

Forum on States and Districts Working Together on the 1.0% Threshold



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Background

Approximately 35 individuals representing staff from invited state departments of education and school districts, along with others (e.g., U.S. Department of Education, other state representatives) participated in a forum on June 26, 2019 in Orlando, Florida to discuss how states and districts can work together to meet the 1.0% threshold on participation in the alternate assessment aligned to alternate academic achievement standards (AA-AAAS). The forum was a post-session to the Council of Chief State School Officers (CCSSO) National Conference on Student Assessment (NCSA), and was a collaboration of the Assessing Special Education Students (ASES) State Collaborative on Assessment and Student Standards (SCASS) and the National Center on Educational Outcomes (NCEO).

A specific goal of the forum was to have states and districts talk about issues related to the 1.0% requirements and their implementation. It was believed that these discussions among states and districts could lay the foundation for continued thinking and acting together by states and districts to ensure that the right students are taking the right assessment.

Purpose

The purpose of the forum was to encourage states and districts to work together on meeting the 1.0% threshold. This topic grew out of numerous conversations during which states indicated that they were challenged by the Every Student Succeeds Act (ESSA) requirement that states be held to a 1.0% cap on participation in the AA-AAAS, but that districts could not be limited to 1.0% participation in the AA-AAAS.

Among the questions addressed in the forum were ones related to how states and districts could work together on: (a) analysis and use of data related to the 1.0% threshold; (b) use of professional development and technical assistance to lower the percentage of students participating in the alternate assessment; and (c) helping IEP teams to ensure that the “right” students are taking the “right” assessment. In addition, states and districts commented on resources that might support states and districts working together on these topics.

The forum started with a presentation on the history leading up to the 1.0% participation threshold for participation in the AA-AAAS. Then, the perspectives of a state and a district were provided. Following these presentations, forum participants broke into groups, first to discuss the issues, and then to identify needed resources. Groups were formed in a way that enabled state and district representatives from the same state to interact with each other as well as with individuals from other states and districts.

Each of these groups addressed the following questions:

- How can states and districts work together to:

1. analyze and use data related to the 1.0% threshold?
2. use professional development and technical assistance to lower the percentage of students participating in the alternate assessment?
3. help IEP teams ensure the “right” students are taking the “right” assessment?
- What resources might support states and districts working together to:
 4. analyze and use data related to the 1.0% threshold?
 5. use professional development and technical assistance to lower the percentage of students participating in the alternate assessment?
 6. help IEP teams ensure the “right” students are taking the “right” assessment?

Discussions were rich and engaging. The agenda was as follows:

- Welcome and introduction (Sandra Warren, CCSSO ASES SCASS)
- Overview of issues (Martha Thurlow, NCEO)
- State and District Perspectives (Sheryl Lazarus, NCEO)
 - Iris Jacobson (Wisconsin Department of Public Instruction)
 - Jenny Larson (CESA 6, Wisconsin)
- Breakout discussion and whole group sharing on *Critical Issues Related to the 1.0% Threshold*
 - Group 1: Georgia, Idaho, Maine, and Wyoming
 - Group 2: Arkansas, Connecticut, Kansas, North Carolina, and Washington
 - Group 3: Iowa, Missouri, Nebraska, Ohio, and Wisconsin
 - Group 4: Alabama, Arizona, Michigan, Utah, West Virginia, U.S. Department of Education
- Breakout discussion and whole group sharing on *Resources to Help us Work on These Issues*
 - Same small groups
- Debrief and next steps

Structure of this Report

This report summarizes both the introductory information provided to forum participants, and the facilitated forum discussions that followed. Summaries of the presentations were developed from notes taken during the presentations, and from the presenters’ slides. Summaries of the facilitated discussions were developed from notes taken by notetakers.

Participants were encouraged to comment and discuss freely, with assurances that no individual’s name, nor any state or organization would be attached to comments made. Complete anonymity of statements was ensured. This led to frank and open conversations.

Forum Introduction

Sandra Warren, CCSSO ASES SCASS Advisor, provided an overview of the forum and recognized the hosts—ASES SCASS and NCEO. She noted that states are challenged by the ESSA requirement that states be held to a 1.0% threshold while districts within the states are not. She indicated that it made sense to start discussions among states and districts to identify the issues and to identify resources that would be helpful in

supporting states and districts to work together on the AA-AAAS participation requirements. She confirmed that the goal of the forum was to find ways to encourage states and districts to work together on meeting the 1.0% threshold.

