

ALABAMA STATE DEPARTMENT OF EDUCATION

RESUBMISSION OF ADDIONAL COMPONENTS REQUESTED FROM DENIAL LETTER

English Language Arts, Mathematics, and Science



# **CONTENTS**

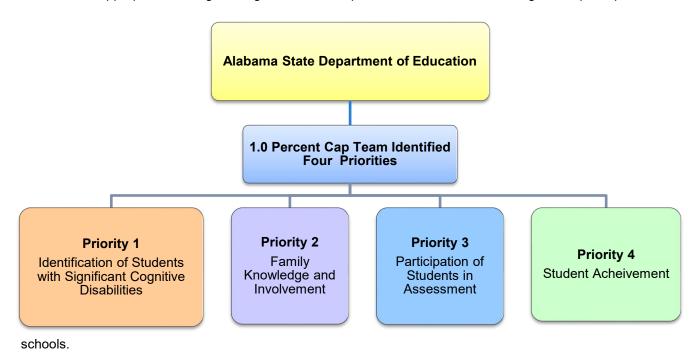
Alabama Achieves: A Plan for a New Decade	3
Historical Progress for Alabama	4
Historical Progress for Alabama	5
Alabama One-Percent Waiver Request	6
Required Components of the One Percent Waiver Request	7
Component 1	7
Component 2	7
Component 2BComponent 3A	
Component 3B	
Component 4A	13
Component 4B	15
Component 4B.1 – Submission of Additional Information	16
Tiers of Support	16
The One Percent Can on Particination in the State Alternate Assessment in Alahama	19

#### ALABAMA ACHIEVES: A PLAN FOR A NEW DECADE

Dr. Eric Mackey, State Superintendent of Education, stated in the introduction of the <u>Alabama Achieves:</u> A Strategic Plan For a New Decade:

"Every Child, Every Chance, Every Day is not only our department's motto but a guiding philosophy about the work we undertake on behalf of the 725,000 children who cross the thresholds into our public schools daily. Our guiding philosophy is that every child should be afforded every chance to succeed in school and, thus, make wise choices every day leading to success in career, family, and life after high school. Indeed, from the first day of kindergarten, all that we do in K-12 schools is designed to empower students through education, to open new opportunities and widen horizons, and, ultimately, to help them to use knowledge and experience to make wise decisions. Our aspiration is that with our support, all children will seize the opportunities, rise to the challenges, and overcome any barriers in their way."

In alignment with the strategic plan for education in Alabama, sections of the Alabama State Department of Education (ALSDE) embraced the call to action. Collaborations began with other sections to explore the current state of where education stood with the direction of where education was headed. Among hot topics were assessment, standards, teachers, and, most importantly, outcomes for Alabama's students. The ALSDE 1.0 Percent Cap Team began by outlining priorities for improvement and defined four priorities that will steer the appropriate oversight and guidance that is provided to Local Education Agencies (LEAs) and



Alabama strives to meet the needs of all students, especially those with the most significant cognitive disabilities. While understanding the severity of the guidance given on assessing students on the alternate standards, the ALSDE has continued to work as a team. The Team continues to anchor the four identified priorities into the identified work throughout the years.

While Alabama **was not** approved for the 2022-2023 school year extension waiver, we feel the State is moving in the right direction in improving participation and achievement for the students in Alabama while guiding LEAs to make better decisions concerning students and their cognitive abilities.

# **Historical Progress for Alabama**

Alabama's focus on Every Child, Every Chance, Every Day has been a focus for the	Р	riority C	ategor	у
ALSDE 1.0 Cap Team for several years. The adoption of the four principles has provided a scaffold for collaborations with other states, national support centers, and stakeholders within Alabama. While this is not an exhaustive list of the work for the Team, it is a step in the right direction of helping all educators, administrators, and teams to understand the importance of proper identification of students with the most significant cognitive disabilities, informing families of the long-term impact of the alternate assessment, and helping students show growth in participation and achievement.	Identification	Family Knowledge and Involvement	Participation of Students	Student Achievement
In the summer of 2019, Alabama Course of Study: Mathematics was developed by educators and business and community leaders to provide a foundation for building quality mathematics programs across the state. Implementing the content of this document through appropriate instruction will enable all Alabama students to be mathematically well-prepared graduates. Society and the workplace require that all Alabama students receive a solid foundation of knowledge, skills, and understanding of mathematics. Alabama educators must focus on teaching mathematics in ways that enable students to expand professional opportunities, understand and critique the world, and experience the joy, wonder, and beauty of mathematics. To address this goal, the 2019 Alabama Course of Study: Mathematics content sets high standards for all students and reflects changes designed to better meet the needs of students and teachers in the State of Alabama.			<b>~</b>	<b>~</b>
In the summer of 2021, the <u>2019 Mathematics Course of Study</u> committee reconvened to create <u>2019 Alternate Achievement Standards for Mathematics</u> for students with the most significant cognitive disabilities. The committee also constructed the framework and components of the Differentiated Instructional Guide (DIG) for mathematics.	~		~	~
In the summer of 2021, the English language arts committee created the 2021 Alabama Course of Study: English Language Arts, which presents a sound framework designed to prepare students for the English Language Arts demands in both college studies and careers. This document contains a set of challenging content standards for students at each grade level. The ALSDE assessments are based on these standards. Alabama Achieves: A Strategic Plan for a New Decade defines the accountability measures enacted to ensure student growth. These standards are based on a foundation provided by the Revised 2016 Alabama Course of Study: English Language Arts, the National Assessment of Educational Progress (NAEP), the National Council of Teachers of English (NCTE), Alabama Achieves: A Strategic Plan for a New Decade, the Alabama Literacy Act Implementation Guide, the Alabama Dyslexia Resource Guide, and English Language Arts standards in other states. Content standards are designed to meet English Language Arts classroom expectations and enhance student performance in other content areas.			<b>&gt;</b>	~
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In December 2021, the ALSDE 1.0 Percent Cap Team redesigned the guiding document to identify students with the most significant cognitive disability (utilizing Ohio's Decision-Making Tool as a reference). The <u>ACAP Alternate Participation Decision-Making Tool</u> was created and implemented.	~	~	~	~
In December 2021, the Special Education Section released the final version of the <a href="Differentiated Instructional Guide">Differentiated Instructional Guide</a> for Mathematics. This guide provides prior knowledge and objectives for each standard to help students take ownership of their learning and allow teachers to scaffold purposeful instruction for students with disabilities. This support is designed to help teachers find a starting point for learning for every student and provide a bridge to help students succeed.	<b>~</b>	<b>~</b>	<b>~</b>	<b>~</b>

