



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

February 10, 2021

The Honorable Eric G. Mackey
State Superintendent of Education
Alabama State Department of Education
Gordon Persons Building
P.O. Box 302101
Montgomery, AL 36130-2101

Dear Superintendent Mackey:

I am writing in response to the Alabama State Department of Education's (ALSDE's) request on November 4, 2020, for a waiver of section 1111(b)(2)(D)(i)(I) of the Elementary and Secondary Education Act of 1965 (ESEA) of the requirement that a State may not assess using an alternate assessment aligned with alternate academic achievement standards (AA-AAAS) more than 1.0 percent of the total number of students in the State. Based on 2018-2019 data, and a credible estimate of students who will take an alternate assessment in 2020-2021, ALSDE has concluded that it will need to assess more than 1.0 percent of students using an AA-AAAS in the 2020-2021 school year.

After reviewing ALSDE's waiver request, I am granting, pursuant to my authority under section 8401(b) of the ESEA, for school year 2020-2021, a one-year waiver extension 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 the total number of students in the State who are assessed in reading/language arts, mathematics, and science.

As part of this waiver, ALSDE assured that it:

- Will continue to meet all other requirements of section 1111 of the ESEA and implementing 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.
- Will test at least 95 percent of all students and 95 percent of students with disabilities who are enrolled in grades for which an assessment is 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, and it will make such information publicly available.
- 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) (with the exception of incorporating principles of universal design) and will address any subgroup disproportionality in the percentage of students taking an AA-AAAS.
- Will implement, consistent with the plan submitted in the ALSDE waiver request, system improvements and will monitor future administrations of the AA-AAAS to avoid exceeding the

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

one percent cap.

I want to remind you of the requirement in 34 CFR § 200.6(c)(3)(iv) that the State must make publicly available the information submitted by an LEA justifying the need of the LEA to assess more than 1.0 percent of its students on the AA-AAAS, provided that such information does not reveal personally identifiable information about an individual student. I also encourage you to make available your State's plan and timeline and your progress to date in reducing the percentage of students taking the AA-AAAS.

Given the workplan submitted by the ALSDE, I expect to see positive results of this plan in the 2020-2021 school year and beyond. Any future requests for an extension of this waiver will be contingent on both continued progress implementing your plan and progress in reducing the percentage of students taking the AA-AAAS in all tested subjects.

Finally, in order to help all States support implementation of the 1.0 percent participation threshold for AA-AAAS participation, the Department is supporting work by the National Center on Educational Outcomes (NCEO). I note that ALSDE's 1.0 percent disproportionality methodology will follow the NCEO guidelines (e.g., determining relative risk of participating in the alternate assessment). In 2019, NCEO published several resources that may be helpful to stakeholders in your State. They may be found online at https://nceo.info/Assessments/alternate_assessments.

I appreciate the work you are doing to improve your 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,



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

cc: Maggie Hicks, Director, Assessments



STATE OF ALABAMA
DEPARTMENT OF EDUCATION



Eric G. Mackey, Ed.D.
State Superintendent of Education

December 1, 2020

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Dr. Donald Peasley
Assessment Team Lead, School Support and Accountability
Office of Elementary and Secondary Education
U.S. Department of Education
400 Maryland Avenue Southwest
Room 3C112
Washington, DC 20202

Dear Dr. Peasley:

Please find enclosed with this letter Alabama's request for a waiver extension pursuant to 34 C.F.R. 200.6(c)(4). The Alabama State Department of Education is seeking a waiver extension of 34 C.F.R. 200.6(c)(4) for the 2020-2021 school year from the Secretary of the United States Department of Education (USDOE). This regulation limits the number of students assessed in a subject area using an alternate assessment to no more than one percent (1%) of the total number of students assessed in the state. Alabama is requesting a waiver in the subjects of reading/English language arts, math, and science.

Please contact Mrs. Maggie Hicks at mhicks@alsde.edu to discuss the content of this waiver extension request or to address questions. We look forward to working with staff at the USDOE to achieve a positive response to the request.

Sincerely,

Eric G. Mackey
State Superintendent of Education

EGM:MH

Attachments:

- Attachment 1: Alabama State Department of Education AA-AAAS 1% Cap Waiver Extension Request Pursuant to 34 C.F.R 200.6(c)(4)
- Attachment 2: Alabama 2019-2020 and 2020-2021 Projected Enrollment 1%
- Attachment 3: Alabama Memo to Superintendents
- Attachment 4: Alabama Sample Email to Superintendents Over the 1% Cap
- Attachment 5: Alabama PowerPoint for Introduction - Over 1% Cap
- Attachment 6: Alabama Justification and Assurances Form
- Attachment 7: Guidance for IEP Teams on Participation Decisions for ACAP Alternate

