



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

March 25, 2025

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 December 18, 2024 (with additional information submitted on March 11, 2025), for a waiver extension 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). WVDE requested this waiver because, based on State data for the 2023-2024 school year, WVDE concluded that it may exceed the 1.0 percent cap on AA-AAAS in reading/language arts (R/LA), mathematics, and science in the 2024-2025 school year.

After reviewing WVDE's waiver request, I am granting, pursuant to my authority under section 8401(b) of the ESEA, a one-year waiver extension (for the 2024-2025 school year) of section 1111(b)(2)(D)(i)(I) of the ESEA so that the State may assess more than 1.0 percent of students with an AA-AAAS in R/LA, mathematics, and science.

As part of this waiver, WVDE assured that it:

- Will continue to meet all other requirements of section 1111 of the ESEA and implement regulations with respect to all State-determined academic standards and assessments, including reporting student achievement and school performance, disaggregated by subgroups, to parents and the public.
- Had assessed in SY 2023-2024 at least 95 percent of all students and all students with disabilities who are enrolled in grades for which the R/LA, mathematics, and science assessments are required.
- Will require that a local educational agency (LEA) submit information justifying the need of the LEA to assess more than 1.0 percent of its assessed students in any such subject with an AA-AAAS.
- Will provide appropriate oversight of an LEA that is required to submit such information to the State.
- Will verify that each LEA that is required to submit such information to the State is following all State guidelines in 34 CFR § 200.6(d) – excluding (d)(6) – and will address any subgroup disproportionality in the percentage of students taking an AA-AAAS.

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.*

- Will implement, consistent with the plan submitted in WVDE’s waiver extension request, system improvements and will monitor future administrations of the AA-AAAS to avoid exceeding the 1.0 percent cap.

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 continue to publish your State’s plan, timeline, and progress in reducing the percentage of students taking the AA-AAAS.

Given the workplan submitted by WVDE, I expect to continue to see positive results of this plan in the 2024-2025 school year and beyond. Based on the data WVDE submitted, the State has reduced the percentage of students assessed on an AA-AAAS in R/LA, mathematics, and science when compared to the 2022-2023 school year. Thank you for your work to achieve such progress. Future requests for an extension of this waiver continue to expect both continued progress implementing your plan and progress in reducing the percentage of students taking the AA-AAAS in all tested subjects.

I appreciate the work you are doing 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](mailto:ESEA.Assessment@ed.gov).

Sincerely,

/s/

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

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December 18, 2024

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) 2024-25, in accordance with 34 C.F.R. § 200.6(c)(4).

We are pleased to report progress in reducing participation rates for the alternate assessment during SY 2023-24. However, based on the assessment data, the WVDE anticipates exceeding the 1.0 percent cap in English/Language Arts (ELA), Mathematics, and Science for SY 2024-25.

The WVDE is committed to the appropriate identification of assessment placement for students with disabilities by supporting Local Education Agencies (LEAs) with increased data literacy support, technical assistance, and monitoring of the implementation of state guidelines.

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,

Michele L. Blatt  
State Superintendent of Schools  
Attachment

MB/mb

# West Virginia

## 1.0 Percent State-Level Cap Waiver Extension Request

### School Year 2024-25

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 on participation in the alternate assessment for school year (SY) 2024-25. The West Virginia Alternate Summative Assessment (WVASA) is the alternate assessment based on the alternate academic achievement standards for West Virginia.

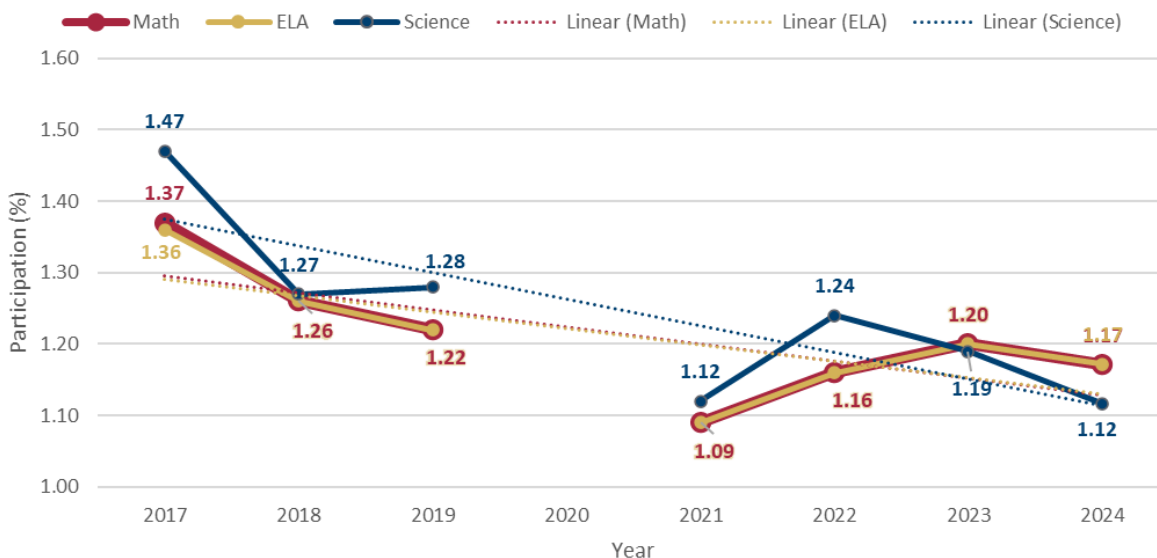
Pursuant to 34 CFR § 200.6(c)(2):

***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.***

The WVDE is pleased to see progress in the decline of participation rates for the alternate assessment and a continued downward trend toward the goal of reaching 1.0 percent of students assessed using the alternate assessment. This improvement reflects the collective efforts and dedication to serving the students with disabilities in West Virginia.

The WVDE has shown a decrease in the number of students assessed using the WVASA for SY 2023-24 and continues to demonstrate a downward shift in WVASA participation rates since SY 2016-17. Figure 1 below 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.

**Figure 1. WVASA Participation: 2017-2024 (All Subjects)**



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

Table 1 shows the participation rates by subject area for the WVASA administered during SY 2023-24. While the WVDE anticipates exceeding the 1.0 percent state-level cap as set forth in Every Student Succeeds Act (ESSA) for SY 2024-25 in English/Language Arts (ELA), Mathematics (Math), and Science, participation rates continue to decline.

**Table 1. WVASA 2023-24 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	116,748	1,367	1.17
ELA Grades 3-8, and 11	116,771	1,368	1.17
Science Grades 5, 8, and 11	50,314	562	1.12

Data Source: WVEIS RPTCRD24  
 Note: WVASA = West Virginia Alternate Summative Assessment

West Virginia continues to experience a significant decrease in the *overall* number of students being assessed as seen in Table 2 below. This decrease in total student population can inflate the WVASA percentages if the number of students participating in the alternate assessment remains relatively constant.

