



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

JUL 23 2019

The Honorable Christina Kishimoto
Superintendent
Hawaii State Department of Education
1390 Miller Street
Honolulu, HI 96813

Dear Superintendent Kishimoto:

I am writing in response to the Hawaii Department of Education's (HIDOE) request on April 12, 2019, for an extension of the State's waiver of section 1111(b)(2)(D)(i)(I) of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA), of the requirement that a State may not assess using an alternate assessment aligned with alternate academic achievement standards (AA-AAAS) more than 1.0 percent of the total number of students in the State. HIDOE requested this waiver because, based on State data for the 2017-2018 school year, the HIDOE has concluded that it will need to assess more than 1.0 percent of students using an AA-AAAS in the 2018-2019 school year in reading/language arts, mathematics and science.

After reviewing HIDOE's request, I am granting, pursuant to my authority under section 8401(b) of the ESEA, for the 2018-19 school year, a one-year extension of the State's waiver of section 1111(b)(2)(D)(i)(I) of the ESEA so that the State may assess with an AA-AAAS more than 1.0 percent of the total number of students in the State who are assessed in mathematics and reading/language arts.

As part of this waiver, HIDOE assured that it:

- Will continue to meet all other requirements of section 1111 of the ESEA and implementing regulations with respect to all State-determined academic standards and assessments, including reporting student achievement and school performance, disaggregated by subgroups, to parents and the public.
- Assessed in the prior school year (2017-2018) at least 95 percent of all students and 95 percent of students with disabilities who are enrolled in grades for which reading/language arts and mathematics assessments are required.
- Will require that a complex area submit information justifying the need of the complex area to assess more than 1.0 percent of its assessed students in any such subject with an AA-AAAS.
- Will provide appropriate oversight of a complex area that is required to submit such information to the State, and it will make such information publicly available.
- Will verify that each complex area that is required to submit such information to the State is following all State guidelines in 34 CFR 200.6(d) (with the exception of incorporating principles of universal design) and will address any subgroup disproportionality in the percentage of students taking an AA-AAAS.

400 MARYLAND AVE., SW, WASHINGTON, DC 20202
<http://www.ed.gov/>

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

- Will implement, consistent with the plan submitted in HIDOE's waiver request, the system improvements and monitor future administrations to avoid exceeding the 1.0 percent cap.

I note that the State demonstrated progress in carrying out the plan you submitted when HIDOE originally requested this waiver. In addition, I want to remind you of the requirement in 34 CFR § 200.6(c)(3)(iv) that the State must make publicly available the information submitted by a local educational agency (LEA) justifying the need of the LEA to assess more than 1.0 percent of its students on the AA-AAAS, provided that such information does not reveal personally identifiable information about an individual student. I also encourage you to make available your State's plan and timeline and your progress to date in reducing the percentage of students taking the AA-AAAS.

I am denying HIDOE's request for a waiver of section 1111(b)(2)(D)(i)(I) of the ESEA to assess with an AA-AAAS more than 1.0 percent of the total number of students in the State who are assessed in science. My reason for denial of the request is that, based on the data submitted for school year 2017-2018, HIDOE did not meet the requirement in 34 CFR 200.6(c)(4) that, in order to be eligible for such a waiver, the State must assess at least 95 percent of all students and 95 percent of children with disabilities on the science assessments. In 2017-2018, HIDOE assessed less than 95 percent of children with disabilities on the science assessment.

If the data HIDOE previously reported are erroneous and HIDOE can demonstrate that it assessed at least 95 percent of all students and 95 percent of students with disabilities on the science assessments, HIDOE may revise its waiver request, consistent with section 8401(b)(4)(B)(ii) of the ESEA, to meet the requirements under sections 8401(b)(1)(C) and (F) and resubmit the revised waiver request to address how it has met the requirements in 34 CFR 200.6(c)(4), including the requirement in 34 CFR 200.6(c)(4)(ii)(B) that the State has measured the achievement of at least 95 percent of all students and 95 percent of students in the children with disabilities subgroup under section 1111(c)(2)(C) of the ESEA who are enrolled in grades for which the State is required to administer statewide assessments. If HIDOE decides to resubmit, it must do so no later than 60 days from the date of this letter.

Finally, in order to help all States support implementation of the 1.0 percent participation threshold for AA-AAAS participation, the Department is supporting work by the National Center on Educational Outcomes (NCEO) and the Center on Standards and Assessment Implementation (CSAI) to host three Peer Learning Groups (PLGs):

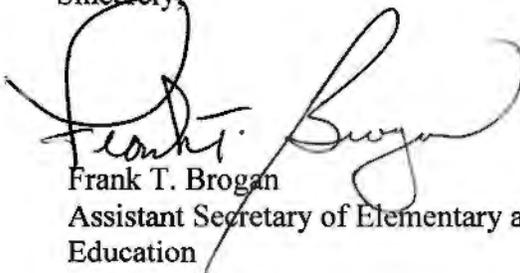
- Digging into Your Data: Building a One Percent Data Analysis and Use Plan
- Guiding and Evaluating District Justifications for Exceeding the One Percent Cap
- Building Capacity of IEP Teams and Parents in Making Decisions about Assessment Participation

Page 3 – The Honorable Christina Kishimoto

If you have questions about any of these PLGs, please contact Susan Hayes, NCEO, at shayes@wested.org or (802) 951-8210.

I appreciate the work you are doing to improve your schools and provide a high-quality education for your students. If you have any questions, please contact my staff at ESEA.Assessment@ed.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank T. Brogan". The signature is fluid and cursive, with a large initial "F" and "B".