System Name	Subject	Grade	Subpopulation	TotalTested	ParticipationRate	Alternate	AlternateAssessmentTestedPercent
Alabama State Department of Education	Math	AG	All Students	389283	100	5006	1.29
Alabama State Department of Education	Reading	AG	All Students	389283	100	5006	1.29
Alabama State Department of Education	Science	AG	All Students	220445	100	2831	1.28
Alabama State Department of Education	Math	AG	Students with Disabilities	55194	100	5005	9.07
Alabama State Department of Education	Reading	AG	Students with Disabilities	55194	100	5005	9.07
Alabama State Department of Education	Science	AG	Students with Disabilities	29958	100	2831	9.45
Alabama State Department of Education	Math	AG	Female	189802	100	1794	
Alabama State Department of Education	Reading	AG	Female	189802	100	1794	
Alabama State Department of Education	Science	AG	Female	107800	100	1019	
Alabama State Department of Education	Math	AG	Male	199430	100	3212	1.61
Alabama State Department of Education	Reading	AG	Male	199430	100	3212	1.61
Alabama State Department of Education	Science	AG	Male	112595	100	1812	1.61
Alabama State Department of Education	Math	AG	American Indian/Alaskan Native	3243	100	26	
Alabama State Department of Education	Reading	AG	American Indian/Alaskan Native	3243	100	26	
Alabama State Department of Education	Science	AG	American Indian/Alaskan Native	1915	100	16	
Alabama State Department of Education	Math	AG	Asian	5873	100	58	
Alabama State Department of Education	Reading	AG	Asian	5873	100	58	
Alabama State Department of Education	Science	AG	Asian	3303	100	24	
Alabama State Department of Education	Math	AG	Black or African American	127149	100	2090	1.64
Alabama State Department of Education	Reading	AG	Black or African American	127149	100	2090	1.64
Alabama State Department of Education	Science	AG	Black or African American	71699	100	1217	1.7
Alabama State Department of Education	Math	AG	Hispanic/Latino	35715	100	409	1.15
Alabama State Department of Education	Reading	AG	Hispanic/Latino	35715	100	409	1.15
Alabama State Department of Education	Science	AG	Hispanic/Latino	19650	100	215	1.09
Alabama State Department of Education	Math	AG	White	206945	100	2320	1.12
Alabama State Department of Education	Reading	AG	White	206945	100	2320	1.12
Alabama State Department of Education	Science	AG	White	118278	100	1302	1.1
Alabama State Department of Education	Math	AG	Native Hawaiian/Pacific Islander	443	100		1.13
Alabama State Department of Education	Reading	AG	Native Hawaiian/Pacific Islander	443	100		1.13
Alabama State Department of Education	Science	AG	Native Hawaiian/Pacific Islander	253	100		
Alabama State Department of Education	Math	AG	Two or More Races	9864	100	98	
Alabama State Department of Education	Reading	AG	Two or More Races	9864	100	98	
Alabama State Department of Education	Science	AG	Two or More Races	5297	100	55	1.04
Alabama State Department of Education	Math	AG	Migrant	629	100		
Alabama State Department of Education	Reading	AG	Migrant	629	100		
Alabama State Department of Education	Science	AG	Migrant	324	100		
Alabama State Department of Education	Math	AG	Students with Limited English Proficiency	17130	100	249	1.45
Alabama State Department of Education	Reading	AG	Students with Limited English Proficiency	17130	100	249	1.45
Alabama State Department of Education	Science	AG	Students with Limited English Proficiency	8427	100	127	1.51
Alabama State Department of Education	Math	AG	Economically Disadvantaged	207485	100	3130	1.51
Alabama State Department of Education	Reading	AG	Economically Disadvantaged	207485	100	3130	1.51
Alabama State Department of Education	Science	AG	Economically Disadvantaged	114392	100	1763	1.54
Alabama State Department of Education	Math	AG	All Title1	251150	100	3292	1.31
Alabama State Department of Education	Reading	AG	All Title1	251150	100	3292	1.31
Alabama State Department of Education	Science	AG	All Title1	131755	100	1753	1.33
Alabama State Department of Education	Math	AG	Homeless	5711	100	86	1.51
Alabama State Department of Education	Reading	AG	Homeless	5711	100	86	1.51
Alabama State Department of Education	Science	AG	Homeless	3115	100	57	1.83
Alabama State Department of Education	Math	AG	Foster	1430	100	70	4.9
Alabama State Department of Education	Reading	AG	Foster	1430	100	70	4.9
Alabama State Department of Education	Science	AG	Foster	847	100	43	5.08
Alabama State Department of Education	Math	AG	Military Affiliated	8260	100	72	
Alabama State Department of Education	Reading	AG	Military Affiliated	8260	100	72	
Alabama State Department of Education	Science	AG	Military Affiliated	4629	100	42	

Attachment 2: Alabama 2019-2020 and 2020-2021 Projected Enrollment 1%

Alabama Alternate State Participation 2018-2019

System Name	Subject	Grade	Subpopulation	Total Tested	Participation Rate	Alternate Total Tested	Alternate Tested Percent
State of Alabama	Math	AG	All Students	388991	99.12	4912	1.26
State of Alabama	Reading	AG	All Students	389043	99.12	4914	1.26
State of Alabama	Science	AG	All Students	163386	98.39	2062	1.26
State of Alabama	Math	AG	Students with Disabilities	53434	98.16	4912	9.19
State of Alabama	Reading	AG	Students with Disabilities	53467	98.23	4914	9.19
State of Alabama	Science	AG	Students with Disabilities	20669	96.88	2062	9.98
State of Alabama	Math	AG	Female	189981	99.25	1760	
State of Alabama	Reading	AG	Female	190005	99.25	1762	
State of Alabama	Science	AG	Female	80306	98.6	761	
State of Alabama	Math	AG	Male	198931	98.95	3147	1.58
State of Alabama	Reading	AG	Male	198959	98.96	3147	1.58
State of Alabama	Science	AG	Male	83005	98.1	1298	1.56
State of Alabama	Math	AG	American Indian/Alaskan Native	3846	99.17	22	
State of Alabama	Reading	AG	American Indian/Alaskan Native	3844	99.2	22	
State of Alabama	Science	AG	American Indian/Alaskan Native	1651	98.68	10	
State of Alabama	Math	AG	Asian	5775	99.48	62	1.07
State of Alabama	Reading	AG	Asian	5773	99.29	62	1.07
State of Alabama	Science	AG	Asian	2364	99.16	18	
State of Alabama	Math	AG	Black or African American	126263	98.79	1982	1.57
State of Alabama	Reading	AG	Black or African American	126351	98.86	1983	1.57
State of Alabama	Science	AG	Black or African American	52940	97.71	841	1.59
State of Alabama	Math	AG	Hispanic/Latino	34189	99.2	354	1.04
State of Alabama	Reading	AG	Hispanic/Latino	34088	98.87	354	1.04
State of Alabama	Science	AG	Hispanic/Latino	13658	98.49	150	1.1
State of Alabama	Math	AG	White	208991	99.18	2266	1.08
State of Alabama	Reading	AG	White	209056	99.21	2267	1.08
State of Alabama	Science	AG	White	88812	98.61	959	1.08
State of Alabama	Math	AG	Migrant	716	99.44		
State of Alabama	Reading	AG	Migrant	713	98.34		
State of Alabama	Science	AG	Migrant	275	98.92		



STATE OF ALABAMA
DEPARTMENT OF EDUCATION



Eric G. Mackey, Ed.D.
State Superintendent of Education

October 21, 2020

MEMORANDUM

TO: City and County Superintendents of Education

FROM: Eric G. Mackey *EGM*
State Superintendent of Education

RE: One Percent (1%) Threshold on Alternate Assessments

The *Every Students Succeeds Act* (ESSA) requires states to ensure that the total number of students assessed in each subject using an alternate assessment (for a student with a significant cognitive disability) does not exceed one percent (1%) of the total number of students in the state assessed with statewide assessments. In Alabama, *the definition of a student with the most significant cognitive disability is a student with an intelligence quotient (IQ) of three standard deviations below the mean which is an IQ score of 55 or below that significantly impacts intellectual functioning and that exists concurrently with deficits in adaptive functioning (defined as essential for someone to live independently and to function safely in daily life).* [AAC 290-4-2-.03]

The Alabama State Department of Education (ALSDE) has compiled projected district data from enrollment of students who will participate in the 2020-2021 *Alabama Comprehensive Assessment Program (ACAP) Alternate Assessment*. The ALSDE will notify the superintendent of each district that has exceeded the one percent (1%) projected participation no later than October 30, 2020. The ALSDE will make available information about required training and requirements for the upcoming year.