**Table 2. Change in Total State Assessment Participation by Content Area from SY 2022-23 Compared to SY 2023-24**

Content Area	Number (#) Participating in Statewide Assessment in SY 2022-23	Number (#) Participating in Statewide Assessment in SY 2023-24	Change in Number (#) Participating in Statewide Assessment	Percent Change in Number (#) Participating in Statewide Assessment
Math Grades 3-8, and 11	120,541	116,748	-3,793	-3.15%
ELA Grades 3-8, and 11	120,556	116,771	-3,785	-3.14%
Science Grades 5, 8, and 11	51,317	50,314	-1,003	-1.95%

Data Source: WVEIS RPTCRD23 and WVEIS RPTCRD24

Although the number of students with disabilities has increased (see Table 3), the number of students participating in the WVASA has decreased (see Table 4). To address over-identification of students being assessed on the alternate assessment, the state has focused on training, developing guidance, and supporting data literacy for LEAs regarding appropriate participation in statewide assessments.

**Table 3. Change in Number of Students with Disabilities by Assessment Grade Levels from SY 2022-23 to SY 2023-24**

Grade Levels	Number (#) Students with Disabilities in SY 2022-23	Number (#) Students with Disabilities in SY 2023-24	Change in Number (#) Students with Disabilities	Percent Change in Number (#) Students with Disabilities
Grades 3-8, and 11	24,449	25,977	1,528	6.25%
Grades 5, 8, and 11	9,916	10,560	644	6.49%

Data Source: WVEIS RPTCRD23 and WVEIS RPTCRD24

**Table 4. Change in Alternate Assessment Participation by Content Area from SY 2022-23 to SY 2023-24**

Content Area	Number (#) Participating in Alternate Assessment in SY 2022-23	Number (#) Participating in Alternate Assessment in SY 2023-24	Change in Number (#) Participating in Alternate Assessment	Percent Change in Number (#) Participating in Alternate Assessment
Math Grades 3-8, and 11	1,446	1,367	-79	-5.46%
ELA Grades 3-8, and 11	1,445	1,368	-77	-5.33%
Science Grades 5, 8, and 11	612	562	-50	-8.17%

Data Source: WVEIS RPTCRD23 and WVEIS RPTCRD24

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 decrease in the overall number of students in West Virginia being assessed in required grades and content areas may be due to a decrease in population for the entire state over the past three years (see Table 5).

**Table 5. Change in Estimated Population for WV from 2021 to 2023**

State Population	Population Estimates 2021	Population Estimates 2022	Population Estimates 2023	Change in Population Estimates from 2021 to 2023	Percent Change in Population Estimates from 2021 to 2023
West Virginia	1,782,959	1,775,156	1,770,071	-12,888	-0.72%

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

A decrease in overall student enrollment may also be attributed to an increase in withdrawals to homeschool and private schools, facilitated by the additional funding provided through the Hope scholarship. The Hope Scholarship, an educational savings account option for families established by the West Virginia Legislature in 2021, may also contribute to the decrease in overall students being assessed in West Virginia in the required grades and content areas since recipients of the scholarship are not required to take state assessments. According to the West Virginia State Treasurer, “More than 6,000 students have been awarded the Hope Scholarship for the current 2023-2024 academic year –

nearly triple the 2,333 students who received it the previous academic year.”<sup>1</sup> Part of the increase in applications may be due to the state removing the application window, so parents can apply for the scholarship and remove their students from public education at any point during the school year. Table 6 compares the number of students who applied for the Hope Scholarship for SY 2023-24, in the applicable grade ranges, who did not re-enroll in public school prior to the assessment window. These data also show that a disproportionate number of students who previously took the general assessment withdrew from public school compared to those who previously took the alternate assessment. This may be attributed to public schools having more resources for students with the most significant cognitive disabilities as well as the additional cost for providing these resources (i.e., costs which are covered when a student is enrolled in public school but are not factored into the awarded Hope Scholarship amount).

**Table 6. Hope Scholarship Applicants Compared to Previous Year Total State Assessment and Alternate Assessment Participation**

Content Area	Hope Applicants that Participated in Statewide Assessment in SY 2022-23 but not in SY 2023-24	Hope Applicants that Participated in Alternate Assessment in SY 2022-23 but not in SY 2023-24
Math Grades 3-8, and 11	856	< 10
ELA Grades 3-8, and 11	856	< 10
Science Grades 5, 8, and 11	291	< 10

Data Source: WVEIS RPTCRD23, Hope Scholarship Applicants, WVEIS RPTCRD24  
 Note: Applicants that applied for the Hope Scholarship but later attended public school and were tested in 2024 were removed from the totals above; “< 10” is used for student counts under 10 to protect student privacy.

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 2024-25 opens April 1, 2025; therefore, the waiver request must be submitted to the USDOE prior to January 1, 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 8 through 19](#) of Appendix A. Subgroups include gender, socioeconomic status, English learner status, race/ethnicity, and primary exceptionality.

<sup>1</sup> [12/13/2023 - Hope Scholarship Board Approves Year-Round Applications, Prorated Funding Proposals to Expand Program Access Press Releases \(wvtreasury.com\)](#)

***(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 2023-24 for all students assessed, as well as the required participation rates for the children with disabilities subgroup. Table 7 below shows the SY 2023-24 participation rates. [Tables 17 and 18](#) in Appendix A provide further information on statewide assessment participation rates.

**Table 7. Statewide Assessment Participation Rates for SY 2023-24**

<b>Content Area</b>	<b>All Student Participation</b>	<b>Students with Disabilities Participation</b>
Math Grades 3-8, and 11	<b>98.43%</b>	<b>96.96%</b>
ELA Grades 3-8, and 11	<b>98.46%</b>	<b>97.02%</b>
Science Grades 5, 8, and 11	<b>97.63%</b>	<b>95.45%</b>

Data Source: ZoomWV, WVEIS RPTCRD24

West Virginia state participation rates are publicly available on the ZoomWV site (<https://zoomwv.k12.wv.us/>). The assessment participation rate data publicly reported on ZoomWV are based on Elementary and Secondary Education Act (ESEA) accountability criteria established by the state and approved by Office of Elementary and Secondary Education and, due to these additional criteria, does not reflect the total percentage of students who were enrolled during the testing window who also completed an assessment and received a valid score (i.e., ED Facts FS185, 188, and 189). To view participation rates, users navigate to the website and select the “State Assessment Results” icon, then select the “State Assessment Subgroups” option. Data must also be filtered by “Population Group,” then choose “Status” to see results.

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 (WVGSA), 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***



West Virginia provides assurance that, if a local educational agency (LEA) anticipates assessing more than 1.0 percent of its assessed students on the WVASA in any subject area for which assessments are being administered, the WVDE will be provided with assurance that state guidelines for eligibility determination are being followed, including use of the [Eligibility Determination Checklist for Participation in the West Virginia Alternate Summative Assessment](#), to determine if students are eligible for participation in the alternate assessment.

