



Indiana 1% Cap Waiver Extension Request

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

INDIANA DEPARTMENT OF EDUCATION
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TABLE OF CONTENTS

Introduction 3

1% Percent Waiver Extension Request Requirements 4

 Requirement 5 (§200.6(c)(4)(v)): Substantial Progress 4

 Table 1: Comparison of the Number of LEAs Exceeding the 1.0% Cap for 2016-2017 and 2017-2018* 4

 Table 2: Comparison of ISTAR Participation Rates for 2016-2017 and 2017-2018* 4

 Table 4: Comparison of Mathematics ISTAR Participation Rates in 2016-2017 and 2017-2018 9

 Table 5: Comparison of Science ISTAR Participation Rates in 2016-2017 and 2017-2018 10

 Requirement 1 (§200.6(c)(4)(i)): Submission 90-Days Prior to State Testing Window 10

 Requirement 2 (§200.6(c)(4)(ii)): State-Level Data 10

 A. State-Level Data of Alternate Assessment Participation Rate for 2017-18 Academic Year 10

 Table 6: ISTAR Participation Rates for ELA in 2017-18 11

 Table 7: ISTAR Participation Rates for Mathematics in 2017-18 11

 Table 8: ISTAR Participation Rates for Science in 2017-18 12

 B. State Measured Achievement of at Least 95% of Students 13

 Table 9: Participation Rate of All Students and Students with Disabilities Assessed 2017-18 13

 Requirement 3 (§200.6(c)(4)(iii)): Assurances 14

 A. State Assurance that LEAs Followed State Alternate Assessment Participation Guidelines 14

 B. State Assurance that LEAs will Address Disproportionality of Subgroups 14

 Requirement 4 (§200.6(c)(4)(iv)): State Plan and Timeline 15

 A. Alternate Assessment Participation Criteria 15

 B. LEA Oversight and Support 15

 C. Disproportionality 17

 Table 10: Timeline for all Requirement 4 Components 18

Public Comment 21

INTRODUCTION

Title 1 of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act of 2015 (ESSA) [ESEA §111(b)(2)(D) and 34 CFR 200.6(c) and (d)], modifies the provision that students with the most significant cognitive disabilities may participate in alternate assessments based on alternate academic achievement standards (Content Connectors). ESSA places a 1.0% cap on the number of students who may participate in alternate assessments. States that anticipate exceeding the 1.0% cap must submit a waiver request or waiver extension request, if more than one year, to the U.S. Department of Education.

The Indiana Department of Education's alternate assessment based on alternate academic achievement standards for the 2017-18 school year was entitled the Indiana Standards Tool for Alternate Reporting (ISTAR). Per IC 20-32-5 and HEA 1003, formalized recommendations for Indiana's new assessment system were made by educators, legislators, State Board of Education members and staff, and IDOE staff. The State Board of Education supported a Request for Proposal (RFP) for a new alternate assessment and to develop a system of assessments for all students (August, 2017). The Indiana Department of Administration facilitated the RFP process and the result was Indiana's Alternate Measure (I AM), the new alternate assessment starting in the 2018-19 school year and Indiana's Learning Evaluation Assessment Readiness Network (ILEARN), the new general assessment.

The alternate assessment participation rates for 2016-2017 that were submitted in our original waiver were 1.2% for English Language Arts (ELA) and Mathematics, and 1.2% for Science. Based on this data, the IDOE anticipated exceeding the 1.0% cap for the 2017-18 alternate assessment administration in ELA, Mathematics, and Science, and submitted the required waiver request on October 16, 2017. The United States Department of Education requested revisions to the original waiver request surrounding high school science, resulting in the IDOE submitting an addendum dated January 23, 2018. On May 7, 2018, the IDOE received notification that the United States Department of Education had granted Indiana a waiver of section 1111(b)(2)(D)(i)(I) of the ESEA, allowing the State to assess more than 1.0% of the total number of students assessed in ELA, Mathematics, but not Science on the alternate assessment.

For the original waiver IDOE used internal staff to analyze participation data related to the alternate assessment, but not disproportionality data. After writing the original waiver and discussing supports to Local Education Agency (LEAs) it was determined that, a more extensive data analysis was needed. IDOE contracted with The Center for Education and Lifelong Learning (CELL) at Indiana University for data calculation and LEA technical assistance and professional development relating to disproportionality. In June 2017 the statistician at CELL provided initial thoughts and calculations relating to 1% disproportionality. Additionally, during a quality control audit in February and March of 2018 it was determined that public charter schools that exceeded the 1% participation rate had not been included on IDOE's original waiver. Based on this information, as Indiana moves into its second year of exceeding the 1% cap on participation in the alternate assessment, it has been decided that CELL will complete the 1% data disaggregation for all LEAs including public charter schools. Due to this fact, IDOE now has more accurate and complete data, and this updated data will be included in our supporting tables.

Alternate assessment participation rates for 2017-18 were 1.21% for ELA, 1.21% Mathematics, and 1.26% for Science. Based on these data, the IDOE anticipates exceeding the 1.0% cap for the 2018-19 alternate assessment

administration in ELA, Mathematics, and Science. The IDOE therefore is submitting the required waiver extension request. This Indiana 1% Percent Cap Waiver Extension Request documents that the IDOE complied with all assurances outlined in IDOE’s original waiver.