1.0% Overview and Issues

Martha Thurlow, NCEO, provided a brief history of the events that led up to the decision to hold a forum on the topic of states and districts working together, and referred participants to a handout, *The 1.0% Threshold on Participation in the AA-AAAS* (see Appendix). She noted the slow increase in AA-AAAS participation rates over the past 10 years, and then presented graphs of AA-AAAS participation rates in reading/language arts and mathematics in 2016-17. These graphs showed the tremendous variability in states' AA-AAAS participation rates, with a range from 0.8% to 2.3% in reading/language arts and from 0.8% to 2.4% in mathematics. Thurlow highlighted the challenge that states face – being held to 1.0% without being able to hold districts to the same participation thresholds.

State and District Perspectives

Sheryl Lazarus, NCEO, introduced the topic of states and districts working together by reminding the participants that even though districts are not held to the 1.0% threshold, there are consequences for the state not making progress toward the threshold that ultimately could affect districts and schools, including potential reduced funding to provide technical assistance and support to districts and schools. She also noted the importance of the district perspective because districts provide the most direct guidance to their schools, which is where decisions about AA-AAAS participation are made at the local level.

Lazarus introduced the two speakers:

- Iris Jacobson, Education Consultant, Special Education, Wisconsin Department of Public Instruction
- Jenny Larson, CESA 6 Regional Special Education Network (RSN) Coordinator, Residency in Teacher Education (RITE), and Program Instructor, CESA, Wisconsin

Jacobson and Larson provided their perspectives on the 1.0% threshold and activities in the state of Wisconsin and the districts within CESA 6. Among the points they made together were:

- Heightened training and communication on the 1.0% requirement took place during the 2016-17 school year and continues, especially working closely with regional directors. Regional staff, in turn, share the same information with district administrators, assessment coordinators, and special education directors, who share with principals and teachers.
- Several documents were developed collaboratively by the state and regional stakeholders, including general information on the state-defined 1.0%, a guidance document, and a worksheet for Individualized Education Program (IEP) teams.
- The state and districts shared and discussed their data related to the 1.0%.

- Much of the technical assistance focus on instruction and the capacity of teachers to develop their instruction aligned to alternate achievement standards, along with related topics of high expectations, general education curriculum, graduation policies, and collective responsibility. This technical assistance emphasized that all students should have access and engagement, and should be able to show progress in the general education curriculum across all school life and community environments.

Session Structure and Outcomes

Sheryl Lazarus informed participants of the structure of small group discussions, noting the explicit attempt to place individuals into groups so that there was an opportunity for states and districts to talk to each other. She confirmed the desire for open and candid conversations, and noted that a report would be produced as a result of the discussions.

Small Group Discussions

Following the forum presentations, meeting participants divided into discussion groups as noted previously.

Discussion Session 1

The first discussion session focused on addressing three questions:

1. How can states and districts work together to analyze and use data related to the 1.0% threshold?
2. How can states and districts work together to use professional development and technical assistance to lower the percentage of students participating in the alternate assessment?
3. How can states and districts work together to help IEP teams ensure the “right” students are taking the “right” assessment?

The group discussions and follow-up whole-group sharing session comments are summarized here, following the question format that was used for the discussion.

How can states and districts work together to analyze and use data related to the 1.0% threshold?

The groups had rich discussions related to analyzing and using data. Specific suggestions that were mentioned included:

- Ensure that both states and districts know how to access, understand, and use their data. This may involve determining ways for data to be shared broadly so it is not only the data person who has the data.
- Get away from a “just fix this” attitude toward addressing the 1.0% participation threshold.
- Work with special education monitoring personnel because the 1.0% initiative aligns with the special education Results Driven Accountability (RDA) initiative.
- Provide state-level data to all districts so that they can better understand the numbers in their district.