WVDE Special Education coordinators provided virtual **Open Doors** meetings to assist LEAs with understanding their data prior to submission of the LEA assurance and justification survey. These support meetings were held to assist LEAs in making data-informed decisions regarding participation rates in the alternate assessment for the upcoming year.

Each LEA has a secure folder in Microsoft Teams with the information below to help the LEA make data-based decisions regarding their assurance and justification information. The following information was provided to all LEAs prior to the **Open Doors** support meetings:

- › [LEA Snapshots](#) of data from SY 2021-22 and SY 2022-23 assessment participation for historical reference, and to assist in identifying trends,
- › [LEA Snapshot](#) of data from SY 2023-24 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 SY 2024-25 based on student enrollment as of October 22, 2024,
- › [WVASA 1% Participation Guidance Document](#) for interpreting 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 2024-2025](#) was provided 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,
- Reflection on most recent WVASA participation, including indications of what might impact those values and justification for any disproportionality,
- Assurance of fidelity to state guidelines for eligibility, and
- Justification of considerations and assurance for the anticipated WVASA participation for the current school year.

If the LEA assessed fewer than 1.0 percent of students on the most recent assessment and anticipates assessing fewer than 1.0 percent of students on the WVASA, the LEA is not prompted to provide additional details for their justifications on the form. If the LEA anticipates assessing

more than 1.0 percent of students on the WVASA, the survey prompts the LEA to provide information as to how State guidelines for participation in the alternate assessment are being followed and how disproportionality is being addressed, if relevant. Should there be a discrepancy between the LEA responses for the questions on whether the LEA tested over 1.0 percent of students, whether there was any disproportionality for the previous school year, or what the WVDE Office of Special Education had sent in the LEA Snapshot, the LEA received an email advising them to reassess their data and resubmit their justification.

The [LEA Assurance and Justification Form: Waiver SY 2024-2025](#) is also linked to automatic email reminders for submission. 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. LEAs who have not already submitted their justifications are sent three automated reminders: the day before “office hours” meetings are held, a week prior to submission date, and the day the form is due.

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-assigned coordinator, and the WVDE Special Education director informing them that the survey has not been submitted. The assigned WVDE coordinator will then directly contact the LEA Special Education director.

If the LEA does not submit the [LEA Assurance and Justification Form: Waiver SY 2024-2025](#), despite the multiple reminders and direct contact attempts, the LEA will lose points on their LEA Determination for Timely and Accurate Data Submission.

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

***(B) 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;***

If the LEA is projected to exceed the 1.0 percent cap for participation in the alternate assessment, the above referenced assurance/justification survey branches to the topic of disproportionality of subgroups and the LEA is required to indicate how the LEA is addressing disproportionality in any subgroups taking the alternate assessment. To assist LEAs with identification of disproportionality, Snapshots were created and provided to include disproportionality data if the risk ratio was over 2.0 for any subgroup in the LEA during the previous school year. Anticipated Snapshots were created and provided to include this disproportionality data if a risk ratio was anticipated to be over 2.0 for any subgroup in the LEA, or if there was any school-level disproportionality over 2.0 anticipated.

***(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;***

The WVDE has established the 1% Cap Team, a core group of stakeholders, to oversee the work of ensuring only students with the most significant cognitive disabilities, who meet the WVASA participation criteria, are participating in the WVASA through ongoing LEA training, guidance, and support. The team is comprised of WVDE coordinators in the areas of School Psychology, Special Education Research and Evaluation, Special Education Data Management, Alternate Assessment, Alternate Standards, and Alternate Diplomas.

The team 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.*

## ***SY 2024-25 WVDE Training, Support, and Monitoring***

### ***Technical Assistance***

The WVDE Special Education team provides policy, resources, and training using the internal CANVAS platform which is available for all West Virginia public educators, administration, and staff. Resources and information are also publicly available on the WVDE website. Documents on the state website are reviewed annually to ensure alignment with updates to standards and guidance.

The [Eligibility Determination Checklist for Participation in the West Virginia Alternative Summative Assessment \(WVASA\)](#) and the companion document, [West Virginia Alternate Summative Assessment \(WVASA\) Eligibility: Guidance for IEP Teams](#), were developed in SY 2022-23 to assist LEAs with making valid and reliable determinations for a students' eligibility to participate in the alternate assessment. Full implementation of the usage of the aforementioned documents was required beginning February 2023. LEA teams were trained on this new process in SY 2022-23 by WVDE coordinators. To support internal sustainability, a recording of the webinar training remains available for LEA leadership and staff through the CANVAS platform. Individualized training is available on request.

In addition to technical assistance and support provided by the WVDE regarding appropriate participation in the WVASA, the WVDE Office of Special Education has provided numerous trainings throughout the state on expanding inclusive practices with the intention of ensuring all students are educated in their least restrictive environment so they can reach their full potential. This training has been conducted at several conferences throughout the state, as well as virtually and in-person with individual LEAs as requested.

In addition to technical assistance developed and provided by the WVDE, LEAs are also provided with training and guidance documents from national WVDE-approved technical assistance centers.

### ***Additional Training and Support Documents***

To ensure LEA administrators and staff are fully informed regarding the decision to participate in the alternate assessment, the WVDE provided virtual training in Fall of 2024 in the use of the following resources:

- › [Eligibility Determination Checklist for Participation in the West Virginia Alternative Summative Assessment \(WVASA\)](#)
- › [West Virginia Alternate Summative Assessment \(WVASA\) Eligibility: Guidance for IEP Teams](#)

The documents below 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](#)

The above documents have been reviewed and continue to be deemed appropriate. This information is accessible on the WVDE website to support appropriate determinations for participation in the alternate assessment.

### ***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 hosted Open Doors sessions in Fall 2024 to support LEAs with questions and discussion regarding their 2024 WVASA Snapshot and Anticipated SY 2024-25 WVASA Participation Snapshot information. Individualized meetings are available upon request.
- » **Office Hours:** These meetings are scheduled throughout the year to assist LEAs with completing the required documentation and to assist with any other questions.

**WVDE Coordinator Regional Support:** Each LEA is assigned two WVDE Special Education Coordinators who act as a point-of-contact for the LEA, providing additional support and facilitating collaboration and open dialogue among LEAs located in close geographic proximity.

**WVDE Website:** The website includes multiple guidance documents, including those pertaining to eligibility determination for participation in the alternate assessment.

**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.

**Statewide IEP System Update** – 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 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. These meetings provide the opportunity for guidance, collaboration, and shared resources to support LEA leadership in making appropriate decisions for students regarding alternate assessment participation. This year the WVDE is focusing on data literacy during these meetings.

- » **Cap Chat Meeting 1** – Focus on exploring the menus in the state’s student information system and identifying which reports are most useful for data support and internal monitoring of students within the LEA regarding students participating in the alternate assessment. A guidance document is provided.
- » **Cap Chat Meeting 2** – Hands-on activity led by the WVDE with modeling on how to aggregate data from a menu in the student information system. Participants complete a quiz on their LEA data to ensure understanding of the process.
- » **Cap Chat Meeting 3** – Builds on the prior two meetings and covers how disproportionality is calculated using the aggregated data. Participants complete a Form survey about any disproportionality they calculated.
- » **Cap Chat Meeting 4** – This session brings together insights and learning from prior meetings to complete a root cause analysis, assisting LEAs with identification of any factors contributing to high participation in the alternate assessment or disproportionality.