# **Historical Progress for Alabama**

In December 2021, the Special Education Section implemented Improving Outcomes for Students with Disabilities. This series of High Leverage Practices (HLP) opportunities is hosted on the Schoology Learning Management System (LMS) and is a continual program improving the effectiveness of teachers in a direct approach to improving outcomes for students with disabilities. High-leverage practices are the most critical practices every K-12 special education teacher should master, which provide help for teachers, families, and students.  At the MEGA 2022 Conference, the sections collaborated to train educators on the importance of identifying students with the Decision-Making Tool. This presentation was included within the presentations of Connections Between the English Language Arts ACAP Alternate and Instruction and Supporting Connections Between the Math ACAP Alternate and Instruction assessions.  In Fall 2022, the Accessibility Supports and Accommodations Policy for State Assessments Manual (ASAP Manual) On-Demand Training was provided to District Test Coordinators, Building Test Coordinators, Special Education Coordinators, and any teacher with a student taking the state assessment needing accommodations.  In December 2022, the 1.0 Cap Webinar was created by the collaboration of Student Assessments for the state of Alabama. The webinar outlined the components, identification of students, and the importance of informing parents, along with the support offered by the ALSDE.  In Winter/Spring 2023, the Special Education Section provided training across the state on identifying students on the alternate assessment and providing a deep dive into the assistive technology guidelines and process with LEAs.  In the spring of 2023, the Special Education Section completed the final draft of the Differentiated Instructional Guide for the English language arts standards. This guide provides prior knowledge and objectives for each standard to help students take ownership of their learning and allow teachers to scaffold purpo					
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# ALABAMA ONE-PERCENT WAIVER REQUEST

#### **ENGLISH LANGUAGE ARTS, MATHEMATICS, AND SCIENCE**

ESSA section 1111 (b)(2)(D) and 34 C.F.R. §200.6(c) and (d)

Title I of the Elementary and Secondary Education Act of 1965, amended by the Every Student Succeeds Act of 2015, addresses alternate assessments for students with the most significant cognitive disabilities. Each state must submit a waiver request to the U.S. Department of Education if it predicts exceeding 1.0 percent participation in the alternate assessment in a subject. Alabama was denied a waiver extension request for school year 2022-2023.

Alabama's participation rates on the *ACAP Alternate* in school year 2022-2023 were 1.35% (1.4%) in English language arts, 1.34% (1.3%) in mathematics, and 1.34% (1.3%) in science. **Table 1** shows the percentage of students who took an alternate assessment by content area in Grades 3-8 and Grade 11 in high school across years.

Table 1: Alabama's Participation in the ACAP Alternate by Subject Area Across Years

	Reading/Language Arts	Math	Science
2018-2019	1.26%	1.26%	1.26%
2020-2021	1.23%	1.23%	1.24%
2021-2022	1.26%	1.26%	1.26%
2022-2023	1.35%	1.34%	1.34%
2023-2024 (ESTIMATE)	1.34%	1.34%	1.37%

As specified in the *Every Student Succeeds Act*, Alabama's improvement plan towards appropriately assessing students on the alternate assessment includes:

- annually requiring justifications from LEAs exceeding the 1.0 percent cap;
- supporting and monitoring LEAs and schools to appropriately use the state's eligibility guidelines for the alternate assessment;
- analyzing the disproportionate risk ratio of each LEA;
- and using a statewide system of support to provide appropriate oversight and support to LEAs and schools that exceed the 1.0 percent cap.

Alabama's participation rate for students being assessed on the alternate assessment continues to exceed the 1.0 percent cap. The ALSDE continues collaboration with local and national partners to develop and implement innovative approaches to ensure that only students with the most significant cognitive disabilities participate in the ACAP Alternate assessment.

The ALSDE 1.0 Percent Cap Team members participate in the National Center for Systemic Improvement (NCSI) Evidence-Based Practices (EBPs) Collaborative, where members discuss ways to improve outcomes for students with disabilities by leveraging evidence-based practices. This is an ongoing collaboration of support for the Special Education Section as we strive to improve outcomes for our students in Alabama.

The ALSDE 1.0 Percent Cap Team members participate in the SEA Jobs Alike Workgroups- Low Incidence Disabilities hosted by The Center for Technical Assistance for Excellence in Special Education (TAESE) to collaborate on best practices and trends across the nation regarding student success in schools.

The ALSDE 1.0 Percent Cap Team members participate in the Council of Chief State School Officers (CCSSO) where team members collaborate with other states in the Assessment, Standards, and Education for Students with Disabilities (ASES), Balanced Assessment System (BAS), Technical Issues in Large-Scale Assessment (TILSA), focusing on how to enhance our assessment, accountability, instructional supports, and Courses of Study to provide access to students with disabilities. Team members also hold membership in Council for Leaders in Alabama Schools (CLAS).

The ALSDE 1.0 Percent Cap Team members participate in the National Center on Educational Outcomes (NCEO) biweekly collaboratives, where support is offered to states for accountability, assessment, and instructional guidance in providing instruction to students with significant cognitive disabilities.

#### Required Components of the One Percent Waiver Request

#### **Component 1**

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

Alabama's assessment window for the *ACAP Alternate* opens on March 4, 2024. In an effort to meet this component, ninety days prior to the start of the window is December 5, 2023. The ALSDE submitted the waiver request to the U.S. Department of Education on December 5, 2023.

#### **Component 2**

Provide state-level data, from the current or previous school year, to show:

a. The number and percent of students in each subgroup of students who took an alternate assessment aligned with alternate academic standards in 2022-2023.

Alabama follows the federal participation requirements for assessments and requires all students enrolled in public schools to be assessed with the general assessment, the general assessment with accommodations, or with an alternate assessment. Chapter 290-4-2-.01 (5) of the State Board of Education, State Department of Education Administrative Code, Student Assessment, states that "All students must be provided the opportunity to participate in the state testing program."

**Tables 2-4** includes the number of students and percentage of students assessed in each subgroup of students who took the *ACAP Alternate*.

