

Participation in Alternate Assessments Based on Alternate Academic Achievement Standards

Regulations under Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001 (NCLB) permit a State to adopt alternate academic achievement standards for students with the most significant cognitive disabilities and administer alternate assessments aligned with those standards. Under the regulations, there is no limit on the number of students with the most significant cognitive disabilities who may take an alternate assessment based on alternate academic achievement standards (AA-AAAS). The regulations, however, cap the number of proficient scores of students taking an AA-AAAS that may be used in accountability determinations at 1.0 percent of the total number of students assessed in a subject in a given year.

To provide context for the negotiating committee regarding the percentage of children with the most significant cognitive disabilities participating in an AA-AAAS, ED developed the table on the next page using assessment data from the **2013-2014 school year**. In addition to the difference noted above, regarding limits only to proficiency calculations (as opposed to assessment administration), in 2013-2014, several States were still administering an alternate assessment based on modified academic achievement standards (AA-MAAS). An AA-MAAS, as defined in ED's previous regulations is an assessment aligned with the State's academic content standards for the grade in which a student is enrolled for which the State may report achievement against achievement standards that are challenging for eligible students but potentially less difficult than the grade-level academic achievement standards. These tests were sometimes known as the "two percent" tests. States participating in ESEA flexibility (42 states, DC, and Puerto Rico) were required to stop administering such assessments after the 2013-2014 school year; all other States were required to stop administering such assessments after the 2015-2016 school year in accordance with the publication of revised regulations in August 2015.

The data include all 50 States, DC, and Puerto Rico. The numerator includes the number of children with the most significant cognitive disabilities who participated in the statewide AA-AAAS in all grades for reading/language arts and mathematics.¹ The denominator is the sum of all students who participated in statewide assessments. The table below shows the number of States that fell within percentage bands. The bands were identified based on natural clustering of the States.

¹ In the 2013-14 school year, ED permitted States who were conducting field tests of new alternate assessments to have students take the field test in place of the State's existing alternate assessment and count the student as a participant. The percentages include any student taking the existing alternate assessment in the State or the alternate assessment field test.

| <u>Percentage of students taking AA-AAAS</u> | <u>Number of States – Reading/Language Arts</u> | <u>Number of States - Mathematics</u> |
|--|---|---------------------------------------|
| Less than 0.95 | 7 | 7 |
| .95 to .99 | 7 | 8 |
| 1.00 to 1.12 | 11 | 11 |
| 1.14 to 1.30 | 10 | 8 |
| 1.31 to 1.48 | 9 | 10 |
| 1.49 to 2.2 | 8 | 8 |