Subsequent meeting topics will be based on identified needs.

**“Temp Checks”:** Periodic “temp checks” provided through a form survey to the participants of the CoP and are used to gauge the current feelings, opinions, and engagement levels of CoP members. This process helps assess the overall disposition, satisfaction, and engagement of members, ensuring that their needs and concerns are effectively addressed. “Temp Checks” will be given in the fall and spring.

**Self-Audit:** The LEA will conduct a file review of each student who has been found eligible for the alternate assessment and provide assurance to the WVDE that each file contains a completed [Eligibility Determination Checklist for Participation in the West Virginia Alternate Summative Assessment \(WVASA\)](#) with evidence to support the determination. Verification that each file has been reviewed will be reported to the WVDE by submitting the online [WVASA Checklist Verification Form](#) for each student anticipated to take the alternate assessment. This process will be discussed at each CoP meeting. LEA self-audits will be completed prior to the opening of the state assessment testing window. The LEA will conduct the mandatory self-audit to ensure compliance with state participation guidelines.

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

In addition to the Universal and Targeted supports described above, LEAs with over 2.0 percent WVASA participation, or those with over 1.0 percent participation whose rate has increased annually for the past three years, receive the following additional support and monitoring:

**WVDE Desk Audit:** WVDE will assign three student files from each programmatic level (i.e., elementary, middle, and high school for a total of 9 files), to be uploaded by the LEA. The requested information will be uploaded to the LEA secured folder in the WV Special Education Director's Team for WVDE review. LEAs will submit this information to the WVDE in November. The WVDE desk audit will help identify better programming for students and address any inconsistencies to ensure students are appropriately identified for the alternate assessment. A debrief will be provided to the LEA of the severity of areas of concern found during the desk audit. The Office of Special Education has written procedures for addressing areas of concern.

**Root Cause Analysis:** The LEA will be required to complete a root cause analysis and send documentation to the WVDE outlining the process used, the root causes identified, and a plan to address the factors contributing to the elevated participation rates.

**Additional Reporting on Self-Audit:** LEAs receiving Intensive support will also be required to ensure that all case managers are trained on the [West Virginia Alternate Summative Assessment \(WVASA\) Eligibility: Guidance for IEP Teams](#) document. If any of the files reviewed during the self-audit completed through Targeted support lack the annually completed [Eligibility Determination Checklist for Participation in the West Virginia Alternate Summative Assessment \(WVASA\)](#) with evidence to support the determinations in their IEP file, the LEA will provide justifications and a corrective action plan.

***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 2.0 to help identify trends and possible reasons for disproportionality at the LEA level. The WVDE implements similar analyses when determining disproportionate representation for Indicators 9 and 10 in its State Performance Plan/Annual Performance Report, 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 8 below.

**Table 8. Disproportionality by Subgroups of Students Participating in the WVASA 2023-24**

<b>Subgroup</b>	<b>Math Grades 3-8, and 11</b>	<b>ELA Grades 3-8, and 11</b>	<b>Science Grades 5, 8, and 11</b>
White	0.84	0.84	0.81
Black/African American	1.6	1.62	1.9
Hispanic or Latino	0.81	0.78	0.7
Asian	1.36	1.36	<10
American Indian/Alaskan Native	<10	<10	<10
Native Hawaiian/Pacific Islander	<10	<10	<10
Multiple Races	0.97	0.97	0.82
English Learner (EL)	1.16	1.16	<10
Homeless	1.3	1.3	1.41
Low SES	2.84	2.83	3.36
Male	1.96	1.96	1.85
Female	0.51	0.51	0.54

Data Source: WVEIS RPTCRD24

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

The WVDE will provide data and support to assist LEAs with understanding risk ratio calculations and disproportionality to mitigate risk of overidentification in subgroups of students with disabilities and to ensure student achievement is supported by appropriate identification for assessment participation. Providing this data to LEAs may also help them to identify subgroups who may need targeted assistance and additional resources in their local communities.



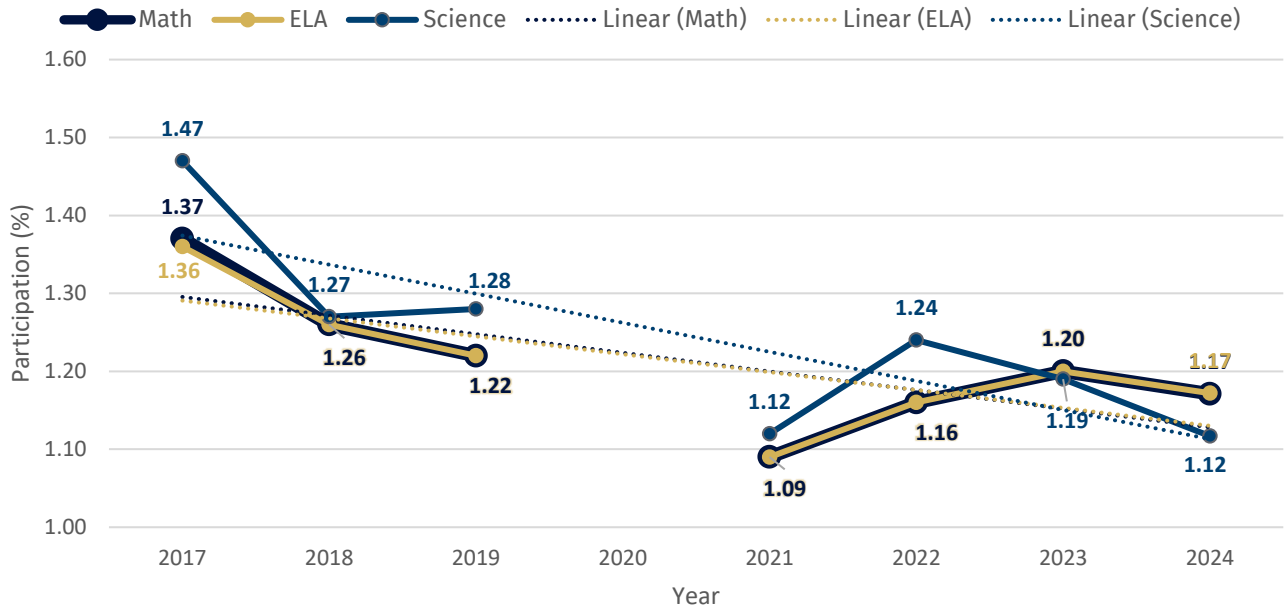
Technical assistance on appropriate placement for statewide assessments remains a priority and the WVDE will continue to provide training for LEAs on using the [Eligibility Determination Checklist for Participation in the West Virginia Alternate Summative Assessment \(WVASA\)](#) and the [West Virginia Alternate Summative Assessment \(WVASA\) Eligibility: Guidance for IEP Teams](#). With implementation of the new eligibility checklist, LEAs are now required to affirm in writing that participation in the alternate assessment is due to the presence of a significant cognitive disability and is not based on other factors that could potentially contribute to disproportionality (e.g., socioeconomic status, English learner status, cultural differences).