Multiple electronic resources are referenced as evidence of activities and requirements, and are accessible online. Web links to these resources are embedded in the text of this document, allowing the reader to link directly to content-specific support documents in context.

1% PERCENT WAIVER EXTENSION REQUEST REQUIREMENTS

Requirement 5 (§200.6(c)(4)(v)): Substantial Progress

The IDOE has made substantial progress toward meeting the 1.0% cap on alternate assessment participation since our original waiver was submitted and approved. This progress is evident in alternate assessment participation data and completion of State Plan and Timeline activities outlined in last year’s waiver request. A comparison of 2017-18 data with 2016-2017 confirms Indiana’s progress toward reducing the number of students participating in the alternate assessment. Table 1 illustrates the reduction of the number of LEAs exceeding the 1.0% cap in both ELA and Mathematics. Table 2 illustrates the reduction in alternate assessment participation rates across content areas.

Table 1: Comparison of the Number of LEAs Exceeding the 1.0% Cap for 2016-2017 and 2017-2018*

Content Area	Number of LEAs Exceeding 1% Cap in 2016-2017	Number of LEAs Exceeding 1% Cap in 2017-2018	Difference in Number	Percentage of Difference
ELA	190	186	-4	-2.11%
Mathematics	189	186	-3	-1.59
Science	183	183	0	0%

*Based on updated data disaggregated by CELL

Table 2: Comparison of ISTAR Participation Rates for 2016-2017 and 2017-2018*

Content Area	ISTAR Participation Rate 2016-2017	ISTAR Participation Rate 2017-2018	Difference
ELA	1.25%	1.21%	- 0.04%
Mathematics	1.25%	1.21%	- 0.04%
Science	1.30%	1.26%	- 0.04%

* Based on updated data disaggregated by CELL

Summary of State Plan and Timeline Activities Outlined below is a summary of activities IDOE has completed in order to assist LEAs in addressing participation exceeding the 1% cap on the alternate assessment.

Office of Student Assessment-Accessibility Specialist IDOE was intentional in creating a new role for the Office of Student Assessment that focuses on accessibility for all students. This position was an important addition as Indiana began developing a new system of assessments.

Office of Student Assessment-Alternate Assessment Specialist This specialist oversees the Alternate Assessment (I AM), the Kindergarten Readiness Assessment (ISTAR-KR) and works as the assessment liaison to the Office of Special Education.

Office of Special Education-Senior Special Education Specialist The senior specialist is the special education liaison to the Office of Student Assessment. This position leads the efforts related to the 1% cap on participation on the alternate assessment, the Communication Community of Practice, the Indiana Resource Network (IRN) resource centers and is a monitoring team member involved in Indiana's new Results Driven Accountability (RDA) system.

Multi-State Collaborative Groups IDOE participated in the NECO 1% Cap Community of Practice webinars and Council of Chief State School Officers (CCSSO) State Collaborative on Assessment and Student Standards (SCASS) Assessing Special Education Students (ASES) meetings. IDOE is committed to educating staff about alternate assessment participation issues and ensuring that only those students with the most significant cognitive impairments in Indiana participate in the alternate assessment.

Stakeholder Feedback IDOE has shared information, collaborated, and sought feedback from stakeholders regarding the 1.0% cap on alternate assessment participation. Stakeholders included the IRNs, Indiana's Parent and Training Information Center-INSOURCE, the Office of Special Education's State Advisory Council, the Office of Student Assessment's Technical Assistance Committee, the ARC of Indiana (parent advocacy group). IDOE is committed to educating stakeholders about alternate assessment participation issues and ensuring that only those students with the most significant cognitive impairments in Indiana participate in the alternate assessment.

Alternate Assessment Updates and Information Training

- A [training webinar](#) concerning the federal regulations of the 1% Cap on participation in the alternate assessment was provided to LEAs as well as publically posted on IDOE's Alternate Assessment ESSA 1% Cap [website](#). In this presentation, information was shared related to the federal alternate assessment 1.0% cap requirements and participation criteria. Information about this presentation was shared in the February 2, 2018 edition of the Office of Special Education's *From the Director* newsletter and is available on our website as well. An updated training webinar will be available to LEAs in January 2019.

- Information regarding the 1% cap was shared at both of the Indiana Council of Administrators of Special Education (ICASE) bi-annual meetings by the Director of the Office of Special Education during her presentation to special education directors and their staff from across the state. These power point presentations are posted on the Learning Connection which is a communication portal used by IDOE to share and relate information to educators.

Executive and Regional Special Education Directors Meetings IDOE staff attended various executive ICASE and regional ICASE roundtable special education directors meetings to share information and answer questions about to the 1.0% cap requirement and its impact in Indiana in addition to other topics.

Accommodations and Accessibility Features Embedded in Webinars IDOE provided guidance on how students with disabilities participate in Indiana assessments to testing coordinators, school counselors/administrators, and general and special education personnel. Webinar topics included universal accessibility tools, embedded, and non-embedded accommodations available to students and information regarding the alternate assessment options for students with the most significant cognitive disabilities.

Alternate Assessment-Statewide Assessment Webpage Revision The Office of Student Assessment website and assessment portal houses information, resources, training materials, and web links for special education professionals supporting students with disabilities. The webpage was updated to include assessment topics for Indiana’s new statewide assessment, I AM.

Pretest Workshop for Corporation Test Coordinators Live and recorded webinars are offered to corporation test coordinators. During these webinars the criteria for participation in I AM will be discussed to ensure the appropriate students participate.