Frank T. Brogan
Assistant Secretary of Elementary and Secondary
Education

cc: Teri Ushijima, Director of Assessment and Accountability
Brian Reiter, Manager of Assessment



STATE OF HAWAII
DEPARTMENT OF EDUCATION

P.O. BOX 2360
HONOLULU, HAWAII 96804

OFFICE OF THE SUPERINTENDENT

April 12, 2019

Mr. Frank Brogan
Assistant Secretary of Elementary and
Secondary Education
Office of Elementary and Secondary Education
U.S. Department of Education
400 Maryland Avenue SW, Room 3E124
Washington, DC 20202

Re: One Percent Waiver Request Pursuant to 34 C.F.R. §200.6(c)(4)

Dear Assistant Secretary Brogan:

Pursuant to 34 C.F.R. §200.6(c)(4), the Hawaii Department of Education ("HIDOE") seeks an extension for an additional year to the waiver granted for the 2017-2018 school year. The regulation in question, found at 34 C.F.R. 200.6(c)(2), requires State Education Agencies to limit the total number of students assessed in a subject area using an alternate assessment. The limit on the percentage of students assessed by the alternate assessment is set by the federal regulation, stating there shall be no more than one (1) percent of the total number of students taking the alternate assessment assessed in each subject area.

Specifically, 34 C.F.R. 200.6(c)(2) provides:

For each subject for which assessments are administered under § 200.2(a)(1), the total number of students assessed in that subject using an alternate assessment with alternate academic achievement standards under paragraph (c)(1) of this section may not exceed 1.0 percent of the total number of students in the State who are assessed in that subject.

The requirements for a State Education Agency to seek a waiver are set forth at 34 C.F.R. §200.6(c)(4). The HIDOE is requesting a waiver extension in response to the requirements set forth at 34 C.F.R. §200.6(c)(4) because its most recent data on the percentage of students taking Hawaii's alternate assessments in ELA/Literacy, Mathematics, and Science stands at 1.1.

Mr. Frank Brogan
April 12, 2019
Page 2

The HIDOE submits this request to the U.S. Department of Education after the start of Hawaii's testing window for its alternate assessments, as per recommendation by Department staff on a February 13, 2019 conference call with HIDOE staff. The subject areas are: English Language Arts/Literacy, Mathematics, and Science. The start date for each subject was February 19, 2019.

Attached is the *Hawaii One Percent Cap Waiver Extension Request* that addresses each of the requirements set forth at 34 C.F.R. §200.6(c)(4).

Should you have any questions, please contact Dr. Teri Ushijima, Director, Assessment and Accountability Branch, at (808) 586-3283 or via email at teri_ushijima@notes.k12.hi.us.

Sincerely,



Dr. Christina M. Kishimoto
Superintendent

CMK:br
Attachment

- c: The Honorable Catherine Payne, Chairperson, Board of Education
Monitoring and Compliance Branch
Office of Strategy, Innovation and Performance
Assessment and Accountability Branch

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

Hawaii One Percent Cap Waiver Extension Request

HAWAII STATE DEPARTMENT OF EDUCATION
ASSESSMENT SECTION/ HAWAII STATE ASSESSMENT - ALTERNATE

475 22ND AVENUE, ROOM 126
HONOLULU, HAWAII 96816
808 307 3636 OFFICE

MARCH 2019

TABLE OF CONTENTS

Introduction.....	5
One Percent Waiver Extension Request Requirements	6
Requirement 5 (§200.6(c)(4)(v)): Substantial Progress	6
Table 1: Alternate Student Test Participation Percentage Comparison - 2016-17 and 2017-18.....	7
Table 2: Comparison of HSA-Alt Participation Rates for 2016-17 and 2017-18.....	7
Summary of State Waiver Plan Initiatives and Activities Completed	7
Table 4: Comparison of Mathematics HSA-Alt Participation Rates in 2016-17 and 2017-18	10
Table 5: Comparison of Science HSA-Alt Participation Rates in 2016-17 and 2017-18.....	11
Requirement 1 (§200.6(c)(4)(i)): Submission 90-Days Prior to State Testing Window	12
Requirement 2 (§200.6(c)(4)(ii)): State-Level Data.....	12
A. State-Level Data of HSA-Alt Participation Rate for 2017-18 Academic Year	12
Table 6: HSA-Alt Participation Rates for ELA in 2017-18.....	13
Table 7: HSA-Alt Participation Rates for Mathematics in 2017-18	13
Table 8: HSA-Alt Participation Rates for Science in 2017-18	14
B. State Measured Achievement of at Least 95% of Students	15
Table 9: 2017-18 Participation Rate of All Students and Students with Disabilities Assessed	15
Requirement 3 (§200.6(c)(4)(iii)): Assurances	16
A. State Assurance that LEAs Followed State HSA-Alt Participation Guidelines.....	16
B. State Assurance that LEAs will Address Disproportionality of Subgroups	16
Requirement 4 (§200.6(c)(4)(iv)): State Plan and Timeline.....	17
A. School Support and Oversight Model.....	17
B. Universal Support Mechanisms for Appropriate HSA-Alt Identification	18
Activities for All Schools	19
2018-19 S.Y. Hawaii State Assessment - Alternate Participation Categories of Support	21
Alternate Assessment Participation Categories of Support	22
Universal Support.....	22

Tier 1 – Needs Assistance..... 23
Tier 2 – Needs Intervention 24
Tier 3 – Needs Substantial Intervention: Year 1..... 24
Tier 3 – Needs Substantial Intervention: Year 2..... 24

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 (alternate assessments). 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 to the U.S. Department of Education.

The Hawaii State Department of Education (HIDOE) alternate assessment based on alternate academic achievement standards is entitled the Hawaii State Assessment- Alternate (HSA-Alt). HSA-Alt participation rates for 2016-17 were 1.04% for English Language Arts (ELA), 1.05% for Mathematics, and 0.97% for Science. Based on these data, the HIDOE anticipated exceeding the 1.0% cap for the 2017-18 HSA-Alt administration in ELA and Mathematics. The content area of Science was not part of the initial waiver request due to this content area not meeting the 95% participation rate requirement for the testing of disabled students. The initial ELA and Math Waiver Request was submitted in November 2017. HIDOE received notification that the United States Department of Education was granting Hawaii 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 and mathematics on the HSA-Alt.

