general intellectual functioning more than three standard deviations below the mean, in consideration of 1.0 standard error of measurement as determined by a qualified psychologist, using an individually administered intelligence test; and the student exhibits concurrent deficits in adaptive functioning expected for the student's age across multiple environments based on clinical and standardized assessment in at least one of the following domains: conceptual, social or practical.

The WVDE continues our work to ensure only students with the most significant cognitive disabilities participate in the WVASA, ensuring equitable access to appropriate assessments and maintaining the integrity of participation decisions in alignment with the Every Student Succeeds Act (ESSA) 1.0% participation cap.

Throughout SY 2025-26, the WVDE will collaborate with LEAs to build internal sustainability in making appropriate alternate assessment participation decisions. The goal is to reduce inappropriate identifications and decrease statewide participation in the WVASA to 1.15%, helping West Virginia work toward meeting the ESSA 1.0% participation cap and ensuring equitable access to appropriate assessments for all students.

This plan includes continued training in high-fidelity decision-making processes; providing support through a train-the-trainer model and on-demand webinars to help LEAs consistently

apply eligibility criteria and train staff, educators, and families.

SY 2025-26 WVDE Training, Support, and Monitoring

Current and Continuous Training and Support

The WVDE offers publicly accessible resources on our website, [West Virginia Department of Education | WVDE](#), for support to students, families, LEAs, and other stakeholders. Resources include tools to help build an understanding of special education and to support best practices in special education throughout the state of West Virginia. The WVDE also uses the Canvas platform to provide internal resources which are available to all West Virginia public educators, administrators, and staff. In addition to our state developed resources, the WVDE provides LEAs with training and guidance informed by national special education technical assistance center resources.

Technical assistance on appropriate placement for statewide assessments remains a priority and the WVDE will continue to provide training for LEAs on using the [Eligibility Determination Checklist for Participation in the West Virginia Alternate Summative Assessment \(WVASA\)](#) and the [West Virginia Alternate Summative Assessment \(WVASA\) Eligibility: Guidance for IEP Teams](#). These resources were developed in SY 2022-23 to assist LEAs with making valid and reliable determinations for a student's eligibility to participate in the alternate assessment. Full implementation of the usage of these documents was required beginning February 2023.

[West Virginia Alternate Summative Assessment \(WVASA\) Eligibility: Guidance for IEP Teams](#) A recording of the webinar training remains available for LEA leadership and staff through the Canvas platform. ***The WVDE is in the process of revising the current guidance document webinar.*** Individualized training is available on request.

[Eligibility Determination Checklist for Participation in the West Virginia Alternative Summative Assessment \(WVASA\)](#) The WVDE will continue to train LEA Leadership for internal sustainability on the use of the eligibility checklist with fidelity for appropriate alternate assessment eligibility. Targeted trainings will be available for new directors with refresher opportunities provided as needed.

The following documents are also available for support:

- [Participation Guidelines for West Virginia State Assessments 2024-25](#)
- [Alternate Diploma Tip Sheet for School Personnel](#)
- [West Virginia Alternate Summative Assessment: An Informational Guide for Parents/Guardians](#)
- [Understanding Alternate Diplomas: What Teachers, Parents, and Students Need to Know](#)

Support Resources: Recent Additions from SY2024-25 to present

Adaptive Skills: Essential Tools for the Success of All Students: The WVDE developed a one-page guidance document to support understanding of Adaptive Skills, a key component in following state guidelines for alternate assessment participation.

WVASA Documentation for School Psychologist: The WVDE created an optional form for school psychologists to document cognitive and adaptive evaluation scores to provide their professional judgment on alternate assessment eligibility. This ensures school psychologist expertise is included for eligibility requirements when they cannot attend the eligibility meeting

due to scheduling or contract limitations.

Specially Designed Instruction (SDI) Initiative: The Office of Special Education (OSE) is emphasizing high-quality instruction for students with disabilities through its SDI initiative. This initiative supports educators in implementing effective practices that align with individual student needs while contributing to appropriate assessment placement decisions.

The following Specially Designed Instruction (SDI) resources have been developed to support implementation:

- ***Specially Designed Instruction Postcard:*** Half page front and back infographic that simplifies and explains SDI and includes the WVDE's mission and vision.
- ***Specially Designed Instruction Guidance Document:*** The SDI Guidance Document provides information on the development and implementation of effective SDI.
- ***Specially Designed Instruction Resource Bank:*** The SDI Resource Bank provides professional learning resources reflecting best practices in special education to support effective SDI implementation. This document is also available online as an interactive dashboard to assist LEAs with finding the resources they need as easily as possible.
- ***Specially Designed Instruction Matching Disability Categories, Learning Challenges and SDI Strategies:*** This document outlines disability categories, common learning challenges within each, and strategies to support students based on their unique individual needs.
- ***High-Quality Literacy Instructional Practices for Students with IEPs:*** This document presents five Evidence-Based Practices (EBPs) to help educators support each child's unique needs, ensuring all students can access the curriculum and succeed in school. The resource includes Instructional Practices and Additional Resources for each EBP.
- ***Specially Designed Instruction Planning Template:*** An optional template available for educators statewide to support planning for SDI.
- ***Specially Designed Instruction: The Heart of Special Education Canvas Course:*** This course outlines key elements of high-quality SDI and offers videos, presentations, and templates to support planning, implementation, and progress monitoring of effective SDI.

Monitoring: Recent Additions from SY2024-25 to present

LEA Snapshot: The WVDE provided school level data for all LEAs over 1% to identify potential trends for overidentification of students taking the alternate assessment. Previously, this school level breakdown was only included in the Anticipated Snapshot.

LEA Assurance and Justification Form: The [LEA Assurance and Justification Form: Waiver SY 2025-2026](#) has been revised to include an LEA assurance statement verifying that LEA staff has been trained on and is using the [Eligibility Determination Checklist for Participation in the West Virginia Alternative Summative Assessment \(WVASA\)](#) and [West Virginia Alternate Summative Assessment \(WVASA\) Eligibility: Guidance for IEP Teams](#)

Comprehensive Support and Improvement (CSI) - Risk Assessment: If the LEA is a CSI school, a risk assessment is completed to determine the level of risk. The percentage of students being assessed on the alternate assessment has been added to the risk assessment.

LEA Determination Matrix: Beginning SY 2025-26, the LEA earns a point on the determination matrix if they do not assess above 1% of students on the alternate assessment in ELA and Math grades 3-8, and

11 or in Science grades 5, 8, and 11.

Tiered Support and Monitoring

Universal (All LEAs)

WV Directors of Special Education Microsoft Team: The WVDE Office of Special Education continues to use a secure Office 365 Team specifically for LEA Special Education directors in the state. By centralizing data and LEA information, directors can easily locate and upload all necessary items in one location. The Team is attached to the LEA instead of a specific person, which is useful should staff turnover occur. The Teams site has been designed to make interaction and communication more efficient and user-friendly for directors.

Meetings:

- **Special Education Director's Call:** Directors are encouraged to attend a monthly virtual Teams meeting with the WVDE Special Education director and staff to discuss and address key issues, share updates, and collaborate on strategies to enhance the quality of special education services within the state. These virtual meetings are universal support for all areas of special education. Recordings of each meeting, along with copies of any presentations or materials provided in the meeting, are saved in the WV Directors of Special Education Microsoft Team.
- **Snapshot Open Doors Meeting:** The WVDE Special Education team will host Open Door/Office Hour sessions to support LEAs with their 2025 WVASA Snapshot and Anticipated SY 2025-26 WVASA Participation Snapshot information. Individualized meetings are available upon request.
- **Office Hours:** These meetings are scheduled throughout the year as needed to assist LEAs with completing the required documentation and to assist with any other questions as needed.
- **Individual Support:** Coordinators are available for individual support as requested by the LEAs.

WVDE Coordinator Regional Support: Each LEA is assigned two WVDE Special Education Coordinators who serve as contacts, provide support, and promote collaboration among nearby LEAs.

The WVDE Website: The website includes multiple guidance documents, including those pertaining to eligibility determination for participation in the alternate assessment and effective instructional practices that align with student needs.