If you have any questions, please contact Mrs. Maggie Hicks, Student Assessment, at 334-694-4817 or by email at mhicks@alsde.edu.

EGM/MH

cc: City and County System Test Coordinators
City and County Special Education Coordinators
Dr. Daniel Boyd
Mrs. Angela Martin

FY21-2019

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From: [Hicks Maggie](#)
To: [REDACTED]
Cc: [REDACTED]
Subject: One Percent Threshold/Cap for Alternate Assessments
Date: Friday, October 30, 2020 9:41:00 PM
Attachments: [REDACTED] [.1% Cap.docx](#)

Dear [REDACTED]:

The *Every Student Succeeds Act* (ESSA) requires states to ensure that the total number of students assessed in each subject using an alternate assessment for a student with a significant cognitive disability does not exceed one percent (1%) of the total number of students in the state assessed with Alabama statewide assessments. ESSA also places a 1% threshold on the state participation rate for each content area of the alternate assessment. The 1% threshold is based on the total number of all students in the state assessed in each content area.

In Alabama, the definition of a student with the most significant cognitive disability is a student with an intelligence quotient (IQ) of three standard deviations below the mean, which is an IQ score of 55 or below, that significantly impacts intellectual functioning and that exists concurrently with deficits in adaptive functioning (defined as essential for someone to live independently and to function safely in daily life). As a rule, a student having a significant cognitive disability is not solely determined by an IQ test score, but rather by a holistic understanding of a student. An alternate assessment, based on alternate standards, ensures that all students are able to participate in instruction and assessments to measure what a student knows and can do in relation to the grade-level course of study.

In March 2020, COVID-19 resulted in widespread and extended school closures. As a result, it was not feasible for most schools to administer annual statewide assessments. For that reason, the U.S. Department of Education (Department) encourages a State to use current year (2020-2021) enrollment data to make a credible estimate of the number and percentage of students who will take the Alabama Comprehensive Assessment Program (ACAP) Alternate in 2020-2021. The Department also stated that a State could use the data of who would have taken the *ACAP Alternate* in 2019-2020, if testing had been conducted. States are also required to provide actual participation data, overall and by subgroup, from school year 2018-2019. From this guidance, the Alabama State Department of Education (ALSDE) compiled a list of schools that either have three (3) consecutive years over one percent (1%) or a school is over for the first time (according to enrollment) for 2020-2021. When calculating the data, the ALSDE considered only the grade levels (3-8 and 11) factored into federal accountability.

This email serves as notification that your district has one or more schools that have exceeded the one percent (1%) threshold/cap as defined by the Department. The attached information includes a list of schools that meet the above definitions.

In an effort to support each district over the 1% threshold/cap, Student Assessment and Special Education Services will provide guidance and support through a WebEx for the System Test Coordinators and the Special Education Coordinators on November 4, 2020 to give an overview of the ALSDE oversight and monitoring guidelines ([see below for login information to this required training](#)).

For each school over the 1% threshold/cap, a Principal, Special Education Coordinator, System Test Coordinator and a lead Special Education Teacher will be required to attend trainings starting in December aimed at improving assessment participation. Additional

information will be provided to your Coordinators on November 4.

If you have questions, please do not hesitate to contact me.

Sincerely,

Maggie Hicks
Student Assessment
Alabama State Department of Education
50 North Ripley Street
Montgomery, Alabama 36104
Office (334) [REDACTED]

Overview of oversight and monitoring guidelines

Topic: One Percent (1) Coordinators

Host: Maggie Hicks

Date: Wednesday, November 4, 2020

Time: 1:00 pm, Central Standard Time (Chicago, GMT-06:00)

Session number: 145 391 8976

Session password: onepercent

To join the training session

1. Go to [REDACTED]
2. Enter your name and email address.
3. Enter the session password: onepercent
4. Click "Join Now".
5. Follow the instructions that appear on your screen.

One Percent Threshold/Cap for Alternate Assessments



System Test Coordinators
Special Education Coordinators
November 2020

USDOE Memorandum

- ESEA section 1111 (b)(2)(D) and 34 CFR 200.6© and(d) contain requirements for the participation of students with the most significant cognitive disabilities in the AA-AAAS.
 - Limits the total number of students with the most significant cognitive disabilities who are assessed Statewide with an AA-AAAS to 1.0 percent of the total number of students in the State who are assessed in that subject.

USDOE Memorandum

- States **must**:
 - Not **prohibit** an LEA from assessing **more than** 1% with an alternate assessment.
 - Require that an LEA submit information **justifying** the **need** of the LEA to assess more than 1% of its assessed students with an alternate assessment.
 - Provide appropriate **oversight**, as determined by the State, of an LEA that is required to submit information to the State.
 - Must make LEA justifications publicly available, if it does not reveal personally identifiable information and an individual student.

USDOE Memorandum

- Show the number and percentage of students in each subgroup who took or will take an alternate assessment.
 - Subgroups:
 - Male or Female
 - Hispanic/Latin, White, Black or African American, American Indian, Asian, Native Hawaiian
 - Non-English Learner or English Learner
 - Poverty or Non-poverty
 - Two or More Races
 - Non-Migrant

Justification

- Notification to LEAs to be over the 1% participation in any subject on a State alternate assessment
- Justification
 - Explain **WHY** your LEA exceeds the 1% threshold
 - Assurance
 - Superintendent electronically signs the form
 - Submitted to ALSDE Student Assessment by November 20, 2020

Federal law requires the use of an alternate assessment for students with significant cognitive disabilities receiving special education services who cannot participate in the state assessment program. Each state is required to establish the state's definition of "**significant cognitive disabilities.**"

- In Alabama, the definition of a student with the most significant cognitive disability is a student with an intelligence quotient (IQ) of three standard deviations below the mean, which is an IQ of 55 or below or that significantly impacts intellectual functioning and that exists concurrently with deficits in adaptive functioning (defined as essential for someone to live independently and to function safely in daily life). As a rule, a student having the most significant cognitive disability is not determined by an IQ test, but rather a holistic understanding of a student.

In March 2020, COVID-19 resulted in widespread and extended school closures.

- As a result, it was not feasible for most schools to administer annual statewide assessments.
- The U.S. Department of Education (Department) encouraged a State to use current year (2020-2021) enrollment data to make a credible estimate of the number and percentage of students who will take the Alabama Comprehensive Assessment Program (ACAP) Alternate in 2020-2021.
- The Department also stated that a State could use the data of who would have taken the *ACAP Alternate* in 2019-2020, if testing had been conducted.
- States are also required to provide actual participation data, overall and by subgroup, from school year 2018-2019.

When calculating the data, the ALSDE considered only the grade levels factored into federal accountability.