Pursuant to approval of our waiver of the 1.0% cap on HSA-Alt participation, the HIDOE assured that it would:

- Continue to meet all other requirements of §1111 of the ESEA and implement regulations with respect to all State-determined academic standards and assessments, including reporting student achievement and school performance, disaggregated by subgroups, to parents and the public;
- Assess at least 95% of all students and 95% of students with disabilities who are enrolled in grades for which an assessment is required in the prior school year (2016-17);
- Require that a complex area submit information justifying the need of the complex area to assess more than 1.0% of its assessed students in any subject with the HSA-Alt;
- Provide appropriate oversight of a complex area that is required to submit such information to the State, and make such information publically available;
- Verify that each complex area that is required to submit such information to the State is following all State guidelines in 24 CFR 200.6(d) (with the exception of incorporating principles of universal design) and address any subgroup disproportionality in the percentage of students taking the HSA-Alt;
- Implement, consistent with the plan submitted in the HIDOE's waiver request, the system improvements and monitor future administrations to avoid exceeding the 1.0% cap.

HSA-Alt participation rates for 2016-17 were 1.04% for ELA and 1.05% for Math. In 2017-18, HSA-Alt participation rates were 1.10% for ELA, 1.09% Math, and 1.11% for Science. Although this data by itself does not show improvement and thereby does not meet federal guidelines for filing a Waiver Extension, the HIDOE will provide evidence of overall reduction in alternate test identification student count in the next section of this document. Based on the 2017-18 data and an analysis of current state policies, HIDOE anticipates exceeding the 1.0% cap for the 2018-19 HSA-Alt administration in ELA, Mathematics, and Science and is therefore filing this 1% Cap Waiver Extension Request. The Hawaii One Percent Cap Waiver Extension Request will document HIDOE's efforts to meet all of the assurances outlined above, discuss 2018 initiatives and impacts on participation, describe the more granular school-level approach that was developed in 2018, and present its tiered intervention plan for 2019.

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.

ONE PERCENT WAIVER EXTENSION REQUEST REQUIREMENTS

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

The HIDOE has made substantial progress toward meeting the 1.0% cap on HSA-Alt participation since our original waiver was submitted and approved. This progress is evident when HSA-Alt participation data is examined closely. Data show that while the percent of alternate student participation compared to the total participation increased slightly from 2017 to 2018, the alternate student participation rate increased substantially in this time. HIDOE believes that this was due to a concerted effort across the state to increase the number of disabled students and alternate students participating in summative testing. [Table 1](#) illustrates the increases in alternate student participation that took place between 2016-17 and 2017-18. As participation rates increased, actual identification student counts decreased. [Table 2](#) shows how the overall number of students identified for the alternate assessment dropped from 2017 to 2018 and how unvaried the actual rate of identification was with only three-hundredths of a percent difference between the two years.

Table 1: Alternate Student Test Participation Percentage Comparison - 2016-17 and 2017-18

Content Area	2016-17 Percent of Identified HSA-Alt Students Participating in HSA-Alt	2017-18 Percent of Identified HSA-Alt Students Participating in HSA-Alt	Percentage Point Increase in Alternate-Identified Students Participating
ELA	1006/1205 = 83.5%	1035/1192 = 86.8%	+3.3 points
Mathematics	1010/1205 = 83.8%	1028/1192 = 86.2%	+2.4 points
Science	394/501 = 78.6%	456/527 = 86.5%	+7.9 points

Table 2: Comparison of HSA-Alt Identification Rates for 2016-17 and 2017-18

Number of Identified HSA-Alt Students in Testing Grades 2016-17	Percent of Total Students in Testing Grades Identified for HSA-Alt 2016-17	Number of Identified HSA-Alt Students in Testing Grades 2017-18	Percent of Total Students in Testing Grades Identified for HSA-Alt 2017-18
1205	1205/98,625 = 1.22%	1192	1192/95,194= 1.25%

Outlined below is a summary of the initiatives that were included in the HDOE original waiver request with a description of when and how each activity was completed. Activities are listed in the order in which they were presented in the original Waiver Plan. Because no timeline was provided with the original 1% Cap Waiver Request, the sequence of activity dates shown below will not be chronological.

Summary of State Waiver Plan Initiatives and Activities Completed

- Winter 2018** - Collect complex area and school participation rates in each subject of the HSA-Alt. Examine for sub-group and grade level disproportionalities. No significant disproportionalities were identified in the sub-group data from 2017. The greatest factor of over-identification, 1.46X the expected value, was found in the “Migrant” sub-group with 16 students identified in Hawaii, however with an n sample-size of all HSA-Alt test-takers at just a hair over 1,000 this was not considered an area of concern. (Unfortunately, in Fall 2018, HDOE realized that the original sub-group analysis submitted to USDOE did not contain the ELL sub-group. Analysis of ELL sub-group participation rates in 2018 show that this should have been an identified area of concern. The ELL disproportionality has been identified and is addressed in this Waiver Extension Request.) In addition to the identification of sub-group disproportionalities, student performance on the

alternate assessment was considered as a factor that would assist in the identification of students who could possibly take the general assessment with accommodations. With this consideration, the Assessment Section generated a “Double Exceeds” list of students who had exceeded proficiency on both ELA and Math HSA-Alt assessments in 2017.

