



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

**MAY 02 2019**

The Honorable Mark Johnson  
State Superintendent  
North Carolina Department of Public Instruction  
6301 Mail Service Center  
Raleigh, NC 27699-6301

Dear Superintendent Johnson:

I am writing in response to the North Carolina Department of Public Instruction (NCDPI) request on January 18, 2019, for an extension to its 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 who are assessed in a reading language arts, mathematics and science. NCDPI requested this waiver because, based on State data for the 2017-2018 school year, the NCDPI 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.

After reviewing NCDPI's request, I am granting, pursuant to my authority under section 8401(b) of the ESEA, for school year 2018-2019, 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 reading/language arts, mathematics and science. NCDPI demonstrated substantial progress in carrying out the plan that was submitted when the State initially requested this waiver a year ago.

As part of this waiver, NCDPI 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 an assessment is required.
- Will require that a local educational agency (LEA) submit information justifying the need of the LEA to assess more than 1.0 percent of its assessed students in any such subject with an AA-AAAS.
- Will provide appropriate oversight of an LEA that is required to submit such information to the State, and it will make such information publicly available.
- Will verify that each LEA 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

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design) and will address any subgroup disproportionality in the percentage of students taking an AA-AAAS.

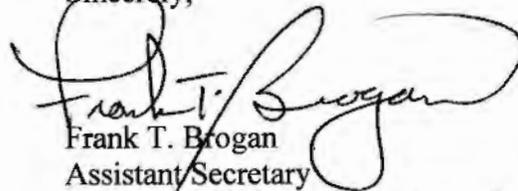
- Will implement, consistent with the plan submitted in North Carolina's waiver request, the system improvements and monitor future administrations to avoid exceeding the 1.0 percent cap.

Please note that I am granting this extension despite the fact that North Carolina has yet to demonstrate progress in reducing the percentage of students taking an AA-AAAS in each subject. Given the significant work underway, I expect to see the results of these efforts in the 2018-2019 school year and beyond. Beginning next year, any request for an extension of this waiver will be contingent on both continued progress implementing your plan and progress in reducing the percentage of students taking the AA-AAAS.

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 an 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.

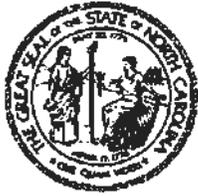
I appreciate the work you are doing to improve your schools and provide a high-quality education for your students. If you have any questions, please contact my staff at: [NorthCarolina.OESE@ed.gov](mailto:NorthCarolina.OESE@ed.gov).

Sincerely,



Frank T. Brogan  
Assistant Secretary  
for Elementary and Secondary Education

cc: Tammy Howard, Director, Accountability Services



# PUBLIC SCHOOLS OF NORTH CAROLINA

DEPARTMENT OF PUBLIC INSTRUCTION | Mark Johnson, *Superintendent of Public Instruction*

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March 8, 2019

Honorable Betsy DeVos  
Secretary of Education  
US Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202

Dear Secretary DeVos:

Pursuant to 34 C.F.R. §200.6(c)(4), the North Carolina Department of Public Instruction (NCDPI) requests an extension for the previously granted waiver, in part, from specific statutory and regulatory requirements established under the Elementary and Secondary Education Act (ESEA) as amended by the Every Student Succeeds Act (ESSA). This revised extension waiver request is based on the conversation held with the United States Department of Education (USED) on February 25, 2019. This extension waiver request, if granted, would allow the state to exceed the 1.0 percent cap on students with significant cognitive disabilities who are administered the alternate assessment aligned with alternate academic achievement standards (AA-AAAS) in order to meet the statewide assessment requirement.

As presented in Table 1, the NCDPI anticipates exceeding the 1.0 percent cap on alternate assessment participation in Mathematics and English Language Arts (ELA)/Reading at grades 3–8, Mathematics at grade 11, Science at grades 5 and 8, and Science at grade 11 for the 2018–19 school year. The data in Table 1 is the reported data from the 2017–18 school year.

Table 1. *North Carolina Anticipated Alternate Assessment Participation for the 2018–19 School Year*

Subject and Grade(s)	Numerator	Denominator	Percent
Mathematics Grades 3–8*	7,722	712,177	1.1%
Mathematics Grade 11*	1,170	101,504	1.2 %
ELA/Reading Grade 3–8*	7,732	712,478	1.1%
ELA/Reading Grade 10	1,010	114,483	0.9%
Science Grades 5 & 8*	2,630	232,304	1.1%
Science Grade 11*	1,169	103,986	1.1%

\* Subject areas that exceed 1.0 percent of test population.