Test Administration Certification Training IDOE and the testing delivery vendor, American Institutes for Research, deliver training to prepare LEAs for the spring test administration of all assessments. Attendees will include teachers who will administer the assessment. The Alternate Assessment Specialist and the Accessibility Specialist are involved in the planning, content, and delivery.

Exceeding the 1.0% Cap Webinar IDOE developed and presented the [1.0% Cap on Alternate Assessment Participation](#) webinar, which was mandatory for special education directors from the LEAs that exceeded the 1.0% cap on alternate assessment participation in 2016-2017 for ELA, Mathematics, and/or Science. On January 5, 2018, applicable Special Education Directors, Superintendents, and Corporation Test Coordinators received the 1.0% Cap Webinar email describing the nature of the webinar and their LEA’s alternate assessment participation rates in content areas that exceeded the 1.0% cap. IDOE offered support to LEAs exceeding the 1.0% cap during the webinar. The webinar addressed the topics and issues listed below.

- Background and context about the 1.0% cap on AA participation
- Indiana’s alternate assessment participation rates

- Requirements of the 1.0% cap waiver request
- The requirement that LEAs provide assurance that they are following alternate assessment participation criteria and justification for exceeding the 1.0% cap
- Timeline for waiver activities

Alternate Assessment Participation Criteria IDOE updated the alternate assessment criteria section in the electronic IEP system (Indiana IEP). Criteria documents explaining participation in the alternate assessment are posted on the website.

Office of Student Assessment Technical Advisory Committee (TAC) The TAC has provided input on the Cognitive Labs. These labs are being implemented in order to make sure the test is valid for students who have significant cognitive disabilities.

Results Driven Accountability (RDA) In November 2018, IDOE adopted a new way of monitoring LEAs based on the federal RDA system through the Office of Special Education Programs. LEA RDA determinations will include areas of compliance as well as results and data timeliness. Within the assessment calculation, IDOE looks at growth and proficiency on state assessments, proficiency on IREAD-3, and participation in the alternate assessment. LEAs were informed of the points possible out of each category, how many points their district received in those categories, and an overall percentage that correlates to one of the three Technical Assistance Tiers. IDOE will provide data retreats in the winter/spring of 2019 that will take place in each of the ICASE roundtable regions.

Communication Community of Practice (CoP) IDOE collaborates with PATINS, an assistive technology and accessibility resource center, to facilitate a Communication CoP that focuses on students with little or no mode of communication. The CoP is comprised of Speech Language Pathologists, Special Education Directors, teachers, resource centers, etc. and meets 3 times a year to provide assistance to educators in order to increase the number of students with a mode of communication so they can participate in the classroom and on the alternate assessment.

Content Connectors Revised In June of 2018, the Indiana State Board of Education approved the adoption of new Content Connectors. A systematic process was followed to ensure they are appropriately aligned to Indiana Academic Standards and readily available to teachers, parents, and students across the state. The revision was led by IDOE and Project SUCCESS, a special education funded resource center that assists educators who work with students with the most significant cognitive disabilities.

Accommodations-Modifications Guidance Updated During the summer and fall of 2018, IDOE and various special education resource centers (which includes our Parent and Training Information Center, INSOURCE), revised multiple accommodation and modification related documents in order to assist educators in providing the most appropriate accommodations and modifications in the least restrictive setting. This should assist Case Conference Committees in making appropriate assessment decisions. The *Accessibility and Accommodations for Instruction and Assessment Toolkit* was collaboratively

updated. In addition, the Office of Special Education added an Accommodations and Modifications page to their [website](#). The Office of Student Assessment also updated their Accessibility and Accommodations Guidance to reflect accommodation and modification changes.

Review and Analysis of 2017-18 Alternate Assessment Participation Rates IDOE staff reviewed and analyzed alternate assessment participation data from the spring 2018 testing window. There was a reduction in the alternate assessment participation rates in all three content areas as well as in the number of LEAs that exceeded the 1.0% cap in ELA and Mathematics, as illustrated in [Table 1](#) and [Table 2](#). In ELA, Indiana had a reduction in the percentage of students taking the alternate assessment in the subgroups American Indian or Alaska native, African American, White, Two or More Races, Limited English Proficient students, Economically Disadvantaged students, and Male and Female students. In Mathematics, Indiana had a reduction in the percentage of students taking the alternate assessment in the subgroups American Indian or Alaska native, African American, White, Two or More Races, Economically Disadvantaged students, and Male and Female students. In Science, Indiana had a reduction in the percentage of students taking the alternate assessment in the subgroups Native Hawaiian or Other Pacific Islander, African American, White, Two or More Races, Limited English Proficient students, Economically Disadvantaged students, and Male and Female students. [Table 3](#), [Table 4](#), and [Table 5](#) illustrate these changes in the alternate assessment participation rates for all subgroups. As described above, LEAs will receive their alternate assessment data in January.