- Be sure that both curriculum and instruction personnel are at the table when discussing the AA-AAAS and participation rates.
- Work together to examine rates across time to determine whether there are trends in participation.
- Work together to look at more than the numbers, including student characteristics.
- Provide a mechanism for all district coordinators, principals, and superintendents to look at the AA-AAAS data and talk to each other about them.
- Work with schools to identify risk factors for being identified for inclusion in the AA-AAAS in their schools.
- Be sure curriculum personnel are informed about the 1.0% threshold, and are supportive of it (and addressing it).
- Examine together trends in participation across grades; for example, there is a likely problem if many students are moved into or out of the AA-AAAS at the high school level.
- Do not assume that because a district's AA-AAAS participation rate is under 1.0% that its IEP teams are making good decisions.
- Dig further into data for students who are proficient on the AA-AAAS.

How can states and districts work together to use professional development and technical assistance to lower the percentage of students participating in the alternate assessment?

The groups also suggested a number of ways for states and districts to work together on professional development and technical assistance. For example:

- Develop a plan for making information widely available on the meaning of “students with the most significant cognitive disabilities”
- Provide technical assistance how to do deep data dives.
- Provide details on ways to look at student profiles in more depth.
- Consider requiring professional development for all staff administering the AA-AAAS, and include a focus on instruction in the required professional development.
- Address instructional decisions for each grade in depth.
- Provide additional professional development and technical assistance any time there is a change in AA-AAAS participation criteria, and focus on both inclusion criteria and exclusion criteria.
- Develop a webinar that is always available and can be accessed when the educator has time to do so.
- Provide instruction to districts on how to determine the AA-AAAS participation rate; this involves a team in the district, rather than only a data person.
- Be sure all relevant personnel are involved in planning professional development and technical assistance.
- Offering trainings more than one time for new personnel should be considered).
- Be sure other confounding factors are addressed (e.g., teacher evaluation) in any professional development or technical assistance activities.
- Pull in the appropriate people to provide guidance to districts and to schools. Perhaps involve administrators in the development of the participation criteria.

- Develop a “Principal’s Corner” on websites to post information about the AA-AAAS.
- Consider ways to provide training in the state’s higher education systems.

How can states and districts work together to help IEP teams ensure the “right” students are taking the “right” assessment?

The groups also had enthusiastic conversations about IEP teams and how states and districts could work together to influence them. The following points were noted:

- Focus on data and evidence that supports the decision-making flow chart.
- Work closely with special education directors on the appropriate language to use in sharing the message about AA-AAAS participation with special education and assessment staff.
- Use face-to-face trainings with members of IEP teams, and address the questions they are likely to have (e.g., Why? Where did the requirement come from? What are the consequences of being over 1.0%?)
- Address the role of accessibility and accommodations for the regular assessment, and how appropriate decisions about these for the assessment can reduce the decisions to place students in the AA/AAAS.
- Ensure that all team members know the participation guidelines and are “on the same page” in their interpretations.
- Conduct monitoring with a set of districts each year, including the 1.0% requirement in the monitoring. Be sure that random monitoring occurs as well.

Discussion Session 2

The second discussion session focused on addressing three slightly different questions:

1. What resources might support states and districts working together to analyze and use data related to the 1.0% threshold?
2. What resources might support states and districts working together to use professional development and technical assistance to lower the percentage of students participating in the alternate assessment?
3. What resources might support states and districts working together to help IEP teams ensure the “right” students are taking the “right” assessment?

The group discussions and follow-up whole-group sharing session comments are summarized here, following the question format that was used for the discussion.

What resources might support states and districts working together to analyze and use data related to the 1.0% threshold?

Participants in the group generated several ideas for supports for data analysis and use:

- Guidance on analyzing district data.
- Webinars with state and districts to examine data.
- More resources that are directed at districts.
- Peer Learning Groups to do “data digs” in the same way that states are doing.

- Data retreats with state and district personnel where data are shared among districts, data are examined together, and then goals are developed.
- Federal guidance clarifications.
- Frequently Asked Questions document available on the state website; it will be helpful to both state and district personnel.
- Report on the relationship between special education identification rate and AA-AAAS participation rates.

What resources might support states and districts working together to use professional development and technical assistance to lower the percentage of students participating in the alternate assessment?