## OFFICE OF THE NORTH CAROLINA SUPERINTENDENT

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**2018–19 Required State–Level Data**

As required, the NCDPI is submitting this waiver 90 days prior to the administration of the AA-AAAS spring 2019 administrations. Also, as required, following is state-level data from the 2017–18 school year that shows the number and percentage of students in each subgroup who participated in the AA-AAAS (Table 2), and affirmation that North Carolina measured the achievement of at least 95 percent of all students and at least 95 percent of students in the students with disabilities subgroup who were enrolled in grades for which the assessment was required (Table 3).

Table 2 shows the number and percentage of students in each subgroup of students defined in section 1111(c)(2)(A), (B), and (D) of the Act who took the alternate assessment aligned with alternate academic achievement standards in 2017–18.

*Table 2. North Carolina Alternate Assessment 2017-18 Participation by Subgroup*

<b>Subgroup</b>	<b>Number of Alternate Assessment Participants</b>	<b>Total Number of Students</b>	<b>Percentage of Total Participants</b>
English Learners	2,090	108,066	1.9%
Economically Disadvantaged Students	12,154	875,292	1.4%
Students with Disabilities	21,162	250,973	8.4%
Hispanic	3,293	351,390	0.9%
Asian	569	65,306	0.9%
Black	7,377	498,050	1.5%
White	8,987	951,775	0.9%
Native American	259	23,091	1.1%
Multiple Ethnicities	930	84,773	1.1%

North Carolina requires all students enrolled in a public school to be assessed. Students are assessed using the general assessment under standard conditions, the general assessment with accommodations, or the alternate assessment aligned with alternate academic achievement standards with or without accommodations. The only exception to participation is for medical exceptions approved by the NCDPI. North Carolina follows the federal participation requirement and measures the achievement of at least 95 percent of all students and 95 percent of students with disabilities subgroup under section 1111(c)(2)(C) of the Act who are enrolled in grades for which the assessment is required under §200.5(a); (See Table 3).

Table 3. *North Carolina Statewide General Assessment Participation Rates 2017–18 School Year*

<b>Subject and Grade(s)</b>	<b>Student Group</b>	<b>Percent Participation</b>
<b>Mathematics Grades 3–8</b>	All Students	>95
<b>Mathematics Grades 3–8</b>	Students with Disabilities	>95
<b>Mathematics Grade 11</b>	All Students	>95
<b>Mathematics Grade 11</b>	Students with Disabilities	>95
<b>ELA/Reading Grades 3–8</b>	All Students	>95
<b>ELA/Reading Grades 3–8</b>	Students with Disabilities	>95
<b>Science Grades 5 &amp; 8</b>	All Students	>95
<b>Science Grades 5 &amp; 8</b>	Students with Disabilities	>95
<b>Science Grade 11</b>	All Students	>95
<b>Science Grade 11</b>	Students with Disabilities	>95

Data from the 2017–18 school year indicate that North Carolina tested greater than ninety-five percent (95%) of all students and students in the students with disabilities subgroup for all required assessments.

**2018–19 Participation Requirements for AA-AAAS**

The NCDPI examines and updates the alternate assessment eligibility criteria annually and provides training to all Exceptional Children and Accountability personnel involved with determining if a student has a significant cognitive disability. The NCDPI created an *Alternate Assessment Frequently Asked Questions* document to support schools and the public in understanding this identification process. This document is updated regularly with new information as needed. An *Individualized Education Program (IEP) Team Decision-Making and Consideration Process Tool* has been

developed for the 2018–19 school year and beyond for IEP teams to use when considering the appropriate educational program and related assessments for students suspected of having a significant cognitive disability. This tool is being implemented statewide in the 2018–19 school year. The Exceptional Children’s Division (ECD) completed and posted a webinar to the state’s website to assist Local Education Agencies (LEAs)/charter schools in identifying students who would be appropriate for taking the Alternate Assessment. In addition, the EC Division has provided guidance and information to EC Directors at the Directors Advisory Council (DAC), the Regional Directors Meeting, and the EC Conference Townhall. The Accountability Services Division created a Course-of-Study Guidance document to assist IEP teams in understanding the Course-of-Study learning pathways, to assist in providing information to parents in an easy format, and to show what assessments align with the instruction on each learning pathway.