Table 2: 2022-2023 Participation in the ELA ACAP Alternate (Grades 3-8 and High School Grade 11)

Subgroup	Total Number of students Assessed in Grades 3-8 & High Schools 2022-2023 ELA	Number of students who took ACAP Alternate in Grades 3-8 & High School 2022-2023 ELA	Percent of students who took ACAP Alternate in Grades 3-8 & High School 2022-2023 ELA
All Students	374320	5041	1.35
American Indian/Alaskan Native	3436	28	0.81
Asian	5814	80	1.38
Black or African American	118219	2056	1.74
Hispanic/Latino	40286	448	1.11
Native Hawaiian/Pacific Islander	438	4	0.91
Two or More Races	12188	144	1.18
White	193783	2264	1.17
Female	182390	1716	0.94
Male	191924	3325	1.73
Economically Disadvantaged	244640	4021	1.64
Homeless	5030	91	1.81
Migrant	838	4	0.48
Military Affiliated	7988	75	0.94
Foster	1215	63	5.19

Table 3: 2022-2023 Participation in the Math ACAP Alternate (Grades 3-8 and High School Grade

Subgroup	Total Number of students Assessed in Grades 3-8 & High Schools 2022-2023 Math	Number of students who took ACAP Alternate in Grades 3-8 & High School 2022-2023 Math	Percent of students who took ACAP Alternate in Grades 3-8 & High School 2022-2023 Math
All Students	375272	5037	1.34
American Indian/Alaskan Native	3440	28	0.81
Asian	5837	80	1.37
Black or African American	118497	2058	1.74
Hispanic/Latino	40564	447	1.10
Native Hawaiian/Pacific Islander	439	4	0.91
Two or More Races	12200	144	1.18
White	194135	2259	1.16
Female	182559	1715	0.94
Male	192705	3322	1.72
Economically Disadvantaged	245225	4018	1.64
Homeless	5046	92	1.82
Migrant	840	4	0.48
Military Affiliated	8001	75	0.94
Foster	1211	63	5.20

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Table 4: 2022-2023 Participation in the Science *ACAP Alternate* (Grades 3-8 and High School Grade 11)

Subgroup	Total Number of students Assessed in Grades 3-8 & High Schools 2022-2023 Science	Number of students who took ACAP Alternate in Grades 3-8 & High School 2022-2023 Science	Percent of students who took ACAP Alternate in Grades 3-8 & High School 2022-2023 Science
All Students	158264	2115	1.34
American Indian/Alaskan Native	1426	9	0.63
Asian	2512	27	1.07
Black or African American	49574	857	1.73
Hispanic/Latino	16741	163	0.97
Native Hawaiian/Pacific Islander	171	0	0.00
Two or More Races	4792	58	1.21
White	82956	997	1.20
Female	77486	761	0.98
Male	80770	1354	1.68
Economically Disadvantaged	100229	1685	1.68
Homeless	1893	38	2.01
Migrant	350	1	0.29
Military Affiliated	3496	31	0.89
Foster	483	26	5.38

# b. The state measured the achievement of at least 95 percent of all students and 95 percent of students in the children with disabilities subgroup enrolled in grades for which the assessment is required.

For the 2022-2023 school year, Alabama assessed 98.55 percent of all students in the subject of English language arts, 98.78 percent in the subject of mathematics, and 98.21 percent in the subject of science. Alabama has also assessed 97.42 percent of students with disabilities in the subjects of English language arts, 97.93 percent in the subject of mathematics, and 96.75 percent in the subject of science (**Table 5**).

Table 5: Percentage of Students Assessed on Statewide Assessments

	All Students Grades 3-8 and High School 2022-2023 Math	Students With Disabilities Grades 3-8 and High School 2022-2023 Math
Students Assessed	375272	53387
Students Enrolled	379897	54518
Assessment Participation Rate	98.78%	97.93%
	All Students Grades 3-8 and High School 2022-2023 ELA	Students With Disabilities Grades 3-8 and High School 2022-2023 ELA
Students Assessed	374320	53108
		54545
Students Enrolled	379822	54517

	All Students Grades 3-8 and High School 2022-2023 Science	Students With Disabilities Grades 3-8 and High School 2022-2023 Science
Students Assessed	158264	20959
Students Enrolled	161149	21663
Assessment Participation Rate	98.21%	96.75%

Alabama **did** meet the requirement of assessing 95 percent of students in all subjects for all students and students with disabilities, satisfying the prerequisite for applying for the waiver.

#### **Component 3A**

Include assurances from the state that it has verified that each LEA that the state anticipates will assess more than one percent of its assessed students in any subject using an alternate assessment followed the state's guidelines for participation in the alternate assessment.

Alabama requires LEAs with more than 1.0 percent of students eligible to participate in the alternate assessment to submit information, justifying the need to exceed the 1.0 Cap. The LEAs were provided with their data on November 3, 2023. The *Justification Form* leads LEAs through a series of questions to determine why more than 1.0 percent of students were assessed in the 2022-2023 School Year (SY) assessment period. The ALSDE 1.0 Percent Cap Team will review the information submitted and assign each LEA within a tier of oversight/technical assistance. Within the *Justification Form*, LEAs had to answer questions around the following:

- 1. Participation criteria
- 2. Identify the factors that contributed to the district exceeding the One Percent Cap requirement for students participating in the ACAP Alternate Assessment
- 3. Decision-Making Tool
- 4. Examination of Disproportionality of Students Participating on the ACAP Alternate Assessment

Table 6: Training Participation

Training	2022-2023 Participants	2023-2024 Participants
Accessibility Supports and		
Accommodations Policy for	8,062	6,679
State Assessments Training		
Special Education Services		
provided training on the		
Decision-Making Tool Full	83	Upcoming
Guidance Training (Spanish		
version provided as well)		
One Percent Cap Requirement	453	219
for Alternate Assessments	433	219
Disproportionality Training	107	119

The U.S. Department of Education strongly recommends that the *Justification Forms* be posted and easily accessible on the State's website. The 2023-2024 *Justification Form* information was due back to the ALSDE no later than November 28, 2023. Once received, the ALSDE will post at: https://www.alabamaachieves.org/assessment/.

All Districts, projected to be over the 1.0 Percent Cap for the 2023-2024 school year, have submitted *Justification Forms*.

Crucially, for all 1.0 percent cap waiver requests, a State must provide the public and any interested LEA in the State with notice and a reasonable opportunity to comment and provide input on the entire waiver request in the way the State customarily provides similar notice and opportunity for comment to the public. The State must submit the actual comments and input to the Department with a description of how the State addressed the comments and input. The 2023-2024 Justification Form information is due back to the ALSDE no later than November 28, 2023. Once received, the ALSDE will post at: <a href="https://www.alabamaachieves.org/assessment/">https://www.alabamaachieves.org/assessment/</a>. The ALSDE is seeking public comment for the Alabama 1.0 percent Request for a Waiver for English Language Arts, Mathematics, and Science. The public was notified through a press release that the public comment period was open. The press release will be posted on the ALSDE's website, shared on listservs used by each LEA, Assessment Coordinators and Directors of Special Education, and disseminated via e-mail to other stakeholders. After receiving public comments, the ALSDE will submit this information to the U.S Department of Education.