Data Reports: Regarding the 1.0% cap on participation in the alternate assessment, LEA Special Education Directors are provided with the following reports each year:

- **WVASA Snapshot:** Each LEA has been provided with a Snapshot of participation rates from the most recent state assessment. In addition, a graphic of the LEA's three-year WVASA participation rate is provided to help identify trends. If the LEA has any identified disproportionality, a page containing subgroup information with risk ratio calculations for gender, race/ethnicity, and demographics is provided. This documentation was provided to help individual LEAs with assurances and justifications for appropriately identifying assessments for

individual students.

- **WVASA Anticipated Snapshot:** Each LEA has been provided with an Anticipated Snapshot of expected participation rates for the current school year. Students listed as being instructed on alternate standards and enrolled in the LEA are counted as being anticipated to take the WVASA in the spring. If the LEA has any anticipated disproportionality, a page containing subgroup information with risk ratio calculations for gender, race/ethnicity, and demographics is provided. If the LEA has any school with exceptionally high anticipated participation rates or anticipated disproportionality, a page containing subgroup information with risk ratio calculations for gender, race/ethnicity, and demographics is provided, as well as a breakdown of anticipated participation rates and any anticipated disproportionality by school. This documentation has been provided to assist individual LEAs with assurances and justifications for appropriately identifying assessments for individual students.
- **WVASA Snapshot and Anticipated WVASA 1% Participation Guidance Document:** This guidance document is a detailed explanation to assist LEAs with understanding the summary, subgroup, and disproportionality information provided in the snapshots. This includes a breakdown of how disproportionality is calculated with examples.

Dynamic Learning Maps (DLM) First Contact Survey Monitoring: The WVDE monitors for “red flags” from the DLM assessment including disability categories of participants (e.g., students identified with a primary disability category of specific learning disability, speech, or language impairment should not be assessed on alternate standards), time spent completing the tests, and teachers’ assessments of the students’ academic skill level. The WVDE contacts the LEA Special Education Director individually if patterns of “red flags” are identified.

Dynamic Learning Maps (DLM) Quick Response Report: Using the Quick Response Report, the WVDE monitors for “red flags” from the DLM assessment if a testlet is submitted in under 60 seconds. If this occurs, the WVDE investigates, and the LEA Special Education Director is contacted. See [example of SEA email to LEA and example LEA reply email](#) in Appendix B.

Statewide IEP System Verification Statement– The statewide IEP system has been updated with language in which IEP teams must verify the use of the state’s *Eligibility Determination Checklist for Participation in the West Virginia Alternate Summative Assessment (WVASA)* if a student is found eligible for the alternate assessment and will be instructed with alternate academic achievement standards.

Targeted (LEAs with Over 1.0 Percent Participation in the Alternate Assessment)

In addition to the Universal supports listed above, LEAs identified as having over 1.0 percent WVASA participation for the previous school year also receive the following additional support and monitoring:

Community of Practice (CoP): The WVDE is continuing to provide support through a CoP by hosting “Cap Chat: Working to Meet the 1% Cap”, a series of virtual support meetings for LEAs with alternate assessment participation rates over 1.0 percent. Starting this year, the CoP meetings will include a focus on identifying and addressing specific barriers that prevent LEA staff from consistently and accurately using the eligibility checklist. These meetings offer guidance, collaboration, and shared resources to help LEA leaders make

informed decisions about alternate assessment participation. The WVDE will continue to emphasize data literacy to support internal monitoring, identify disproportionality, and understand factors contributing to high participation rates. Participation is required for all LEAs over the 1% cap.

Self-Audit: LEAs will conduct a self-audit that includes verification that each student listed as currently enrolled in the LEA and receiving alternate standards has their IEP file reviewed to ensure the [Eligibility Determination Checklist for Participation in the West Virginia Alternative Summative Assessment \(WVASA\)](#) was used when determining the students placement. This will be reported to the WVDE by submitting the online [WVASA Checklist Verification Form](#) for each student anticipated to take the alternate assessment. This will help identify areas of non-compliance and determine which schools or staff may need more training and support in understanding the alternate assessment eligibility process. Those who were found to have over 1% participation in the WVASA for the previous year as well will be sent comparison results with SY 2024-25 self-audit as an internal check on system processes.

Intensive (LEAs with Over 2.0 Percent Participation in the Alternate Assessment or Increasing Trends Over 3 Years)

In addition to receiving Universal and Targeted supports, LEAs with WVASA participation rates exceeding 2% will be monitored through the following process:

WVDE Desk Audit: This desk audit is designed to identify areas for program improvement and address any inconsistencies in the identification of students for the alternate assessment.

- **Document Submission:** The LEA will upload requested documentation to the WV Special Education Director's Team for WVDE review.
- **WVDE Review and Feedback:** The WVDE will conduct a desk audit and provide feedback through a report outlining Action Steps for Continuous Improvement, along with recommendations for targeted training.
- **LEA Response and Corrective Action:** LEAs are expected to implement items for continuous improvement and provide internal support to address factors contributing to elevated participation rates, ensure accurate and appropriate identification practices, and respond to any additional issues identified in the audit.
- **Follow-Up Submission:** LEAs will upload documentation of corrective actions to the WVDE for review.
- **Ongoing Support:** The WVDE is available to provide support to LEAs as needed throughout this process.

Responsive Support Meetings: These meetings are designed to provide individualized support to LEAs based on identified needs, offering focused technical assistance to address specific challenges and build local capacity.

Cyclical Monitoring (Every 4 years the LEA is monitored as part of cyclical monitoring)

Any LEA on the four-year cyclical monitoring schedule must provide the state educational agency

(SEA) with three IEPs and student files, each containing the most recent [Eligibility Determination Checklist for Participation in the West Virginia Alternate Summative Assessment \(WVASA\)](#).

(A) The State will address any disproportionality in the percentage of students taking an assessment aligned with alternate academic achievement standards as identified through the data provided.

The methodology to establish disproportionality uses risk ratios which are calculated for each subgroup and compared to the relative risk associated with all other assessed students. Subgroups are compared to the state ratio when the students not in the selected subgroup have less than nine students. A risk ratio of 1.0 means the likelihood of taking the alternate assessment is equal for a specific subgroup when compared to all other students. If the risk ratio is less than 1.0, it suggests that participation in the subgroup is less probable, while a risk ratio greater than 1.0 indicates that participation is more likely for students in that subgroup.

The LEAs were provided with a breakdown of their disproportionality for subgroups with risk ratios over 3.0 to help identify trends and possible reasons for disproportionality at the LEA level. The WVDE implements similar calculation standards and analyses when determining disproportionate representation for Indicators 9 and 10 in the SPP/APR, as well as for identifying significant disproportionality in the State and LEAs of the State under 34 CFR § 300.647.

The WVDE will continue to address disproportionality at the state level by identifying subgroup overrepresentation in the alternate assessment through risk ratio calculations. A risk ratio analysis was conducted for the following subgroups in Table 7 on the next page.

Table 7. Disproportionality by Subgroups of Students Participating in the WVASA 2024 -25

Subgroup	Math Grades 3-8, and 11	ELA Grades 3-8, and 11	Science Grades 5, 8, and 11
White	0.90	0.87	1.11
Black/African American	1.54	1.50	1.17
Hispanic or Latino	0.80	0.80	<10
Asian	0.82	<10	<10
American Indian/Alaskan Native	<10	<10	<10
Native Hawaiian/Pacific Islander	<10	<10	0.00
Multiple Races	0.86	0.86	0.71
English Learner (EL)	0.85	0.84	<10
Homeless	1.38	1.38	1.61
Low SES	2.79	2.80	2.90
Male	1.95	1.95	2.12
Female	0.51	0.51	0.47

Data Source: WVEIS RPTCRD25

Note: WVASA = West Virginia Alternate Summative Assessment; "<10" is used for student counts under 10 to ensure confidentiality.

The WVDE will assist LEAs in interpreting risk ratios and identifying disproportionality to prevent overidentification and ensure students are appropriately assessed. This data also helps identify subgroups that may benefit from targeted support and resources.