- **Spring 2018** – School participation rates and the “Double Exceeds” list was brought to the Superintendent’s Office where the decision was made not to share the list of identified schools or “Double Exceeds” students with the Complex Area Superintendents. An alternate plan was developed with two prongs of attack. The first prong of attack, was to establish an official state policy that IEP teams must use the HSA-Alt Participation Guidelines as a basis for HSA-Alt student identification. An HDOE memo was released that established this policy and recommended the sharing of specific information with parents at the IEP team student identification meeting. The second prong of the attack, was moving from a complex-area focus to a school-level focus. This prong included site visits to 50% of all schools with HSA-Alt student identification rates of 2% or greater. Site visits protocol included school personnel interviews and the sharing of the HSA-Alt Student Identification Process as well as in-process HSA-Alt test session observations during the active window for testing.
- **Fall 2018**- Learner Characteristics Inventory data compared for 2017 and 2018. Some insight provided to possible over-identification of students with high skill ratings in Reading and Mathematics, high expressive communication levels, and the disability groups- ASD and SLD. This information will be used in 1% Cap Mandatory Trainings in December 2018.
- **Fall 2017** – Accessibility and Accommodations Training across the State that includes the review of accessibility features and accommodations available for testing and alternate test criteria for participation: HSA-Alt Participation Guidelines.
- **Fall 2017** – Stakeholder Meeting held. HSA-Alt Participation Guidelines reviewed. No changes were suggested.
- **Winter 2018** – Accessibility and Accommodations Training across the State that includes the review of accessibility features and accommodations available for general summative testing and the alternate test criteria for participation: HSA-Alt Participation Guidelines.
- **Winter 2018** – HSA-Alt Test Administrator Training across the State that includes the review of alternate-identified student characteristics and the State criteria for participation: HSA-Alt Participation Guidelines.

- **Winter - Spring 2018** – HSA-Alt test population monitoring was conducted during the testing window. Schools were flagged that were at identification rates of 2% or more. Half of the 36 identified schools received site visits from HIDOE staff. Site visits focused on training school staff on appropriate student identification. Schools were not asked to justify a student’s placement, however questions were raised, as needed, as to the appropriate placement of some high-performing students who were observed on site. In addition, in the last month of the testing window, all schools who had not begun alternate testing were contacted via email and by phone in order to increase alternate-student participation rate.
- **Fall 2018** - Standing Stakeholder Committee formed that revisited HSA-Alt Participation Guidelines, reviewed HSA-Alt Range Performance Level Descriptors, Blueprint, Score Report, and helped to generate a supplemental identification guide:
- **August 2018: Review and Analysis of 2017-18 HSA-Alt Participation Rates.** HIDOE staff reviewed and analyzed HSA-Alt participation rate data from the spring 2018 testing window. Although there was a slight increase in the overall HSA-Alt participation rates in all three content areas, this increase was mostly due to increased student participation in testing. Refer to Tables 1 and 2 for information on the increased rate of HSA-Alt-identified student summative test participation and the flat rate of HSA-Alt student identification within Hawaii. Alternate test sub-group participation rate compared to overall sub-group participation rate is shown for ELA, Math, and Science for 2016-17 and 2017-18 in [Table 3](#), [Table 4](#), and [Table 5](#).

Table 3: Comparison of ELA HSA-Alt Sub-group Participation Rates in 2016-17 and 2017-18

Student Sub-Group	Percentage Participating in HSA-Alt 2016-17	Percentage Participating in HSA-Alt 2017-18	Difference
All Students	1.04%	1.10%	0.06%
American Indian or Alaska Native	1.48%	0.91%	-0.57%
Asian	0.94%	0.99%	0.05%
Native Hawaiian or Other Pacific Islander	1.28%	1.34%	0.06%
Black or African American	1.02%	1.40%	0.38%
Hispanic or Latino	1.06%	1.09%	0.03%

Student Sub-Group	Percentage Participating in HSA-Alt 2016-17	Percentage Participating in HSA-Alt 2017-18	Difference
White	0.93%	1.02%	0.09%
Two or more races	0.84%	0.90%	0.06%
English Language Learner (ELL)	2.61%	2.53%	-0.08%
Economically Disadvantaged students	1.23%	1.31%	0.08%
Migratory Students	1.54%	1.28%	-0.26%
Male	1.35%	1.41%	0.06%
Female	0.72%	0.78%	0.06%

Table 4: Comparison of Mathematics HSA-Alt Participation Rates in 2016-17 and 2017-18

Student Sub-Group	Percentage Participating in HSA-Alt 2016-17	Percentage Participating in HSA-Alt 2017-18	Difference
All Students	1.05%	1.09%	0.04%
American Indian or Alaska Native	1.48%	0.91%	-0.57%
Asian	0.94%	0.98%	0.04%
Native Hawaiian or Other Pacific Islander	1.28%	1.33%	0.05%
Black or African American	1.02%	1.41%	0.39%
Hispanic or Latino	1.05%	1.09%	0.04%
White	0.94%	0.98%	0.04%
Two or more races	0.86%	0.89%	0.03%
English Language Learner (ELL)	2.50%	2.43%	-0.07%

Student Sub-Group	Percentage Participating in HSA-Alt 2016-17	Percentage Participating in HSA-Alt 2017-18	Difference
Economically Disadvantaged students	1.25%	1.30%	0.05%
Migratory Students	1.54%	1.28%	-0.26%
Male	1.36%	1.40%	0.04%
Female	0.72%	0.76%	0.04%

Table 5: Comparison of Science HSA-Alt Participation Rates in 2016-17 and 2017-18

Student Sub-Group	Percentage Participating in HSA-Alt 2016-17	Percentage Participating in HSA-Alt 2017-18	Difference
All Students	0.97%	1.11%	0.14%
American Indian or Alaska Native	0.86%	0.00%	-0.86%
Asian	0.89%	0.89%	0.00%
Native Hawaiian or Other Pacific Islander	1.23%	1.37%	0.14%
Black or African American	1.06%	1.99%	0.93%
Hispanic or Latino	0.96%	1.12%	0.16%
White	0.85%	0.92%	0.07%
Two or more races	0.73%	1.08%	0.35%
English Language Learner (ELL)	1.90%	1.87%	0.13%
Economically Disadvantaged students	1.19%	1.30%	0.11%
Migratory Students	1.66%	1.37%	-0.29%
Male	1.24%	1.40%	0.16%

Student Sub-Group	Percentage Participating in HSA-Alt 2016-17	Percentage Participating in HSA-Alt 2017-18	Difference
Female	0.69%	0.79%	0.10%

- **Universal Training on the HSA-Alt Student Identification Process.**

Training related to the April 2018 HIDOE memo release establishing the HSA-Alt Student Identification Process and the use of the HSA-Alt Participation Guidelines as a basis for HSA-Alt student identification has focused on sharing this information with stakeholder groups [HSA-Alt Stakeholder Committee, Special Education Advisory Council (SEAC), Special Education and Instructional Sections, and school level personnel from administrators to teachers. Listed below are the announcement memos, presentation materials, and webinar recordings that provide evidence of these training opportunities.