Conversations about professional development and technical assistance had been infused in previous discussions. Nevertheless, several key ideas were shared:

- Targeted professional development and technical assistance that could be provided to schools that may want to re-examine their data and AA-AAAS participation of students.
- Documentation that provides a common understanding that placement is not a good indicator of whether a student should participate in the AA-AAAS, and vice versa.
- Renewed training on accessibility and accommodations and how they can assist in ensuring that the regular assessment is the appropriate assessment for a student.
- Clarification of what “adaptive behavior” actually means when identifying students with the most significant cognitive disabilities.
- Model curriculum for students with the most significant cognitive disabilities.
- Communication matrix and communication development supports.
- Information for school administration (especially principals).
- Videos of students with the most significant cognitive disabilities to provide schools without these students a frame of reference (so they do not assign their students who are struggling the most to the AA-AAAS).
- Mandated training for new personnel.

A frequent comment was to involve all stakeholders in anything developed for professional development and technical assistance to ensure that the materials meet actual needs. Another frequent comment was that time needed to be taken to ensure that all systems and documents align with each other.

What resources might support states and districts working together to help IEP teams ensure the “right” students are taking the “right” assessment?

The discussion about influencing IEP teams was lively. Some of the points made were:

- Flow charts or decision trees that IEP team members could use when deciding whether a student should participate in the AA-AAAS.
- Some type of rubric for judging whether a student meets the criteria for participation in the AA-AAAS.
- Case studies to train IEP members on making decisions about participation in the AA-AAAS, especially case studies that reflect students who are on the “cusp” between the regular assessment and the AA-AAAS.
- Virtual “office hours” to respond to questions, etc.

- Policies that require teams to provide evidence to support a decision about participation in the AA-AAAS.
- Document supporting the notion of a “team” decision rather than one person (e.g., school psychologist, principal, special education teacher) having sway over the decision.
- Parent materials.

Conclusion

The meeting closed with concluding remarks by Martha Thurlow (NCEO). She thanked participants for their thoughtful discussions and confirmed that a report with the forum proceedings would be available by the fall.

Appendix

The 1.0% Threshold on Participation in the AA-AAAS

The purpose of this brief document is to provide basic information on the alternate assessment based on alternate academic achievement standards (AA-AAAS)

Timeline of Federal Legislation on the Alternate Assessment (now known as AA-AAAS)

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)

IDEA = Individuals with Disabilities Education Act; ESEA = Elementary and Secondary Education Act; NCLB = No Child Left Behind; NPRM = Notice of Proposed Rule Making; ESSA = Every Student Succeeds Act

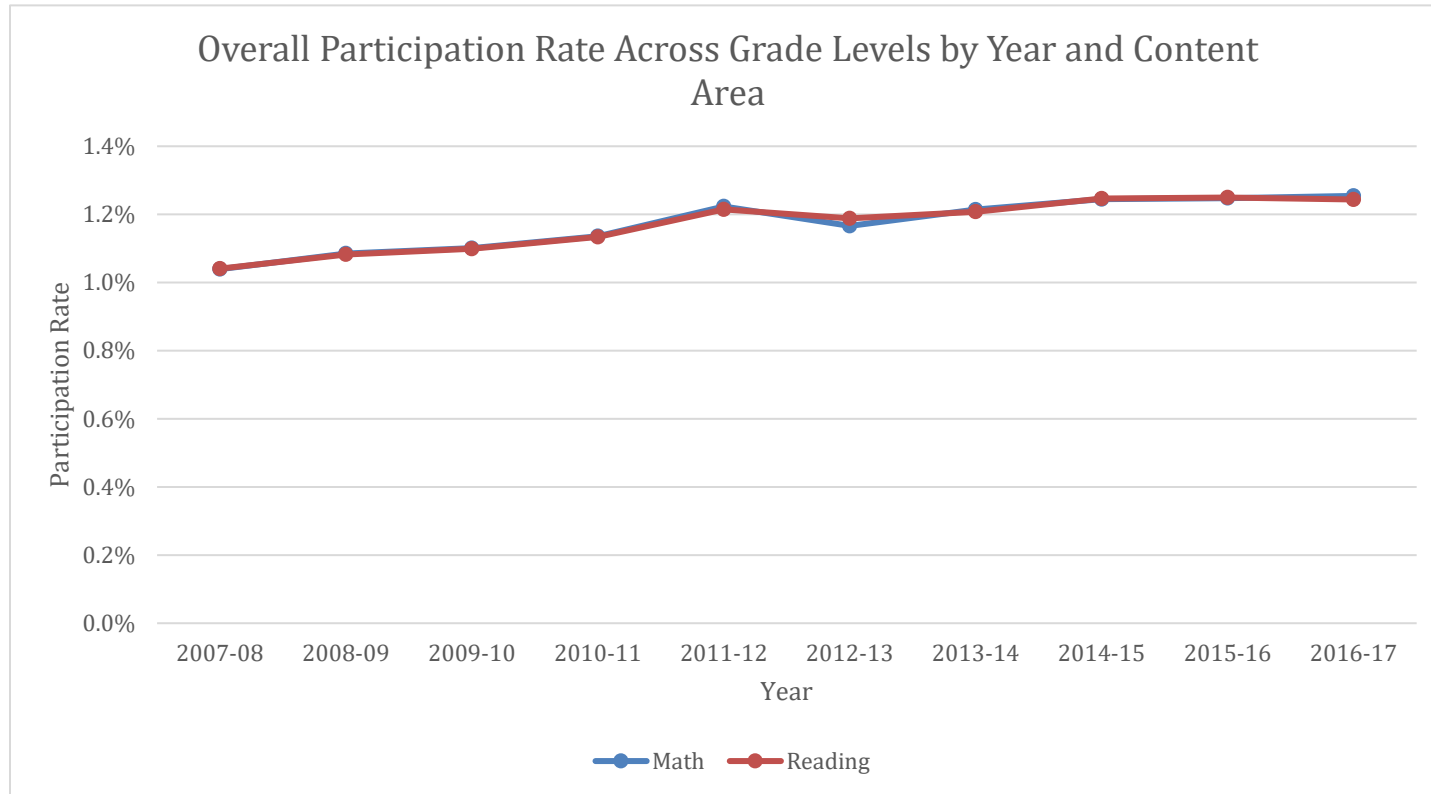
Rationale of the 1.0% Threshold Requirement on Participation in the AA-AAAS