Years	Calculation
2018-1019	Grades 3-8 and 10 (AAA)
2019-2020	Grades 3-8 and 11 (Enrollment - students who would have taken the ACAP Alternate)
2020-2021	Grades 3-8 and 11 (Enrollment)

- From guidance given by the USDOE, the Alabama State Department of Education (ALSDE) compiled a list of schools that either
 - had three (3) consecutive years over one percent (1%) or
 - is over for the first time (according to enrollment) for 2020-2021.



Universal, Targeted, & Intensive

Levels of Training on 1% Threshold Requirement



Universal

- All Local Education Agencies will participate in a virtual deep dive into the ACAP Alternate Participation Manual.

Targeted

Schools over the 1% threshold requirement for the first time in the 2020-2021 school year:

- Facilitated training
- Review of the ACAP Alternate Participation Manual
- Assignment submissions

Intensive

Schools over the 1% threshold requirement each year for the past three school years:

- Review of the ACAP Alternate Participation Manual
- Training on Learner Characteristics Inventories (LCI)
- Training on ACAP Alternate Participation Decision Documentation Worksheet
- Assignment submissions

Training

DATE	Time	Audience	Link
December 3, 2020	11:00 am	Universal	<u>One Percent (1%) Threshold/Cap Training - Universal</u>
January 14, 2021	1:00 pm	Intensive	<u>One Percent (1%) Threshold/Cap Training - Intensive</u>
January 19, 2021	9:00 am	Targeted	<u>One Percent (1%) Threshold/Cap Training - Targeted</u>



Questions



Alabama State Department of Education
AA-AAAS 1.0 percent Cap Waiver Extension
Request Pursuant to 34 C.F.R 200.6(c)(4)
December 2020



Alabama State Department of Education
AA-AAAS 1.0 percent Cap Waiver Extension
Request Pursuant to 34 C.F.R 200.6(c)(4)

Pursuant to 34 C.F.R. 200.6(c)(4), the Alabama State Department of Education (ALSDE) is seeking a waiver extension of 34 C.F.R. 200.6(c)(4) for the 2020-2021 school year from the Secretary for the United States Department of Education. This regulation limits the number of students assessed in a subject area using an alternate assessment to no more than one percent (1.0 percent) of the total number of students assessed in the state. Alabama is requesting a waiver in the subjects of reading/English language arts, math, and science.

The Alabama State Department of Education (ALSDE) is actively engaged in following the guidance outlined in the USDOE memo titled *Requirements for the Cap on the Percentage of Students Who may be Assessed with an Alternate Assessment Aligned with Alternate Academic Achievement Standards* at the time of its release dated May 16, 2017 and the memo dated June 9, 2020 titled *Additional Information Regarding the Requirements to Request a Waiver for the 2020-2021 School Year (SY) from the One Percent Cap on the Percentage of Students With the Most Significant Cognitive Disabilities Who May Be Assessed with an Alternate Assessment Aligned with Alternate Academic Achievement Standards (AA-AAAS)*.

Requirement 1 (200.6(c)(4)) Submission 90-Days Prior to State Testing Window Opening

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

The ALSDE is submitting a waiver extension request to the U.S. Department of Education 90 days prior to the start of the *Alabama Comprehensive Assessment Program (ACAP) Alternate* testing window. The ACAP Alternate testing window start date for each subject will be March 1, 2021.

Requirement 2 (200.6(c)(4)) State Level Data

- (ii) *Provide State-level data, from the current or previous school year, to show (A) The number and percent of students in each subgroup who would have taken the alternate assessment aligned with alternate academic achievement standards in 2019-2020 and students who are projected to take the alternate assessment in 2020-2021; and (B) the State has measured the achievement of at least 95 percent of all students and students with disabilities enrolled in the grades for which the AA-AAAS is required.*

The ALSDE has conducted an extensive review of the data from Alabama's statewide alternate assessment, *Alabama Alternate Assessment*, for school year 2018-2019 school year. The purpose of the review was to determine the participation rates of students participating in the alternate assessments. For the school year 2018-2019, the data revealed that just over 1.0 percent of Alabama students participated in each of the content areas included on the Alabama Alternate Assessment. Based on the data, the state anticipated and exceeded the 1.0 percent threshold enacted by ESSA for school year 2018-2019.

Alabama follows the federal participation requirements for assessment and requires all students enrolled in public schools to be assessed with accommodations, without accommodations, or with the Alabama Alternate Assessment. Alabama requires that all students enrolled in public schools be assessed with the general assessment, the general assessment with accommodations, or with an alternate assessment.

For school year 2018-2019, the Department noted that States should provide actual participation data from SY 2018-2019. Alabama has met or exceeded the federal guidelines set at 95 percent participation rate of all students for 2018-2019:

2018-2019 Alabama Participation Rate	
Reading	99.11%
Math	99.1%
Science	98.37%

Due to COVID-19, ALSDE was unable to complete testing for the 2019-2020 school year and disrupted procedures in place to address fulfilling the timeline submitted for the approved extension waiver for the 2019-2020 school year. Alabama requested a waiver from assessments and was granted a waiver. The Department provided additional guidance on June 9, 2020 encouraging states *to use current year IEP or test registration data to make a credible estimate of the number and percentage of students who will take the AA-AAAs in SY 2020-21 or who would have taken the AA-AAAS in SY 2019-2020 if testing had been conducted.* Alabama considered data from both years (attachment 1) to address any issues that are noted within data review.

Requirement 3 (200.6(c)(4)) Assurances

(iii) *Include assurances from the State that it has verified each LEA that the State anticipates will assess more than 1.0 percent of its assessed students in any subject using AA-AAAS did the following:*

(A) Each LEA will follow the State’s participation guidelines;

The ALSDE will continue to analyze and monitor data on a quarterly basis. The ALSDE will monitor districts over the 1.0 percent cap and review all documentation of LEA training and guidance. The ALSDE will continue to provide professional learning and/or technical assistance for IEP Team members and other educators, particularly on the design of the new *Alabama Comprehensive Assessment Program (ACAP) Alternate* and the students who are eligible to participate according to state guidelines found in the *Guidance for IEP Teams on Participation Decisions for ACAP Alternate.*

The ALSDE required all districts that were over 1.0 percent of their students during the 2018 – 2019 school year, were required to complete assurance justifications that addressed:

1. How all IEP Team personnel were trained;
2. If the IEP Team utilized the ALSDE guidance for each student who would participate in the alternate assessment;
3. Why the LEA/School exceeded the 1.0 percent in any subject; and

4. The steps the LEA would utilize to address the number of students that would participate in the alternate assessment.
5. IEP Team made decisions based upon the needs of the child.

Again, for 2020-2021, all districts projected over the 1.0 percent cap will submit justification assurances for the overage. ALSDE will monitor these justifications and address any issues that arise with any LEA due to information provided.

