



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

FEB 05 2020

The Honorable John White  
State Superintendent  
Louisiana Department of Education  
PO Box 94064  
Baton Rouge, LA 70804-9064

Dear Superintendent White:

I am writing in response to the Louisiana Department of Education's (LDOE) request on November 5, 2019, to extend 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. LDOE requested this waiver because, based on State data for the 2018-2019 school year, LDOE has concluded that it will need to assess more than 1.0 percent of students using an AA-AAAS in reading/language arts and mathematics in the 2019-2020 school year.

After reviewing LDOE's request, I am declining to exercise my authority under section 8401(b) of the ESEA, for school year 2019-2020, a one-year 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 and mathematics. My reason for denial of the request is that LDOE demonstrated a substantial increase in the number and percentage of students assessed with the AA-AAAS in reading/language arts and mathematics between 2017-2018 and 2018-2019. LDOE has, therefore, not demonstrated substantial progress in achieving the plan and timeline that was submitted when the State initially requested this waiver two years ago.

If the assessment data the LDOE reported in its waiver request are not accurate, LDOE 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). The revised waiver request must address how the requirements are met in 34 CFR 200.6(c)(4), including the requirement of demonstrating substantial progress towards achieving each component of the prior year's plan and timeline. The revised waiver request must be submitted no later than 60 days from the date of this letter.

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). I note that Louisiana has participated in some of these efforts and encourage your State's continued involvement. In 2019, NCEO has published several resources that may be helpful to stakeholders in your State. They may be found online at [https://nceo.info/Assessments/alternate\\_assessments](https://nceo.info/Assessments/alternate_assessments).

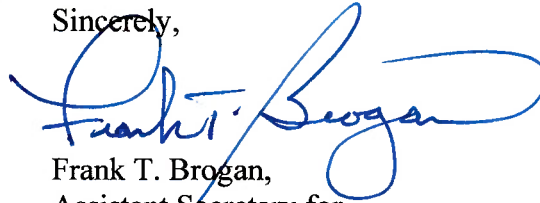
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*The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.*

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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](mailto:ESEA.Assessment@ed.gov).

Sincerely,

A handwritten signature in blue ink that reads "Frank T. Brogan". The signature is fluid and cursive, with a large initial "F" and "B".

Frank T. Brogan,  
Assistant Secretary for  
Elementary and Secondary Education

cc: Jamie Wong, Director of Special Education



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TO: Laurie VanderPloeg  
Director, Office of Special Education Programs  
Office of Special Education and Rehabilitative Services  
U.S. Department of Education

Patrick Rooney  
Deputy Director, Office of State Support  
Office of Elementary and Secondary Education  
U.S. Department of Education

FROM: Jamie Wong  
State Director, Special Education  
Louisiana Department of Education

DATE: November 5, 2019

SUBJECT: Waiver Request for the Cap on the Percentage of Students Who May Be Assessed with an Alternate Assessment Aligned with Alternate Academic Standards in English Language Arts and Mathematics

## Introduction

The *Every Student Succeeds Act* (ESSA) amended a provision of Title I of the *Elementary and Secondary Education Act of 1965* related to students participating in alternate assessments of each state education agency's (SEA's) statewide assessment. ESSA allows for SEAs to request a waiver from the 1.0 percent cap on participation requirement if SEAs anticipate exceeding the alternate assessment participation cap for any tested subject in the upcoming school year. The United States Department of Education (ED) will review the waiver request, and if granted, will waive the cap for that subject, pursuant to ESEA section 8401(b), for one year.

Requirements for what states are to submit in their waiver requests were described in regulation (§200.6(c)(4)). The regulation also describes what states are to do if they need to submit a request for an extension of their waiver. Specifically, the state is to meet the requirements of §200.6(c)(4)(i) - (iv), as well as show substantial progress toward the achievement of each component of the previous year's plan and timeline.