Table 3: Comparison of ELA ISTAR Participation Rates in 2016-2017 and 2017-2018

Student Sub-Group	Percentage Participating in ISTAR 2016-2017	Percentage Participating in ISTAR 2017-2018	Difference
All Students	1.25%	1.21%	- 0.04%
American Indian or Alaska Native	1.44%	1.06%	- 0.38%
Asian	0.82%	0.87%	0.05%
Native Hawaiian or Other Pacific Islander	2.14%	2.46%	0.32%
Black or African American	1.71%	1.57%	-0.14%
Hispanic or Latino	1.14%	1.15%	0.01%
White	1.20%	1.16%	- 0.04%
Two or more races	1.26%	1.21%	-0.05%

Student Sub-Group	Percentage Participating in ISTAR 2016-2017	Percentage Participating in ISTAR 2017-2018	Difference
Limited English Proficient (LEP) students	2.55%	2.43%	-0.12%
Economically Disadvantaged students	1.62%	1.54%	-0.08%
Male	1.61%	1.55%	-0.06%
Female	0.88%	0.84%	-0.04%

Table 4: Comparison of Mathematics ISTAR Participation Rates in 2016-2017 and 2017-2018

Student Sub-Group	Percentage Participating in ISTAR 2016-2017	Percentage Participating in ISTAR 2017-2018	Difference
All Students	1.25%	1.21%	-0.04%
American Indian or Alaska Native	1.44%	1.06%	-0.38%
Asian	0.79%	0.86%	0.07%
Native Hawaiian or Other Pacific Islander	2.10%	2.45%	0.35%
Black or African American	1.69%	1.57%	-0.12%
Hispanic or Latino	1.13%	1.14%	0.01%
White	1.20%	1.16%	-0.04%
Two or more races	1.24%	1.20%	-0.04%
Limited English Proficient (LEP) students	2.41%	2.42%	0.01%
Economically Disadvantaged students	1.60%	1.54%	-0.06%
Male	1.60%	1.55%	-0.05%
Female	0.88%	0.84%	-0.04%

Table 5: Comparison of Science ISTAR Participation Rates in 2016-2017 and 2017-2018

Student Sub-Group	Percentage Participating in ISTAR 2016-2017	Percentage Participating in ISTAR 2017-2018	Difference
All Students	1.30%	1.26%	- 0.04%
American Indian or Alaska Native	1.35%	1.35%	0.0%
Asian	0.75%	1.00%	0.25%
Native Hawaiian or Other Pacific Islander	2.40%	1.64%	- 0.76%
Black or African American	1.74%	1.71%	- 0.03%
Hispanic or Latino	1.12%	1.22%	0.10%
White	1.26%	1.20%	- 0.06%
Two or more races	1.46%	1.09%	-0.37%
Limited English Proficient (LEP) students	2.45%	2.44%	- 0.01%
Economically Disadvantaged students	1.66%	1.64%	- 0.02%
Male	1.67%	1.62%	- 0.05%
Female	0.93%	0.88%	- 0.05%

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

The IDOE 2018-19 testing window for the alternate assessment begins April 8, 2019. The IDOE is submitting the 1.0% cap waiver extension request to the U.S. Department of Education on December 21, 2018.

Requirement 2 (§200.6(c)(4)(ii)): State-Level Data

A. State-Level Data of Alternate Assessment Participation Rate for 2017-18 Academic Year

The IDOE reviewed and analyzed LEA-level alternate assessment participation rate data for ELA, Mathematics, and Science for the 2017-18 academic year. Of the 395 LEAs statewide in 2017-18, 198 surpassed the 1.0% cap in ELA, 198 in Mathematics, and 197 in Science.

Table 6, Table 7, and Table 8 illustrate IDOE’s state-level data for the number and percentage of students in each subgroup who participated in the alternate assessment in ELA, Mathematics, and Science for the 2017-18 academic year, respectively.

Table 6: ISTAR Participation Rates for ELA in 2017-18

Student Sub-Group	# Students Participating in General Assessment	# Students Participating in ISTAR	Total # Students Assessed	Percentage Participating in ISTAR
All Students	539,876	6,596	546,472	1.21%
American Indian or Alaska Native	1,026	11	1,037	1.06%
Asian	12,797	112	12,909	0.87%
Native Hawaiian or Other Pacific Islander	396	10	406	2.46%
Black or African American	66,613	1,064	67,677	1.57%
Hispanic or Latino	66,939	777	67,716	1.15%
White	365,834	4,301	370,135	1.16%
Two or more races	26,271	321	26,592	1.21%
Limited English Proficient (LEP) students	25,648	638	26,286	2.43%
Economically Disadvantaged students	268,357	4,207	272,564	1.54%
Male	275,449	4,344	279,793	1.55%
Female	264,427	2,252	266,679	0.84%

Table 7: ISTAR Participation Rates for Mathematics in 2017-18

Student Sub-Group	# Students Participating in General Assessment	# Students Participating in ISTAR	Total # Students Assessed	Percentage Participating in ISTAR
All Students	540,820	6,601	547,421	1.21%
American Indian or Alaska Native	1,028	11	1,039	1.06%

Student Sub-Group	# Students Participating in General Assessment	# Students Participating in ISTAR	Total # Students Assessed	Percentage Participating in ISTAR
Asian	12,833	111	12,944	0.86%
Native Hawaiian or Other Pacific Islander	398	10	408	2.45%
Black or African American	66,809	1,066	67,875	1.57%
Hispanic or Latino	67,063	774	67,837	1.14%
White	366,379	4,309	370,688	1.16%
Two or more races	26,310	320	26,630	1.20%
Limited English Proficient (LEP) students	25,748	638	26,386	2.42%
Economically Disadvantaged students	269,059	4,209	273,268	1.54%
Male	276,177	4,346	280,523	1.55%
Female	264,643	2,255	266,898	0.84%

