



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

January 15, 2021

The Honorable Linda Darling-Hammond
State Board President
California State Board of Education
1430 N Street, Room 5111
Sacramento, CA 95814

The Honorable Tony Thurmond
State Superintendent of Education
California Department of Education
1430 N Street
Sacramento, CA 95814

Dear President Darling-Hammond and Superintendent Thurmond:

I am writing in response to the California Department of Education's (CDE's) request on November 13, 2020, for a waiver of section 1111(b)(2)(D)(i)(I) of the Elementary and Secondary Education Act of 1965 (ESEA) 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. Based on 2017-2018 and 2018-2019 data, CDE has concluded that it will need to assess more than 1.0 percent of students using an AA-AAAS in the 2020-2021 school year.

After reviewing CDE's waiver request, I am declining to exercise my authority under section 8401(b) of the ESEA, for school year 2020-2021, to grant 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, mathematics, and science. I am declining to grant the State's request because it has not met the requirement in 34 CFR 200.6(c)(4), demonstrating that it has assessed 95 percent of all students in science and 95 percent of students with disabilities in reading/language arts, mathematics, and science in the most recent year for which data are available.

If the assessment data the CDE reported in its waiver request are not accurate, CDE 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), specifically the requirement of assessing 95 percent of all students and 95 percent of students with disabilities. The revised waiver request must be submitted no later than 60 days from the date of this letter. Also, the grant condition originally placed on CDE's Title I, Part A grant award in 2019 will remain in place until the State can demonstrate that it meets the requirements of statute and regulations for alternate assessment participation.

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<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.

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 California has participated in some of these efforts and encourage your State's continued involvement. In 2020, 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.

I also 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 ESEA.Assessment@ed.gov.

Sincerely,

/s/

Frank T. Brogan
Assistant Secretary
for Elementary and Secondary Education

cc: John Boivin, Education Research and Evaluation Administrator



California Department of Education

Tony Thurmond, *State Superintendent of Public Instruction*
1430 N Street, Sacramento, CA 95814-5901
916-319-0800

California State Board of Education

Linda Darling-Hammond, *State Board President*
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November 13, 2020

The Honorable Frank Brogan
Assistant Secretary for
Elementary and Secondary Education
United States Department of Education
400 Maryland Avenue SW
Washington, DC 20202

Dear Assistant Secretary Brogan:

Please find enclosed with this letter California's waiver request pursuant to *Code of Federal Regulations*, Title 34 (34 CFR), Section 200.6 (c)(4), which requires that, for each subject for which assessments are administered, the total number of students assessed in that subject with alternate academic achievement standards (AA-AAAS) not exceed 1.0 percent of the total number of students in California who are assessed in that subject. Data analysis indicates that the submission of a waiver is warranted for reading/language arts, mathematics, and science for the 2020–21 school year.

For more information or questions about the attached waiver request for the 2020–21 school year AA-AAAS 1 percent participation requirement, please contact John Boivin, Education Research and Evaluation Administrator, by email at jboivin@cde.ca.gov or by phone at 916-319-0575.

Sincerely,

Tony Thurmond
State Superintendent of Public Instruction
California Department of Education

Linda Darling-Hammond
President
California State Board of Education

TT/LDH:js

California Department of Education
Alternate Assessment Aligned with Alternate Academic Achievement Standards
1.0 Percent Threshold Waiver Request
Pursuant to Code of Federal Regulations, Title 34, Section 200.6 (c)(4)
July 8, 2020

The California Department of Education (CDE) has adopted alternate academic achievement standards for students with the most significant cognitive disabilities. The CDE has developed alternate assessments based on alternate academic achievements standards (AA-AAAS). *Code of Federal Regulations*, Title 34 (34 *CFR*), Section 200.6 (c)(4) requires that, for each subject for which assessments are administered, the total number of students assessed in that subject with an AA-AAAS may not exceed 1.0 percent of the total number of students in California who are assessed in that subject.