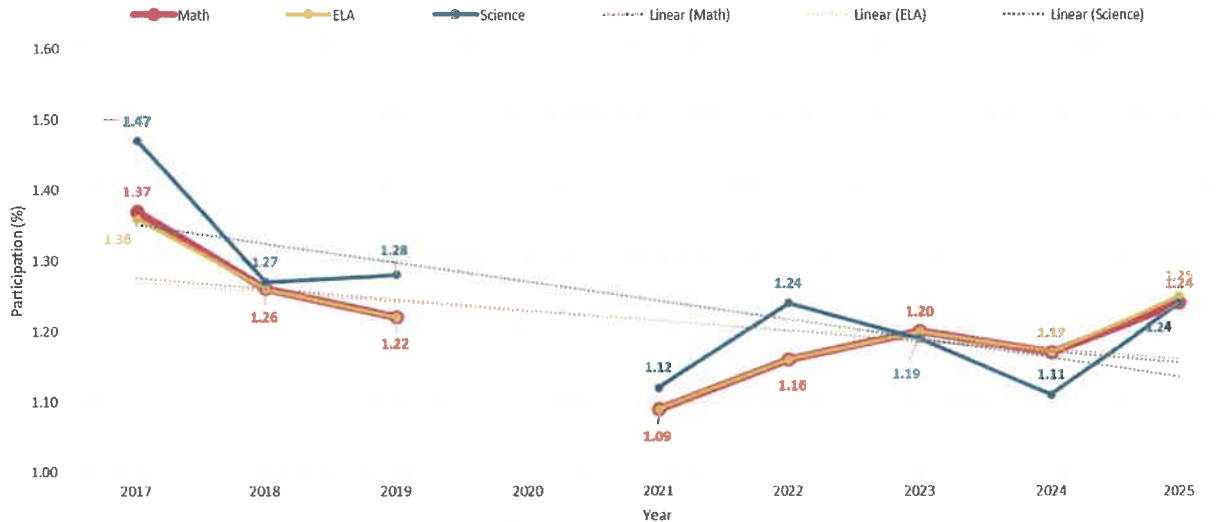
The WVDE Office of Special Education is committed to improving the appropriate identification of students with disabilities for the alternate assessment. Through ongoing support, monitoring,

and capacity building within LEA leadership, the state is working toward strengthening implementation fidelity, expanding access to high-quality instruction, and improving outcomes for all students with disabilities. Our goal is to ensure that every student thrives in supportive learning environments and is well-prepared for success beyond graduation.

The West Virginia 1.0 Percent State Level Cap Waiver Extension Request was posted on the WVDE's website from October 22, 2025 through November 5, 2025, in the manner in which the State customarily provides similar notice and opportunity to comment to the public. The state received no comments on this waiver.

Appendix A

Figure 1. WVASA Participation: 2017-2025 (All Subjects)



Data Source: WVEIS RPTCRD17, WVEIS RPTCRD18, WVEIS RPTCRD19, WVEIS RPTCRD21, WVEIS RPTCRD22, WVEIS RPTCRD23, WVEIS RPTCRD24, and WVEIS RPTCRD25
 Note: WVASA = West Virginia Alternate Summative Assessment

Table 1. WVASA 2024-25 Participation by Content Area

Content Area	Number Participating in Statewide Assessment	Number Participating in Alternate Assessment	Percent Participating in Alternate Assessment
Math Grades 3-8, and 11	118,230	1,471	1.24%
ELA Grades 3-8, and 11	118,215	1,474	1.25%
Science Grades 5, 8, and 11	49,337	614	1.24%

Data Source: WVEIS RPTCRD25
 Note: WVASA = West Virginia Alternate Summative Assessment

Table 2. Change in Number of Students with Disabilities by Assessment Grade Levels from SY 2023-24 to SY 2024-25

Grade Levels	Number Students with Disabilities in SY 2023-24	Number Students with Disabilities in SY 2024-25	Change in Number Students with Disabilities	Percent Change in Number Students with Disabilities
Grades 3-8, and 11	25,977	26,690	713	2.74%
Grades 5, 8, and 11	10,560	10,280	-280	-2.65%

Data Source: WVEIS RPTCRD24 and WVEIS RPTCRD25
 Note: SY = School Year

Appendix A

Table 3. Change in Alternate Assessment Participation by Content Area from SY 2023-24 to SY 2024-25

Content Area	Number Participating in Alternate Assessment in SY 2023-24	Number Participating in Alternate Assessment in SY 2024-25	Change in Number Participating in Alternate Assessment	Percent Change in Number Participating in Alternate Assessment
Math Grades 3-8, and 11	1,446	1,471	25	1.73%
ELA Grades 3-8, and 11	1,445	1,474	29	2.01%
Science Grades 5, 8, and 11	612	614	2	0.33%

Data Source: WVEIS RPTCRD24 and WVEIS RPTCRD25
Note: SY = School Year

Table 4. Change in Total State Assessment Participation by Content Area from SY 2023-24 Compared to SY 2024-25

Content Area	Number Participating in Statewide Assessment in SY 2023-24	Number Participating in Statewide Assessment in SY 2024-25	Change in Number Participating in Statewide Assessment	Percent Change in Number Participating in Statewide Assessment
Math Grades 3-8, and 11	119,065	118,231	-834	-0.70%
ELA Grades 3-8, and 11	119,095	118,216	-879	-0.74%
Science Grades 5, 8, and 11	51,533	49,337	-2,196	-4.26%

Data Source: WVEIS RPTCRD24 and WVEIS RPTCRD25
Note: SY = School Year

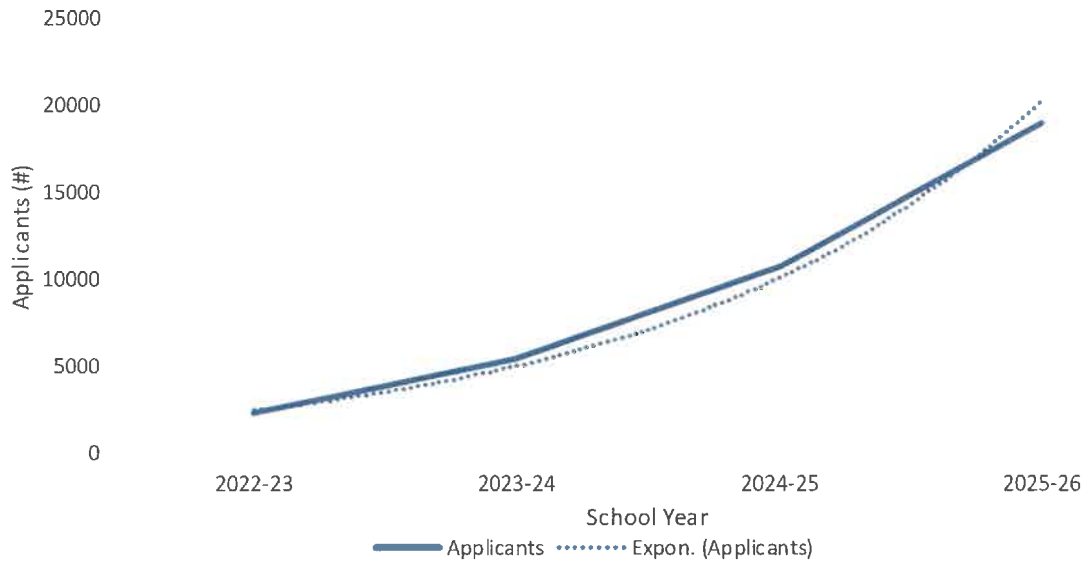
Table 5. Change in Estimated Population for WV from 2021 to 2024

State Population	Population Estimates 2021	Population Estimates 2024	Change in Population Estimates from 2021 to 2023	Percent Change in Population Estimates from 2021 to 2023
West Virginia	1,782,959	1,769,979	-12,980	-0.73%

Data Source: <https://www.census.gov/>

Appendix A

Figure 2. HOPE Scholarship Applicants: SY 2022-23 to SY 2025-26



Data Source: hopescholarshipwv.gov and wv.treasury.gov
 Note: SY = School Year

Table 6. Statewide Assessment Participation Rates for SY 2024-25

Content Area	All Student Participation	Students with Disabilities Participation
Math Grades 3-8, and 11	99.53%	99.79%
ELA Grades 3-8, and 11	99.53%	99.79%
Science Grades 5, 8, and 11	99.46%	99.73%

Data Source: WVEIS RPTCRD25
 Note: SY = School Year

Appendix A

Table 7. Disproportionality by Subgroups of Students Participating in the WVASA 2024-25

Subgroup	Math Grades 3-8, and 11	ELA Grades 3-8, and 11	Science Grades 5, 8, and 11
White	0.90	0.87	1.11
Black/African American	1.54	1.50	1.17
Hispanic or Latino	0.80	0.80	<10
Asian	0.82	<10	<10
American Indian/Alaskan Native	<10	<10	<10
Native Hawaiian/Pacific Islander	<10	<10	0.00
Multiple Races	0.86	0.86	0.71
English Learner (EL)	0.85	0.84	<10
Homeless	1.38	1.38	1.61
Low SES	2.79	2.80	2.90
Male	1.95	1.95	2.12
Female	0.51	0.51	0.47

Data Source: WVEIS RPTCRD25

Note: WVASA = West Virginia Alternate Summative Assessment; "<10" is used for student counts under 10 to ensure confidentiality.