The WVDE Office of Special Education is optimistic that with continued training, support, and increased monitoring of LEAs, we will continue to see improvement in the implementation of the state's guidelines for eligibility determination and appropriate identification of students with disabilities for assessment participation. West Virginia remains committed to expanding awareness of inclusive practices, delivering high-quality instruction to all students, and enhancing student achievement for students with disabilities across the state. The WVDE is pleased with the decrease in alternate assessment participation rates for SY 2023-2024 and is confident these efforts will enable our state to continue making progress towards the 1.0 percent state-level cap on alternate assessment participation.

The West Virginia 1.0 percent State Level Cap Waiver Extension Request was posted on the WVDE's website in a 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: 2017-2024 (All Subjects)



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

Table 1. WVASA 2023-24 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	116,748	1,367	1.17
ELA Grades 3-8, and 11	116,771	1,368	1.17
Science Grades 5, 8, and 11	50,314	562	1.12

Data Source: WVEIS RPTCRD24  
 Note: WVASA = West Virginia Alternate Summative Assessment

# Appendix A

**Table 2. Change in Total State Assessment Participation by Content Area from SY 2022-23 Compared to SY 2023-24**

Content Area	Number (#) Participating in Statewide Assessment in SY 2022-23	Number (#) Participating in Statewide Assessment in SY 2023-24	Change in Number (#) Participating in Statewide Assessment	Percent Change in Number (#) Participating in Statewide Assessment
Math Grades 3-8, and 11	120,541	116,748	-3,793	-3.15%
ELA Grades 3-8, and 11	120,556	116,771	-3,785	-3.14%
Science Grades 5, 8, and 11	51,317	50,314	-1,003	-1.95%

Data Source: WVEIS RPTCRD23 and WVEIS RPTCRD24

**Table 3. Change in Number of Students with Disabilities by Assessment Grade Levels from SY 2022-23 to SY 2023-24**

Grade Levels	Number (#) Students with Disabilities in SY 2022-23	Number (#) Students with Disabilities in SY 2023-24	Change in Number (#) Students with Disabilities	Percent Change in Number (#) Students with Disabilities
Grades 3-8, and 11	24,449	25,977	1,528	6.25%
Grades 5, 8, and 11	9,916	10,560	644	6.49%

Data Source: WVEIS RPTCRD23 and WVEIS RPTCRD24

**Table 4. Change in Alternate Assessment Participation by Content Area from SY 2022-23 to SY 2023-24**

Content Area	Number (#) Participating in Alternate Assessment in SY 2022-23	Number (#) Participating in Alternate Assessment in SY 2023-24	Change in Number (#) Participating in Alternate Assessment	Percent Change in Number (#) Participating in Alternate Assessment
Math Grades 3-8, and 11	1,446	1,367	-79	-5.46%
ELA Grades 3-8, and 11	1,445	1,368	-77	-5.33%
Science Grades 5, 8, and 11	612	562	-50	-8.17%

Data Source: WVEIS RPTCRD23 and WVEIS RPTCRD24

# Appendix A

**Table 5. Change in Estimated Population for WV from 2021 to 2023**

State Population	Population Estimates 2021	Population Estimates 2022	Population Estimates 2023	Change in Population Estimates from 2021 to 2023	Percent Change in Population Estimates from 2021 to 2023
West Virginia	1,782,959	1,775,156	1,770,071	-12,888	-0.72%

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

**Table 6. HOPE Scholarship Applicants Compared to Previous Year Total State Assessment and Alternate Assessment Participation**

Content Area	HOPE Applicants that Participated in Statewide Assessment in SY 2022-23 but not in SY 2023-24	HOPE Applicants that Participated in Alternate Assessment in SY 2022-23 but not in SY 2023-24
Math Grades 3-8, and 11	856	< 10
ELA Grades 3-8, and 11	856	< 10
Science Grades 5, 8, and 11	291	< 10

Data Source: WVEIS RPTCRD23, Hope Scholarship Applicants, WVEIS RPTCRD24

Note: Applicants that applied for the Hope Scholarship but later attended public school and were tested in 2024 were removed from the totals above; "< 10" is used for student counts under 10 to ensure confidentiality.

**Table 7. Statewide Assessment Participation Rates for SY 2023-24**

Content Area	All Student Participation	Students with Disabilities Participation
Math Grades 3-8, and 11	98.43%	96.96%
ELA Grades 3-8, and 11	98.46%	97.02%
Science Grades 5, 8, and 11	97.63%	95.45%

Data Source: ZoomWV and WVEIS RPTCRD24

# Appendix A

**Table 8. Disproportionality by Subgroups of Students Participating in the WVASA 2023-24**

Subgroup	Math Grades 3-8, and 11	ELA Grades 3-8, and 11	Science Grades 5, 8, and 11
White	0.84	0.84	0.81
Black/African American	1.6	1.62	1.9
Hispanic or Latino	0.81	0.78	0.7
Asian	1.36	1.36	
American Indian/Alaskan Native			
Native Hawaiian/Pacific Islander			
Multiple Races	0.97	0.97	0.82
English Learner (EL)	1.16	1.16	
Homeless	1.3	1.3	
Low SES	2.84	2.83	3.36
Male	1.96	1.96	1.85
Female	0.51	0.51	0.54

Data Source: WVEIS RPTCRD24

Note: WVASA = West Virginia Alternate Summative Assessment

**Table 9. WVASA 2023-24 Participation Percent (%) by Content Area**

Math Grades 3-8, and 11	ELA Grades 3-8, and 11	Science Grades 5, 8, and 11
1.17	1.17	1.12

Data Source: WVEIS RPTCRD24

Note: WVASA = West Virginia Alternate Summative Assessment

# Appendix A

Table 10. 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	1.12

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

Table 11. WVASA 2023-24 Participation Count (#) and Percent (%) by Grade and Content Area

Grade Level	Math (#)	Math (%)	ELA (#)	ELA (%)	Science (#)	Science (%)
3	173	1.05	173	1.05	-	-
4	202	1.31	202	1.31	-	-
5	208	1.18	208	1.18	208	1.18
6	194	1.13	194	1.13	-	-
7	224	1.29	224	1.29	-	-
8	194	1.13	194	1.13	194	1.13
11	174	1.11	174	1.11	174	1.11
<b>Total</b>	<b>1,367</b>	<b>1.17</b>	<b>1,368</b>	<b>1.17</b>	<b>562</b>	<b>1.12</b>

Data Source: WVEIS RPTCRD24  
 Note: WVASA = West Virginia Alternate Summative Assessment