- [Memo HSA-Alt Identification Process 041318.pdf](#)
- [Memo Special Education Summer Conference](#)
- [Fall Accessibility and Accommodations Training Materials](#)

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

The HIDOE 2018-19 testing window for the HSA-Alt opens on February 19, 2019 for students in grades three through eight and high school. The HIDOE is submitting the 1.0% cap waiver extension request to the U.S. Department of Education on April 5, 2019. The Waiver Extension submission occurs after the deadline as per recommendation by Department staff during a conference call held February 13, 2019 with HIDOE staff in which it was determined that the possibility still exists that the State may exceed the 1.0% cap in 2018-2019.

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

A. State-Level Data of HSA-Alt Participation Rate for 2017-18 Academic Year

[Table 6](#), [Table 7](#), and [Table 8](#) illustrate HIDOE’s 2017-18 state-level data for the number and percentage of students in each subgroup who participated in the HSA-Alt in ELA, Mathematics, and Science, respectively.

Table 6: HSA-Alt Sub-Group Counts and Participation Rates for ELA in 2017-18

Student Sub-Group	# Students Participating in General Assessment	# Students Participating in HSA-Alt	Total # Students Assessed	Percentage Participating in HSA-Alt
All Students	92751	1035	93786	1.10%
American Indian or Alaska Native	(b)(6)			
Asian	27090	270	27360	0.99%
Native Hawaiian or Other Pacific Islander	26673	361	27034	1.34%
Black or African American	1616	23	1639	1.40%
Hispanic or Latino	13190	146	13336	1.09%
White	11182	115	11297	1.02%
Two or more races	12995	118	13113	0.90%
English Language Learner (ELL)	6345	165	6510	2.53%
Economically Disadvantaged students	43412	577	43989	1.31%
Migratory Students	1001	13	1014	1.28%
Male	47756	683	48439	1.41%
Female	44995	352	45347	0.78%

Table 7: HSA-Alt Sub-Group Counts and Participation Rates for Mathematics in 2017-18

Student Sub-Group	# Students Participating in General Assessment	# Students Participating in HSA-Alt	Total # Students Assessed	Percentage Participating in HSA-Alt
All Students	93076	1028	94104	1.09%
American Indian or Alaska Native	(b)(6)			

Student Sub-Group	# Students Participating in General Assessment	# Students Participating in HSA-Alt	Total # Students Assessed	Percentage Participating in HSA-Alt
Asian	27306	270	27576	0.98%
Native Hawaiian or Other Pacific Islander	26792	361	27153	1.33%
Black or African American	1613	23	1636	1.41%
Hispanic or Latino	13189	145	13334	1.09%
White	11181	111	11292	0.98%
Two or more races	12990	116	13106	0.89%
English Language Learner (ELL)	6636	165	6801	2.43%
Economically Disadvantaged students	43573	575	44148	1.30%
Migratory Students	1004	13	1017	1.28%
Male	47929	681	48610	1.40%
Female	45147	347	45494	0.76%

Table 8: HSA-Alt Sub-Group Counts and Participation Rates for Science in 2017-18

Student Sub-Group	# Students Participating in General Assessment	# Students Participating in HSA-Alt	Total # Students Assessed	Percentage Participating in HSA-Alt
All Students	40714	456	41170	1.11%
American Indian or Alaska Native	111	0	111	0.00%
Asian	12938	116	13054	0.89%
Native Hawaiian or Other Pacific Islander	12218	170	12388	1.37%

Student Sub-Group	# Students Participating in General Assessment	# Students Participating in HSA-Alt	Total # Students Assessed	Percentage Participating in HSA-Alt
Black or African American	691	14	705	1.99%
Hispanic or Latino	4934	56	4990	1.12%
White	4865	45	4910	0.92%
Two or more races	5025	55	5080	1.08%
English Language Learner (ELL)	3051	58	3109	1.87%
Economically Disadvantaged students	18706	246	18952	1.30%
Migratory Students	(b)(6)			
Male	21033	299	21332	1.40%
Female	19681	157	19838	0.79%

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

Hawaii met the 95% participation requirement for all students in all three content areas and for students with disabilities in the content areas of ELA and Mathematics in 2017-18, as illustrated in Table 9.

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

Content Area	Students Enrolled	Students Assessed	Percentage Assessed	Students with Disabilities Enrolled	Students with Disabilities Assessed	Percentage of Students with Disabilities Assessed
Reading	95194	93571	98.3%	9729	9301	95.6%
Mathematics	95194	93660	98.4%	9729	9313	95.7%
Science	41787	40747	97.5%	4384	4115	93.9%

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

A. State Assurance that LEAs Followed State HSA-Alt Participation Guidelines

Hawaii State does not have LEAs and the plan for Complex Areas to take the lead on providing assurances has not moved forward. Hawaii has taken, instead, a more granular school-site approach to monitoring alternate-test participation. This granular approach conforms with state cultural practice that emphasizes the building of relationship and understanding through shared experience. Site visits to 18 of the 36 identified school sites in 2018 included interviews with school testing staff, the sharing of HSA-Alt Participation Guidelines and state policy for HSA-Alt student identification, and HSA-Alt student test session observations. HIDOE believes that the in-person communication, shared experience, and open dialogue of these visits led to a greater understanding and calibration of school perspectives on appropriate test selection, alternate student identification criteria use, and potential deleterious consequences of student mis-identification. This personal approach, although impactful, did not allow for all identified schools that met or exceeded a 2% identification rate to be visited, nor did it provide a paper-trail of evidence for this submission. Moving forward, HIDOE proposes to address these concerns in 2018-19 with the tiered model of support and intervention laid out within this Waiver Extension Plan. In this plan, schools identified in tiers 2 and 3 will be required to submit assurance that the HSA-Alt Participation Guidelines were used as the basis for IEP team alternate student identification. Site visits will be continued as needed for schools in tier 2 and will be mandatory for all schools in tier 3. In addition, tier 3 schools will be asked to provide justification for overage and to complete a needs-based assessment for State support in the use and application of the HSA-Alt Participation Guidelines. Year 2 oversight for tier 3 schools includes complex area notification and the submittal of additional complex area justification for overage and any subgroup disproportionalities.