Table 8. WVASA 2024-25 Participation Percent by Content Area

Math Grades 3-8, and 11	ELA Grades 3-8, and 11	Science Grades 5, 8, and 11
1.24%	1.25%	1.25%

Data Source: WVEIS RPTCRD25

Note: WVASA = West Virginia Alternate Summative Assessment

Table 9. WVASA Participation Percent by Year and Content Area: SY 2017-2024

School Year	Math (Grades 3-8, and 11) Percent (%) Participating in Alternate Assessment	ELA (Grades 3-8, and 11) Percent (%) Participating in Alternate Assessment	Science (Grades 5, 8, and 11) Percent (%) Participating in Alternate Assessment
2017	1.37%	1.36%	1.47%
2018	1.26%	1.26%	1.27%
2019	1.22%	1.22%	1.28%
2020	-	-	-
2021	1.09%	1.09%	1.12%
2022	1.16%	1.16%	1.24%
2023	1.20%	1.20%	1.19%
2024	1.17%	1.17%	1.11%
2025	1.24%	1.25%	1.24%

Data Source: WVEIS RPTCRD17, WVEIS RPTCRD18, WVEIS RPTCRD19, WVEIS RPTCRD21, WVEIS RPTCRD22, WVEIS RPTCRD23, WVEIS RPTCRD24, and WVEIS RPTCRD25

Note: WVASA = West Virginia Alternate Summative Assessment; SY = School Year

Appendix A

Table 10. WVASA 2024-25 Participation Count and Percent by Grade and Content Area

Grade Level	Math Count	Math Percent	ELA Count	ELA Percent	Science Count	Science Percent
3	226	1.31%	226	1.31%		
4	179	1.07%	180	1.08%		
5	202	1.30%	203	1.30%	194	1.25%
6	224	1.28%	225	1.28%		
7	197	1.13%	197	1.14%		
8	227	1.29%	227	1.29%	219	1.24%
11	216	1.33%	216	1.33%	201	1.24%
Total	1,471	1.24%	1,474	1.25%	614	1.24%

Data Source: WVEIS RPTCRD25

Note: WVASA = West Virginia Alternate Summative Assessment

Table 11. WVASA 2024-25 Participation Count and Percent by Gender and Content Area

Gender	Math Count	Math Percent	ELA Count	ELA Percent	Science Count	Science Percent
Male	989	1.63%	992	1.63%	423	1.68%
Female	482	0.84%	482	0.84%	191	0.79%
Total	1,471	1.24%	1,474	1.25%	614	1.24%

Data Source: WVEIS RPTCRD25

Note: WVASA = West Virginia Alternate Summative Assessment

Table 12. WVASA 2024-25 Participation Count and Percent by Demographic and Content Area

Status	Math Count	Math Percent	ELA Count	ELA Percent	Science Count	Science Percent
Low SES	1166	1.71%	1169	1.71%	480	1.76%
EL		1.06%		1.05%	<10	-
Homeless	121	1.68%	121	1.68%	<60	-

Data Source: WVEIS RPTCRD25

Note: WVASA = West Virginia Alternate Summative Assessment; "<10" is used for student counts under 10 and "<60" is used for student counts in the same column to ensure confidentiality.

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Table 13. WVASA 2024-25 Participation Count and Percent by Race/Ethnicity and Content Area

Race/Ethnicity	Math Count	Math Percent	ELA Count	ELA Percent	Science Count	Science Percent
White	1287	1.23%	1289	1.23%	551	1.26%
Black/African American	90	1.83%	92	1.87%	●	1.45%
Hispanic or Latino	●	1.00%	●	1.00%	●	-
Asian	●	1.13%	●	-	●	-
American Indian/ Alaskan Native	●	-	●	-	●	-
Native Hawaiian/ Pacific Islander	●	-	●	-	●	0.00%
Multiple Races	64	1.08%	64	1.08%	●	0.89%
Total	1,471	1.24%	1,474	1.25%	614	1.24%

Data Source: WVEIS RPTCRD25

Note: WVASA = West Virginia Alternate Summative Assessment; “<10” is used for student counts under 10 and greater than 0 to ensure confidentiality.

Table 14. WVASA 2024-25 Participation Count and Percent by Primary Exceptionality and Content Area

Primary Exceptionality	Math Count	Math Percent	ELA Count	ELA Percent	Science Count	Science Percent
Autism	497	0.24	499	0.24	207	0.27
Blindness/Low Vision	●	0.11	●	0.12	●	-
Deafblind	●	-	●	-	●	-
Deafness	●	-	●	-	●	-
Hard of Hearing	●	-	●	-	●	-
Intellectual Disability	804	0.21	804	0.21	348	0.23
Other Health Impairment	124	0.02	125	0.02	●	0.02
Orthopedic Impairment	●	-	●	-	●	0.00
Specific Learning Disability	●	-	●	-	●	-
Traumatic Brain Injury	●	0.35	●	0.35	●	-

Data Source: WVEIS RPTCRD25

Note: WVASA = West Virginia Alternate Summative Assessment; “<10” is used for student counts under 10 and greater than 0 to ensure confidentiality.

Appendix A

Table 15. Change in WVASA Participation Numbers Required to Reach 1.0% Participation in the WVASA for 2024-25

Content Area	Number Participating in Statewide Assessment	Number Participating in Alternate Assessment	Change in Statewide Participation to Reach 1.0%	Change in Alternate Participation to Reach 1.0%
Math Grades 3-8, and 11	1,471	1.24%	1,182	289
ELA Grades 3-8, and 11	1,474	1.25%	1,182	292
Science Grades 5, 8, and 11	614	1.24%	493	121

Data Source: WVEIS RPTCRD25

Note: WVASA = West Virginia Alternate Summative Assessment

Table 16. Statewide Assessment Participation Rates for “Students with Disabilities” Subgroup from SY 2024-25

Content Area	Participation	Enrollment	Participation Percentage
Math Grades 3-8, and 11	26,564	26,690	99.53%
ELA Grades 3-8, and 11	26,546	26,671	99.53%
Science Grades 5, 8, and 11	10,224	10,280	99.46%

Data Source: WVEIS RPTCRD25

Note: SY = School Year

Table 17. Statewide Assessment Participation Rates for All Students from SY 2024-25

Content Area	Participation	Enrollment	Participation Percentage
Math Grades 3-8, and 11	118,230	118,480	99.79%
ELA Grades 3-8, and 11	118,215	118,463	99.79%
Science Grades 5, 8, and 11	49,337	49,470	99.73%

Data Source: WVEIS RPTCRD25

Note: SY = School Year

Appendix A

Table 19. WVASA 2024-25 Participation Number and Percent (%) by Gender, Race/Ethnicity, and Demographics for Each Content Area

Subgroup	Total Participation Number	WVASA Participation Number	WVASA Participation Percent
ELA			
All Students	118,215	1,474	1.25%
Males	60,683	992	1.63%
Females	57,532	482	0.84%
Asian	882	█	-
Black/African American	4,923	92	1.87%
Hispanic or Latino	1,403	█	█
American Indian/Alaskan Native	114	█	-
Native Hawaiian/Pacific Islander	90	█	-
Multiracial	5,925	64	1.08%
White	104,877	1,289	1.23%
Economically Disadvantaged	68,306	1,169	1.71%
English Learners	0	0	-
Homeless	7,194	121	1.68%
Mathematics			
All Students	118,230	1,471	1.24%
Males	60,691	989	1.63%
Females	57,539	482	0.84%
Asian	883	█	-
Black/African American	4,919	90	1.83%
Hispanic or Latino	1,400	█	█
American Indian/Alaskan Native	113	█	-
Native Hawaiian/Pacific Islander	90	█	-
Multiracial	5,927	█	█
White	104,897	1,287	1.23%
Economically Disadvantaged	68,303	1,166	1.71%
English Learners	0	0	-
Homeless	7,192	121	1.68%
Science			
All Students	49,337	614	1.24%
Males	25,223	423	1.68%
Females	24,114	191	0.79%
Asian	424	█	-
Black/African American	2,068	█	█
Hispanic or Latino	648	█	-
American Indian/Alaskan Native	█	█	-
Native Hawaiian/Pacific Islander	█	█	0.00%
Multiracial	2,350	█	█
White	43,761	551	1.26%
Economically Disadvantaged	27,252	480	1.76%
English Learners	0	0	-
Homeless	2,728	53	1.94%

Data Source: WVEIS RPTCRD25

Note: WVASA = West Virginia Alternate Summative Assessment; "<10" is used for student counts under 10 and greater than 0 to ensure confidentiality.