# Appendix A

**Table 12. WVASA 2023-24 Participation Count (#) and Percent (%) by Gender and Content Area**

Gender	Math (#)	Math (%)	ELA (#)	ELA (%)	Science (#)	Science (%)
Male	922	1.54	922	1.54	371	1.44
Female	445	0.78	446	0.78	191	0.78
<b>Total</b>	<b>1367</b>	<b>1.17</b>	<b>1368</b>	<b>1.17</b>	<b>562</b>	<b>1.12</b>

Data Source: WVEIS RPTCRD24

Note: WVASA = West Virginia Alternate Summative Assessment

**Table 13. WVASA 2023-24 Participation Count (#) and Percent (%) by Demographic and Content Area**

Status	Math (#)	Math (%)	ELA (#)	ELA (%)	Science (#)	Science (%)
Low SES	1062	1.65	1063	1.65	445	1.67
EL	16	1.35	16	1.35	<10	<10
Homeless	101	1.50	101	1.50	41	1.54

Data Source: WVEIS RPTCRD24

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

**Table 14. WVASA 2023-24 Participation Count (#) and Percent (%) by Race/Ethnicity and Content Area**

Race/Ethnicity	Math (#)	Math (%)	ELA (#)	ELA (%)	Science (#)	Science (%)
White	1174	1.14	1175	1.14	481	1.09
Black/African American	88	1.85	87	1.82		
Hispanic or Latino						
Asian						
American Indian/Alaskan Native	<10	<10	<10	<10	<10	<10
Native Hawaiian/Pacific Islander	<10	<10	<10	<10	<10	<10
Multiple Races	62	1.14	62	1.13		
<b>Total</b>	<b>1367</b>	<b>1.17</b>	<b>1368</b>	<b>1.17</b>	<b>562</b>	<b>1.12</b>

Data Source: WVEIS RPTCRD24

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

# Appendix A

**Table 15. WVASA 2023-24 Participation Count (#) and Percent (%) by Primary Exceptionality and Content Area**

Primary Exceptionality	Math (#)	Math (%)	ELA (#)	ELA (%)	Science (#)	Science (%)
Autism	426	23.13	426	23.15	156	21.64
Blindness/Low Vision						
Deafblind	<10	<10	<10	<10	<10	<10
Deafness	0	0.00	0	0.00	0	0.00
Hard of Hearing	<10	<10	<10	<10	<10	<10
Intellectual Disability	788	21.01	789	21.00	343	22.57
Other Health Impairment	114	2.24	114	2.24	45	2.15
Orthopedic Impairment	<10	<10	<10	<10	0	0.00
Specific Learning Disability	0	0.00	0	0.00	0	0.00
Traumatic Brain Injury	10	22.22	10	22.22	<10	<10

Data Source: WVEIS RPTCRD24

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

**Table 16. Change in WVASA Participation Numbers Required to Reach 1.0% Participation in the WVASA for 2023-24**

Content Area	Number (#) Participating in Statewide Assessment	Number (#) Participating in Alternate Assessment	Change in State Participation to Reach 1.0%	Change in Alternate Participation to Reach 1.0%
Math Grades 3-8, and 11	116,748	1,367	1,167	-200
ELA Grades 3-8, and 11	116,771	1,368	1,168	-200
Science Grades 5, 8, and 11	50,314	562	503	-59

Data Source: WVEIS RPTCRD24

Note: WVASA = West Virginia Alternate Summative Assessment



# Appendix A

**Table 17. Statewide Assessment Participation Rates for “Students with Disabilities” Subgroup from SY 2023-24**

Content Area	Participation	Enrollment	Participation Percentage
Math Grades 3-8, and 11	25,187	25,977	96.96%
ELA Grades 3-8, and 11	25,203	25,977	97.02%
Science Grades 5, 8, and 11	10,080	10,560	95.45%

Data Source: ZoomWV and WVEIS RPTCRD24

**Table 18. Statewide Assessment Participation Rates for All Students from SY 2023-24**

Content Area	Participation	Enrollment	Participation Percentage
Math Grades 3-8, and 11	116,748	118,610	98.43%
ELA Grades 3-8, and 11	116,771	118,597	98.46%
Science Grades 5, 8, and 11	50,314	51,535	97.63%

Data Source: ZoomWV and WVEIS RPTCRD24

# Appendix A

Table 19. WVASA 2023-24 Participation Number (#) and Percent (%) by Gender, Race/Ethnicity, and Demographics for Each Content Area

Subgroup	Total Participation Number (#)	WVASA Participation Number (#)	WVASA Participation Percent (%)
<b>English Language Arts</b>			
All Students	116,771	1,368	1.17%
Males	59,945	922	1.54%
Females	56,826	446	0.78%
<b>Asian</b>			
Black/African American	4,769	87	1.82%
<b>Hispanic or Latino</b>			
American Indian/Alaskan Native	79		
Native Hawaiian/Pacific Islander	62		
Multiracial	5,465	62	1.13%
White	102,656	1,175	1.14%
Economically Disadvantaged	64,390	1,063	1.65%
<b>English Learners</b>			
Homeless	6,755	101	1.50%
<b>Mathematics</b>			
All Students	116,748	1,367	1.17%
Males	59,932	922	1.54%
Females	56,816	445	0.78%
<b>Asian</b>			
Black/African American	4,766		
<b>Hispanic or Latino</b>			
American Indian/Alaskan Native	79		
Native Hawaiian/Pacific Islander	62		
Multiracial	5,459	62	1.14%
White	102,641	1,174	1.14%
Economically Disadvantaged	64,364	1,062	1.65%
<b>English Learners</b>			
Homeless	6,753	101	1.50%
<b>Science</b>			
All Students	50,314	562	1.12%
Males	25,756	371	1.44%
Females	24,558	191	0.78%
<b>Asian</b>			
Black/African American	2,151		
<b>Hispanic or Latino</b>			
American Indian/Alaskan Native	35		
Native Hawaiian/Pacific Islander	30		
Multiracial	2,165		
White	44,304	481	1.09%
Economically Disadvantaged	26,722	445	1.67%
<b>English Learners</b>			
Homeless	2,658		

Data Source: WVEIS RPTCRD24

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

# Appendix B



## WV ALTERNATE STATE ASSESSMENT (WVASA) 1% GUIDANCE DOCUMENT

### WVASA SNAPSHOT AND ANTICIPATED WVASA FILES

Each LEA has a copy of the WVASA Snapshot which shows the values from the assessments given in the previous school year and a new file called the Anticipated WVASA which shows the anticipated values for the current school year. These files are located in the WV Special Education Directors Team under the LEA Secure Folder for your LEA and then in the 1% LEA Justifications subfolder. You will also see your snapshot from the previous year in there as well. 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 Anticipated WVASA file's 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. Values on the Anticipated WVASA file may vary from the actual assessment due to changes in the students IEPs or student enrollment or data errors. Please take into account the potential limitations of this data when reviewing the Anticipated WVASA file. The WVASA Anticipated file will not be used in any official capacity but is merely an additional tool to help you look critically at your data.