(B) How the LEA will address any disproportionality in the students taking the alternate assessment:

LEAs will be required to analyze the data by subgroup to determine whether disproportionality exists for students participating in the alternate assessment. Analysis will consist of reviewing current and previous years' alternate assessment participation rates to determine if assessment decisions are consistently made regardless of race, gender, economic status, and English Learner status.

In the event the data reveals any disproportionality in the percentage of students participating in the alternate assessment, the ALSDE will address the issues as follows:

- Determine LEAs whose data indicate disproportionality in the percentage of students participating in the alternate assessment.
- Monitor LEAs with the highest rates of disproportionality.
- Review student folders of students in the affected subgroup to determine whether the decision for a student to participate on the alternate assessment met the criteria.

LEAs with unusual data patterns or high rates may require additional examination to determine if there are unique reasons for higher percentages of students participating in the alternate assessment.

In the event a decision for a student's participation in the alternate assessment did not meet the criteria pursuant to state guidance, the ALSDE will assist the LEA in a review of the student's eligibility for participation in the *ACAP Alternate* and will provide professional learning opportunities and/or technical assistance to LEAs and schools with disproportionality.

Requirement 4 (200.6(c)(4))

(iv) Submit a plan and timeline by which the following will be accomplished:

(A) The State will improve the implementation of its participation guidelines, including if necessary, revising its definition of "students with the most significant cognitive disabilities";

Alabama introduced a new definition for "students with the most significant cognitive disabilities" in 2018-2019. In Alabama, the definition of a student with the most significant cognitive disability is a student with an intelligence quotient (IQ) of three standard deviations below the mean, which is an IQ score of 55 or below, that significantly impacts intellectual functioning and that exists concurrently with deficits in adaptive functioning (defined as essential for someone to live independently and to function safely in daily life). As a rule, a student having a significant

cognitive disability is not solely determined by an IQ test score, but rather by a holistic understanding of a student.

(B) State will take additional steps to support and provide appropriate oversight to each LEA that the State anticipates will assess more than 1.0 percent of its assessed students in a given subject in a school year using an alternate assessment aligned with alternate academic achievement standards to ensure that only students with the most significant cognitive disabilities take an alternate assessment aligned with alternate academic achievement standards. The State must describe how it will monitor and regularly evaluate each such LEA to ensure that the LEA provides sufficient training such that school staff who participate as members of an IEP team or other placement team understand and implement the guidelines established by the State so that all students are appropriately assessed; and

Alabama continues to provide professional learning and/or technical assistance that includes:

- Using guidance provided to make state assessment participation decisions.
- Selecting, implementing, and evaluating accessibility and accommodation supports for instruction and assessments.
- Differentiating instruction and providing better access to academic content.
- Having high expectations for all students regardless of the category of their disability.
- Ensuring parents are clearly informed that their child's academic achievement will be measured based on alternate achievement standards and participation in an alternate assessment may delay or otherwise affect the student from completing the requirements for a regular high school diploma.

The ALSDE will ensure that informational resources are available to parents of students with disabilities so they can contribute in the IEP decision-making process regarding the assessment in which their child participates. Parent informational resources will include information regarding:

- Accommodations that enable students to participate in the state assessment.
- Components of the definition of a student with a significant cognitive disability.
- Criteria for participation in the alternate assessment.
- Diploma aligned to the alternate achievement standards and its impact on post-secondary outcomes.

(C) The State will address any disproportionality in the percentage of students taking an alternate assessment aligned with alternate academic achievement standards:

The ALSDE will monitor the percentage of students participating in the *ACAP Alternate* by undertaking the following activities:

- Gathering LEA and school data on current and previous years' *ACAP Alternate* participation rates in each subject.
- Analyzing the data by subgroups, such as disability, race/ethnicity, gender, English learner, and poverty and non-poverty to determine whether disproportionality exist.

- Ongoing analysis and monitoring of current alternate assessment data.
- Requiring justification from LEAs that exceed the 1.0 percent cap.
- Providing professional learning and/or technical assistance to LEAs.
- Addressing disproportionality with LEAs and schools through professional learning and/or technical assistance.

Requirement 5 (200.6(c)(4))

(v) *If the State is requesting to extend a waiver for an additional year, the State is to meet the requirements of 200.6(c)(4)(i) – (iv), as well as show substantial progress toward the achievement of each component of the previous year’s plan and timeline. In creating the plan and timeline, the State must address three areas:*

(a) how the state will improve implementation of its guidelines for participation in the alternate assessment;

ALSDE completed an extensive monitoring and training schedule during the 2019-2020 school year to enhance awareness of the 1.0 percent cap. For the 2020-2021 school year, ALSDE will implement intense training addressing three groups:

1. Universal Audience – Any personnel within an LEA, but the Special Education Coordinator and the System Test Coordinator are required to attend the training along with any school personnel noted as a Targeted School or an Intensive School. On-demand training including a deep dive into the ACAP Alternate Participation Manual and Decision-Making Tool as well as a review of the federal requirements. The participants will be required to complete a post-training survey.
2. Targeted Schools – Personnel, to include the Special Education Coordinator, System Test Coordinator, Principal and Lead Special Education Teacher, of any school over the 1.0 percent cap for the first time in either 2019-2020 or 2020-2019. Training will include a deep dive into the ACAP Alternate Participation Decision Worksheet and a guide through the process with two sample students. The participants will complete a post-training survey.
3. Intensive Schools – Personnel, to include the Special Education Coordinator, System Test Coordinator, Principal and Lead Special Education Teacher, of any school over the 1.0 percent cap for three years consecutive years (2018-2019, 2019-2020, and 2020-2019). Training will include a review of the ACAP Alternate Participation Manual, the Learner Characteristics Inventory (LCI) the ACAP Alternate Participation Decision-Making Tool, and the ACAP Alternate Participation Decision Worksheet. Assignments will be given to schools and will be required to complete submissions of the assigned work to ALSDE.

All educators, including those who are not members of an IEP Team, must have a solid understanding of how to make appropriate instruction and assessment decisions for all students, including students who may be candidates to participate in alternate assessments. The ALSDE will continue to provide professional learning and/or technical assistance on accessibility and accommodation supports available for the general assessments as those supports enable most students with and without disabilities to meaningfully participate in the general assessment.

(b) how the state will monitor and regularly evaluate each LEA; and

Alabama will follow an intense monitoring schedule, in conjunction with the Special Education Services section, allowing for desk audits to review all documentation utilized to evaluate a school that is projected to be over the 1.0 percent cap for the 2020-2021 school year. Alabama will also require annual justifications from LEAs and schools that have exceeded the 1.0 percent cap.