*Louisiana Believes*



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The Louisiana Department of Education (LDOE) alternate assessment based on alternate academic achievement standards is entitled the Louisiana Educational Assessment Program (LEAP) Connect. Louisiana's participation rates for the LEAP Connect for school year (SY) 2017-2018 exceeded the 1.0 percent participation cap and as a result, the LDOE submitted the required waiver request. On February 28, 2018, the LDOE received notification that ED had granted the LDOE a waiver of section 1111(b)(2)(D)(i)(I) of the ESEA, allowing Louisiana to assess more than 1.0 percent of the total number of students assessed on the LEAP Connect. As a result of exceeding 1.0 percent participation on the LEAP Connect for SY 2017-2018, the LDOE anticipated exceeding this threshold for SY 2018-2019 school and submitted an extension of the State's waiver of section 1111(b)(2)(D)(i)(I). On January 15, 2019, the LDOE received notification that ED had granted the LDOE an extension for SY 2018-2019 of section 1111(b)(2)(D)(i)(I) of the ESEA, allowing the State to assess more than 1.0 percent of the total number of students assessed on the LEAP Connect.

Pursuant to approval of Louisiana's waiver of the 1.0 percent cap on LEAP Connect participation, the LDOE 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 percent of all students and 95 percent of students with disabilities who are enrolled in grades for which an assessment is required in the prior school year (2018-2019);
- 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 subject with the LEAP Connect;
- Provide appropriate oversight of an LEA that is required to submit such information to the State, and make such information publicly available;
- Verify each LEA 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 will address any subgroup disproportionality in the percentage of students taking the LEAP Connect;
- Implement, consistent with the plan submitted in the LDOE's waiver request, the system improvements and monitor future administrations.

The LDOE conducted an extensive review of data from Louisiana's statewide assessments for SY 2018-2019 to determine if the LDOE anticipates that the rate of students participating in the alternate assessment aligned with alternate academic achievement standards would exceed the state's 1.0



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percent participation cap during the 2019-2020 school year. Based on this review, the LDOE concluded that over 1.0 percent of students participated in 2018-2019 administration of the alternate assessment for English language arts (ELA) and mathematics, and less than 1.0 percent of students participated in the alternate assessment for science. As a result, the LDOE anticipates that it will exceed the 1.0 percent state-level cap on students participating in the alternate assessment for the 2019-2020 school year in ELA and mathematics. Based on this data, Louisiana is submitting the required waiver extension request. This waiver extension request documents that the LDOE complied with all assurances outlined above and reflects information and actions specific to ELA and mathematics.

## State-level Data on the Participation of Students to Show the Number and Percentage of Students Who Took the Alternate Assessment

Louisiana follows the federal participation requirement that the achievement of at least 95 percent of all students is measured through a statewide assessment. For the 2018-2019 school year, Louisiana’s participation rate for all students was 99.7 percent on ELA assessments and 99.6 percent on mathematics assessments. The participation rate for students with disabilities was 99.3 percent for both ELA and mathematics assessments, which ensures that statewide assessment results measure progress for all children.

Table 1: *Participation Rate for Statewide Assessments, All Students and Students with Disabilities in ELA and Mathematics for the 2018-2019 School Year*

Subject	All Students Tested	All Students Enrolled	Participation Rate
ELA	362,600	363,809	99.7%
Mathematics	361,308	362,753	99.6%
Subject	Students with Disabilities Tested	Students with Disabilities Enrolled	Participation Rate
ELA	44,405	44,697	99.3%
Mathematics	44,489	44,806	99.3%

Students in grades 3-8, and high school take either the general statewide assessment, the Louisiana Educational Assessment Program (LEAP) 2025, or the alternate assessment, the LEAP Connect



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assessment. Students in high school take the LEAP 2025, end of course exams (EOC), or the LEAP Connect and LAA1 assessment. Students who take the general statewide assessment are measured in ELA, mathematics, science, and social studies. Students who take the alternate assessment are measured in ELA, mathematics, and science. Tables 2 and 3 below shows the participation of students in the general statewide assessments and aligned alternate assessments, by subject, for the 2018-2019 school year.