Appendix B



WEST VIRGINIA ALTERNATE STATE ASSESSMENT (WVASA) 1% GUIDANCE DOCUMENT

LEA WVASA SNAPSHOT AND ANTICIPATED SNAPSHOT FILES

The **WVASA Snapshot** shows the values from the assessments given in the previous school year. The **WVASA Anticipated Snapshot** shows the **anticipated** values for the upcoming assessments in the current school year by identifying students with Alternate standards as those the LEA anticipates will take the WVASA. The WVASA Anticipated Snapshot will not be used in any official capacity but is merely an additional tool to help you look critically at your data. We realize that it is difficult to make changes based on the past without an idea of where you are in the present. Our goal is to help empower LEAs by providing data in a form that is simple to understand and can help identify any trends; however, the WVASA Anticipated Snapshot data is only as good as the data that is in WVEIS. The Anticipated Snapshot will indicate the date the data was pulled from WVEIS and values may vary from the actual assessment due to changes in the students IEPs, student enrollment changes, or data errors. Please take into account the potential limitations of this data when reviewing the WVASA Anticipated Snapshot.

Copies of these files are located in the WV Directors of Special Education Team under the LEA Secure Folder> 1% WVASA> Snapshots where there are also snapshots from the previous years.

LEA SUMMARY

The first page has a summary of your data for your county. For the WVASA Snapshot, these values come from the state assessment file for the current year. In the WVASA Anticipated Snapshot, the total participants come from the current enrollment file for the grades that the assessment covers and assumes 100% participation. The number of students anticipated to take the alternate assessment are the students in those grades who have "Alternate" as the standards in their LRE section of their IEP. (Due to a significant number of students not having the grade in the LRE section match the current grade, we counted the student if Alternate is there for any grade in their most recent IEP.)

Content Area	Number of Participants in Statewide Assessment	Number of Participants in Alternate Assessment	Percent of Participants in Alternate Assessment
ELA Grades 3-8 and 11	120557	1445	1.20%
Math Grades 3-8 and 11	120543	1446	1.20%
Science Grades 5, 8, and 11	51317	612	1.19%

Percentages greater than 1% are highlighted in red. 1% is the **FEDERALLY MANDATED** state-level cap for students participating in a statewide summative alternate assessment.

Participants in the Statewide Assessment INCLUDING those who took the WVASA.

Participants in the WVASA.

A three year bar graph of the LEA summary is also displayed so that you can see any trends in whether WVASA is increasing or decreasing over the past three years.

Appendix B

SUBGROUP INFORMATION

(This section is only shown if there are values **3.00 or above for any risk assessment** area – gender, race, low SES, homeless, or EL- OR the LEA has **greater than 1% WVASA participation**)

Primary Exceptionality Table

The first table is a breakdown of WVASA participation by exceptionality. We have narrowed down this list from all exceptionalities so that it only shows those which have a significant number of students over the state minimum (at least 10 students with the exceptionality taking the alternate assessment). This table may be useful in finding the populations with the most need for support or could lead to further investigation if the values are much higher than the state average.

PRIMARY EXCEPTIONALITY	ELA			MATH			SCIENCE		
	#	# Alt	% Alt	#	# Alt	% Alt	#	# Alt	% Alt
Autism	1723	455	26.41%	1726	457	26.48%	664	184	27.71%
Blindness/Low Vision	155	17	10.97%	155	17	10.97%	0	0	0.00%
Intellectual Disability	3928	834	21.23%	3936	834	21.19%	1607	371	23.09%
Other Health Impairment	4967	118	2.38%	4971	117	2.35%	2076	46	2.22%

Disproportionality Table

These values show how much more likely someone in the listed subgroup is to take the WVASA compared to everyone else. You will also see this referenced in conversations about discipline.

Values between 0.5 (half as likely to take the WVASA) to 2.0 (twice as likely to take the WVASA) are expected variations. Higher values do not by themselves indicate an issue, but it may benefit you to see what subgroups have higher probability to take the WVASA. Investigating and addressing any especially high disproportionality is required if you have over 1% of students taking the WVASA.

Please keep in mind that small sample sizes can cause high disproportionality values! This is why a minimum value is set, but smaller schools may still see inflated numbers. See the last page of this document for more information on calculations and examples.

SCHOOL INFORMATION

(This section is only shown if there are values **3.00 or above for any risk assessment** area in a school– gender, race, low SES, homeless, or EL- OR a school has **greater than 1% WVASA participation**)

School Level Summary Table

(You will only see this table if you have any school anticipated to be over 2%.)

This table mimics the summary table from the first page. It shows the school number, the content area of the assessment, the total number of students taking any assessment, and the number anticipated to take the WVASA based on the LRE standards in the students' IEPs. In order to not be overwhelming, only schools that are especially high (over 2%) are shown.

School Level Disproportionality Table

(You will only see this table if you have any school anticipated to have risk assessments 3.00 or above.)

This table lists the school number, the content area of the assessment, the risk subgroup, and the risk assessment values for any school in the LEA with risk assessment values 3.00 or above. These values show how much more likely someone in the listed subgroup is to take the WVASA compared to everyone else. Higher values do not by themselves indicate an issue, but they may benefit you to see what subgroups have higher probability to take the WVASA. Please keep in mind that small sample sizes can cause high disproportionality values! See the next page for more information on calculations and examples.

Appendix B

DISPROPORTIONALITY / RISK RATIO EXPLANATION

Excluded Values

If the number of students in a subgroup is less than 4 for the LEA or 10 for the state, the risk ratio is not calculated. If the number of all other students not in a subgroup is under 10 for the LEA and there are at least 30 statewide, the denominator in the formula is replaced with state values. If all other students not in a subgroup for the state is under 30, the risk ratio is not calculated.

Disproportionality Examples

- If you have a value of 0.25 for the female subgroup, that means females are 4 times LESS likely to be at risk to take the WVASA compared to students who are not female.
- If you have a value of 4.0 for homeless subgroup, it means that homeless students would be 4 times MORE likely to be at risk to take the WVASA.

Justifications and Solutions for Disproportionality Examples

- Females are less likely to be diagnosed with certain exceptionalities such as Autism when compared to males. To address this, the LEA will audit their initial evaluation process to ensure males are not being over identified.
- Students identified as homeless may have less access to resources. To address this, the LEA will partner with the local library to offer additional afterschool and grandparent resources.

Risk Ratio Formula

$$\frac{\# \text{ of students in the subgroup who took WVASA} / \# \text{ of students in the subgroup who took ANY assessment}}{\# \text{ of students NOT in the subgroup who took WVASA} / \# \text{ of students NOT in the subgroup who took ANY assessment}}$$

(If any portion of the denominator above is too low, the values will be compared to the total state populations.)

Risk Ratio Examples

Please keep in mind that small sample sizes can cause high disproportionality values! Notice in the table below how a change in just 1 student causes the first school to double their value, but in the second school it was a negligible difference.

	ALL students taking ANY state assessment	Males taking ANY state assessment	ALL students taking WVASA	Males taking WVASA	Calculation (Demoninators are calculated by subtracting the subgroup from the total)	Risk Ratio
School 1	100	50	6	3	$\frac{3}{50}$ $\frac{(6-3)}{(100-50)}$	1.00
School 1 with change	100	50	6	4	$\frac{4}{50}$ $\frac{(6-4)}{(100-50)}$	2.00
School 2	1000	500	60	30	$\frac{30}{500}$ $\frac{(60-30)}{(1000-500)}$	1.00
School 2 with change	1000	500	60	31	$\frac{31}{500}$ $\frac{(60-31)}{(1000-500)}$	1.07

REQUIRED FUTURE STEPS

ALL LEAs are required to complete the LEA Assurance and Justification Form.