Special Education Services monitors the 1.0 percent cap as part of the State Compliance monitoring process. Each LEA on the cycle for monitoring provides the *Participation Documentation Form* which includes the data/information used by the IEP Team to determine if a student meets the criteria to participate in the ACAP Alternate. Monitors review the data/information and using professional judgement, make an at a glance determination regarding the decision. If there are questions or concerns regarding the IEP Team decision for assessment participation, the matter is discussed with the Special Education Coordinator and team at an exit conference.

The Office of Assessment will monitor LEAs and schools that have been identified as being over the 1.0 percent cap for either one year or for the three consecutive years. Monitors will meet with both the System Test Coordinator and Special Education Coordinator to discuss documentation that was submitted to ALSDE. Monitors will also review the justifications and assurances to make certain that the LEA/school are examining their data to determine all students that are projected to take the ACAP Alternate have been appropriately identified.

(c) any disproportionality in the percentage of students taking the alternate assessment.

The ALSDE has collected LEA and school data on the previous years' participation rates in each subject of the alternate assessment. It is important for the ALSDE to identify whether students participating in the *ACAP Alternate* are students clustered in "subgroups," such as category of disability under the *Individuals with Disabilities Education Act* (IDEA); racial/ethnic groups; gender; English Learners; or poverty and non-poverty. These data will help the ALSDE understand whether there are:

- LEAs or schools in which the numbers of students participating in alternate assessments are higher than expected.
- Certain grades in which participation in the alternate assessment is higher than expected.
- Potential disproportionality in specific subgroups and grade levels of students participating in the alternate assessments.

Listed below are actions the ALSDE believes will reduce the 1.0 percent cap of Alabama students participating in the *ACAP Alternate*.

- Identifying LEAs with more than 1 percent of its students participating in the *ACAP Alternate*.
- Identifying LEAs with subgroups that disproportionately participate in the *ACAP Alternate*.
- Monitoring LEAs with more than 1.0 percent of their students participating in the *ACAP Alternate*.
- Providing professional learning and/or technical assistance to districts to ensure IEP Teams

- make decisions so that the appropriate student is participating in the appropriate assessment.
- Providing 1.0 percent cap training for schools consistently over the 1.0 percent cap. Personnel required to attend this training include the System Test Coordinators, Special Education Coordinators, Principals, and lead Special Education Teachers/Case Managers.

**Guidance for IEP Teams
on
Participation Decisions
for the
ACAP Alternate**



**Alabama State Department of Education
Student Assessment and Special Education Services
March 2019**

Individualized Education Program (IEP) Team Decision-Making Guidelines Regarding Student Participation in the Alabama Alternate Assessment Program

Introduction

The IEP Team makes many important decisions regarding programs and services available to students eligible for special education and related services. One important decision involves a determination of how a student will participate in the Alabama Student Assessment Program; either in (1) the general education assessment with or without allowable accommodations, or (2) an alternate assessment for students unable to participate in the general assessment, even with allowable accommodations, due to significant cognitive disabilities.

IEP Teams should begin this decision-making process with the understanding that **all** students, including all students eligible for special education, can learn grade-level content and should participate in the general education assessment to the maximum extent possible. However, there are times in which the IEP Team can determine that an alternate assessment is necessary and appropriate for a relatively small group (approximately 1%) of the *total tested* population. For example, if the *total tested* population in a school district is 4,000, then 40 students would represent 1% of the *total tested* population.

This document is intended to help guide Individualized Education Program (IEP) Teams to determine whether the Alabama Alternate Assessment Program, an alternate assessment program based on alternate achievement standards, is the appropriate assessment for a student with the most significant cognitive disabilities. The Alabama Alternate Assessment Program was developed to ensure that all students are able to participate in an assessment that is a measure of what students know and can do in relation to the grade-level state content standards. As part of a system comprised of curriculum, instruction and assessment, the assessment program allows students with the most significant cognitive disabilities the ability to participate in content instruction and assessments that are aligned to the state standards.

General Criteria

The decision about how an eligible student participates in the Alabama Student Assessment Program is an IEP Team decision, **not an administrative decision**. The IEP Team should use the following criteria for determining the extent to which a student can participate in the general education assessment, with or without allowable accommodations, or whether the student should participate in the alternate assessment.

1. The student must be eligible for special education and must have an Individualized Education Program (IEP) in effect at the time of the decision.
2. IEP Team decisions regarding a student's participation in the Alabama Student Assessment Program must be based on both current available data and consideration of historical

evaluations and instructional data relevant to the student.

3. The IEP Team's decision should be based on the student's present levels of educational performance, need for specially designed instruction, current annual goals, learner characteristics and access to the general education curriculum.
4. The IEP Team's decision regarding a student's participation in statewide assessments must be made at a scheduled IEP Team meeting that **precedes** administration of the statewide assessment.

Avoid the Following as Criteria for Participation Decisions

Other issues may affect a student's learning experience and his or her ability to learn that are **NOT** appropriate to consider during the decision-making process for the Alabama Alternate Assessment Program. These are:

1. A disability category or label
2. Poor attendance or extended absences
3. Native language/social/cultural or economic difference
4. Expected poor performance on the general education assessment
5. Academic and other services student receives
6. Educational environment or instructional setting
7. Percent of time receiving special education services
8. English Learner (EL) status
9. Low reading level/achievement level
10. Anticipated disruptive behavior
11. Impact of test scores on the State's accountability system
12. Administrative decision
13. Anticipated emotional distress
14. Need for accommodations (e.g. assistive technology, communication device, etc.) to participate in assessment

Alabama Alternate Assessment Program

Federal law requires the use of an alternate assessment for students with the most significant cognitive disabilities receiving special education services who cannot participate in the state assessment program. Each state is required to establish the state's definition of "significant cognitive disabilities." In Alabama, the definition of a student with the most significant cognitive disability is a student with an intelligence quotient (IQ) of three standard deviations below the mean, which is an IQ score of 55 or below, that significantly impacts intellectual functioning and that exists concurrently with deficits in adaptive functioning (defined as essential for someone to live independently and to function safely in daily life). As a rule, a student having a significant cognitive disability is not solely determined by an IQ test score, but rather by a holistic understanding of a student. IEP Teams should use this definition as part of the determination for a student to participate in the alternate assessment program. As determined by the student's IEP, a student receiving instruction on the alternate achievement standards, an extension of the grade-level state content standards, meets one part of the eligibility to participate in the alternate assessment program.

Additional criteria for a student with significant cognitive disability references students who require intensive or extensive levels of direct support that is not of a temporary or transient nature. A student with a significant cognitive disability may also require specially designed instruction to acquire, maintain or generalize skills in multiple settings in order to successfully transfer skills to natural settings including the home, school, workplace, and community.