#### **Component 3B**

Include assurances from the state that it has verified that each LEA that the state anticipates will assess more than 1.0 percent of its assessed students in any subject using an alternate assessment will address any disproportionality in the percentage of students in any subgroup taking an alternate assessment.

For this school year, the ALSDE provided disproportionality data to each LEA. LEAs are considered to have a significant disproportionality issue if the N size for the subgroup is greater than or equal to 10 and the risk ratio is greater than or equal to 1.50. If any LEA has a subgroup of concern, they will complete an action plan to address the disproportionality.

The ALSDE provided an overview training on the data and what it represented. This training provided guidance on how the LEAs would take an "overall" look into subgroup data that may or may not be significant.

The *Justification Form* requires LEAs to answer guiding questions concerning identifying students with the most significant cognitive disabilities, atypical disability category, and English learner status. Each LEA will examine the data to better understand the population of students enrolled within their schools with an emphasis on the students who will be participating on the *ACAP Alternate*. Each LEA will evaluate this data by answering the following questions:

- 1. Are there pronounced differences between the data in the current year compared to previous years?
- 2. Are there distinct differences for one or more subgroups?
- 3. Are there contextual factors to consider such as a spike in enrollment of students with significant cognitive disabilities as a result of an expansion of services?
- 4. Is the data indicative of the district population as a whole?

These questions prompted several conversations for the ALSDE 1.0 Percent Cap Team staff for future training and guidance opportunities. Alabama requested LEAs to assure compliance in using the <u>Guidance for IEP Teams on Participation Decisions for the ACAP Alternate Assessment and Alternate Achievement Standards</u> (guidance that utilizes an adapted approach of the Decision-Making Tool created by Ohio) document to guide discussions and decisions regarding students being considered for the alternate assessment/achievement standards.

The ALSDE will work with the identified LEAs that show a risk ratio for students participating in the alternate assessment. According to the data, the ALSDE has one subgroup (Pacific Islander) that is at the 1.50 risk ratio, which will require the State to take a deeper dive into the LEA and school data. The ALSDE also identified another subgroup (Black or African American) that will require a more intense analysis of school data. With this analysis, the ALSDE will be able to determine in which LEAs and/or schools additional guidance is needed. **Tables 7-8** includes *ACAP Alternate* Participation Data including Primary Exceptionality and Subgroup Data.

Table 7: State-Level Targeted Analysis of Alternate Assessment Participation Data

PRIMARY EXCEPTIONALITY	2020-2021	2021-2022	2022-2023	2023-2024 (ESTIMATED)
Autism	1,624	1,835	1,678	1,788
Deaf-Blindness	2	4	5	5
Developmentally Delayed	158	181	34	76
Emotional Disability	10	10	7	11
Hearing Impaired	47	33	21	19
Intellectual Disability	2,617	2,588	2,191	2,022
Multiple Disabilities	626	647	527	558
Other Health Impairment	439	472	425	472
Orthopedic Impairment	82	83	63	64
Speech and Language Disability	29	31	21	56
Specific Learning Disability	45	42	23	19
Traumatic Brain Injury	35	45	35	40
Visual Impairment	29	31	15	14

Table 8: State-level ACAP Alternate Subgroup Data

	Participa	Risk Ratio	
Subgroup	2022-2023	2023-2024 (ESTIMATED)	2023-2024 (ESTIMATED)
Asian	80	92	1.15
Black or African American	2,058	2,105	1.31
Hispanic	447	482	0.83
Native American or Alaskan Native	439	25	0.57
Pacific Islander	4	9	1.50
Two or More Races	144	156	0.86
White	2,259	2,271	0.86
Economically Disadvantaged	4,018	4,011	1.23
English Learners (LEP 1 or 2)	212	227	0.72

#### **Component 4A**

Include a plan and timeline for improving the implementation of its guidelines for participation in the alternate assessment including if necessary, revising its definition of "students with the most significant cognitive disabilities".

Alabama is continually striving to improve the implementation of its guidelines for participation in the alternate standards. Historically, and this upcoming SY 2023-2024, we are implementing a plan of improvement involving aspects of technical assistance opportunities for all LEAs, with invitations being sent specifically to the LEAs for concerns identified by the ALSDE 1.0 Percent Cap Team, based on data and the *Justification Forms* submitted by the LEAs.

Technical assistance is a targeted approach based on the LEA needs and concerns identified from the *Justification Forms* and data. The ALSDE will take an individualized approach that allows for support to LEAs that will provide actual progress toward proper identification of students with the most significant cognitive disabilities, notification of the long-term effects of the alternate assessment, increase student participation, and show an increase in student achievement. The identified LEA Factors are listed in **Table 9** below.

Table 9: LEA Factors

LEA Factors	Audience	Required Training	
LEAs over the 1.0 Percent Cap Requirement (all LEAs are invited; required for all 1.01 and above)	<ul> <li>Special Education Coordinator</li> <li>District Test Coordinator</li> <li>Principals</li> <li>Lead Special Education Teacher</li> </ul>	Live/Recorded Training	
School Leader Series: Supporting the Inclusion of Students with Disabilities in Assessment	Principals	Live/Recorded Training	
Participation rate of less than 95% on any content subject assessment (All students and students with disabilities)	<ul><li>Special Education Coordinator</li><li>District Test Coordinator</li><li>Principals</li></ul>	Family Involvement and     Participation Plan for     assessment participation	
Continually Increasing in overage of the 1.0 Cap	<ul> <li>Special Education Coordinator</li> <li>District Test Coordinator</li> <li>Principals</li> <li>Lead Special Education Teacher</li> </ul>	Self-Assessment Workshop	
LEAs with an increase in the percentage of students on the alternate assessment and participation within the LEA compared to SY 2022-2023	<ul> <li>Special Education Coordinator</li> <li>Principals</li> <li>Lead Special Education Teacher</li> </ul>	<ul><li>Principal Webinar</li><li>Self-Assessment Workshop</li></ul>	
Disproportionality Risk Ratio	<ul> <li>Special Education         Coordinator</li> <li>District Test Coordinator</li> <li>Principals</li> </ul>	Disproportionality Action Plan	
K-2 Identified Alternate Students	<ul> <li>Special Education         Coordinator</li> <li>District Test Coordinator</li> <li>Principals</li> </ul>	Meeting/Call with Districts	