The link will be on the first page of the LEA WVASA Snapshot.

If you are over 1% or anticipate being over 1%, the form will branch to ask additional questions about considerations and disproportionality.

If you are NOT over 1% and do NOT anticipate being over 1%, you will not be asked additional questions, but you still need to complete the form to acknowledge that you reviewed your data.

Appendix B



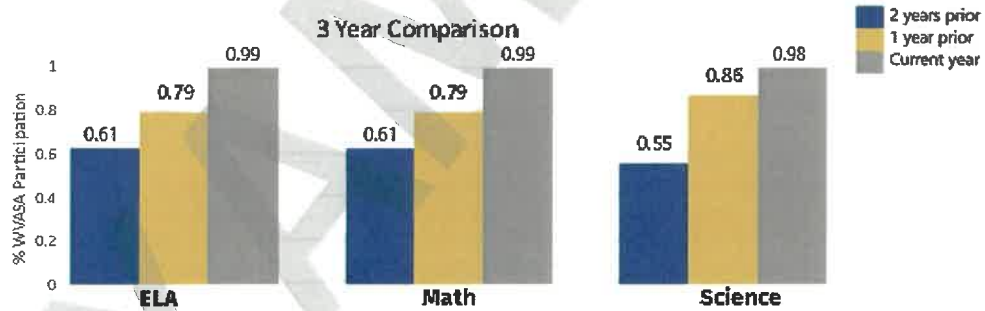
WV ALTERNATE SUMMATIVE ASSESSMENT (WVASA) 20##-## SNAPSHOT

LOCAL EDUCATION AGENCY (LEA) SUMMARY

Example LEA Report

Content Area	Number of Participants in Statewide Assessment	Number of Participants in Alternate Assessment	Percent of Participants in Alternate Assessment
ELA Grades 3-8 and 11	10000	99	0.99%
Math Grades 3-8 and 11	10000	99	0.99%
Science Grades 5, 8, and 11	5000	49	0.98%

Data Source: WVEIS RPTCRD23



Congratulations on having less than 1% of students participating in the alternate assessment! A breakdown of any high disproportionality indicators for the county is provided on the following pages just to help identify any trends.

Please submit justifications and assurances for assessed students at this link:
<https://forms.office.com/r/JhEbeBadhU>

The Every Student Succeeds Act (ESSA) places a 1% cap on the number of students who may participate in a state summative alternate assessment. Students who meet the eligibility criteria have a significant cognitive disability, receives the majority of their instruction through the West Virginia Alternate Academic Achievement Standards, and requires extensive direct, individualized instruction and substantial supports to achieve measurable gains in the grade and age-appropriate curriculum. Learn more about the WVASA at <https://wvde.us/assessment/west-virginia-alternate-summative-assessment-3-8-and-11/>

Appendix B



WV ALTERNATE SUMMATIVE ASSESSMENT (WVASA) 20##-## SNAPSHOT

SUBGROUP INFORMATION

Primary Exceptionality Percentages

#- Number of Participants in Statewide Assessment

Alt- Number of Participants in Alternate Assessment

% Alt- Percent of Participants in Alternate Assessment

Any exceptionality with less than 10 students taking the WVASA for the state was excluded from this list.

PRIMARY EXCEPTIONALITY	ELA			MATH			SCIENCE		
	#	# Alt	% Alt	#	# Alt	% Alt	#	# Alt	% Alt
Autism	100	10	10.00%	100	10	10.00%	50	10	20.00%
Blindness/Low Vision	20	2	10.00%	20	2	10.00%	10	0	0.00%
Intellectual Disability	1000	75	7.50%	1000	75	7.50%	300	30	10.00%
Other Health Impairment	200	10	5.00%	200	10	5.00%	80	8	10.00%

Disproportionality

Risk Calculation Formula

of [subgroup] who took alt assessment

of [subgroup] who took any assessment

of all other students who took alt assessment

of all other students who took any assessment

The following minimum values must be met for the calculation:

- > 3 or more students must be in the subgroup taking the alternative assessment
- > 9 or more students must be in the subgroup who took any assessment

Values that do not meet the minimum values are represented with a hyphen (-)

GENDER	ELA	Math	SCIENCE
Male	1.79	1.79	0.65
Female	0.56	0.56	0.25

DEMOGRAPHIC	ELA	Math	SCIENCE
Low SES	2.81	2.81	0.43
Homeless	2.81	2.81	0.43
EL	-	-	-

RACE/ETHNICITY	ELA	MATH	SCIENCE
White	0.91	0.91	1.49
Black/African American	1.67	1.67	1.5
Hispanic	0.93	0.93	0.76
Asian	-	-	-
American Indian/Alaskan Native	-	-	-
Native Hawaiian/Pacific Islander	-	-	-
Multiple Races/Ethnicities	0.8	0.8	0.65

The Every Student Succeeds Act (ESSA) places a 1% cap on the number of students who may participate in a state summative alternate assessment. Students who meet the eligibility criteria have a significant cognitive disability, receives the majority of their instruction through the West Virginia Alternate Academic Achievement Standards, and requires extensive direct, individualized instruction and substantial supports to achieve measurable gains in the grade and age-appropriate curriculum. Learn more about the WVASA at <http://wvde.us/assessment/west-virginia-alternate-summative-assessment-3-8-and-11/>

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WV ALTERNATE SUMMATIVE ASSESSMENT (WVASA) 20##-## SNAPSHOT

SCHOOL INFORMATION

School Level Summary - for schools anticipated to be over 2%

School	Content Area (ELA/Math or Science)	Anticipated # in Statewide Assessment	Anticipated # in Alternate Assessment	Anticipated % Alternate Assessment
201	ELA/M	175	7	4.00
301	ELA/M	600	20	3.33
501	ELA/M	200	5	2.50

School Level High Disproportionality

The following minimum values must be met for the calculation:

- 3 or more students must be in the subgroup Anticipated to take the alternate assessment
- 9 or more students must be in the subgroup Anticipated to take any assessment

Values that do not meet the minimum values are represented with a hyphen (-). State values may be used for calculations in the other student group if the value is less than 10.

School	Content Area (ELA/Math or Science)	Subgroup	Risk Calculation
201	ELA/M	White	0.33
501	ELA/M	White	0.50

The Every Student Succeeds Act (ESSA) places a 1% cap on the number of students who may participate in a state summative alternate assessment. Students who meet the eligibility criteria have a significant cognitive disability, receive the majority of their instruction through the West Virginia Alternate Academic Achievement Standards, and require extensive, direct, individualized instruction and substantial supports to achieve measurable gains in the grade and age appropriate curriculum.

Appendix B

WV ALTERNATE SUMMATIVE ASSESSMENT (WVASA)

20##-## ANTICIPATED SNAPSHOT

LOCAL EDUCATION AGENCY (LEA) SUMMARY

Example LEA Report

The following values are current **ESTIMATES** based off enrollment, LRE standards in the IEP, and demographic data pulled on <DATE> of the current school year. Calculations assume 100% participation in all assessments and that only students on alternate standards in the LRE portion of their IEP will take the alternate assessment. (Due to the high number of current grade levels not matching the LRE grade levels, this has been ignored so that any alternate standard would show.)

Content Area	Number of Students Eligible for Assessment	Number of Students Anticipated to Take Alternate Assessment	Percent of Students Anticipated to Take Alternate Assessment
ELA / Math Grades 3-8 and 11	1100	25	2.27%
Science Grades 5, 8, and 11	500	10	2.00%

Your anticipated numbers for next year are high. You may want to consider addressing this when you submit your justification if your values from last year are also over 1%.

Here is a link to the form: <https://forms.office.com/r/JhEbeBadhU>

If you have any anticipated high disproportionality indicators for the county or any especially high values at the school level, they will be shown on the following pages.

The Every Student Succeeds Act (ESSA) places a 1% cap on the number of students who may participate in a state summative alternate assessment. Students who meet the eligibility criteria have a significant cognitive disability, receive the majority of their instruction through the West Virginia Alternate Academic Achievement Standards, and require extensive direct, individualized instruction and substantial supports to achieve measurable gains in the grade and age-appropriate curriculum.

