



## UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

October 27, 2023

The Honorable Charlene Williams  
Director  
Oregon Department of Education  
255 Capitol Street NE  
Salem, OR 97310-0203

Dear Director Williams:

We are writing regarding the Oregon Department of Education's (ODE's) percentage of students with the most significant cognitive disabilities taking an alternate assessment based on alternate academic achievement standards (AA-AAAS). The Elementary and Secondary Education Act of 1965 (ESEA) limits the percentage of students that a State may assess with an AA-AAAS to no more than 1.0 percent of all assessed students in reading/language arts, mathematics, and science. On February 4, 2020, the U.S. Department of Education (Department) placed a condition on ODE's Title I, Part A grant award after Oregon exceeded the 1.0 percent threshold for the 2018-2019 school year in reading/language arts, mathematics, and science, based on data submitted to the Department via the *EDFacts* reporting system.

The Department recognizes that this was a new requirement starting in the 2017-2018 school year and that most States previously assessed more than 1.0 percent of students with the AA-AAAS. We further understand that States needed time to adjust their systems to reduce AA-AAAS participation rates and that the COVID-19 pandemic impacted many plans in States in the 2019-2020 and 2020-2021 school years.

For the 2021-2022 school year, ODE submitted information to the Department via *EDFacts* that showed the following AA-AAAS rates:

**Reading/language arts:** 1.02%      **Mathematics:** 1.01%      **Science:** 0.93%

Let us start by congratulating ODE for being below 1.0 percent in science, which is an important accomplishment. We also note that Oregon's reading/language arts and mathematics AA-AAAS rates are very close to 1.0 percent. However, because the rates for reading/language arts and

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mathematics remain above 1.0 percent, the condition will continue on ODE's fiscal year 2023 Title I, Part A grant award. In order to satisfy this condition, ODE must:

- Submit, within 30 calendar days of the date of this letter, a revised plan for how the State will come into compliance with the requirement to assess no more than 1.0 percent of students with an AA-AAAS; and
- Demonstrate that the State assessed less than 1.0 percent of its students with an AA-AAAS in reading/language arts and mathematics.

The Department also notes that the State had low rates of overall assessment participation in 2021-2022 (86 percent in reading/language arts; 85 percent in mathematics; and 82 percent in science). The Department strongly encourages the State to take appropriate actions to increase the overall rates of assessment participation in the State.

If the State continues to report an AA-AAAS rate over 1.0 percent in future years, the Department may take additional action. This is particularly true if the State is unable to demonstrate that it is making progress reducing the percentage of students taking the AA-AAAS.

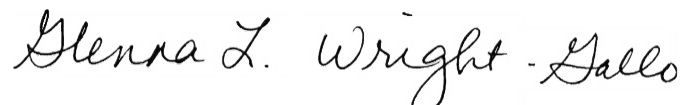
The Department continues to support Oregon and all States in meeting this critical ESEA requirement. In September, the Department hosted a conference on State assessments that focused, in part, on helping States further address this issue. We shared lessons learned from States that have been successful reducing their overall AA-AAAS rates. Materials from the conference are available at: <https://apps1.seiservices.com/2023SSA/Materials.aspx>.

We appreciate the work you are doing to improve your schools and provide a high-quality education for students. If you have any questions, please contact Department staff at [ESEA.Assessment@ed.gov](mailto:ESEA.Assessment@ed.gov).

Sincerely,



Adam Schott  
Deputy Assistant Secretary for  
Policy and Programs  
Delegated the Authority to Perform the  
Functions and Duties of the Assistant Secretary  
Office of Elementary and Secondary Education



Glenna Wright-Gallo  
Assistant Secretary  
Office of Special Education and  
Rehabilitative Services

cc: Andrea Lockard, ODE  
Eric Wells, ODE