The Elementary and Secondary Education Act (ESEA), reauthorized as the Every Student Succeeds Act (ESSA), specifically limits **participation** in the AA-AAAS to 1.0% of the total assessed population in each subject area **at the state level** (1111(b)(1)(D)(i)(I)). The statute allows States to apply for a waiver to exceed the 1.0% threshold. Assessment regulations enacted on January 9, 2017 (20 U.S.C 6301–6576) provide details about waiver criteria.

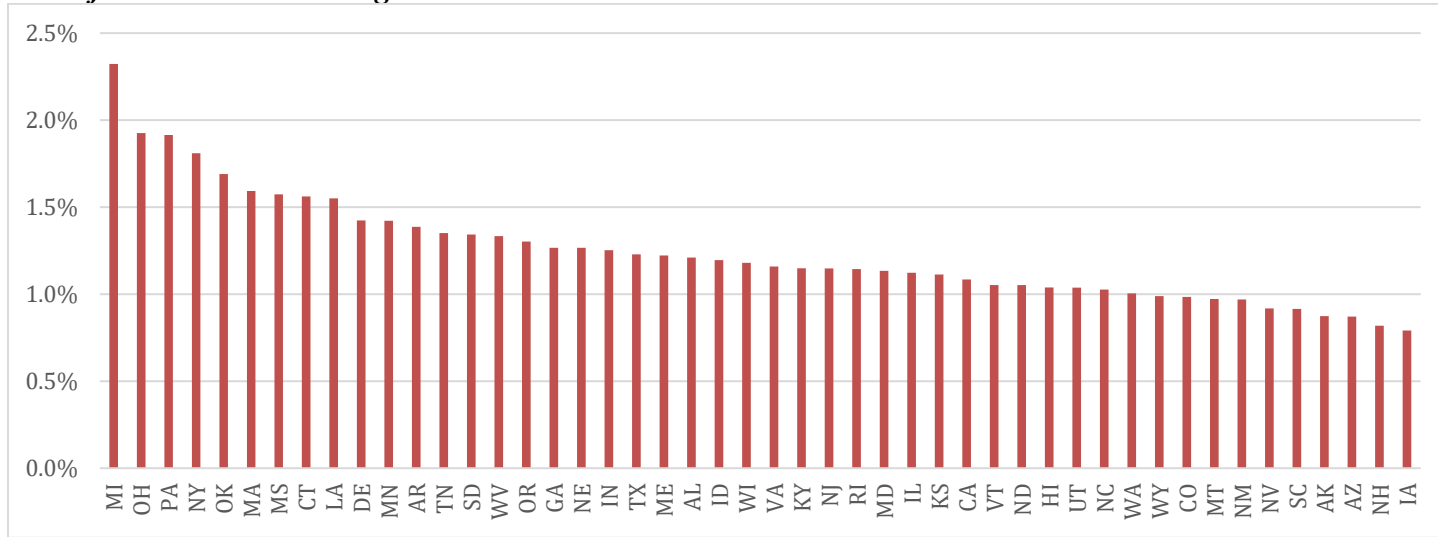
The limit on participation in the AA-AAAS is a change from the AA-AAAS performance cap that was established through 2003 ESEA regulations (section 200.6(a)(2)). The regulations did not limit the number of students who could participate in an AA-AAAS. Rather, they limited the percentage of scores from an AA-AAAS that could be counted as proficient or advanced in a state's accountability system. Under ESSA assessment regulations, the scores of all students who take an AA-AAAS, no matter how many are proficient, must be reported on State education agency (SEA) and local education agency (LEA) report cards and included in school accountability determinations under Section 1111(c) of the ESEA, including performance against long-term goals and in the Academic Achievement indicator (Federal Register, Dec 8 2016, Volume 81, Number 236, p. 88911). This ensures that the vast majority of students with disabilities are included in the general assessment alongside their peers and that only those with the most significant cognitive disabilities are assessed with an AA-AAAS.