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WV ALTERNATE SUMMATIVE ASSESSMENT (WVASA)

20##-## ANTICIPATED SNAPSHOT

SUBGROUP INFORMATION

Primary Exceptionality Percentages

#- Number of Students Anticipated to Take the Statewide Assessment

Alt- Number of Students Anticipated to Take the Alternate Assessment

% Alt- Percent of Students Anticipated to Take the Alternate Assessment

Any exceptionality with less than 10 students taking the WVASA was excluded from this list or marked with a hyphen (-)

PRIMARY EXCEPTIONALITY	ELA / Math			SCIENCE		
	#	# Alt	% Alt	#	# Alt	% Alt
Autism	30	10	33.33%	10	5	50.00%
Intellectual Disability	25	10	40.00%	10	2	20.00%
Other Health Impairment	40	5	12.50%	20	2	10.00%

Possible High Disproportionality

Risk Calculation Formula

$$\frac{\frac{\text{\# of [subgroup] who took alt assessment}}{\text{\# of [subgroup] who took any assessment}}}{\frac{\text{\# of all other students who took alt assessment}}{\text{\# of all other students who took any assessment}}}$$

The following minimum values must be met for the calculation:

- > 3 or more students must be in the subgroup Anticipated to take the alternative assessment
- > 9 or more students must be in the subgroup Anticipated to take any assessment

Values that do not meet the minimum values are represented with a hyphen (-). State values may be used for calculations in the other student group if the value is less than 10.

GENDER	ELA / MATH	SCIENCE
Male	1.50	3.00
Female	0.67	0.33

DEMOGRAPHIC	ELA / MATH	SCIENCE
Low SES	1.87	1.01
Homeless	-	-
EL	-	-

RACE/ETHNICITY	ELA / MATH	SCIENCE
White	0.47	0.46
Black/African American	-	-
Hispanic	-	-
Asian	-	-
American Indian/Alaskan Native	-	-
Native Hawaiian/Pacific Islander	-	-
Multiple Races/Ethnicities	-	-

The Every Student Succeeds Act (ESSA) places a 3% cap on the number of students who may participate in a state summative alternate assessment. Students who meet the eligibility criteria have a significant cognitive disability, receive the majority of their instruction through the West Virginia Alternate Academic Achievement Standards, and require extensive direct, individualized instruction and substantial supports to achieve measurable gains in the grade and age-appropriate curriculum.

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WV ALTERNATE SUMMATIVE ASSESSMENT (WVASA)

20##-## ANTICIPATED SNAPSHOT

SCHOOL INFORMATION

School Level Summary - for schools anticipated to be over 2%

School	Content Area (ELA/Math or Science)	Anticipated # in Statewide Assessment	Anticipated # in Alternate Assessment	Anticipated % Alternate Assessment
201	ELA/M	175	7	4.00
301	ELA/M	600	20	3.33
501	ELA/M	200	5	2.50

School Level High Disproportionality

The following minimum values must be met for the calculation:

- > 3 or more students must be in the subgroup Anticipated to take the alternative assessment
- > 9 or more students must be in the subgroup Anticipated to take any assessment

Values that do not meet the minimum values are represented with a hyphen (-). State values may be used for calculations in the other student group if the value is less than 10.

School	Content Area (ELA/ Math or Science)	Subgroup	Risk Calculation
201	ELA/M	White	0.33
501	ELA/M	White	0.50

The Every Student Succeeds Act (ESSA) places a 1% cap on the number of students who may participate in a state summative alternate assessment. Students who meet the eligibility criteria have a significant cognitive disability, receive the majority of their instruction through the West Virginia Alternate Academic Achievement Standards, and require extensive direct, individualized instruction and substantial supports to achieve measurable gains in the grade and age-appropriate curriculum.

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LEA Assurance and Justification Form: Waiver SY 20## - 20##

The Every Student Succeeds Act (ESSA) limits the number of students that West Virginia may assess using the West Virginia Alternate Summative Assessment (WVASA) to no more than 1.0 percent of all students in the grades assessed in each subject area. The WVDE must provide evidence that each Local Educational Agency (LEA) anticipating assessing more than 1.0 percent of its assessed students in any subject using the WVASA has followed the State's participation guidelines and will address disproportionality in the percentage of students in any subgroup taking the WVASA.

To strengthen compliance and accountability, the West Virginia Department of Education (WVDE) requires all LEAs, regardless of whether they exceed the 1.0% cap, to provide assurance that state guidelines for WVASA eligibility determination are being followed. Failure to submit this form survey will result in a loss of points on the LEA's Determination for Timely and Accurate Data Submission.

LEA Secure Folder link to SharePoint (your folder is secure so only directors, superintendents, and specified people can access):
<https://wv12.sharepoint.com/:F:/S/Sites/WVDirectorsOfSpecialEducation/Shared%20Documents/1%20LEA%20Secured%20Folders?csf=1&web=1&e=e31MC>

Open your county file and then go to the 1% LEA Justification folder to see your previous and current data.

This form contains branching, so answering additional questions will appear based on your answers.

Submission due date: ##/##/####

* Required

LEA: *

Name: *

Email: *

How is your LEA ensuring that all staff who participate as members of an IEP team are trained in the use of the **Eligibility Determination Checklist for Participation in the West Virginia Alternate Summative Assessment (WVASA)** and the **West Virginia Alternate Summative Assessment (WVASA) Eligibility Guidance for IEP Teams**?

Eligibility Determination Checklist for Participation in the West Virginia Alternate Summative Assessment (WVASA):

<https://wvde.us/sites/default/files/2022/10/WVASA-Eligibility-Checklist-Fall-2022.pdf>

West Virginia Alternate Summative Assessment (WVASA) Eligibility Guidance for IEP Teams:

https://wvde.us/sites/default/files/2022/10/WVASA-Eligibility-Guidance_Fall_2022_v3.pdf

Did your LEA assess more than 1.0% of students being assessed on the WVASA in any subject (ELA, Math, Science) in the spring of last school year? *

This information can be found on the first page of the snapshot sent to each LEA.

Yes

No

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	Large Impact	Medium Impact	Small Impact	No Impact or N/A
Many community supports are available causing families to move to the LEA	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The area has a high population of Low SES families compared to the rest of the state	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There is a higher-than-state-average homeless population in the LEA	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There is a higher-than-state-average foster population in the LEA	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There has been a large number of general education students transfer out of the LEA, but not many transfers of the students with significant needs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The lack of consistent use of the Eligibility Determination Checklist has led to incorrect placement of students on the WVASA	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other state participation guidelines are not being followed in schools	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

What other considerations, if any, influence which students are assessed using the WVASA, and have any of these contributed to your LEA exceeding the 1% participation cap? *

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Did you have any high **disproportionality** identified for last school year? *

This information is found on the second page of the snapshot. Any value over 2 or under 0.5 would be at risk for high disproportionality and would need investigated.

Yes

No

In what area(s) did your high **disproportionality occur**? *

How is your LEA **addressing disproportionality** in the percentage of any students taking the WVASA? *

Do you anticipate your LEA will assess more than 1.0% of your students being assessed on the WVASA in any subject (ELA, Math, Science) in the spring of this school year? *

Yes

No

Assurances: *

By typing your name below, you are agreeing to the following statements:

- I certify, to the best of my knowledge, the contents are complete and accurate.
- I have verified that my staff is trained in using the *Eligibility Determination Checklist for Participation in the West Virginia Alternate Summative Assessment (WVASA)*.
- I have verified that the *Eligibility Determination Checklist for Participation in the West Virginia Alternate Summative Assessment (WVASA)* is being used annually to determine if a student meets WVASA participation requirements for all students with alternate standards identified on their IEP.

This content is neither created nor endorsed by Microsoft. The data you submit will be sent to the form owner.

 Microsoft Forms

Appendix B



WVASA Checklist Verification Form

The Elementary and Secondary Education Act (ESEA) requires states to assess all students' academic abilities and places a 1% cap on the number of students who may participate in a state summative alternate assessment.

Students who meet the eligibility criteria:

- have a significant cognitive disability
- receive the majority of their instruction through the *West Virginia Alternate Academic Achievement Standards*
- require extensive direct, individualized instruction and substantial support to achieve measurable gains in the grade and age-appropriate curriculum

Eligibility to participate in the WVASA is an IEP committee decision.