	Lead Special Education     Teach/Case Manager	
LEA Factors	Audience	Required Training
<ul> <li>LEAs who have identified:</li> <li>any student with an IQ score over what is identified within the definition;</li> <li>any student who is identified with a non-approved disability as identified within the <i>Decision Making Tool</i>;</li> <li>students within the highest performing group;</li> <li>students within the largest total subpopulation.</li> </ul>	<ul> <li>Special Education Coordinator</li> <li>District Test Coordinator</li> <li>Principals</li> <li>Lead Special Education Teach/Case Manager</li> </ul>	Justification for students identified
LEAs under the 95% Participation rate for:  Students with disabilities Alternate students	<ul><li>Special Education Coordinator</li><li>District Test Coordinator</li><li>Principals</li></ul>	<ul><li>Live/Recorded Training</li><li>Action Plan</li></ul>

The targeted technical assistance was an integral part of the planning for this timeline. The team wanted to be sure that the timing of the support impacted the participants at times that were beneficial and relevant in the field and when LEAs and schools were identifying students for alternate standards. **Table 10** identifies the time in which trainings will be provided to the LEAs and schools.

Table 10: Timeline for Improving the Implementation Guidelines for Participation in the ACAP Alternate

Date (Timeframe)	Activity	
July 2023-July 2024	1.0 Percent Cap Team Meetings	
October 30, 2023	Memo to Superintendents about 1.0 Cap Percent Data release	
October 2023-May 2024	Monitoring LEAs over the 1.0 Percent Cap – Meeting with Team monthly to discuss reviews	
November 1, 2023	Data Reported to LEAs with an invitation to the <i>Understanding</i> the1.0 Cap Webinar	
November 8, 2023	Understanding the 1.0 Cap Webinar (Justification Form Link Provided)	
November 2023	Justification Form Clarification Office Hours - What is the Justification Form and why does my LEA have to complete?  Justification Forms are due  Justification Forms made publicly available on the Alabama Achieves website  Disproportionality Webinar	
	Understanding Participation Webinar Public Notice of the Request for a 1.0 Cap Percent Waiver	
December 5, 2023	Waiver Submitted to USDOE	
December 2023-February 2024	Convene a committee of Teachers who teach alternate standards to evaluate the State's definition of students with the most significant cognitive disabilities	
December 2023-February 2024	K-2 Identified Alternate Students Webinar - Guidance	
December 2023-February 2024	Justifications for Identified Students Webinar - Guidance	

Winter 2023	ACAP Summative and Alternate Parent Videos of the Individualized Score Reports (ISR) (Social Media Blasts)	
January 2024-June 2024	Parent Resources	
Date (Timeframe)	Activity	
January 2024	Understanding the Decision-Making Process Before Considering the Alternate Assessment	
January-February 2024	School Leader Series Training	
Spring 2024	Empowering Families Toolkit Webinar	
June 2024	CCSSO/NCSA Workshop – Alternate Instructional Strategies Toolkit	
July 2024-ALSDE MEGA	Self-Assessment Workshop (MEGA Conference)	

#### **Component 4B**

Include additional steps to support and provide oversight to each LEA projected to exceed assessing more than 1.0 percent of its students with a most significant cognitive disability.

The ALSDE has incorporated the 1.0 Percent Cap into the **Risk Rubric** for Special Education Data and Reporting. The LEAs have been notified of their 1.0 Cap Percent status of over or under the 1.0 Percent Cap. Depending on their status, the LEA will receive points added to their risk rubric for being over the 1.0 Percent Cap. The State's priority includes partnership with the School Improvement Team to evaluate policies, procedures, and practices of those LEAs/schools over the 1.0 percent cap. This evaluation looks at how the LEA/school is determining which students are placed on alternate standards.

**Monitoring** is conducted with the collaboration of Assessment and Special Education sections. The ALSDE began an intensive monitoring schedule in 2022-2023 allowing for in-person monitoring and desk audits to review documentation utilized to evaluate a LEA projected to be over the 1.0 percent cap. The approach taken was to randomly select students from the LEAs identified as projected over the 1.0 percent cap. The team conducted a thorough review of IEPs to determine if students had been placed appropriately and if the LEAs were utilizing the ALSDE tools for determining eligibility (*Decision Making Tool*) for a student to be placed on alternate standards. From this monitoring, findings were discussed with the LEAs about any deficits.

ALSDE will continue this monitoring approach and put in place a more strenuous approach for LEAs to provide any documentation not found. If documentation is missing during the monitoring process, the LEA will have thirty days to make available to ALSDE all missing documentation. If LEAs fail to provide the requested information, a letter will be forwarded to the LEA Superintendent of the deficiency and include steps on how to resolve. The LEA will also have to complete an action plan as to how they will ensure that proper documentation is acquired for every student identified with the most significant cognitive disability.

The ALSDE will add a few **additional requirements** for monitoring this year. Each LEA will have to complete:

- A thorough review of a Kindergarten through second grade analysis of students that have been identified with the most significant cognitive disabilities.
- A thorough review and justification for each student who has an IQ score over the recognized score
  within the definition of a student with a most significant cognitive disability; any student who is identified

- with a disability that is not identified within the *Decision-Making Tool*; students within the highest performing group taking the *ACAP Alternate*; and students within the largest total subpopulation.
- A thorough review of participation rates lower than the 95 percent of all students, students with disabilities, and those students identified to take the ACAP Alternate.

From this data, the team will evaluate trend data, participation rates, and justification assurances. The ALSDE will reevaluate resources, trainings, and guidance that is provided by the State to maintain and ensure that all LEAs/schools are provided with the most appropriate oversight.