*Table 2: Students Assessed on Statewide Assessments (3-8, HS), Including the Alternate Assessment, in ELA for the 2018-2019 School Year*

	Number Participating in Statewide Assessment (All Tested)	Number Participating in Alternate Assessment (Alternate Tested)	Percent Participating in Alternate Assessment
All Students	362,600	5,773	1.6%
Black or African-American	156,837	3,157	2.0%
White	161,746	2,129	1.3%
Hispanic	25,728	286	1.1%
Economically Disadvantaged	256,862	4,879	1.9%
English Language Learner	10,185	80	0.8%
Homeless	6,631	121	1.8%



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*Table 3: Students Assessed on Statewide Assessments (3-8, HS), Including the Alternate Assessment, in Mathematics for the 2018-2019 School Year*

	Number Participating in Statewide Assessment (All Tested)	Number Participating in Alternate Assessment (Alternate Tested)	Percent Participating in Alternate Assessment
All Students	361,308	5,772	1.6%
Black or African-American	156,667	3,154	2.0%
White	160,976	2,130	1.3%
Hispanic	25,598	286	1.1%
Economically Disadvantaged	256,356	4,876	1.9%
English Language Learner	10,186	80	0.8%
Homeless	6,648	122	1.8%

## **Request for a Waiver 90 Days Before Alternate Assessment Testing Window for the Relevant Subject**

Pursuant to 34 C.F.R. S 200.66(c)(4), the LDOE requests a waiver for ELA and mathematics alternate assessment cap for the 2019 - 2020 school year. The LDOE has one testing window for the alternate assessment during the spring of each school year which begins on February 3, 2020, and concludes on March 13, 2020. The LDOE is submitting this request 90 days prior to the start of the testing window.

## **Assurance from the SEA that if Verified Specific Information for Each LEA that Exceeded the 1.0 Percent Threshold**

The LDOE reviewed alternate assessment participation data for the state and each local education agency (LEA). At the state level, the LDOE concluded that 1.6 percent of students participated in the ELA





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mathematics alternate assessments. Less than 1.0 percent of students participated in the science alternate assessment. The LDOE used 2018 - 2019 school year assessment results to determine that 128 LEAs exceeded the 1.0 percent participation threshold in one or more tested subjects. The LDOE provided every LEA in the state with statewide assessment data, including alternate assessment participation data. If the participation rate exceeded the 1.0 percent participation threshold, the LEA was required to take additional actions. Each LEA:

- Provided written justification describing the specific reason(s) the percentage of students taking the alternate assessment exceeded 1.0 percent of eligible students;
- Provided written assurance that the LEA followed the State's guidelines (described further below) for participation in the alternate assessment; and
- Provided written assurance that the LEA would address any disproportionality in the percentage of students in any subgroup taking an alternate assessment.

The LDOE received [justifications](#) and [assurances](#) from each LEA that exceeded the alternate assessment participation threshold and therefore anticipates they will again exceed 1.0 percent participation in SY 2019-2020. These justifications are publically available on the LDOE website, provided they did not reveal personally identifiable information about individual students. Justifications were publicly posted in Fall 2019 and can be found [here](#).

## **Evidence of Substantial Progress Toward the Previous Year's Plan**

Since last year's waiver submission, Louisiana has taken a series of actions to implement the State's plan. These are noted throughout the waiver. In addition to the actions described later in this waiver, LDOE has taken two key actions that cut across requirements outlined in this waiver:

1. Revised the State's alternate assessment eligibility criteria, and
2. Deployed accountability and transparency enhancements to the statewide IEP system.

Louisiana's Board of Elementary and Secondary Education (BESE) has revised the eligibility criteria for participation in the alternate assessment. The policy removed the ability to qualify for an alternate assessment based on adaptive assessment results alone. During Fall 2018, the LDOE convened a team of experts from across the state to review and revise the State's guidelines for participation in the alternate assessment. The group's recommendations went to the Special Education Advisory Panel (SEAP) in November 2018. SEAP endorsed the changes with minor revisions. BESE approved the revised eligibility criteria in December 2018. The [revised eligibility criteria](#) was open for public comment in the Spring





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2019 and finalized in April 2019 for implementation beginning in the 2019-2020 school year. The LDOE began communicating the BESE approved revisions to LEAs in [February 2019](#).