For students with an IQ measured in the 55-70 range, additional factors related to the severity and impact of the disability must be taken into account. Neither the special education disability category nor a given standardized IQ score can be the sole factor considered when determining instructional standards and participation in an assessment. The disability category of Intellectual Disability itself or an IQ score below 70 does not automatically qualify the student to receive instruction based on alternate achievement standards or to take an alternate assessment based on alternate achievement standards.

For a student to be considered as having a significant cognitive disability and therefore eligible for the alternate assessment, the student's IEP Team should carefully consider **ALL** the following statements:

- The student's demonstrated cognitive functioning and adaptive behavior in school, work, home and community environments are significantly below chronological age expectations even with program accommodations.
- The student requires extensive direct instruction and/or extensive supports in multiple settings to acquire, maintain and generalize academic and functional skills necessary for application in school, work, home, and community environments.
- The student demonstrates complex cognitive disabilities concurrent with deficits in adaptive behavior that are below chronological age expectations, which prevents the student from meaningful participation in the standard academic core curriculum or achievement of the appropriate grade level expectations.

When an IEP Team determines that the student should participate in the alternate assessment program, the Team must justify **why** the student cannot participate in the general education assessment.

It is also the responsibility of the IEP Team to clearly understand the difference between assessments based on grade level standards and those based on alternate achievement standards. This includes how participation in the alternate assessment may delay or affect a student's completion of the requirements of a regular high school

diploma. The definition of a “regular high school diploma” means the standard high school diploma awarded to the preponderance of students in the State that is fully aligned with State standards, or a higher diploma, except that a regular high school diploma shall not be aligned to the alternate academic achievement standards described in section 1111(b)(1)(E). The ALSDE and the LEA must ensure that parents of a child assessed using an alternate assessment aligned with alternate achievement standards are informed that their child’s achievement will be based on alternate achievement standards and how participation in the alternate assessment may delay or affect their child’s completion of the requirements of a regular high school diploma.

Guidance for the IEP Team on Participation Decisions for the Alabama Alternate Assessment Program

The *Individuals with Disabilities Education Act* (IDEA) Amendments of 1997 and 2004, as well as the *Every Student Succeeds Act* (ESSA), requires that all students with disabilities, even those with the most significant cognitive disabilities, participate in state and district assessments.

The IEP Team may decide that a student's knowledge and skills can best be assessed with the alternate assessment program if the student meets **all** of the following participation criteria:

Criteria

Description

The student has an IEP in effect at the time of the assessment participation decision. Review of student records indicate a disability or multiple disabilities that significantly impact intellectual functioning and adaptive behavior.

The student must have a documented cognitive disability that affects intellectual potential. For the purposes of the state assessment, the term "the most significant cognitive disability" is a designation used to refer to the population eligible to participate in the alternate assessment. (See definition on page 4)

The student requires extensive, direct, individualized instruction with substantial supports to achieve measureable gains in the grade and age-appropriate curriculum.

The student requires extensive, repeated, individualized instruction with support that is not of a temporary or transient nature.

The student uses substantially adapted materials and individualized methods of accessing information in alternative ways to acquire, maintain, generalize, demonstrate and transfer skills across multiple settings, including school, workplace community and home.

The student demonstrates complex cognitive disabilities and poor adaptive skill levels determined to be significantly below chronological age expectations by the student's most recent individualized eligibility determination data.

The student scores **at least** three (3) standard deviations below the mean on standardized assessments for intellectual functioning and concurrently has deficits in adaptive functioning and academic achievement.

The determination for how a student participates in the Alabama Student Assessment Program should **NOT** be based on (a) disability category or label, (b) poor attendance or extended absences, (c) native language/social/cultural or economic difference, (d) expected poor performance on the general education assessment, (e) academic and other services student receives, (f) educational environment or instructional setting, (g) percent of time receiving special education services, (h) English Learner (EL) status, (i) low reading level/achievement level, (j) anticipated disruptive behavior, (k) impact of test scores on the State's accountability system, (l) an administrative decision, (m) anticipated emotional distress, (n) need for accommodations (e.g. assistive technology, communication device, etc.) to participate in assessment.

Alabama Alternate Assessment Program Participation Decision Documentation

ALL participation criteria **MUST** be answered in order for the IEP Team to determine that the general education standards and general education assessment are **not** appropriate, even with accommodations, for a student to attain grade level achievement. Using this participation criteria, the IEP Team will determine whether the student meets the criteria for participation in the Alabama Alternate Assessment Program.

Name of Student: _____ School Year: _____

In Alabama, the definition of a student with the most significant cognitive disability is a student with an intelligence quotient (IQ) of three standard deviations below the mean which is an IQ score of 55 or below that significantly impacts intellectual functioning and that exists concurrently with deficits in adaptive functioning (defined as essential for someone to live independently and to function safely in daily life). As a rule, a student having a significant cognitive disability is not solely determined by an IQ test score, but rather by a holistic understanding of a student.

Participation Criteria	Participation Criteria Descriptors	Source of Evidence (check all that apply)
<p>1. A student with the most significant cognitive disability according to AAC 290-4-2-.03.</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>	<p>Review of student records indicate a disability or multiple disabilities that significantly impact intellectual functioning and adaptive behavior.</p> <p><i>Adaptive behavior is defined as essential for someone to live independently and to function safely in daily life.</i></p>	<p><input type="checkbox"/> Results of individual intellectual evaluation or a measure of cognitive functioning</p> <p><input type="checkbox"/> Results of individual adaptive behavior evaluation</p> <p><input type="checkbox"/> Results of individual educational achievement evaluation</p> <p><input type="checkbox"/> Results of informal assessments</p> <p><input type="checkbox"/> Results of individual reading assessments</p> <p><input type="checkbox"/> Results of district-wide alternate assessments</p> <p><input type="checkbox"/> Results of language assessments including English language learners (ELL) language assessments, if applicable</p>
<p>2. The student participates in or may participate in content instruction on the alternate achievement standards that are aligned to the Alabama Courses of Study.</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>	<p>Goals and instruction listed in the IEP are linked to the enrolled grade-level Alternate Achievement Standards (AAS) and address knowledge and skills that are appropriate and challenging for this student.</p>	<p><input type="checkbox"/> Examples of curriculum, instructional objectives and materials, including work samples</p> <p><input type="checkbox"/> Present levels of academic achievement and functional performance, goals, and benchmarks from the IEP</p> <p><input type="checkbox"/> Data from scientific research-based interventions</p> <p><input type="checkbox"/> Progress monitoring data</p> <p><input type="checkbox"/> Other _____</p>

