

PSC Solution: TIP0080

Date: August 9, 2011

Application: ESS

School Year: ALL

File Specifications: N/X146 – Children with Disabilities (IDEA) Alternate Assessment Caps

Solution Type: Technical Tip

Title: Determining when a State may report data for the adjusted 2% Caps for File N/X146

Issue Description:

This purpose of this article is to provide additional guidance on when a state may report data for the adjusted 2% cap in File N/X146.

If your state exceeded the 2% cap (only allowed if the state did not include the maximum number of cases under the 1% cap), use your adjusted cap rather than 2% when determining the number of proficient and advanced scores based on modified academic achievement standards. Note that the combined percentage of students participating in alternate assessments based on modified AND alternate achievement standards whose scores are counted as proficient may not exceed 3%.

Based on the ESEA regulations from April 9, 2007, a State's number of proficient and advanced scores of students with disabilities based on the modified academic achievement standards may exceed 2.0 percent of all students in the grades assessed IF the number of proficient and advanced scores based on the alternate academic achievement standards is less than 1.0 percent and the number of proficient and advanced scores based on modified and alternate academic achievement standards combined does not exceed 3.0 percent of all students in the grades assessed. For this reason, states can report an adjusted 2% cap count at the SEA-level for situations which match the description above. There is no such exemption for the 1% cap at the SEA level.

	Alternate academic achievement standards - 1% cap	Modified academic achievement standards - 2% cap	Alternate and modified academic achievement stands - 3%
State	Not permitted	Only if State is below 1% cap, but cannot exceed 3%.	Not Permitted
LEA	Only if granted an exception by the SEA	Only is LEA is below the 1% cap, but cannot exceed 3%	Only if granted an exception to the 1% cap by the SEA, and only by the amount of the exception.

The Regulations can be found in the Federal Register Sec. 200.13 Adequate yearly progress in general.

Link: <http://www2.ed.gov/legislation/FedRegister/finrule/2003-4/120903a.pdf>