B. State Assurance that LEAs will Address Disproportionality of Subgroups

In 2016-17 HIDOE did not identify any sub-group disproportionalities above a factor of 1.5. Unfortunately, information on the ELL sub-group was not reported or analyzed. In 2018, it was determined that this was an existing issue that had been overlooked and not caught in the original 2017 Waiver Plan submission. The ELL sub-group disproportionality in 2017 was, in fact, 2.61 times that found in the general population for the ELA assessment with similar numbers found in the other content area test. This disproportionality has dropped slightly in 2018 to 2.53 times what would be expected again for the ELA assessment (this proportion is 2.43 and 1.87 for the other content area tests, Math and Science in 2018). The ELL sub-group disproportionality and sub-group “targets” are addressed in the 2018 tiered-model represented within this 1% Cap Waiver Plan Extension request. HSA-Alt participation data and sub-group disproportionalities will be shared with schools in tiers 1-3.

The HIDOE will use a simple formula for calculating disproportionality based upon comparing the prevalence of the sub-group within the total population to the prevalence of the sub-group within the population of students identified for the HSA-Alt. Alternate population sub-group percentage: total test population sub-group percentage ratios above a ratio factor of two will be considered as “targets” in Hawaii’s Waiver Extension.

Below is a list of subgroups that will be included in the ratio 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. English Language Learner (ELL)
3. Socio-Economic Status (as determined by Free and Reduced Price Lunch Status)
4. Migratory Students
5. Gender
 - a. Male
 - b. Female

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

The state plan and timeline outlined below is organized differently from the state plan submitted in last year’s waiver request. The State Plan includes descriptions of the school support and oversight model, the theorized mechanisms of support, the universal support activities, the tiered model for intervention, and the proposed timeline for implementation.

A. School Support and Oversight Model

Hawaii’s plan for school support and oversight is grounded in providing information and data to all schools, not just schools that exceed the 1.0% cap. Hawaii’s plan is intentionally designed to support understanding across the state not only of the specific identification criteria for alternate student identification, but also, of the supports available on the general assessment and of the specific evidence that is needed to receive verification and provision of supports. Monitoring in Hawaii extends from alternate student identification to include the recording of student designated supports and accommodations in ELL, IDEA, and 504 student records. By increasing understanding of the available supports and monitoring the provision of designated supports and accommodations for the

general assessment, the greatest access to the greatest number of students will be provided; and, fewer students will be inappropriately identified who may have been able to take the general assessment with accommodations or designated supports. The state plan rests on training and outreach so that each school is aware of the HSA-Alt Participation Guidelines, understands the available supports, and knows the state policies regarding the monitoring of supports. The plan extends to include parents as partners in understanding state requirements for participation, the design and basis for the alternate test, use of the score information, and potential ramifications of alternate test participation. Schools are expected to share this information with parents and train their staff on appropriate support provision and appropriate HSA-Alt student identification. Oversight is conducted at the school level with school alternate test participation data serving as the impetus for the level of state oversight and support. A tiered model for intervention is used with schools identified for intervention based upon overage amounts. The tiered model considers schools with small enrollment numbers, and makes reasonable adjustments to the level of oversight depending upon school size. In addition, sub-group disproportionalities are embedded within the tiered plan so that targeted sub-group over-identification is integrally included. In addition, a school-based process for providing assurances is included along with a call for complex area oversight in 2019 for schools who remain in tier 3. Ensuring that only those students with the most significant cognitive impairments participate in the HSA-Alt is at the foundation of Hawaii's plan for providing support to all schools and oversight to those schools that exceed the 1.0% cap.

B. Universal Support Mechanisms for Appropriate HSA-Alt Identification

The six mechanisms that HIDOE will universally utilize to support school personnel in the appropriate identification of students for the HSA-Alt are described below. The six professional development leverage points will increase HIDOE staff understanding of:

- 1) the options available for state testing: general assessment without accommodations, general assessment with accommodations, and alternate assessment;
- 2) the suite of accessibility supports: accommodations, designated supports, and universal tools available on the general assessment as well as guidelines, recommendations for use, and the importance of maintaining accurate, evidence-based student records for IDEA, 504, and ELL sub-groups so that necessary student supports can be verified, as needed, and assigned and provided during summative testing; and,
- 3) the specific criteria required for student identification for the Hawaii State Assessment-Alternate (HSA-Alt), an assessment based on the premise that only those students with the most significant cognitive disability are identified who would otherwise be incapable of participating in the general assessment even with accommodations;

- 4) the HSA-Alt Range Performance Level Descriptors (PLDs) that form the basis for the grade-level, standards-aligned modified curriculum, instructional learning targets, and performance expectations for students who take the alternate assessment;
- 5) the importance of involving parents in the alternate student identification process and providing specific information on the nature of the alternate assessment and potential consequences of alternate program placement; and,
- 6) the importance of increasing alternate student participation rate to 95% or greater with the result that more students are included in the accountability system and the Learner Characteristics Inventory survey results.

The six mechanisms taken together will result in a greater universal understanding of how to appropriately identify students for the alternate assessment and ensure that more students are appropriately identified and assessed and are provided with adequate levels of access, support, service, and accommodation.