Also during the 2018-2019 school year, the LDOE added enhancements to our statewide system for individualized education programs (IEPs), known as the Special Education Reporting (SER) system. These SER enhancements required all LEAs to document cognitive and/or adaptive evaluation results, including the name of the assessment, date administered, and assessment results. SER then prepopulates those results in the IEP form where IEP teams document whether a student meets the State's eligibility criteria. This provides IEP teams with clear, transparent data to make better informed decisions. Previously, IEP teams would have to locate and interpret paper-based evaluation results. In addition, the LDOE included a reporting function that allows LEAs to generate a report to quickly look at students' scores and compare these scores against the State's eligibility guidelines. This function provides the LDOE and LEAs the ability to increase oversight and implement supports to ensure students meet the State's guidelines and participate in the most appropriate assessment of their knowledge.

These revisions occurred during the 2018-2019 school year. The 2018-2019 alternate assessment participation results do not yet reflect the impact of these changes. The LDOE expects to see a decrease in participation rates over time as LEAs fully implement the revised eligibility criteria, and IEP teams use more accurate and up to date information to make eligibility decisions.

## **The SEA's Plan and Timeline to Improve Implementation of State Guidelines**

### Progress Towards Achieving the Plan to Improve Implementation of State Guidelines

Last year, the LDOE outlined a plan to improve implementation of state guidance through oversight, monitoring, and technical assistance. Based on current eligibility criteria revisions and last year's targeted monitoring results, the LDOE focused on improving the understanding and implementation of the State's revised participation criteria. The LDOE took the following actions:

- Required all LEAs to document cognitive and adaptive evaluation results, including the name of the assessment, date administered, and standard deviation, in the SER system. SER then prepopulates those results in the IEP form where IEP teams document whether a student meets the State's eligibility criteria. This provides IEP teams with clear, transparent data to make better informed decisions. Previously, IEP teams would have to locate and interpret paper-based evaluation results. SER enhancements were deployed in July 2018 and LEAs entered scores



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before January 4, 2019 to document evaluation results for all students assessed on the alternate assessment;

- Provided training and support to LEAs across the state to clarify the State's revised eligibility criteria including:
  - Targeted webinar in February 2019 (click [here](#)). This targeted webinar on alternate assessment participation was in-depth training for special education leaders, evaluation personnel and practitioners who need guidance and support on implementation on the State's criteria;
  - In person collaboration session at Louisiana's Teacher Leader Summit in June 2019. (click [here](#) for presentation materials and [here](#) for more information on Teacher Leader Collaborations). The Teacher Leader Summit is Louisiana's largest professional development event, bringing together over 6,500 educators from across the state. LDOE provided three sessions over two days targeting how eligibility for the alternate assessment impacts the educational experiences and opportunities of students with significant cognitive disabilities. Participants worked with case studies to dig deeper into alternate assessment eligibility policy changes, and tackle how schools systems can support pupil appraisal personnel and ensure IEP teams are equipped to make informed decisions;
  - In person collaboration session at New Orleans (NOLA) Public Schools summer training collaborative, targeting the majority of the charter LEAs in Louisiana (click [here](#) for presentation materials and [here](#) for more information on NOLA Public Schools summer training collaborative). NOLA Public Schools summer training provides all New Orleans area charter school administrators and educators with the support and resources they need to improve academic and special education programming and instruction for students in charter schools;
  - In person collaboration session at the Louisiana Educational Diagnostician Association (LA-ED) [conference](#), targeting evaluation personnel and the role they play in implementing the revised eligibility criteria and SER enhancement requirements during the initial and reevaluation processes. The LA-ED conference brings together educational diagnosticians and special education directors from across the state to learn more about current issues or trends in special education evaluations for determining eligibility and/or to help IEP teams make programming decisions;
  - Recurring presentations at monthly Special Education Leader webinars (for examples, click [here](#)). Special Education Leader webinars bring together special education directors, coordinators, and other special education leaders for updates on key



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initiatives across the agency and targeted information on special education-related priorities;