Courses that utilize the Extended Content Standards, on which the Alternate Assessment is based, have an “A” as the fifth digit of the course code in the State monitoring system. The letter in the sixth digit space denotes whether it is an elementary, middle, or high school course code. In 2017–18, North Carolina began course enrollment cross checks to ensure that every student enrolled in courses using the alternate academic achievement standards is being assessed using the alternate assessment based on those standards. Furthermore, the course enrollment cross checks ensure that every student participating in the alternate assessment has been enrolled in courses that use alternate academic achievement standards for a minimum of one hundred twenty (120) school days prior to testing. Findings from the cross checks prompt appropriate guidance, support, and continued monitoring of specific LEAs/charter schools as needed.

### **2018–19 Plan and Timeline**

Beginning in the 2018–19 school year, special educators are being trained on the use of the *IEP Team Decision-Making and Consideration Process Tool* in order to effectively facilitate IEP team meetings in which decisions about alternate academic achievement standards and alternate assessments may be considered. This tool guides teams through the acceptable data sources and the questions to answer when considering if a student has a significant cognitive disability and is eligible for the instruction and assessment based on alternate academic achievement standards. The learning pathways guidance document also provides IEP teams with the appropriate instructional and assessment alignment information for each of the pathways.

Annually, the Alternate Assessment Eligibility Criteria is reviewed using the latest scholarly research, state partnerships, district and school level input, as well as stakeholder feedback. This annual review and revision process will remain active as North Carolina continues to provide schools the tools needed to appropriately determine the educational plan for students with the most significant cognitive disabilities.

The NCDPI provides explicit training annually for all professionals involved with identifying students as having a significant cognitive disability. This training encompasses the eligibility criteria defined by the state, as well as information about the impact the decision to identify a student with a significant cognitive disability has on a student’s graduation and post-secondary opportunities. For LEAs and charter schools that exceed the 1.0 percent cap, additional monitoring, support, and technical assistance will be provided by the NCDPI to ensure that all students are appropriately educated and assessed based on individual needs. Providing decision-making teams with targeted

support will enable the NCDPI to have a better understanding of gaps in information-sharing that exist within the state and will inform plans to strategically address them.

The NCDPI will make informational resources available to parents of students with disabilities to assist parents in contributing to the IEP decision making process regarding the assessment in which their student participates. Parent resources will include, but are not limited to, post-secondary and transition planning for students with significant cognitive disabilities, implications for selecting the alternate content standards, and supplemental aids and supports that may be available to support participation in the general assessment.

The *Justification Process* (attached) requires each district and charter school that anticipates exceeding 1.0 percent participation on the AA-AAAS address disproportionality found in a data analysis.

After the 2018–19 testing window, the NCDPI will analyze participation data in each subject for the alternate assessment aligned to alternate academic achievement standards to determine the anticipated participation rates for the 2019–20 school year.

#### **Addressing Disproportionality**

The NCDPI Exceptional Children's Division and the Accountability Division will continue to address disproportionality in the percentage of students participating in the alternate assessment aligned with alternate academic achievement standards by first requiring a justification from each district and charter school that exceeds the 1.0 percent cap. LEAs and charter schools have been encouraged to analyze their data for disproportionality to include, but not limited to, internal audits and compliance checks to ensure students taking the NCEXTEND1 Alternate Assessment meet the eligibility criteria. NCDPI will continue to provide professional development opportunities through face-to-face and/or webinar format to present current data as well as updated training on the eligibility criteria. In addition, the NCDPI will provide technical assistance as needed to individual districts and charter schools where disproportionality is present.

#### **2018–19 Testing Window**

The North Carolina Testing Program Operational Calendar is publicly available on the NCDPI website. Students who are instructed on the Extended Content Standards and are assessed on the NCEXTEND1 Alternate Assessment are assessed the final ten (10) instructional days of the school year.

#### **2018–19 Public Comment Process**

On December 7, 2018, the NCDPI published a notice of the waiver request for public comment. The notice was posted on the NCDPI website, and an email address was provided for the submission of comments. The requirements of the waiver and the NCDPI's responses, as cited in this request, were included in the notice. The public comment period was open until January 7, 2019. The NCDPI did not receive any public comments for the posted waiver.