### LEA SUMMARY

(This section is in **both** the WVASA Snapshot and the Anticipated WVASA files.)

The first page has a summary of your data for your county. For the WVASA Snapshot file, these values come from the state assessment file for the current year. In the Anticipated WVASA file, 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 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%

Data Source: WVEIS RPTCRD23

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.

# Appendix B

## SUBGROUP INFORMATION

(This section may be in **both snapshots** . It is only shown if there are values **over 2 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 who took the WVASA by exceptionality. We have narrowed down this list from all exceptionalities so that it only shows those which have a significant number of students for 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%	3935	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 to 2 are expected variations. 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. 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 in the **anticipated snapshot**. It is only shown if there are values over 2 for any risk assessment area for a school OR if any school has greater than 2% 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 over 2.)

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 over 2. 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.

### Examples

If you have a value of 2.5 for males, that means males are 2.5 times MORE likely to be at risk to take the WVASA compared to females.

If you have a value of 0.25 for Native American students, it means that Native American students would be 4 times LESS likely to be at risk to take the WVASA than all other races.

### Risk Ratio Formula

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

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

### Risk Ratio Data Examples

Students taking any state assessment	Males taking any state assessment	All students taking WVASA	Males taking WVASA	Calculation	Risk Assessment
100	50	6	3	$(3/50)/(3/50)$	1.00
100	50	6	4	$(4/50)/(3/50)$	2.00
1000	500	60	30	$(30/500)/(30/500)$	1.00
1000	500	60	31	$(31/500)/(29/500)$	1.07

Please keep in mind that small sample sizes can cause high disproportionality values! Notice in the table above 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.

### Possible Reasons for Slightly Higher Disproportionality

Students in Low SES or Homeless environments may have less access to resources.

Males are more likely to be diagnosed with certain exceptionalities when compared to females.

## 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 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% or anticipate being over 1%, you will not be asked the additional questions, but you still need to complete the form to acknowledge you reviewed your data.

# Appendix B



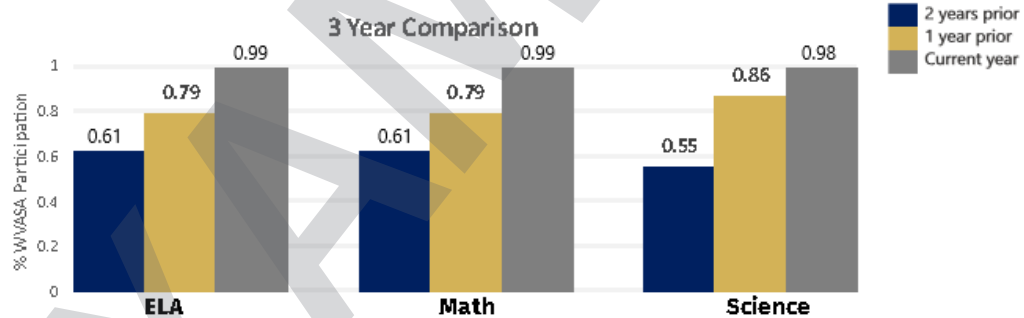
## WV ALTERNATE SUMMATIVE ASSESSMENT (WVASA) 20##-## SNAPSHOT

### 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
<b>ELA</b> Grades 3-8 and 11	10000	99	<b>0.99%</b>
<b>Math</b> Grades 3-8 and 11	10000	99	<b>0.99%</b>
<b>Science</b> Grades 5, 8, and 11	5000	49	<b>0.98%</b>

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

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

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

The following minimum values must be met for the calculation:

- > 3 or more students must be in the subgroup 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 <https://wvde.us/assessment/west-virginia-alternate-summative-assessment-3-8-and-11/>

# 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	<b>2.27%</b>
Science Grades 5, 8, and 11	500	10	<b>2.00%</b>

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.



# Appendix B

## 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 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

### 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.

# Appendix B

## 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.

**LEA Secure Folder link to SharePoint (your folder is secure so only directors, superintendents, and specified people can access):**

<https://wvk12.sharepoint.com/:f:/r/sites/WVDirectorsOfSpecialEducation/Shared%20Documents/1.%20LEA%20Secured%20Folders?csf=1&web=1&e=e31MCI>

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: 11/##/20##**

1. LEA:
2. Name:
3. Email:
4. Did your LEA assess more than 1.0% of your 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.

- |                          |   |
|--------------------------|---|
| <input type="checkbox"/> | Yes – if yes, continue to next question |
| <input type="checkbox"/> | No – if no, continue to question 10     |

# Appendix B

5. Please indicate the **level of impact** these items may have on your WVASA participation.

	Large Impact	Medium Impact	Small Impact	No Impact or N/A
Many community supports are available causing high need families to move to the LEA				
The area has a high population of Low SES families compared to the rest of the state				
There is a higher-than-state-average homeless population in the LEA				
There is a higher-than-state-average foster population in the LEA				
There has been a large number of general education students transfer out, but not many transfers of the high need students				
Case managers are incorrectly identifying students as being on alternate standards during IEP meetings (checklists are not being used)				
Other state participation guidelines are not being followed in schools				

6. Is there any other **justification of considerations** that impact which students are being assessed using the WVASA?

7. Did you have any significant 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 significant disproportionality and would need investigated.

- Yes – if yes, continue to next question
- No – if no, continue to question 10

# Appendix B

8. What area(s) was your significant disproportionality in?
9. How is your LEA **addressing disproportionality** in the percentage of any students taking the WVASA?
10. 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?

<input type="checkbox"/>	Yes – if yes, continue to next question
<input type="checkbox"/>	No – if no, submit survey

11. How are you ensuring that your LEA is **following state participation guidelines** to ensure students are taking the appropriate statewide assessment?
12. How is your LEA **addressing disproportionality** in the percentage of any students taking the WVASA?
13. What other **justification of considerations** that impact which students are being assessed using the WVASA caused your LEA to be over the 1% cap?
14. How is your LEA ensuring that all staff who participate as members of an IEP team or other placement 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?**

# 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](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

**From:** [Boyter, Lauren](#)  
**To:** [Mimi Browning](#)  
**Cc:** [OESE.ESEA.Assessment](#)  
**Subject:** RE: West Virginia 1.0 Percent State-Level Cap Waiver Extension Request 2024  
**Date:** Tuesday, March 11, 2025 2:38:21 PM  
**Attachments:** [image001.png](#)

---

Great, thank you! We will proceed with our review using the EDFacts data. That should be all the information we need, but I will let you know if we need anything else.

Thanks!

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

Email: [Lauren.Boyter@ed.gov](mailto:Lauren.Boyter@ed.gov)

Phone Number: 202 205 4675

---

**From:** Mimi Browning <mcbrowning@k12.wv.us>  
**Sent:** Tuesday, March 11, 2025 2:34 PM  
**To:** Boyter, Lauren <Lauren.Boyter@ed.gov>  
**Subject:** Re: West Virginia 1.0 Percent State-Level Cap Waiver Extension Request 2024

**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 data you provided in your email for participation of all students and all students with disabilities are correct; raw data was used for the waiver submission as the EDFacts data was not finalized at the time.