- Recurring notices during monthly School System Planning Calls (for examples, click [here](#)). School System Planning Calls provide LEA leaders with key updates and information needed for the current month, or in the near future. Key participants include chief academic officers, assessment coordinators and curriculum directors; and
- Recurring notices through weekly newsletters (for an example, click [here](#), for all archived newsletters click [here](#)). Weekly newsletters provide LEA leaders and practitioners detailed information on upcoming events and important deadlines
- Launched a new Students with Significant Cognitive Disabilities [webpage](#), in March 2019, that links to tools and resources for educators and families, including: family resources, classroom supports, assessment resources, high school pathways information and BESE policy Bulletins (click [here](#));
- Created a dedicated resource [library](#) for students with significant cognitive disabilities that provides specific guidance to LEAs (click [here](#)) and IEP teams (click [here](#) and [here](#)) to understand whether participation in the alternate assessment is appropriate based on the State's guidelines, and the student's unique needs and educational goals;
- Provided individualized support to LEAs when monitoring results of student-level files indicated IEP teams decisions were not consistent with the State's alternate assessment participation criteria;
- Revised the [empirical evidence documentation](#) that IEP must have to support determination that the alternate assessment is appropriate for students with deficits in adaptive behavior and cognitive functioning that falls between 2.0 and 2.29 standard deviations below the mean. This additional evidence is part of the LEAP Connect form in our SER system and is now based on the Learner Characteristics Inventory. This revised tool provides IEP teams with a learner characteristics rating scale to help better determine if the alternate assessment is appropriate;
- Deployed SER enhancements requiring IEP teams to identify the IEP instructional plan goals that are linked to the Louisiana Connectors standards (alternate academic achievement standards);
- Participated in the National Center on Educational Outcomes (NCEO) 1.0% Cap Community of Practice (CoP); and
- Participated in NCEO's three Peer Learning Groups (PLGs): Digging Into Your Data: Building a 1% Data Analysis and Use Plan, Guiding and Evaluating District Justifications for Exceeding the 1% Threshold and Building Capacity of IEP Teams and Parents in Making Decisions About Assessment Participation



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## Additional Plan and Timeline to Improve Implementation of State Guidelines

The LDOE changed the state's eligibility criteria to no longer allow for students to be eligible to participate in alternate assessment based on adaptive behavior scores alone. The State anticipates this recent change in policy will decrease the number of students participating in the alternate assessment as the new BESE policy is implemented by LEAs.

The State will continue to provide training and support to LEAs as they implement the State's new eligibility criteria. This continued training and guidance will be provided by:

- In-person collaborations
- Weekly assessment office hours
- Webinars
- SER enhancements
- Individualized support to LEAs when monitoring results indicate IEP team decisions are not consistent with the State's guidelines
- Resources in our Students with Significant Cognitive Disabilities [resource library](#)

## **The SEA's Plan and Timeline to Provide Support and Oversight to each LEA that the State Anticipates Will Exceed the 1.0 Percent Threshold**

### Progress Towards Achieving the Plan to Provide Support and Oversight

The LDOE focused support and oversight on two key activities:

1. Adding an alternate assessment eligibility domain to the IDEA Self-Assessment Monitoring Guide, and
2. Launching a revised and expanded alternate assessment review process.

In the 2018-2019 school year, the LDOE added an alternate assessment self-assessment domain to the [IDEA Self-Assessment Monitoring Guide](#). The self-assessment provides LEAs with a structured review protocol to identify whether student-level files are compliant with the State's participation criteria. LEAs engage in an analysis that reveals the strengths and weaknesses of the local special education program by evaluating its impact on student achievement. The self-assessment helps LEAs identify the root causes of performance and compliance issues. All LEAs required to participate in IDEA self-assessment



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monitoring complete the alternate assessment domain. The LDOE reviews all self-assessments for compliance with the State's eligibility criteria.

BESE policy also now requires any LEA with more than 1.0 percent of students participating in an alternate assessment to request an alternate assessment review. If the review finds a student participated in the alternate assessment, but did not meet BESE's eligibility criteria, the test score is voided for the purposes of accountability. In Spring 2019, the LDOE launched a new alternate assessment review process to align this policy with ED's ESSA waiver process. This new process required LEAs to complete a [review request, justification](#) document and submit specific student selected files to the LDOE for review. If the LDOE found instances of noncompliance, assessment scores were voided and LEAs' performance scores were impacted.