Table 8: ISTAR Participation Rates for Science in 2017-18

Student Sub-Group	# Students Participating in General Assessment	# Students Participating in ISTAR	Total # Students Assessed	Percentage Participating in ISTAR
All Students	224,143	2,855	226,998	1.26%
American Indian or Alaska Native	438	**	**	1.35%
Asian	5,526	56	5,582	1.00%
Native Hawaiian or Other Pacific Islander	180	**	**	1.64%
Black or African American	27,773	484	28,257	1.71%
Hispanic or Latino	27,508	340	27,848	1.22%

Student Sub-Group	# Students Participating in General Assessment	# Students Participating in ISTAR	Total # Students Assessed	Percentage Participating in ISTAR
White	151,960	1,847	153,807	1.20%
Two or more races	10,758	119	10,877	1.09%
Limited English Proficient (LEP) students	10,809	270	11,079	2.44%
Economically Disadvantaged students	110,893	1,851	112,744	1.64%
Male	114,647	1,883	116,530	1.62%
Female	109,496	972	110,468	0.88%

** Student count was redacted in compliance with the Family Educational Records and Privacy Act, 20 U.S.C. 1232g; 34 CFR Part 99.

Some cells in Table 8 contain material that has been redacted to protect student privacy. Data are redacted in any cells that represent fewer than ten students. In addition, at least two cells must be redacted where any total is available, in order to prevent any cell required for redaction to be derived.

B. State Measured Achievement of at Least 95% of Students

Indiana met the 95% participation requirement for all students and for students with disabilities in 2017-18, as illustrated in Table 9.

Table 9: Participation Rate of All Students and Students with Disabilities Assessed 2017-18

Content Area	Students Enrolled	Students Assessed	Percentage Assessed	Students with Disabilities Enrolled	Students with Disabilities Assessed	Percentage of Students with Disabilities Assessed
Reading	561,137	555,562	99.0%	86,810	84,513	97.4%
Mathematics	561,137	556,322	99.1%	86,810	84,886	97.8%
Science	240,558	237,677	98.8%	36,613	35,610	97.3%

Requirement 3 (§200.6(c)(4)(iii)): Assurances

A. State Assurance that LEAs Followed State Alternate Assessment Participation Guidelines

1% Cap on ISTAR Participation Survey LEAs that exceeded the 1.0% cap on alternate assessment participation during the 2016-2017 academic year completed the 1% Cap on ISTAR Participation Survey in spring 2018. The 1% Cap on ISTAR Participation Survey required LEAs to submit justification for why they anticipated exceeding the 1% cap alternate assessment participation rates for the 2018 spring testing window. The LEAs that anticipated exceeding the 1.0% cap on alternate assessment participation provided assurance that appropriate LEA staff were trained on the alternate assessment participation guidelines as well as reviewed their eligibility data.

Part B Grant Application Beginning with the July 1, 2019 Part B grant application, an assurance statement on the Indiana Part B Grant Application will include assurances on alternate assessment participation guidelines. All LEAs must provide assurance that their staff are following the alternate assessment participation guidelines when making decisions about qualifying students to take the alternate assessment regardless of their current or anticipated participation percentage. The statement will read:

The LEA agrees and assures that they have followed the State’s guidelines for participation in all assessments, ensuring that only those students with the most significant cognitive disabilities are assessed using alternate assessments. This assurance is pursuant to the Elementary and Secondary Education Act (ESEA) section 1111(b)(2)(D)(i)(I), which limits the number of students with the most significant disabilities participating in alternate assessments to 1.0% of the total number of students assessed in that content area in the State. If LEA exceeds the 1.0% cap on alternate assessment participation in any content area the LEA will submit a justification explaining the need to exceed the 1.0% cap to the State Department of Education, if notified of this status. ESEA section 1111(b)(2)(D)(i)(I) requires that the State Department of Education make LEAs’ justifications for exceeding the 1.0% cap publically available, provided no individual student’s personally identifiable information is revealed.

- Yes (Assurance is given)
- No (Assurance cannot be given)

B. State Assurance that LEAs will Address Disproportionality of Subgroups

Indiana received the 2016-2017 disproportionality data, disaggregated by CELL, in June 2018. After IDOE internal review, it was determined that more time was needed on how to address this new component of ESSA before presenting it to LEAs. Beginning with the 2017-2018 LEA data notifications, disproportionality data will be included in addition to general alternate assessment data. The IDOE will utilize a relative risk ratio to analyze alternate assessment participation data for disproportionality for all subgroups of students. Below is a list of subgroups included in the analysis.

1. Racial/Ethnic Groups

- a. American Indian or Alaska Native

- b. Asian
 - c. Pacific Islander or Other Pacific Islander
 - d. Black or African American
 - e. Hispanic or Latino
 - f. White (not Hispanic)
 - g. Two or more races (Multiracial not Hispanic)
2. Limited English Proficiency (LEP)
 3. Socio-Economic Status (as determined by Free and Reduced Price Lunch Status)
 4. Gender
 - a. Male
 - b. Female

In addition, an item was added to the survey that will go out to LEAs that exceeded the 1% cap in 2017-2018. The item requires the respondent to provide assurances that the LEA will address any disproportionality in the percentage of students in any subgroup taking the alternate assessment.