Graphic Displays of AA-AAAS Participation Rates

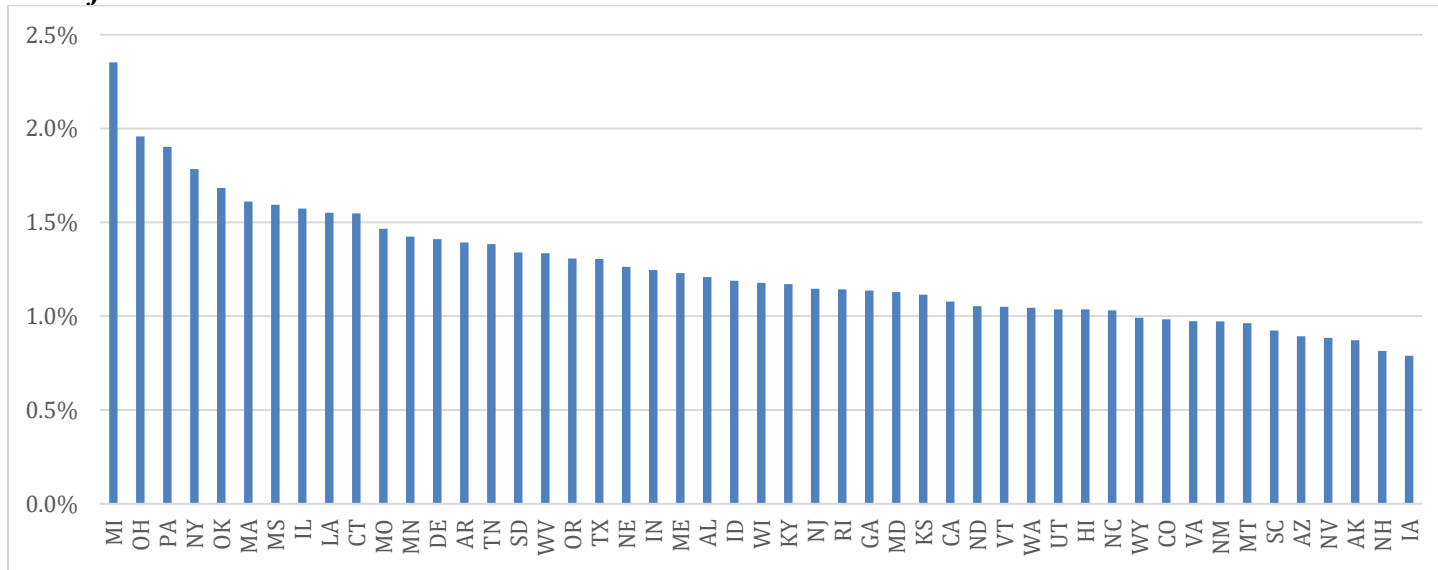
Rates from 2007-08 to 2016-17



State-level Rates for AA-AAAS Reading in 2016-17



State-level Rates for AA-AAAS Mathematics in 2016-17



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