The LDOE reviewed evidence to verify if LEAs met specific criteria outlined by ED's ESSA waiver guidance, state eligibility policy, and the state's [alternate assessment review request](#) requirements, including:

- Evidence of a LEA-level disproportionality review and a summary of the LEAs results of this review;
- Evidence IEP teams have been sufficiently trained on the participation guidelines;
- Evidence LEAs completed IEP file reviews to ensure that teams followed the State's eligibility guidelines for participation; and
- Evidence to verify that monitored students met the State's eligibility criteria including, but not limited to, current IEPs and current evaluations containing cognitive and/or adaptive assessment results, current IEPs with evidence of curriculum and goals aligned to Louisiana Connector standards, and evidence that assessment decisions are not based on factors (absences, disruptive behavior, English language status, etc.) outlined in the State's criteria

All LEAs were required to review their alternate assessment participation data for the 2018-2019 school year. The LDOE anticipates that any LEA that exceeded the 1.0 percent participation threshold in the 2018-2019 school year will also exceed the threshold in the 2019-2020 school year, unless they experience significant student population changes. Those LEAs were required to request a compliance review which required specific action to be taken, submit a written justification and submit student specific files for review by the LDOE.

To provide immediate support to LEAs that exceeded the 1.0 percent alternate assessment participation threshold, the LDOE took specific actions to communicate the requirements for the alternate



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assessment participation compliance review process. The LDOE provided additional guidance and support on required actions through:

- [Monthly SPED Leader Webinars](#) during the months of March, April, May and August 2019 ([all SPED Leader webinars](#) can be accessed in our student with disabilities resource library);
- [Teacher leader summit sessions](#) delivered June 26-28, 2019;
- SER Enhancement Webinars conducted on [July 11, 2019](#) and [July 17, 2019](#);
- Weekly newsletter announcements during the months of [July 2019](#) and [August 2019](#);
- Alternate assessment review process specific support webinars conducted on [July 25, 2019](#) and [August 5, 2019](#); and
- Targeted technical assistance to LEA's to assist in completion of all requirements

The LDOE completed alternate assessment review monitoring for over 125 LEAs (both traditional districts and charter schools) that exceeded 1.0 percent participation in the alternate assessment. The LDOE monitored 1,073 student specific files, using a risk based selection process, to verify eligibility for participation in the alternate assessment. The assessment scores of any student found to be ineligible, were converted to the lowest scale score and assigned zero points in the school performance score.

Increased accountability measures tied to the student level file review has increased LEAs accountability and compliance with and implementation of the revised criteria. This new alternate assessment participation review process allowed all LEAs to receive their participation data sooner and the LDOE to communicate participation review outcomes quicker. This in turn, provided LEAs with additional information and time to conduct IEP meetings and/or reevaluations to ensure students are taking the appropriate assessment for Spring 2020 and, when participating in the alternate assessment, meeting the State's revised eligibility criteria.

### Additional Plan and Timeline to Provide Support and Oversight

The LDOE will continue to provide support and oversight through the self-assessment monitoring and alternate assessment review process in the 2019-2020 school year. To provide proactive support to all LEAs, the LDOE sent, in Fall 2019, preliminary data on students who may be ineligible for the alternate assessment. This will help LEAs to conduct reevaluations and/or convene IEP meetings, if needed, to ensure IEP teams are following the State's revised eligibility criteria for students participating in the alternate assessment in Spring 2020.



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In addition, the LDOE is providing LEAs continuous oversight and support by:

- Conducting monthly assessment and accountability calls (click [here](#)). These targeted webinars provide guidance on how students with disabilities participate in Louisiana's Assessment System to testing coordinators, school counselors, and special education personnel. Webinar topics include universal accessibility tools, embedded, and non-embedded accommodations available to students taking the LEAP Connect, and information regarding the alternate assessment options for students with the most significant cognitive impairments;
- Holding regular [office hours](#) for LEAs to ask questions and get answers regarding assessment options, accommodations, and accessibility;
- Annually updating the LDOEs [Accommodations and Accessibility Features User Guide](#);
- Providing oversight and assistance to LEAs with the [self-assessment](#) structured review protocol to identify whether student-level files are compliant with the State's participation criteria;
- Generating SER system reports that can be used by LEA's to provide regular school-level oversight and compliance with the alternate assessment eligibility criteria; and
- Continually updating resources in our Students with Significant Cognitive Disabilities [resource library](#).