Requirement 4 (§200.6(c)(4)(iv)): State Plan and Timeline

Each of the components of the State Plan are outlined below, followed by a combined Timeline of all activities ([Table 11](#)).

A. Alternate Assessment Participation Criteria

The updated alternate assessment participation criteria are located within our electronic IEP system, Indiana IEP. The criteria are also posted on the [alternate assessment webpage](#) and the [accountability webpage](#). The Alternate Assessment Specialist and Senior Special Education Specialist will continue to provide support to LEAs and special education staff on the current alternate assessment participation criteria.

B. LEA Oversight and Support

IDOE is committed to ensuring that only those students with the most significant cognitive disabilities participate in the alternate assessment. Indiana's plan is designed to provide data to LEAs regarding alternate assessment participation and to ensure that LEAs provide sufficient training to support special education staff in applying alternate assessment participation guidelines so that all students are appropriately assessed.

In addition to participation guidance, a *Formative Assessment Webinar for Educators of Students with Significant Cognitive Disabilities* was released in December 2018 which provides formative assessment strategies for educators of students with significant cognitive disabilities. In spring 2019 IDOE will record educators utilizing these strategies with students and then post these recordings in a virtual library to support the use of formative strategies across the State.

As mentioned previously, Indiana's new RDA system was implemented in November 2018. LEA RDA determinations with regard to the provision of special education and related services include areas of compliance, results and data timeliness. Within the assessment calculation, IDOE looks at growth and proficiency on state assessments, proficiency on IREAD-3, and participation in the alternate assessment. LEAs

were informed of the points possible out of each category, how many points their district received in those categories, and an overall percentage that correlates to one of the Technical Assistance Tiers in this [guidance document](#). In addition to individualized RDA tiered support, IDOE will provide universal support by offering regional data retreats which will be open to all LEAs in the winter/spring of 2019. Alternate assessment participation data will be included in the data review.

During the 2018-2019 school year a new system of school accountability was rolled out in Indiana. Part of the system involves subgroups. If a school received a Targeted School Intervention (TSI) designation it meant that the school did not meet the threshold for a specific subgroup. Ninety one percent (91%) of TSI schools did not meet the threshold for the special education subcategory. IDOE will collaboratively work across departments to assist TSI schools that both did not meet the threshold for special education and whose LEAs exceeded the 1% cap on participation in the alternate assessment.

In addition to IDOE, the IRNs will provide support to LEAs that exceed the 1% cap.

Universal Support includes activities for all LEAs, as outlined below.

- LEAs receive alternate assessment participation data. This report contains the LEA's alternate assessment participation rate data and disproportionality data for the past two years.
- IDOE will confirm that LEAs have made assurances in the State Application for Part B funds that LEA staff have accurately applied the alternate assessment participation criteria when making participation decisions.
- IDOE will confirm that LEAs complete the online Alternate Assessment Assurance and Justification Survey. This survey requires LEAs to project whether they anticipate exceeding the 1.0% cap for the present school year. If yes, the LEA provides justification for needing to exceed the 1.0% cap and assurance that they will review disproportionality data of students in any subgroup taking the alternate assessment. Assurances are also made that relevant general and special education staff will participate in the Alternate Assessment Participation Decision-Making Webinar. If LEAs do not anticipate exceeding the 1.0% cap, the LEA signifies this in the comment section of the survey.
- An optional data workbook will be developed in order to help LEAs disaggregate data in multiple ways (i.e. eligibility category, school, grade level).
- Voluntary participation in live and/or recorded 1% Cap webinars for special education directors and educators will be offered. Topics will include understanding I AM reports, reviewing disproportionality data and utilizing data workbooks. We will also answer any general questions. IDOE and the IRNs will be involved in the creation and facilitation of these webinars as well as available for follow up conversations or in person onsite visits afterwards.
- Supports will be offered to TSI schools whose LEA exceeded the 1% cap on participation for the alternate assessment.

In addition to Universal Support, LEAs may participate in Targeted Support activities outlined below.

- An optional data workbook will be developed in order to help LEAs disaggregate data in multiple ways (i.e. eligibility category, school, grade level).

- Voluntary participation in live and/or recorded 1% Cap webinars for special education directors and educators will be offered. Topics will include understanding I AM reports, reviewing disproportionality data, utilizing data workbooks, and taking general questions and answers. IDOE and the IRNs will be involved in the creation and facilitation of these webinars as well as available for follow up conversations or in person onsite visits afterwards.
- IDOE will support LEA staff by offering training on how to complete the Alternate Assessment-Learner Characteristics Inventory (LCI). Aggregated statewide LCI information will be used in the data 1% Cap webinar.
- IDOE will provide support to LEAs with respect to their RDA LEA and TSI school determinations.
- If LEAs are out of compliance for indicators 4A/B, 9 or 10, the 1% disproportionality data will also be addressed when technical assistance is provided by IDOE or one of the IRNs.

C. Disproportionality

The IDOE will utilize a relative risk ratio to analyze alternate assessment participation data for disproportionality for all subgroups of students. The relative risk ratio compares the risk of participating in the alternate assessment for each subgroup at the LEA level to the risk for all other students at the same LEA. A ratio of 1.0 for a subgroup means that the rate of participation of the subgroup in the alternate assessment is proportionate to the rate of participation for students not in the subgroup. A ratio that exceeds 1.0 illustrates potential over-identification, while a risk ratio below 1.0 describes potential under-identification of a subgroup for participation in alternate assessment, as compared to all other students. Below is a list of subgroups included in the analysis.