The universal supports that are available for increasing HIDOE staff understanding of summative test options, accessibility supports, alternate student identification, performance expectations, parent communication obligations, and accountability system participation policies are numerous. The universal supports listed below are available to all schools and are undertaken as annual activities to ensure proper student identification for alternate testing. In most schools across the State, these universal supports are effective in maintaining school participation rates within the 1% federal guidelines. In some cases, however, additional State support is warranted for schools who currently exceed the 1.0% cap. The next sections in this document lay out Hawaii's universal supports- the activities that are available to all schools- and Hawaii's tiered oversight and monitoring plan moving forward for schools that exceed the 1% limit on HSA-Alt test participation.

Activities for All Schools

- [HSA-Alt Participation Guidelines, HSA-Alt Decision-Making Flowchart and HSA-Alt Participation Guidelines - Decision Making Questions and Case Study Examples](#) available since 2016.
- [HSA-Alt Identification Process Memo](#) was released on April 12, 2018.
- HSA-Alt Supplemental Student Identification document- [Factors-and-Red-Flags-on-the-Road-to-HSA-Alt-Student-Identification.pdf](#), including definitions for most significant cognitive disability and adaptive behavior made available in fall 2018
- Hawaii State Special Education Staff encouraged to attend the *Standards for Students with Significant Cognitive Disabilities - HSA-Alt Student Participation and Instructional Alignment to Grade Level Curriculum* presentation during the *Special Education Summer and Fall Summit* conferences held on July 16-20, 23-27, and October 7-8, 2018, respectively. The HSA-Alt Student

Identification Process which includes HSA-Alt Participation Guidelines review was shared at each training session.

- All IEP team members and administrators encouraged to attend either the *Full-day Accessibility and Accommodations Training* or the one-hour *Accessibility and Accommodations Roadshow* that present information on appropriate accommodation and designated support provision, the three assessment options available: the general assessment without accommodations, the general assessment with accommodations, and the Hawaii State Assessment- Alternate (HSA-Alt). Materials are posted and made available online so that school and team leaders may conduct follow-up training sessions with staff at their home site. See [Accessibility and Accommodations Training Materials](#).
- Online webinar recording of Accessibility and Accommodations full-day training consolidated into one-hour show highlighting test validity, Smarter Balanced constructs of measure: ELA Claims 1 and 2, Math Claim 1, and the definitions, recommendations for use, and criteria that the State uses for evaluating accommodation verification requests for Text-to-Speech, Speech-to-Text, and Multiplication Table accommodations. Process for documenting designated supports and accommodations in the State’s electronic eCSSS student record system and in the contracted test provider’s Test Information Distribution Engine for IDEA, 504, and ELL students will be included in recording and subsequent online posting on alohahsap.org website. See [Accessibility and Accommodations Webinar](#) recorded on November 28, 2018.
- Online webinar recording of 1% Federal Cap on Alternate Student Participation recorded and subsequently posted on alohahsap.org website. See [1% Webinar](#). This webinar was originally presented and recorded on December 6, 2018 and then re-presented and recorded on May 16, 2019 using updated information contained within the Waiver Extension Plan. The 1% Cap Webinar includes information on:
 - HSA-Alt Student Identification Process, including HSA-Alt Participation Guidelines
 - Location of online materials that support HSA-Alt student identification
 - HSA-Alt Supplemental Student Identification materials such as *Factors and “Red Flags” on the Road to Appropriate HSA-Alt Student Identification*
 - Characteristics of students with significant cognitive disability
 - Characteristics of Hawaii’s students who take the HSA-Alt
 - HSA-Alt Participation rate, state aggregate and district percentages
 - HSA-Alt Early Stopping Rule
 - Current areas of concern
 - Percent of students with SLD
 - Percent of students receiving highest performance level ratings on content-specific LCI questions
 - Number of “Double Exceeds” student scores from 2018 HSA-Alt administration

- HSA-Alt student participation
 - ELL disproportionality
- 2018 Waiver Plan proposal
- WIDA- ACCESS 2.0 all-day face-to-face test administrator training required for all new WIDA test administrators and any other WIDA- ACCESS 2.0 test administrators who request additional training; training includes a review of *HSA-Alt Student Identification Process* and other available online materials supporting appropriate student identification and instructional alignment with test performance expectations. December 3-7, 10-14, 2018.
- Revision to *Learner Characteristics Inventory (LCI)* to include *HSA-Alt Participation Guidelines*, Student Disability Category, and additional measures of student skill level in ELA and Math. HSA-Alt Test Administrator will affirm that the student meets all four criteria found in the *HSA-Alt Participation Guidelines* as an initial step in *LCI* completion; the additional *LCI* measures of student content skill will be used to gather more information on the characteristics of students who take the HSA-Alt. See [HSA-Alt Test Administration Manual, Appendix A: Learner Characteristics Inventory](#).
- HSA-Alt all-day face-to-face test administrator training required for all HSA-Alt test administrators; training includes a review of *HSA-Alt Student Identification Process* and other available online materials supporting appropriate student identification and instructional alignment with test performance expectations. January 28 – February 1, February 4-8, 2019.
- *Planned* HSA-Alt test administrator make-up training required for all HSA-Alt test administrators who do could not attend all-day face-to-face training; training includes a review of *HSA-Alt Student Identification Process* and other available online materials supporting appropriate student identification and instructional alignment with test performance expectations. (*Scheduled posting date of April 18, 2019*)

The tiers of support and activities described below will begin in fall 2018 and continue in subsequent years. Schools found in support category 2 or 3 for HSA-Alt participation will receive additional support from HIDOE staff.

2018-19 S.Y. Hawaii State Assessment - Alternate Participation Categories of Support

Category of Support	Criteria
Universal Support	≤ 1% HSA-Alt Participation
Tier 1 – Needs Assistance	1.1% - 1.9 % HSA-Alt Participation 1.1% - 2.9 % HSA-Alt Participation Small n*

Category of Support	Criteria
Tier 2 – Needs Intervention	2.0% - 2.9 % HSA-Alt Participation 3.0% - 4.9 % HSA-Alt Participation Small n*
Tier 3 – Needs Substantial Intervention	≥ 3.0% HSA-Alt Participation ≥ 5.0% HSA-Alt Participation Small n*

*Small n = The HIDOE recognizes the unique needs and challenges of small schools and the impact that small n sizes have on HSA-Alt participation rates. Therefore, the tiers of support for schools that test fewer than 180 and more than 60 students in total have been adjusted accordingly. For schools with testing populations of 60 students or less, case by case review of participation rate overages will be undertaken with follow-up actions planned as needed.