#### Component 4B.1 - Submission of Additional Information

On March 20, 2024, Alabama received a letter from the United States Department of Education, denying the 2023-2024 waiver request to assess more than 1.0 percent of students on the alternate assessment for math, R/LA, and science. The US Department of Education requested an updated plan to reduce the rate of AA-AAAS participation in future years to follow the 1.0 percent requirement. The ALSDE was charged with addressing three components:

- 1. Within 60 days of receiving this letter, submit an updated plan for reducing the rate of AA-AAAS participation in future years in order to come into compliance with the 1.0 percent requirement. Please submit Alabama's plan to <a href="mailto:ESEA.Assessment@ed.gov">ESEA.Assessment@ed.gov</a>.
- 2. Submit evidence that the plan and timeline are made publicly available on the State's website when the plan is provided to the Department.
- 3. Demonstrate progress in reducing the percentage of students tested on alternate assessments in the 2023-2024 school year as validated by the ALSDE EDFacts assessment participation data submission.
- 1. Within 60 days of receiving this letter, submit an updated plan for reducing the rate of AA-AAAS participation in future years in order to come into compliance with the 1.0 percent requirement. Please submit Alabama's plan to ESEA.Assessment@ed.gov.

The deadline for ALSDE to resubmit information is May 19, 2024.

2. Submit evidence that the plan and timeline are made publicly available on the State's website when the plan is provided to the Department.

This updated plan will be publicly available at https://www.alabamaachieves.org/assessment/.

### **Tiers of Support**

This document serves as an addendum to the original waiver request submitted on December 5, 2023. It provides additional information and expands on the Alabama State Department of Education (ALSDE) efforts to support our students' and districts' needs. The ALSDE plans to address the 1.0 Percent Cap through a multi-tiered support system designed to align requirements with district-specific needs. The tiered approach will ensure intentionality in decisions about the identification of students with the most significant cognitive disabilities.

The ALSDE recognizes that the current tiered system may appear unequal at first glance. However, this design is a strategic response to the challenges of implementing such a large-scale initiative. By prioritizing Tier 3 districts with the most significant needs, the ALSDE can effectively allocate resources and support to ensure the appropriate tools are provide for the districts to succeed. Tier 2 districts, while not in the most critical state, are still monitored and offered support. As we gather data and see the program's effectiveness, we anticipate refining our efforts and reducing the number of districts needing the highest levels of support. This data-driven approach allows for yearly evaluations and adjustments to the tier criteria and support structures, ensuring the evolving needs of our districts are met.

By adopting a tiered approach, districts can be segmented into more manageable units, enabling the ALSDE to deliver tailored services effectively. This allows for a focused distribution of resources, particularly towards Tiers 2 and 3, where the needs and urgency are the greatest. It's important to recognize that not all requirements may apply based on district data, and some adjustments may need to be added with continual review of data.

The following outline serves as a starting point, subject to adjustments as support becomes more datadriven and tailored to district needs. With further data reviews, resources can be streamlined to minimize redundant requirements for districts. This approach will direct accountability on all levels while placing primary responsibility on districts for Tier 1 Universal Supports. Tier 2 will require additional targeted supports, resources, and ALSDE monitoring to ensure effectiveness. For districts facing significant challenges, identified as Tier 3, ALSDE will provide more intensive interventions that will be individualized for those districts that require intensive support.

Out of the 148 Alabama School Districts, 21 districts operate special schools or centers specifically for students with the most significant cognitive disabilities. Among these 21 districts, only two are under the 1% cap, while the remaining 19 districts are over the 1% cap. This suggests that a large majority of districts serving students with the most significant cognitive disabilities are exceeding the 1% cap.

Tier 1: Universal						
Criteria (Who will participate)	<ul> <li>All Districts</li> <li>Additional emphasis and requirements for districts1%-1.2%</li> <li>32 Districts</li> </ul>					
Description	<ul> <li>Creates awareness and provides support to all districts, regardless of need.</li> <li>Includes basic resources, strategies, and instruction around the Student Assessment of Students with Disabilities.</li> <li>Offers additional support to districts who meet this criterion or near the 1%.</li> </ul>					
District Requirements	<ul> <li>Review &amp; Revise (if applicable and/or upon guidance from ALSDE)</li> <li>Policy, Procedures, and Practices</li> <li>Decision Making Tool</li> <li>IEP process and procedures</li> <li>IEP LEA Representative role and responsibilities</li> <li>District Justification Form for the 1% Cap (districts &gt; 1%)</li> <li>Student Justification Form (as applicable)</li> <li>Courses/Training/Actions (as applicable)</li> <li>Understanding the Decision-Making Process Before Considering the Alternate Assessment/Alternate Standards</li> <li>The Least Dangerous Assumptions</li> <li>Participation in the State Assessment Webinar</li> </ul>					

	<ul> <li>District 1.0 Percent Cap Self-Assessment Workshop</li> </ul>		
	<ul> <li>Disproportionality Risk Discussion</li> </ul>		
	<ul> <li>The Assistive Technology Consideration Process</li> </ul>		
	Recorded Webinar		
	<ul> <li>Parent Resources including Empowering Families with</li> </ul>		
	the Benefits of Participation Webinar for School Leaders		
	<ul> <li>Webinar Discussions for Principals: Alternate is not a</li> </ul>		
	Room!		
	Participate in update webinars and office hours (Scheduled)		
	Support Documents and Resources provided by the ALSDE		
Supports	Technical Assistance		
	<ul> <li>Update webinars</li> </ul>		
	<ul> <li>Access to recorded trainings</li> </ul>		
	Yearly training by ALSDE (District Test Coordinators		
	Trainings, Back to School Conference, etc.)		
	Regional Trainings or Specialized Trainings		

Tier 2: Targeted	Tier 2: Targeted Support (Monitor with some support)			
Criteria (Who will participate)	• 1.3% - 1.9%			
	58 Districts			
Description	<ul> <li>Provides specific interventions and support.</li> </ul>			
	Involves personalized plans, support, and collaboration.			
District Requirements	<ul> <li>Requirements from previous tiers (Emphasis on Building Leaders Participation)</li> </ul>			
	Root Cause Analysis and Action Plan			
	Review/Revise Policies, Procedures to address the 1%			
	Records Review:			
	Decision Making Tool			
	Progress monitoring			
	Least Restrictive Environment			
	Statewide face-to-face professional learning			
	Training:			
	<ul> <li>School Leaders Webinar: Supporting the Inclusion Students with Disabilities in Assessment</li> </ul>			
	<ul> <li>Guided Discussion Webinar on the Importance of Promoting Inclusion with Students with the Most</li> </ul>			
	Significant Cognitive Disabilities			
	<ul> <li>LEA Designated and Trained: Designee will be</li> </ul>			
	trained on the roles and responsibilities of the LEA in the IEP process			
	<ul> <li>Create IEP Meeting procedures and provide training</li> </ul>			
	Ongoing Conference Calls (School Principal, School IEP LEA, Special Education Lead)			
	Data walk and progress update led by the school leader with supporting documentation			
Supports	Yearly training by ALSDE (District Test Coordinators, Back to School, etc.)			
	Policy, Procedure, and Practice Guidance & Support			
	Tailored Training (participant requirement			
	district/regional)			
	Desk Audits (Sample) followed by feedback and Action			
	Plan with the: Principal, School IEP LEA, and Special			
	Education Teacher			