1. Racial/Ethnic Groups
 - a. American Indian or Alaska Native
 - b. Asian
 - c. Pacific Islander or Other Pacific Islander
 - d. Black or African American
 - e. Hispanic or Latino
 - f. White (not Hispanic)
 - g. Two or more races (Multiracial not Hispanic)
2. Limited English Proficiency (LEP)
3. Socio-Economic Status (as determined by Free and Reduced Price Lunch Status)
4. Gender
 - a. Male
 - b. Female

The disproportionality analysis allows the IDOE to determine if any subgroup is more frequently identified than other subgroups to participate in the alternate assessment. Analysis of these data will allow the IDOE to focus on reducing disproportionality in the participation of students in the alternate assessment for individual subgroups. Information collected through the disproportionality analysis will provide additional information to address and reduce the overall percentage of students participating in the alternate assessment.

As accepted by the Office of Special Education Programs (OSEP), Indiana’s Special Education State Performance Plan/Annual Performance Report (SPP/APR) states that disproportionality in identification rates for Indicators 9 and 10 exists if the relative risk ratio for a racial/ethnic subgroup meets or exceeds 2.0. The IDOE uses the following formula to calculate the relative risk ratio for each subgroup:

- The risk of participating in the alternate assessment by students in the subgroup: The number of students in the subgroup who participated in the alternate assessment divided by the number of students in the subgroup who participated in either the statewide or alternate assessments in the LEA.
- The risk of participating in the alternate assessment by all other students (comparison group): The number of students in the comparison group who participated in the alternate assessment divided by the number of students in the comparison group who participated in either the statewide or alternate assessments in the LEA.
- The risk ratio for the subgroup: The risk of the subgroup (A) divided by the risk of the comparison group (B) multiplied by 100.

Addressing any disproportionality in the percentage of students in any subgroup taking the alternate assessment will be discussed in one of the webinars. IDOE and the IRNs will create and facilitate this webinar.

IDOE will use the survey to assure LEAs provide assurance that they are addressing any disproportionality in the percentage of students in any subgroup taking the alternate assessment.

Table 10: Timeline for all Requirement 4 Components

Anticipated Timeframe	Activity
January 5, 2018	Memo of notification and actions required sent to LEAs who exceeded the 1% cap
January 15, 2018	ISTAR testing window for SY 2017-2018 opens
January, 2018	New IDOE Assessment Accessibility Specialist position created
February 5, 2018	Communication Community of Practice meeting
February 16, 2018	IDOE presentation to ICASE
February 21-22, 2018	Attend CCSSO ASES meetings in Miami
February-July, 2018	IDOE and IRN provide technical assistance to corporations by request
February, 2018	IDOE and IRN review corporation surveys and develop technical assistance options
April 13, 2018	Stakeholder input on justifications from survey (program, small LEA, other)
April-May, 2018	Content Connectors revised

Anticipated Timeframe	Activity
May 14, 2018	Communication Community of Practice meeting
June, 2018	Disproportionality data disaggregated and submitted to IDOE by CELL
June 8, 2018	IDOE and IRN meeting to discuss Technical Assistance Plan
June 14, 2018	I AM Blueprint Meeting
June 26-27, 2018	Attend CCSO ASES meetings in San Diego
July 1, 2018	Transition to new alternate assessment, I AM (& ILEARN)
July 12-13	I AM Item Specifications Meeting
July 17, 2018	IDOE and IRN Accommodation vs Modification meeting
July 19, 2018	IDOE and IRN meeting to discuss Technical Assistance Plan
August, 2018	I AM Webinars and Blueprints developed
August 6, 2018	I AM Passage Review Meeting
August 13, 2018	IDOE Assessment & Graduation Pathways webinar for INSOURCE
August 14, 2018	IDOE and IRN Accommodation vs Modification meeting
August 16, 2018	IDOE and IRN RDA & technical assistance tracking meeting
August 23, 2018	IDOE ARC of Indiana (parent stakeholder group) assessment presentation
September 5, 2018	IDOE and IRN meeting to discuss Technical Assistance Plan
September, 2018	I AM Webinars and brochures developed
September 10, 2018	Communication Community of Practice meeting
September 11-13, 2018	I AM Performance Level Descriptor Meeting
September 21, 2018	RDA stakeholder meeting
October 1, 2018	Additional supporting documents added to I AM website
October 5, 2018	IDOE and IRN meeting to discuss Technical Assistance Plan
October 5, 2018	IDOE presentation to ICASE
October 12, 2018	IDOE & INSOURCE 1% waiver meeting