See the links below for more information:

Eligibility Determination Checklist for Participation in the West Virginia Alternative Summative Assessment (WVASA)

<https://wvde.us/wp-content/uploads/2022/10/WVASA-Eligibility-Checklist-Fall-2022.pdf>

West Virginia Alternate Summative Assessment (WVASA) Eligibility: Guidance for IEP Teams

https://wvde.us/wp-content/uploads/2022/10/WVASA-Eligibility-Guidance_Fall_2022_v3.pdf

1. Student ID:

2. Does the student's IEP file have a copy of the Eligibility Determination Checklist for Participation in the West Virginia Alternative Summative Assessment (WVASA) filled out at their last IEP meeting and supporting documentation?

(This checklist should be completed annually.)

- Yes- has a checklist from the current year and supporting documentation
- No- has no checklist/rubric
- No- has an old checklist/rubric (completed over 1 year ago)
- No- has checklist but not supporting documentation

Appendix B

EXAMPLE STATE ASSESSMENT OFFICE EMAIL: Short DLM testing times

Good afternoon,

I have access to a "Short Testing Times" extract for the DLM.

The following report shows that several students at [SCHOOL] were consistently finishing and submitting testlets in less than 59 seconds. You can see the column labelled "Timespan" to see exactly how many seconds for each testlet.

Would you reach out to the teacher to inquire about the circumstances for this student that would lead to this many testlets being submitted so quickly, please?

TIMESPAN	STUDENT ID	NAME	GRADE	TEST

Thank you,

Office of Assessment
Coordinator of Accommodations, Accessibility, and Alternate Assessment
West Virginia Department of Education

Appendix B

EXAMPLE LEA Email Response: Short DLM testing times

I spoke with [LEA Staff] regarding the importance of setting our students up for success during the DLM assessment. [LEA Staff] brings over 20 years of experience administering the DLM, has ensured that all testing materials and environments are properly prepared so that each student can begin the assessment with confidence. I emphasized the importance of encouraging students to take their time and do their best, regardless of their current academic level. Our shared goal is to create a supportive and structured setting that allows every student to demonstrate their abilities to the fullest extent.

[LEA Staff] Response and Student Descriptions:

This year's group of students presents a wider range of needs than in previous years. I have administered assessments as efficiently as possible to maintain student engagement and minimize downtime. A significant challenge lies not only in getting students into the program space and focused on their tasks but also in sustaining their attention long enough to complete assignments. Below is a summary of the students currently in my room, along with relevant behavioral and instructional observations:

[Student ID]

- Diagnosed with Autism Spectrum Disorder
- Easily distracted by visual and auditory stimuli
- Requires frequent movement breaks to regulate emotions
- Limited letter recognition skills, including difficulty identifying letters in his own name
- Often requires hand-over-hand assistance to complete tasks
- Struggles to follow verbal directions and has difficulty transitioning between activities
- Ceases working when direct adult supervision is removed

[Student ID]

- Diagnosed with Autism Spectrum Disorder
- Engages inconsistently in academic tasks; shows willingness to work within the Ready platform
- May exhibit physical aggression (e.g., hitting, kicking) when resistant to a task
- Focus improves when manipulatives or hands-on materials are used
- Sustained attention and task completion remain areas of concern

[Student ID]

- Displays significant behavioral challenges, including physical aggression toward staff
- Easily distracted and frequently disengaged from instructional activities
- Requires ongoing support to remain focused on tasks

[Student ID]

- Exhibits severe frustration and aggression in response to academic demands
- Engages in self-injurious behavior (e.g., banging head on desk)
- Has a history of damaging instructional materials or devices when overwhelmed
- Needs significant behavioral intervention and support strategies during learning tasks

[Student ID]

- Nonverbal; cognitive assessment could not be completed due to behavioral interruptions and difficulty with redirection
- Prefers solitary activities and does not typically engage in games or cooperative play
- Frequently disregards adult directives, may respond with yelling or anger
- Uses self-stimulatory behaviors such as hitting himself in the chest/neck
- Requires frequent breaks and makes regular use of a sensory room to maintain regulation

Please let me know if you need any more assistance.

From: [Mimi Browning](#)
To: [OESE.ESEA.Assessment](#)
Cc: [Boyter, Lauren](#); [Peasley, Donald](#)
Subject: Re: WV 1.0 Percent State-Level Cap Waiver Extension Request
Date: Friday, January 23, 2026 12:35:47 PM
Attachments: [image001.png](#)
[image002.png](#)
[Outlook-dr4mb12h.png](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Lauren,

The EDFacts should be used for your review, the EDFacts data is accurate.

Thank you for your review of West Virginia's Waiver Extension Request, please let me know if anything further is needed.

Mimi Browning

Coordinator, Office of Special Education
WVDE Division of Federal Programs and Support



1900 Kanawha Boulevard, East
Building 7, Room 750
Charleston, WV 25305-0330
304-558-2696 phone
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mcbrowning@k12.wv.us

[f](#) | [t](#) | [YI](#)

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From: OESE.ESEA.Assessment <ESEA.Assessment@ed.gov>
Sent: Friday, January 23, 2026 12:23 PM
To: Mimi Browning <mcbrowning@k12.wv.us>
Cc: OESE.ESEA.Assessment <ESEA.Assessment@ed.gov>; Boyter, Lauren <Lauren.Boyter@ed.gov>; Peasley, Donald <Donald.Peasley@ed.gov>

Subject: RE: WV 1.0 Percent State-Level Cap Waiver Extension Request

[EXTERNAL SENDER]: Do not click links, open attachments or reply to this email unless you recognize the sender and know the content is safe.

Good afternoon Mimi,

Hope you are having a great start to the new year!

We are reviewing West Virginia’s 1.0 percent waiver extension request and would like to verify the data. Below is the EDFacts record showing participation data for all students and for students with disabilities. The counts and the percentages in EDFacts differ from those provided in the waiver request. As in the prior school year, if the data included in the waiver submission represents raw data, please confirm that EDFacts should be used for our review and that the EDFacts data is accurate.

WV Data from EDFacts

Group	All Students Grades 3-8 and High School R/LA	Students with Disabilities Grades 3-8 and High School R/LA
Students Assessed	117,846	26,448
Students Enrolled	120,246	27,394
Assessment Participation Rate	98.00%	96.55%
Group	All Students Grades 3-8 and High School Math	Students with Disabilities Grades 3-8 and High School Math
Students Assessed	117,852	26,482
Students Enrolled	120,258	27,420
Assessment Participation Rate	98.00%	96.58%
Group	All Students Grades 3-8 and High School Science	Students with Disabilities Grades 3-8 and High School Science
Students Assessed	49,136	10,175
Students Enrolled	50,682	10,727
Assessment Participation Rate	96.95%	94.85%

Thank you and have a great weekend!

Lauren

Lauren Boyter
Education Program Specialist
Office of Elementary and Secondary Education
U.S. Department of Education

Email: Lauren.Boyter@ed.gov
Phone Number: (202) 205-4675



From: Mimi Browning <mcbrowning@k12.wv.us>
Sent: Friday, November 7, 2025 11:37 AM
To: OESE.ESEA.Assessment <ESEA.Assessment@ed.gov>
Cc: Michele Blatt <mlblatt@k12.wv.us>; Margaret Williamson <mgwillia@k12.wv.us>; Sheila Paitsel <sgpaitsel@k12.wv.us>; Vaughn Rhudy <vrhudy@k12.wv.us>; Jeffrey Kelley <jeffrey.s.kelley@k12.wv.us>
Subject: WV 1.0 Percent State-Level Cap Waiver Extension Request

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SENT ON BEHALF OF
SHEILA PAITSEL

DIRECTOR, OFFICE OF SPECIAL EDUCATION
WVDE DIVISION OF FEDERAL PROGRAMS AND SUPPORT

Attached is the West Virginia 1.0 Percent State-Level Cap Waiver Extension Request submission from the West Virginia Department of Education. Thank you in advance for your review and consideration of the waiver extension.

Mimi Browning
Coordinator, Office of Special Education
WVDE Division of Federal Programs and Support



1900 Kanawha Boulevard, East
Building 7, Room 750
Charleston, WV 25305-0330
304-558-2696 phone
304-558-0459 fax
mcbrowning@k12.wv.us

[f](#) | [t](#) | [YT](#)

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