Schools that remain in *Tier 1 – Needs Assistance* for three consecutive years, starting with fall 2018, will move into *Tier 2 – Needs Intervention*. Schools that remain in *Tier 2 – Needs Intervention* for two consecutive years, starting with fall 2018, will move into *Tier 3 – Needs Substantial Intervention*. Schools that assess fewer than 180 students in total and exceed the 1.0% cap on HSA-Alt participation across multiple years will be evaluated on an individual basis.

ALTERNATE ASSESSMENT PARTICIPATION CATEGORIES OF SUPPORT

Support to schools varies depending upon the degree of over-identification with tiered levels of oversight and monitoring reflecting the school’s over-identification rate. Underlying all tiered levels of support are the system-wide, universal supports focused on developing HIDOE Administration, Special Education and Support staff understanding of appropriate identification for students who take the HSA-Alt.

Universal Support

Activities	Timeline
Special education staff encouraged to attend Special Education Summer Summit session on <i>Standards for Students with Significant Cognitive Disabilities - HSA-Alt Student Participation and Instructional Alignment to Grade Level Curriculum</i>	July
Schools encouraged to attend <i>Accessibility and Accommodations</i> full-day or one-hour training sessions	August - October

Activities	Timeline
Special education staff encouraged to attend Special Education Fall Summit session on <i>Standards for Students with Significant Cognitive Disabilities</i> and the <i>HSA-Alt Student Identification Process</i>	Fall
Schools encouraged to utilize posted <i>Accessibility and Accommodations</i> training materials to provide staff in-service at school site. Materials include <i>HSA-Alt Participation Guidelines</i> and <i>HSA-Alt Student Identification Process</i> .	Fall
Special education staff encouraged to view the <i>Accessibility and Accommodations</i> live or posted webinar	November
Special education staff encouraged to view the 1% Federal Cap on Alternate Student Participation live or posted webinar	December
Targeted communication to ELL Test Coordinators at 2019 WIDA-ACCESS 2.0 trainings on <i>HSA-Alt Student Identification Process</i>	December
HSA-Alt TA training (in-person and online) that includes review of test security and administration guidelines for the HSA-Alt and the <i>HSA-Alt Student Identification Process</i> , HSA-Alt Code of Ethics, HSA-Alt Range PLDs, HSA-Alt Training Test, HSA-Alt support categories: Administrative Considerations and Accommodations, Learner Characteristics Inventory, and Early Stopping Rule.	January - February
<i>Learner Characteristics Inventory</i> operational during open testing window with the updated LCI including <i>HSA-Alt Participation Guidelines</i> and additional teacher ratings of student skill level in ELA and Math. Test Administrator affirms during the LCI completion that the student meets all four criteria found in the <i>HSA-Alt Participation Guidelines</i> before other content area tests are delivered.	February – May

Tier 1 – Needs Assistance

Activities	Timeline
All activities from Universal Support	(same)
School’s HSA-Alt Test Coordinator, Special Education Department Chair, and/or Student Services Coordinator participate in 1% Cap Meeting/Webinar	December
School’s HSA-Alt Test Coordinator, Special Education Department Chair, and/or Student Services Coordinator submit assurance that all IEP teams at the school used the HSA-Alt Participation Guidelines to identify students for the HSA-Alt. Additional HSA-Alt Decision-Making Support Materials such as	Deadline: January

Activities	Timeline
Factors-and-Red-Flags-on-the-Road-to-HSA_Alt-Student-Identification.pdf can also be consulted.	

Tier 2 – Needs Intervention

Activities	Timeline
All activities from Universal Support and Category 1	(same)
Student Services Coordinator submits documented assurance that IEP teams at the school are using the HSA-Alt Participation Guidelines to identify students for the HSA-Alt.	January
Tier 2 school receives “at desk” IEP file review of HSA-Alt identified students. Email or phone inquiry to follow with Assessment Section providing additional on-site visit, as needed. Additional Assessment Section site visit to select schools will include HSA-Alt Student Identification training for the School Testing Coordinator, Student Services Coordinator, and/or Special Education Department Chair and alternate student test session observation during WIDA-ACCESS 2.0 or HSA-Alt testing windows. Inquiries and observations will focus on identified “Double Exceeds” or “target” sub-group students.	January - April

Tier 3 – Needs Substantial Intervention: Year 1 (first year of Tier 3)

Activities	Timeline
All activities from Universal Support and Categories 1 & 2	(same)
Student Services Coordinator submits documented justification for high rate of alternate test student identification and complete needs-based assessment for school support and staff assistance in the use and application of the HSA-Alt identification criteria.	Deadline: January
Mandatory Assessment Section on-site school visit including: a) IEP file review for all “Double Exceeds” or sub-group “target” students at Tier 3 school; b) interview(s) with the School Testing Coordinator, Student Services Coordinator, and/ or Special Education Department Chair; and c) alternate student test session observation of identified “Double Exceeds” or “target” sub-group students during WIDA-ACCESS 2.0 or HSA-Alt testing window.	January - April

Tier 3 – Needs Substantial Intervention: Year 2+ (two or more years at Tier 3)

Activities	Timeline
All activities from Universal Support and Categories 1, 2, and 3-Year 1	(same)

Activities	Timeline
In-depth review of overage data and “Double Exceeds” or “target” sub-group data at Tier 3 sites with Complex Area Superintendent (CAS) during face-to-face/virtual meeting. CAS justification for 1% overage and any sub-group disproportionality required.	September
Site visits to observe students during instruction and review student IEP files with school support staff: School Testing Coordinator/Student Services Coordinator/ Special Education Department Chair	Fall – Winter