Anticipated Timeframe	Activity
October 17-18, 2018	1% NCEO Convening in Boston (presentation on 1% and RDA)
October 18, 2018	CoC presentation to math specialists in School Improvement-1% slide in presentation
October 29, 2018-November 15, 2018	I AM Cognitive Labs
November 7-8, 2018	IDOE INSOURCE In-Service presentation
October, 2018	I AM Webinar
November, 2018	Targeted School Intervention status released to schools; IDOE will provide technical assistance
November 8, 2018	IDOE 1% presentation to INSOURCE staff
November 9, 2018	IDOE State Advisory Council 1% presentation
November 20, 2018	Project SUCCESS (IRN) Certificate of Competition training (1% discussion included)
November 27, 2018	LEA RDA determinations delivered; RDA technical assistance provided by IDOE and IRNs; specific compliance technical assistance provided for overlapping disproportionality (Indicators 4, 9, and/or 10 and 1%)
November 27-29, 2018	I AM Content and Fairness Meeting
December 3-14, 2018	Waiver extension posted for public comment
December 3-14, 2018	IDOE record updated 1% webinar
December 4-7, 2018	IDOE videotaping of I AM teachers and students for use in test administration examples
December 17-21, 2018	Review public comment and update waiver if necessary
December, 2018	IDOE Formative Assessment Webinar for Educators of Students with Significant Cognitive Disabilities released
December 21, 2018	Submit waiver extension
February 4, 2019	RDA Data Retreat-North Central Roundtable
February 15, 2019	RDA Data Retreat-Central Roundtable
February 19, 2019	RDA Data Retreat-Northwest Roundtable

Anticipated Timeframe	Activity
February 22, 2019	RDA Data Retreat-Southeast Roundtable
February 25, 2019	RDA Data Retreat-Southwest Roundtable
February 25-29, 2019	I AM Test Administration Trainings
March 1, 2019	RDA Data Retreat-Northeast Roundtable
March 4-8, 2019	I AM Test Administration Trainings
March 15, 2019	RDA Data Retreat-East Roundtable
March 18-22, 2019	I AM Test Administration Trainings
March, 2019	IDOE and IRN data live and recorded webinar for LEAs
Spring, 2019	IDOE will record and post videos of educators utilizing formative assessment strategies with students with significant cognitive disabilities
May, 2019	IDOE and IRN disproportionality live and recorded webinar for LEAs
July 1, 2019	Assurances posted in LEA Part B Application

PUBLIC COMMENT

The IDOE provided direct information to stakeholders via email notification including notification regarding the changes pursuant of ESEA §111(b)(2)(D) and 34 CFR 200.6(c) and (d) to the 1.0% cap on alternate assessment participation, a copy of the Indiana 1% Percent Cap Waiver Extension Request, and guidelines for submitting comments to the IDOE using the online Public Comment Form Regarding the Indiana 1.0% Cap Waiver Extension Request. Stakeholders included but were not limited to INSOURCE, State Advisory Council, LEA Assessment Coordinators, and Special Education Directors.

To ensure public access, a copy of the Indiana 1% Percent Cap Waiver Extension Request and guidelines for providing comment were posted on the IDOE website on both the Accountability and Special Education home pages. An invitation to comment on the Indiana 1% Percent Cap Waiver Extension Request was included as part of the Weekly Update sent out to all public LEA superintendents on December 7, 2018, as well. The IDOE allowed 2 weeks for public comment, closing on December 14, 2018.

IDOE Response to Public Comment

Sixty comments were submitted during the public comment period. A majority of the comments received did not require action to this document. One comment asked for specific information to be shared as well as one mirrored the intent of that comment. A response is provided below.

Comments:

- I am writing in support of the waiver to increase the number of students who can be tested on the alternate assessment. I would like to know the statistical analysis used at the federal level to determine that 1% should be the limit as to the number of students allowed to take the alternate assessment. Given that schools are expected to be data driven and use data to drive instruction, it would be helpful to see the data from OSEP as to how the 1% determination was made.
- The Special Olympics estimates the percentage of the global population with a cognitive disability falls between 1% and 3%. It would stand to reason that this number is not static year to year. In some years this may include fewer people and in some there may be more people. Certainly, it is reasonable to request a waiver extension to include all of the 1.2% of people this year who deserve this opportunity. In fact, it seems that the 1% cut-off may be set low in relation to the population of people who require it. Citing my source: <https://www.specialolympics.org/about/intellectual-disabilities/what-is-intellectual-disability>

Response:

No Child Left Behind (2003) provided for the 1.0% cap and also allowed for the Secretary of Education to approve an exception for a state (or for a state to approve an exception for an LEA). In 2015 the Every Student Succeeds Act (ESSA) applied the 1.0% cap to participation rather than performance.

1% History Timeline (provided by National Center on Educational Outcomes)

Date/Event	Major Provisions
IDEA 1997	Alternate assessment first required – no indication of numbers
IDEA Final Rule 1999	No information about numbers
ESEA 2001 (NCLB)	Alternate assessment included in accountability (AYP), but no provision for alternate achievement standards
NCLB NPRM 2002	Introduced idea of alternate achievement standards; proposed a cap of 0.5% on who could count as proficient for AYP – at the state and LEA level
NCLB Final Rule 2002	Used the term “alternate achievement standards” but delayed the definition of the percentage that could count as proficient for AYP – kept the same grade level achievement standards, pending another notice of proposed rulemaking (due to the many comments received)
NCLB NPRM 2003	Explained the source of the 0.5% figure, but then recognized some of the limitations in the scientific basis for that figure; proposed a cap of 1.0% on who could count as proficient for AYP

NCLB Final Rule 2003	Provided for the 1.0% cap, and also allowed for the Secretary of Education to approve an exception for a state (or for a state to approve an exception for an LEA)
ESEA 2015 (ESSA)	Applied the 1.0% cap to participation rather than performance; percentage is based on the number of students with valid test scores in each subject area (across all grades)

NCLB = No Child Left Behind

NPRM = Notice of Proposed Rule Making

ESSA = Every Student Succeeds Act