After reviewing data from multiple years and assessing the current impact and potential risk impact, the CDE has determined that participation in California's AA-AAAS for reading/language arts, mathematics, and science is over the 1.0 percent of the total number of students assessed in those subjects for the 2018–2019 school year and would have likely been over 1.0 percent for the 2019–2020 school year had statewide testing not been suspended in March 2020. The CDE is submitting this request that the Secretary waive the threshold under 34 *CFR* Section 200.6 (c)(2) for reading/language arts and mathematics, and science pursuant to 34 *CFR* Section 200.6 (c)(4) for the 2020–21 school year.

State Testing Window; Requirement 1

The California Alternate Assessments (CAAs) include California's AA-AAAS for reading/language arts, mathematics, and science. The testing window for reading/language arts and mathematics assessments will open either on January 12, 2021, or at 66 percent through the LEA's academic school year per California *Education Code (EC)* Section 855(a)(1).

- The opening of the reading/language arts and mathematics summative assessment window: on January 12, 2021, or at 66 percent of the LEA's academic school year.
- Ninety days prior to January 12, 2021, is October 12, 2020; therefore, this waiver request meets the 90-day requirement.

The testing window for California's AA-AAAS for science will open on September 1, 2020.

- The CAA for science testing window opened September 1, 2020, per *EC* 855(a)(2).

- Ninety days prior to September 1, 2020, is June 3, 2020; therefore, this waiver request does not meet the 90-day requirement.

To view the 2020–2021 testing schedule for the CAAs, refer to the information found at <https://www.cde.ca.gov/ta/tg/ai/documents/calassesssystem.pdf>.

**State-Level Data on Participation in AA-AAAS in Subject Area by Subgroup;
Requirement 2(A)**

Tables 1, 2, and 3, below, present CAA participation rates for reading/language arts, mathematics, and science for all students and by subgroup in 2018–19.

Table 1. Alternate Assessment Participation Rates for 2018–19 Reading/Language Arts

| Student Subgroup | # of Students Participating in Regular Assessment | # of Students Participating in Alternate Assessment | Total # of Students Assessed | Percentage Participating in Alternate Assessment |
|-------------------------------|--|--|-------------------------------------|---|
| All students | 3,162,910 | 37,492 | 3,200,402 | 1.17% |
| African American | 167,470 | 3,039 | 170,509 | 1.78% |
| American Indian/Alaska Native | 15,667 | 241 | 15,908 | 1.51% |
| Asian | 294,155 | 2,900 | 297,055 | 0.98% |
| Filipino | 69,420 | 984 | 70,404 | 1.40% |
| Hispanic | 1,742,382 | 21,458 | 1,763,840 | 1.22% |
| Pacific Islander | 14,469 | 168 | 14,637 | 1.15% |
| Two or more races | 124,922 | 1,226 | 126,148 | 0.97% |
| White | 713,484 | 7,179 | 720,663 | 1.0% |
| Children with disabilities | 365,765 | 37,492 | 403,257 | 9.30% |

| Student Subgroup | # of Students Participating in Regular Assessment | # of Students Participating in Alternate Assessment | Total # of Students Assessed | Percentage Participating in Alternate Assessment |
|--------------------------------|--|--|-------------------------------------|---|
| Children without disabilities | 2,797,145 | 0 | 2,797,145 | 0.0% |
| English learners | 511,094 | 11,157 | 522,251 | 2.14% |
| Not English learners | 2,651,816 | 26,335 | 2,678,151 | 0.98% |
| Migrant | 25,342 | 206 | 25,548 | 0.81% |
| Not migrant | 3,137,568 | 37,286 | 3,174,854 | 1.17% |
| Economically disadvantaged | 1,928,948 | 24,552 | 1,953,500 | 1.26% |
| Not economically disadvantaged | 1,233,962 | 12,940 | 1,246,902 | 1.04% |
| Homeless | 113,303 | 1,260 | 114,563 | 1.10% |
| Not homeless | 3,049,607 | 36,232 | 3,085,839 | 1.17% |
| Military | 33,634 | 293 | 33,927 | 0.86% |
| Not military | 3,129,276 | 37,199 | 3,166,475 | 1.17% |
| Female | 1,547,445 | 12,190 | 1,559,635 | 0.78% |
| Male | 1,615,465 | 25,302 | 1,640,767 | 1.54% |