Technical Assistance
<ul> <li>Update webinars</li> </ul>
<ul> <li>Access to recorded trainings</li> </ul>

Tier 3: Intensive Support				
Criteria (Who will participate)	<ul><li>2.0% - 5.4%</li><li>16 Districts</li></ul>			
Description	<ul> <li>Prioritizes districts with the most complex needs.</li> <li>Involves specialized interventions, intensive support, and collaboration.</li> </ul>			
District Requirements	<ul> <li>Requirements from previous tiers (Emphasis on District Leadership)</li> <li>Funding stipulations</li> <li>Ongoing Conference Calls (Special Education Coordinator, School Principal, School IEP LEA, Special Education Lead)</li> <li>Data walk and progress update led by the Special Education Coordinator with supporting documentation</li> <li>Additional items as identified by the data and Desk Audits</li> </ul>			
Supports	<ul> <li>Yearly training by ALSDE (District Test Coordinators, Back to School, etc.)</li> <li>Policy, Procedure, and Practice Guidance &amp; Support</li> <li>Tailored training (Coaching)</li> <li>Desk Audits (All) followed by feedback and Action Plan with the: Special Education Coordinator, School Principal, School IEP LEA, Special Education Teacher</li> <li>Technical Assistance         <ul> <li>Update webinars</li> <li>Recorded trainings</li> </ul> </li> </ul>			

To ensure transparent and accountable implementation of the tiered support system for the alternate 1% cap, the Alabama State Department of Education (ALSDE) will employ comprehensive data collection strategies. This strategy will track our efforts and measure success in supporting districts.

The ALSDE will maintain detailed records, including technical assistance logs detailing support provided to districts, training sign-in sheets and registration for all offered sessions, and data trackers to monitor progress and identify areas needing improvement. Desk monitoring reports will document observations made during district visits, along with any follow-up actions required for both the district and ALSDE. The five largest districts will be required to develop detailed action plans outlining their specific strategies to address identified needs and ALSDE will actively support the districts in this effort. These action plans serve a dual purpose: they not only document the districts' progress but also demonstrate the level of support we provide. This shared accountability ensures a collaborative approach, fostering success for both the districts and ALSDE.

# The One Percent Cap on Participation in the State Alternate Assessment in Alabama

In an effort to focus resources and intensive assistance to those districts over the one percent cap, ALSDE evaluated the district trends to see what patterns are associate with the available data.

As shown in Table 11, Alabama has consistently exceeded the one-percent cap on participation in the state alternate assessment for the five most recent years of state testing. This percentage was not calculated for the academic year 2019-2020, as state testing was halted in the spring of 2020 due to the COVID-19 pandemic. Since resuming state testing in 2020-2021, Alabama's rate of alternate assessment takers compared to all students tested has risen each year.

Table 11. Percentage of Tested Students That Participated in the State Alternate Assessment

Academic Year	Reading/Language Arts	Math	Science
2017-2018	1.25%	1.25%	1.27%
2018-2019	1.26%	1.26%	1.26%
2020-2021	1.23%	1.23%	1.24%
2021-2022	1.26%	1.26%	1.26%
2022-2023	1.35%	1.34%	1.34%

It is important to note that for those same three years that saw increases in the percentage of tested students that participated in the state alternate assessment, the Participation Rate for the alternate assessment (number of alternate testers/numbers of alternate students enrolled) increased steadily as well. Table 12 shows the alternate assessment participation rates for Math for the past three years.

Table 12. Percentage of Alternate Students Enrolled That Participated in the State Alternate Math Assessment

Academic Year	Number Tested	Number Enrolled	Percentage Tested	
2020-2021	4,463	5,052	88.3%	
2021-2022	4,752	5,027	94.5%	
2022-2023	5,037	5,284	95.3%	

#### **Enrollment**

Alabama's relatively small number of students enrolled in its public schools and the relatively large number of school districts with small enrollment numbers is worth considering as a context for its exceeding the one-percent cap on alternate assessment participation. Table 13 shows descriptive statistics for the 150 school districts with students in tested grades in 2023-2024.

Table 13. Academic Year 2023-2024 Enrollment in Tested Grades (3-8, 11) in Alabama School Districts

							Number
							Districts
Number							Less Than
of			25 <sup>th</sup>		75 <sup>th</sup>		1,000
Districts	Mean	Minimum	Percentile	Median	Percentile	Maximum	Enrolled
150	2,535	19	697	1,335	2,955	25,412	54 (36%)

In academic year 2023-2024, Alabama tested students on its state assessments in 150 school districts. The mean enrollment in tested grades for those districts is 2,535, a number that is obviously skewed to the right by its largest district, which has a current enrollment in tested grades of more than 25,000. The next largest district enrolls only 18,428 students in tested grades, and of the five districts with the smallest number of students in tested grades, four are charter schools. One Alabama city district that serves all grades is in the smallest five as well, with an enrollment of only 187 students in tested grades.

In academic year 2022-2023, Alabama had 148 school districts that participated in state testing, more than a third of which (50) had a total number tested of fewer than 1,000 students. From this point forward, we will use the numbers for Math in all calculations and representations.

Table 14. Academic Year 2022-2023 Testing in Alabama School Districts

Total Number Students Tested Math	Number of Districts
Tested <1,000	50
Tested 1,000+	98
Total	148

Even more telling are the low N-counts for Alternate testers in the majority of districts. In more than half (52%) of Alabama's districts in which state testing took place, the total number of Alternate students tested was fewer than 20. Thirty-six districts tested fewer than ten Alternate students.

Table 15. Academic Year 2022-2023 Testing in Alabama School Districts

Number Alternate Students Tested	Number of Districts	Percentage of Districts	Percentage of Total Alternate Students
Less than 10	36	24%	4%
10-19	41	28%	11%
20-34	34	23%	17%
35-99	27	18%	28%
100 Plus	10	7%	40%
Total Districts	148	100%	100%

The ten districts in which one hundred or more Alternate students were tested accounted for 40 percent of the total number of Alternate students tested, and the 25 percent of districts that tested 35 or more Alternate students accounted for more than two-thirds (68%) of all Alternate students tested in 2022-2023.