Thank you for your consideration of the waiver, please let me know if further clarification 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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[f](#) | [t](#) | [YT](#)

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---

**From:** Boyter, Lauren <[Lauren.Boyter@ed.gov](mailto:Lauren.Boyter@ed.gov)>  
**Sent:** Tuesday, March 11, 2025 8:30 AM  
**To:** Mimi Browning <[mcbrowning@k12.wv.us](mailto:mcbrowning@k12.wv.us)>  
**Cc:** OESE.ESEA.Assessment <[ESEA.Assessment@ed.gov](mailto:ESEA.Assessment@ed.gov)>  
**Subject:** RE: West Virginia 1.0 Percent State-Level Cap Waiver Extension Request 2024

Thank you for the information, Mimi! I will be on the lookout for the data verification.

Have a great day,  
Lauren

---

**From:** Mimi Browning <[mcbrowning@k12.wv.us](mailto:mcbrowning@k12.wv.us)>  
**Sent:** Monday, March 10, 2025 6:50 PM  
**To:** Boyter, Lauren <[Lauren.Boyter@ed.gov](mailto:Lauren.Boyter@ed.gov)>



**Subject:** Re: West Virginia 1.0 Percent State-Level Cap Waiver Extension Request 2024

**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 evening, Lauren,

Thank you for your response to West Virginia's waiver extension request. The West Virginia 1.0 Percent State-Level Waiver Extension Request 2024 was posted for public comment December 3, 2024 - December 17, 2024.

I have forwarded your question regarding the data to our data team, I will send you the verified or updated information as soon as I receive it from the team.

## **Mimi Browning**

Coordinator, Office of Special Education

WVDE Division of Federal Programs and Support



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**From:** Boyter, Lauren <[Lauren.Boyter@ed.gov](mailto:Lauren.Boyter@ed.gov)>  
**Sent:** Friday, March 7, 2025 5:07 PM  
**To:** Mimi Browning <[mcbrowning@k12.wv.us](mailto:mcbrowning@k12.wv.us)>  
**Cc:** Boyter, Lauren <[Lauren.Boyter@ed.gov](mailto:Lauren.Boyter@ed.gov)>; OESE.ESEA.Assessment <[ESEA.Assessment@ed.gov](mailto:ESEA.Assessment@ed.gov)>  
**Subject:** RE: West Virginia 1.0 Percent State-Level Cap Waiver Extension Request 2024

You don't often get email from [lauren.boyter@ed.gov](mailto:lauren.boyter@ed.gov). [Learn why this is important](#)

[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,

We are reviewing West Virginia's 1.0 percent waiver extension request, and we have a couple quick follow up questions.

1. In the waiver request it states that no comments were received during its public comment period. Could you please provide the dates the waiver was posted for public comment.
2. I just want to do a quick verification of the data. Please see the EDFacts record below for participation of all students and all students with disabilities. These numbers (the percentages) differ slightly from what was provided in the waiver request. Can you please verify the numbers below, or update them as appropriate?

	<b>Total Enrollment</b>	<b>Total Assessed</b>	<b>Percent Participation</b>
<b>Mathematics</b>			

Children with one or more disabilities (IDEA)	26,604	26,223	98.6%
All Students	120,047	119,065	99.2%
<b>Reading/Language Arts</b>			
Children with one or more disabilities (IDEA)	26,622	26,241	98.6%
All Students	120,078	119,095	99.2%
<b>Science</b>			
Children with one or more disabilities (IDEA)	10,393	10,187	98.0%
All Students	52,158	51,533	98.8%

Thank you for your time and have a great weekend!

Respectfully,

Lauren Boyter

Education Program Specialist

Office of Elementary and Secondary Education

U.S. Department of Education

Email: [Lauren.Boyter@ed.gov](mailto:Lauren.Boyter@ed.gov)

Phone Number: 202 205 4675

---

**From:** Hollingshead, Clayton <[Clayton.Hollingshead@ed.gov](mailto:Clayton.Hollingshead@ed.gov)>  
**Sent:** Wednesday, December 18, 2024 3:27 PM  
**To:** Mimi Browning <[mcbrowning@k12.wv.us](mailto:mcbrowning@k12.wv.us)>  
**Cc:** Michele Blatt <[mblatt@k12.wv.us](mailto:mblatt@k12.wv.us)>; Sonya White <[snjwhite@k12.wv.us](mailto:snjwhite@k12.wv.us)>; OESE.ESEA.Assessment <[ESEA.Assessment@ed.gov](mailto:ESEA.Assessment@ed.gov)>; Margaret Williamson <[mgwillia@k12.wv.us](mailto:mgwillia@k12.wv.us)>; Sheila Paitsel <[sgpaitsel@k12.wv.us](mailto:sgpaitsel@k12.wv.us)>; Vaughn Rhudy <[vrhudy@k12.wv.us](mailto:vrhudy@k12.wv.us)>; Jeffrey Kelley <[jeffrey.s.kelley@k12.wv.us](mailto:jeffrey.s.kelley@k12.wv.us)>; Peasley, Donald <[Donald.Peasley@ed.gov](mailto:Donald.Peasley@ed.gov)>; Boyter, Lauren <[Lauren.Boyter@ed.gov](mailto:Lauren.Boyter@ed.gov)>  
**Subject:** RE: West Virginia 1.0 Percent State-Level Cap Waiver Extension Request 2024

Mimi,

Acknowledging receipt. We will reach out if we have any questions.

Have a great day and a happy holiday season.

Best,

Clayton

Clayton Hollingshead

Assessment Team, School Support and Accountability (SSA)

Office of Elementary and Secondary Education (OESE)

US Department of Education

[Clayton.Hollingshead@ed.gov](mailto:Clayton.Hollingshead@ed.gov)

---

**From:** Mimi Browning <[mcbrowning@k12.wv.us](mailto:mcbrowning@k12.wv.us)>

**Sent:** Wednesday, December 18, 2024 1:57 PM

**To:** OESE.ESEA.Assessment <[ESEA.Assessment@ed.gov](mailto:ESEA.Assessment@ed.gov)>

**Cc:** Michele Blatt <[mblatt@k12.wv.us](mailto:mblatt@k12.wv.us)>; Sonya White <[snjwhite@k12.wv.us](mailto:snjwhite@k12.wv.us)>; Margaret Williamson <[mgwillia@k12.wv.us](mailto:mgwillia@k12.wv.us)>; Sheila Paitsel <[sgpaitsel@k12.wv.us](mailto:sgpaitsel@k12.wv.us)>; Vaughn Rhudy <[vrhudy@k12.wv.us](mailto:vrhudy@k12.wv.us)>; Jeffrey Kelley <[jeffrey.s.kelley@k12.wv.us](mailto:jeffrey.s.kelley@k12.wv.us)>

**Subject:** West Virginia 1.0 Percent State-Level Cap Waiver Extension Request 2024

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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 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  
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