**2017–18 Evidence Towards Progress**

Table 4. *North Carolina’s Evidence of Progress 2017–18 School Year*

2017–18 Plan:	Evidence and Dates of Implementation for 2018–19:
<p>1. <b>IEP Team Decision-Making and Consideration Process Tool</b></p>	<p><i>On-going</i></p> <ul style="list-style-type: none"> <li>• Posted on webpage—November 2018*</li> <li>• Reviewed in Regional Meetings as well as within the posted NCEXTEND1 webinar</li> </ul>
<p>2. <b>Alternate Assessment Criteria is reviewed using the latest scholarly research, state partnerships, district and school level input, as well as stakeholder feedback.</b></p>	<p><i>March 4–7, 2019—March Institute*</i></p> <ul style="list-style-type: none"> <li>• Cooperative Planning Consortium – Stakeholder Group (EC Directors, EC Teachers, Disability Rights individuals, Parents, and NCDPI Staff)</li> <li>• Reviewed annually with EC and Accountability Staff</li> <li>• Exceptional Children Division and Accountability Division Collaborative Meeting Dates:             <ul style="list-style-type: none"> <li>- July 13, 2018*</li> <li>- December 3, 2018*</li> <li>- March 11, 2019</li> <li>- May 13, 2019</li> </ul> </li> </ul>
<p>3. <b>Informational resources available to parents of students with disabilities so parents can contribute to the IEP decision making process.</b></p> <ul style="list-style-type: none"> <li>○ <b>Parent resources for post-secondary transition planning for students, implications, and supplemental aids.</b></li> </ul>	<p>The EC division has a working relationship with the Exceptional Children’s Assistance Center (ECAC). This is a training and information center that provides free information and assistance with educational issues to parents of children with disabilities. They offer a lending library, newsletter, and a Parent Info Line answered by parents.</p> <p>Parent friendly informational charts, manuals, and handbooks available online:</p> <ul style="list-style-type: none"> <li>○ IEP Team Decision-Making and Consideration Process Tool</li> <li>○ NC Policies Governing Services for Children with Disabilities—Amended March 2018</li> <li>○ Parents Rights and Responsibilities in Special Education: NC Notice of Procedural Safeguards—July 2016</li> </ul> <p>Other parent resources are available on the Exceptional Children’s website under Parent Resources</p>

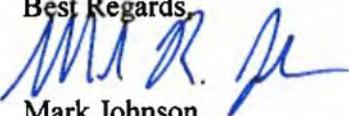
\*Evidence of completed tasks.