Participation Criteria	Participation Criteria Descriptors	Source of Evidence (check all that apply)
<p>3. The student requires extensive direct individualized instruction and substantial supports to achieve measurable gains in the grade- and age-appropriate curriculum.</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>	<p>The student (a) requires extensive, repeated, individualized instruction and support that is not of a temporary or transient nature and (b) uses substantially adapted materials and individualized methods of accessing information in alternative ways to acquire, maintain, generalize, demonstrate and transfer skills across academic content.</p>	<p><input type="checkbox"/> Examples of curriculum, instructional objectives, and materials including work samples from both school and/or community-based instruction</p> <p><input type="checkbox"/> Teacher collected data and checklist</p> <p><input type="checkbox"/> Present levels of academic achievement and functional performance, goals, and benchmarks, post-secondary goals and transition activities from the IEP</p> <p><input type="checkbox"/> Other _____</p>

It was also determined at this IEP Team meeting that the student’s inability to participate in the general education assessment, even with accommodations, is **primarily the result of a significant cognitive disability and NOT**

- a disability category or label
- poor attendance or extended absences
- native language/social/cultural or economic difference
- expected poor performance on the general education assessment
- academic and other services students receive
- educational environment or instructional setting
- percent of time receiving special education services
- English Learner (EL) status
- low reading level/achievement level
- anticipated disruptive behavior
- impact of test scores on accountability system
- an administrative decision
- anticipated emotional distress
- need for accommodations (e.g., assistive technology, communication device) to participate in assessment

The IEP Team has determined, based on a review of the student’s educational information, that the alternate assessment, based on the alternate achievement standards, will be used to provide an evaluation of the student’s current academic achievement.

YES NO (the student will participate in the general education assessment)

Information from the *Guidance for IEP Teams on Participation Decisions for the Alabama Alternate Assessment Program* guide was discussed at the IEP Team meeting. The decision-making information in the guide was followed to determine the student’s participation in the Alabama Alternate Assessment Program. The parent has been informed of the difference between assessments based on grade level standards and those based on alternate achievement standards and how participation in the alternate assessment may delay or otherwise affect the student’s completion of the requirements for a regular high school diploma*. Additionally, the parent has been provided access to the guide and given an opportunity to ask questions.

*A “regular high school diploma” means the standard high school diploma awarded to the preponderance of students in the State that is fully aligned with State standards, or a higher diploma, except that a regular high school diploma shall not be aligned to the alternate academic achievement standards described in section 1111(b)(1)(E);

Date provided to the Parent: _____

This form must be signed by the parent(s) after the IEP Team has determined that the general education assessment, even with accommodations, would not be an accurate measurement of academic achievement, and therefore, the student will participate in the alternate assessment. This document will become part of the student's IEP and filed with the current IEP record.

I understand that my child's achievement will be measured by participation in the alternate assessment which is based on the alternate achievement standards. I understand that my child's participation in the alternate assessment may delay or otherwise affect my child's completion of the requirements for a regular high school diploma.

I understand that decisions regarding participation in statewide assessments must be discussed at the student's annual IEP Team meeting and documented in the IEP.

Parent/Guardian Signature

Date

Documentation of the attempts to provide parent(s) access to the guidance and to obtain a signature.

Date	Description of attempts	Results

Purpose of this form:

This form is to help document the Individualized Education Program (IEP) Team's decision in determining whether the alternate assessment, based on the alternate achievement standards, is the most appropriate assessment for an individual student. An IEP Team's decision in determining that the general education assessment, even with accommodations, is not an appropriate measurement of achievement for a student with a significant cognitive disability, will justify the student's participation in the alternate assessment.

This form outlines criteria that an IEP Team must answer in determining that a student will not participate in the general education assessment, even with accommodations; therefore, the student will participate in the alternate assessment. To document that the alternate assessment is an appropriate assessment for a student with the most significant cognitive disability, the IEP Team must review the student's eligibility records and current academic achievement level. Documentation may include results from evaluations, progress monitoring data, IEP information, work samples, etc.

When to use this form:

- Use this form at an initial IEP Team meeting for a student the IEP Team is considering may meet the criteria to participate in the alternate assessment.
- Use this form for a student who has an IEP and currently participates in the general education assessment and the IEP Team is considering may meet the criteria to participate in the alternate assessment.
- Once the IEP Team has determined a student meets the criteria to participate in the alternate assessment, use this form at each annual review to determine whether the student continues to meet the participation criteria for the alternate assessment.
- Use this form to document that a student's learning content will be based on the alternate achievement standards.
- Use this form to document that the parent(s) was clearly informed about the difference between grade level course of study content standards and the alternate achievement standards, as well as the assessment aligned to each.
- Use this form to document that the parent(s) was clearly informed that learning content from the alternate achievement standards may delay or otherwise affect their child's completion of the requirements for a regular high school diploma.

Things to remember:

- If an IQ score is not required for a student's eligibility for special education services or an IQ score is not obtainable due to the level of functioning of a student, the IEP Team must use professional judgement when reviewing the student's results of evaluations to determine the student's disability significantly impacts his or her intellectual functioning.
- This documentation must be completed annually at the IEP Team meeting. If the student will be assessed using an alternate assessment, the parent(s) must have access to a copy of the guidance.
- Based on the ESSA requirement, this form will be signed indicating the parent is clearly informed of the difference between grade level standards and those based on alternate achievement standards and how participation in the alternate assessment may delay or otherwise affect their child in completing the requirements of a regular high school diploma. This signed form becomes part of the student's IEP and filed with the current IEP record.
- If the parent is not in attendance at the IEP Team meeting, this form must be completed and sent home with a copy of the IEP and guidance.
- The determination of the IEP Team that the student will be assessed by participating in the alternate assessment must be documented on the *Notice of Proposal or Refusal to Take Action* form indicating that the general education assessment was considered and why it was rejected for the student.
- All students who are participating in the alternate assessment must have a signed copy of this form as part of the current IEP record. If the parent(s) does not attend the IEP Team meeting, it is very important

to document your attempts to provide the parent with this information and to obtain a signature.

- If it is not a testing year for a student with the most significant cognitive disability, this form must be completed at an IEP Team meeting to determine that the student is a student with the most significant cognitive disability and the student will be receiving instruction from the alternate achievement standards.
- If your LEA is monitored regarding the percentage of students participating in the alternate assessment, this form and the supporting documentation used to determine a student's participation in the alternate assessment will be reviewed.

What happens next?

- Upon determining that a student is a student with the most significant cognitive disability and will participate in the alternate assessment, complete the *Individual Accessibility/Accommodation Supports Checklist* and justify why the student will not be participating in the general education assessment.
- If a student has been instructed on the alternate achievement standards, and it has been determined that the student will now participate in the general education assessment, please ensure that the student has a successful transition to a new course of study.
- If an IEP Team has determined that a student will not participate in the alternate assessment, the *Individual Accessibility/Accommodation Supports Checklist* must be completed for the general education assessment.