## **The SEA's Plan and Timeline to Address any Disproportionality in the Percentage of Students Taking an Alternate Assessment**

### Progress Towards Achieving the Plan to Address Disproportionality

At the state-level, the LDOE compared the participation rate across the tested subjects for ESSA subgroups. While participation rates across ESSA subgroups did not raise to the level of disproportionality, the LDOE believes that much work remains to ensure that IEP teams are positioned to make well-informed decisions on a student's participation in the alternate assessment, based on the State's guidelines and the student's educational goals.

At the LEA-level, In the 2018-2019 school year, the LDOE completed targeted alternate assessment monitoring of over 125 LEAs (both traditional districts and charter schools) that exceeded 1.0 percent participation in the alternate assessment. The LDOE required LEAs to submit evidence of a LEA-level disproportionality review and a summary of the LEAs results of this review, including:

- a list of individuals (with titles) involved in the disproportionality review,
- the date(s) the review took place,
- process utilized for reviewing data,





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- the outcome of the review, including any subgroups in which the LEA identified disproportionality, and
- if disproportionality was found, an action plan with dates.

The LDOE will review this evidence as part of the alternate assessment monitoring process.

## Additional Plan and Timeline to Address Disproportionality

At the LEA-level, the LDOE required every LEA that exceeded the 1.0 percent participation threshold for the alternate assessment in the 2018-2019 school year to provide assurance that they would review disproportionality of the subgroups included in the State's ESSA plan. LEAs convened a team of knowledgeable individuals to conduct the review, to develop a plan of action and execute that plan if disproportionality existed, and to maintain documentation of the review and plan for monitoring purposes.

To determine if disproportionality of students participating in the alternate assessment of Louisiana's statewide assessments exists, the LDOE will analyze LEA-level participation rates of students taking the alternate assessment in each of the following subgroups outlined in the State's ESSA Plan:

- Major racial / ethnic groups including Black or African-American, White, and Hispanic
- Economically disadvantaged status
- English language learner status
- Homeless status

Results from the LEA-level disproportionality reviews will inform additional oversight and support to LEAs to ensure equity in access and participation of students with significant cognitive disabilities in the alternate assessment. Additional support may include reviewing and refining guidance to LEAs, conducting additional targeted monitoring, and/or providing additional training and support to LEAs. The LDOE launched a new [web page](#) with resources to help LEAs train IEP teams to make assessment decisions for students with significant cognitive disabilities.

## **Notice of Intent for Public Comment**

SEAs are required to include evidence that the State requesting the waiver provided notice and reasonable opportunity for the public and LEAs to comment and provide input on the request.

- The LDOE's notice of intent for an alternate assessment waiver for public comment can be found [here](#). The notice was posted for over three weeks, in accordance with agency practice for such notices for public comment.



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- The LDOE disseminated information of the notice of intent including the call for public comment during the monthly Special Education Leader's webinar on October 3, 2019.
- The LDOE shared the notice through our weekly newsletters the weeks of [October 7](#) and [October 14, 2019](#).
- The LDOE did not receive any comments during the public comment period.

The LDOE believes that its plan and timeline will ensure that only students with the most significant cognitive disabilities, who meet the State's participation guidelines, will participate in the alternate assessment.

We look forward to working with ED to receive a positive response to this request. Please contact the Division of Special Education Policy at [specialeducation@la.gov](mailto:specialeducation@la.gov) with any questions.

We thank you for your shared commitment to Louisiana's students with the most significant cognitive disabilities.

Sincerely,

Jamie Wong

Director of Special Education

CC: John White, Superintendent of Education

Ariel Bedford, Chief of Staff

Jessica Baghain, Assistant Superintendent

Catherine Pozniak, Assistant Superintendent