2017–18 Plan:	Evidence and Dates of Implementation for 2018–19:
<p>4. <b>Explicit training annually for all professionals involved with identifying students as having a significant cognitive disability.</b></p> <ul style="list-style-type: none"> <li>○ <b>Encompasses eligibility criteria, identification and impact on graduation/post-secondary outcomes, additional monitoring, support, and technical assistance.</b></li> </ul>	<p><i>September 19, 2018—NCEXTEND1 Webinar*</i></p> <ul style="list-style-type: none"> <li>• This webinar was conducted by the consultant for significant cognitive disabilities. The webinar encompassed information on the one percent population as related to ESSA, the justification form, what constitutes a significant cognitive disability, eligibility requirements, who makes the determination, course codes, guidance documents and review of 2016–17 data.</li> </ul> <p><i>October 2, 2018—Test Coordinators’ Meeting*</i></p> <p><b>1.0 Percent Participation as It Relates to LEAs, Charter Schools, and the State</b></p> <ul style="list-style-type: none"> <li>• This session was designed to provide more clarity regarding the 1.0 Percent Participation on the Alternate Assessment and requirements of school districts and charter schools in terms of the law. Test Coordinators received information on the changes to the ESSA and its impact on the state. Other important information included: eligibility requirements for students who participate in the NCEXTEND1 Alternate Assessment, the appropriateness of this assessment for students with disabilities, the impact on student learning as it relates to different learning pathways, and information about the justification form that is submitted for LEAs and charter schools that exceed the 1.0 percent.</li> </ul> <p><i>December 4–7, 2019—EC Regional Meetings (Regions 1, 2, 3, and 4) *</i></p> <p><i>February 12–13, 2019—EC Regional Meetings (Regions 7 and 8) *</i></p> <p><i>May 16–17, 2019—EC Regional Meetings (Regions 5 and 6)</i></p> <ul style="list-style-type: none"> <li>• This training is provided by the Exceptional Children’s Division. The consultant for students with significant cognitive disabilities presents multiple times to EC Directors in different regions within the state. North Carolina utilizes the train-the-trainer model both in the Accountability Division and in the Exceptional Children’s Division. The information included in the presentations are as follows: the eligibility criteria and requirements for students with significant cognitive disabilities, NCEXTEND1 data from the 2017–18 school year, impact on student outcomes, IEP goal writing, and progress monitoring.</li> </ul> <p><i>January 9, 2019 and January 17, 2019 - New EC Director’s Conference*</i></p> <ul style="list-style-type: none"> <li>• This presentation was presented multiple times to different regions within the state. This information included the eligibility requirements for students with significant cognitive disabilities, NCEXTEND1 data from the 2017–18 school year, IEP goal writing, and progress monitoring.</li> </ul> <p><i>February 18, 2019 - New 1.0 percent justification form training for Regional Accountability Coordinators (RACs)*</i></p> <ul style="list-style-type: none"> <li>• The RACs were trained on the new 1.0 percent justification form required for LEA and charter schools to fill out when exceeding the 1.0 percent participation rate. The form will be reviewed as well as expectations for completing and returning the form.</li> </ul> <p><i>March 4–7, 2019 - March Institute*</i></p> <p><b>Alternate Achievement Standards</b></p> <ul style="list-style-type: none"> <li>• This will be presented multiple times throughout the conference. The presentation will include the following information: using the Extended Content Standards, instructional and assessment alignment, eligibility requirements and considerations, the review of 2017–18 NCEXTEND1 data, documentation of justification in the IEP, and the new one percent participation justification form.</li> </ul> <p><i>March 18, 2019 - Connecting Communities of Education Stakeholders Conference (CCES)</i></p> <ul style="list-style-type: none"> <li>• This session is designed to provide additional clarifying information regarding the 1.0 percent participation on the NCEXTEND1 Alternate Assessment. Data will be presented and reviewed from the 2017–18 school year to look at trends, areas of concern, and areas of strength within North Carolina. Information will be provided on the changes to the ESSA and its impact on the state. Other important information will include: eligibility requirements for students who participate in the NCEXTEND1 Alternate Assessment, the appropriateness of this assessment for students with disabilities, the impact on student learning as it relates to different learning pathways, and information about the justification form that is submitted for LEAs and charter schools that exceed the 1.0 percent. The new 1.0 percent participation justification form will be reviewed as well as what must be included on the form.</li> </ul> <p><i>April 2019 - 1.0 Percent Participation Webinar</i></p> <ul style="list-style-type: none"> <li>• This webinar will be presented by the consultant for students with significant cognitive disabilities (EC Division) as well as the consultant for testing students with disabilities (Accountability Division). This webinar will include the following information: eligibility criteria for students with significant cognitive disabilities, data from the 2017–18 school year, resources for IEP teams, and an overview of the new 1.0 percent justification form.</li> </ul>

\*Evidence of completed tasks.

Honorable Betsy DeVos  
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Thank you for your consideration of this waiver extension as North Carolina continues to ensure all students have access to grade-level content standards and extended grade-level content standards as appropriate. Please Tammy Howard at [tammy.howard@dpi.nc.gov](mailto:tammy.howard@dpi.nc.gov) or me for any additional information or clarification.

Best Regards,  
  
Mark Johnson  
State Superintendent

MJ/TLH/lm

- c: Erika Berry, Senior Policy Advisor
- Chloe Gossage, Chief Strategy Officer
- Eric Hall, Deputy Superintendent of Innovation
- Tammy Howard, Director, Accountability Services
- Sherry Thomas, Director, Exceptional Children

Attachment

## **Justification Process for Exceeding the 1% Participation Rate in the Alternate Assessments based on Alternate Academic Achievement Standards for Students with Significant Cognitive Disabilities**

The NCEXTEND1 alternate assessment measures the content standards specified in the North Carolina Standard Course of Study Extended Content Standards for all assessed content areas. The Every Student Succeeds Act (ESSA) requires states to ensure that the total number of students assessed in each subject using the alternate assessment based on alternate academic achievement standards does not exceed 1.0 percent of the total number of all students assessed in each subject. States that anticipate they will exceed 1.0 percent participation in the alternate assessment based on alternate academic achievement standards must submit a waiver request to the US Department of Education.