### **Small Districts and the One-Percent Cap**

In Alabama, the proportion of small districts (tested fewer than 1,000 students overall) that exceeded the one-percent cap (66%) is similar to that for larger districts (tested 1,000 or more students overall), which is 68%. However, the impact that a single district may have on the state's overall Alternate participation rate would vary considerably.

Table 16. Academic Year 2022-2023 Testing in Alabama School Districts

		Number of Dis			
Total Number Students	Over the 1% Cap			Percentage of Districts	
Tested	No	Yes	Total	Over the 1% Cap	
Tested <1,000	17	33	50	66%	
Tested 1,000+	31	67	98	68%	
Total	48	100	148		

One-third (33%) of the districts that exceeded the one-percent cap tested fewer than 1,000 students total in all tested grades (grades 3-8 and 11). On average, those 33 districts tested only 10-11 students on the state's alternate assessment in their entire district.

Table 17. Number of Alternate Students Tested in Districts That Tested Fewer Than 1,000 Students Overall and That Exceeded the One-Percent Cap

	Number of Alternate Students Tested			
Number of Districts	Mean	Minimum	Median	Maximum
33	11	2	10	23

For most of Alabama's small districts, a difference of only a few students can put them over or under the one-percent cap. Small changes could significantly reduce the number of districts in Alabama that currently exceed the one-percent cap. Table 18 portrays a view if those changes were implemented.

Table 18. The Effect of Reducing the Number of Alternate Students Tested on the One-Percent Cap

Number Fewer Alternate Students	Number of Districts Drop Off List
Reduce by 1	5
Reduce by 2	5
Reduce by 3	2
Reduce by 4	5
Reduce by 5	3
Reduce by >5	13
Total Districts	33

Of the 33 districts that tested fewer than 1,000 students overall and that exceeded the one-percent cap on Alternate participation, twenty would drop off the list of districts over the one percent if they reduced the number of Alternate students, they tested by five or fewer. Looking at the remaining 13, Alabama's smallest non-charter school district, the district can only drop from the list if they reduce their number of Alternate testers to one. Even testing just two Alternate students puts them over the one-percent cap.

Table 19. The Maximum Number of Alternate Students the Remaining Districts Could Test to Stay Under the One-Percent Cap

Maximum Number of Alternate Students	Number of Districts
1-5	4
6	3
7	2
9	4
Total Districts	13

# Large Districts and the One-Percent Cap

Table 20. Academic Year 2022-2023 Testing in Alabama School Districts by Number Tested Quartiles

Number Students Tested	Number of Districts Over 1% Cap	Total Number of Districts	Percentage of Districts Over 1% Cap
Q1 - Less than 739	23	37	62%
Q2 - 739-1,349	29	37	78%
Q3 - 1,350-2,930	21	37	57%

If Alabama were to concentrate on the 27 largest districts that are over the 1% cap, it would have a greater impact on the Alternate testing percentage for the state as a whole. In addition, even for these larger districts, reducing the Alternate student population by even a few students could enable them to drop from the list of districts over the one-percent cap. Table 21 shows the number of districts that would no longer be in violation if they reduced their population of Alternate students by 1 to 9, 10 to 20, etc. A total of 17 of the large districts would drop off the list if they reduced their Alternate numbers by 1 to 20 students.

Table 21. The Effect of Reducing the Number of Alternate Students Tested on the One-Percent Cap for the 27 Largest School Districts that Exceeded the One-Percent Cap

Number Fewer Alternate Students	Number of Districts Drop Off List
Reduce by <10	8
Reduce by 10-20	9
Reduce by 20-75	5
Reduce by 75 or More	5
Total Districts	27

If these 27 districts reduced their numbers to an Alternate percentage of 1.04% or less, the state of Alabama would be much closer to reaching its goal, with an Alternate percentage of 1.1%. Of these 27 districts, ALSDE will prioritize the top five largest, regardless of their tiered status. This will include monthly meetings to evaluate all plans of students identified as alternate students. Districts must submit a plan outlining how they will evaluate and refine their processes for identifying students eligible for alternate achievement standards in the future.

Table 22: Alternate Percentage of the Top Five Largest Districts Over the 1% Cap

District	Alternate Testing Percentage	Total Number of Students Tested
District 27	1.62	25640
District 26	1.62	18187
District 25	1.65	13131
District 24	1.72	11673
District 23	1.73	11071

Table 23: The 27 Largest School Districts That Exceeded the One-Percent Cap in 2022-2023

DISTRICT NAME	ALTERNATE PERCENTAGE 2022 2023	TOTAL ALTERNATE TESTED 2023	TOTAL TESTED 2023	Alternate Reduction	NEW ALTERNATE PERCENTAGE	NUMBER DIFFERENCE
						DIFFERENCE
District 1	1.05	38	3636	37	1.02%	1
District 2	1.07	49	4599	48	1.04%	1
District 3	1.14	34	2977	31	1.04%	3
District 4	1.12	39	3482	36	1.03%	3
District 5	1.1	52	4724	49	1.04%	3
District 6	1.12	49	4362	45	1.03%	4
District 7	1.26	49	3893	40	1.03%	9
District 8	1.23	60	4883	51	1.04%	9
District 9	1.39	46	3307	34	1.03%	12
District 10	1.31	57	4365	45	1.03%	12
District 11	1.16	120	10371	108	1.04%	12
District 12	1.34	57	4265	44	1.03%	13
District 13	1.22	86	7061	73	1.03%	13
District 14	1.43	50	3486	36	1.03%	14
District 15	1.35	64	4751	49	1.03%	15
District 16	1.46	52	3489	36	1.03%	16
District 17	1.3	85	6541	68	1.04%	17
District 18	1.97	67	3398	35	1.03%	32
District 19	1.94	77	3960	41	1.04%	36
District 20	2.05	110	5366	56	1.04%	54
District 21	1.56	163	10476	109	1.04%	54
District 22	1.64	156	9487	99	1.04%	57
District 23	1.73	191	11071	115	1.04%	76
District 24	1.72	201	11673	121	1.04%	80
District 25	1.65	216	13131	136	1.04%	80
District 26	1.62	294	18187	190	1.04%	104
District 27	1.62	415	25640	267	1.04%	148

3. Demonstrate progress in reducing the percentage of students tested on alternate assessments in the 2023-2024 school year as validated by the ALSDE EDFacts assessment participation data submission.

The ALSDE will provide the requested data as soon as the 2023-2024 *EDFacts* assessment participation data has been submitted later in fall of 2024.