The North Carolina Department of Public Instruction (NCDPI) has reviewed participation data for the NCEXTEND1 assessment in 2017–18 and found that just over 1.0 percent of students in North Carolina participated in each of the NCEXTEND1 content areas. For this reason, North Carolina will submit a waiver for the 2018–19 school year. Furthermore, the ESSA requires that the waiver be submitted ninety (90) days prior to the beginning of the alternate assessment testing window. To ensure this deadline is met, North Carolina will submit the waiver request to the US Department of Education on January 18, 2019.

The ESSA requires each district or charter school to complete and submit a justification when it anticipates exceeding 1.0 percent of students assessed in a subject area with the alternate assessment. In North Carolina, there are approximately 145 districts/charter schools that exceeded the one percent participation in the alternate assessment during the 2017–18 school year and are predicted to do the same in 2018–19. Justifications from each district and charter school will be reviewed by the NCDPI, and follow up actions will be determined based on the information found in the justification document. Staff from the Exceptional Children and Accountability Divisions in each district and charter school should collaborate to provide the following information in the justification document:

### *Section 1: Contact Information*

- Contact information for the primary district/charter school staff member responsible for the justification document.

### *Section 2: Analyzing Contributing Factors*

- Did Individualized Education Program (IEP) teams utilize the alternate assessment eligibility criteria and the North Carolina Alternate Assessment Decision Making Flow Chart to make alternate assessment participation decisions?
- Indicate how all members of the IEP teams have been informed or trained on the alternate assessment eligibility criteria and the North Carolina Alternate Assessment Decision Making Flow Chart.

- Does the district or charter school identify students to participate in the alternate assessment that do not traditionally participate (i.e., Speech and Language Impairment, Specific Learning Disability, etc.)? If yes, explain how the district/charter school determined these students meet the criteria for participation in the alternate assessment.
- Does the district or charter school provide a targeted program that may contribute to a higher enrollment of students with significant cognitive disabilities?
- Does the district or charter school have a small overall student population that increased the likelihood of exceeding the 1.0 percent threshold?

### *Section 3: Assurances*

- Does the district or charter school have a process in place to monitor alternate assessment participation?
- Does the district or charter school have a process in place to identify and address disproportionality in alternate assessment participation (specifically, among race, gender, or socioeconomic status groups)?

### *Section 4: Resources and Technical Assistance*

- What resources and technical assistance does the district or charter school need from the North Carolina Department of Public Instruction to ensure that students are being assessed using the appropriate assessment?

Additional information may include, but is not limited to:

- Evidence that all educators who administer the alternate assessment meet the requirements for test administrators, and have received test administration training prior to administering the alternate assessment.
- Evidence that all students have appropriate access to accessibility features on statewide tests.
- A review of the percentage of students taking the alternate assessment at grade 3 versus grade 4–7 versus grade 8 versus high school and an explanation of how IEP teams are making consistent participation decisions across grade levels.
- A review of data to determine if students are moving from the alternate assessment to the general assessment or vice versa, and an explanation for grade levels where this action is more prevalent.
- Evidence that the district is providing appropriate supports and services to students with disabilities to assist in meeting the same graduation requirements as their non-disabled peers.
- An evaluation of students instructed using the Extended Content Standards, but who are spending more than eighty (80%) percent of their day in the general education setting.
- Evidence of data driven team decisions to determine appropriate instruction and assessment.
- An assessment of varying practices across a district and/or between different schools.
- An explanation of special programs or populations that are served by the district/charter school that may contribute to the alternate assessment participation rate.

The completed justification document must be signed by the superintendent/charter school director, exceptional children's director, and testing coordinator. The document must be scanned and emailed to [alternateassessment@dpi.nc.gov](mailto:alternateassessment@dpi.nc.gov). The justification document will be publicly posted. As such, the document **must not contain any personally identifiable information.**

The NCDPI will notify districts/charter schools in writing if further information is needed and include next steps. For questions, contact your Exceptional Children Director or Regional Accountability Coordinator.