Table 2. Alternate Assessment Participation Rates for 2018–2019 Mathematics

| Student Subgroup | # of Students Participating in Regular Assessment | # of Students Participating in Alternate Assessment | Total # of Students Assessed | Percentage Participating in Alternate Assessment |
|-------------------------------|--|--|-------------------------------------|---|
| All students | 3,170,971 | 37,349 | 3,208,320 | 1.16% |
| African American | 166,870 | 3,021 | 169,891 | 1.78% |
| American Indian/Alaska Native | 15,629 | 238 | 15,867 | 1.50% |
| Asian | 296,878 | 2,906 | 299,784 | 0.97% |
| Filipino | 69,665 | 982 | 70,647 | 1.39% |
| Hispanic | 1,748,298 | 21,369 | 1,769,667 | 1.21% |
| Pacific Islander | 14,430 | 169 | 14,599 | 1.16% |
| Two or more races | 124,685 | 1,218 | 125,903 | 0.97% |
| White | 713,168 | 7,148 | 720,316 | 0.99% |
| Children with disabilities | 364,341 | 37,349 | 401,690 | 9.30% |
| Children without disabilities | 2,806,630 | 0 | 2,806,630 | 0.0% |
| English learners | 523,959 | 11,151 | 535,110 | 2.08% |
| Not English learners | 2,647,012 | 26,198 | 2,673,210 | 0.98% |
| Migrant | 25,716 | 206 | 25,922 | 0.79% |

| Student Subgroup | # of Students Participating in Regular Assessment | # of Students Participating in Alternate Assessment | Total # of Students Assessed | Percentage Participating in Alternate Assessment |
|--------------------------------|--|--|-------------------------------------|---|
| Not migrant | 3,145,255 | 37,143 | 3,182,398 | 1.17% |
| Economically disadvantaged | 1,934,051 | 24,471 | 1,958,522 | 1.25% |
| Not economically disadvantaged | 1,236,920 | 12,878 | 1,249,798 | 1.03% |
| Homeless | 114,801 | 1,260 | 116,061 | 1.09% |
| Not homeless | 3,056,170 | 36,089 | 3,092,259 | 1.17% |
| Military | 33,582 | 291 | 33,873 | 0.86% |
| Not military | 3,137,389 | 37,058 | 3,174,447 | 1.17% |
| Female | 1,550,889 | 12,136 | 1,563,025 | 0.78% |
| Male | 1,620,082 | 25,213 | 1,645,295 | 1.53% |

Table 3. Alternate Assessment Participation Rates for 2018–2019 Science

| Student Subgroup | # of Students Participating in Regular Assessment | # of Students Participating in Alternate Assessment | Total # of Students Assessed | Percentage Participating in Alternate Assessment |
|-------------------------------|--|--|-------------------------------------|---|
| All students | 1,474,994 | 19,162 | 1,494,156 | 1.28% |
| African American | 77,919 | 1,557 | 79,476 | 1.96% |
| American Indian/Alaska Native | 7,467 | 111 | 7,578 | 1.46% |
| Asian | 140,957 | 1,564 | 142,521 | 1.10% |

| Student Subgroup | # of Students Participating in Regular Assessment | # of Students Participating in Alternate Assessment | Total # of Students Assessed | Percentage Participating in Alternate Assessment |
|--------------------------------|--|--|-------------------------------------|---|
| Filipino | 36,875 | 568 | 37,443 | 1.52% |
| Hispanic | 801,418 | 10,543 | 811,961 | 1.30% |
| Pacific Islander | 6,855 | 102 | 6,957 | 1.47% |
| Two or more races | 53,199 | 590 | 53,789 | 1.10% |
| White | 341,499 | 3,995 | 345,494 | 1.16% |
| Children with disabilities | 160,258 | 19,162 | 179,420 | 10.68% |
| Children without disabilities | 1,314,736 | 0 | 1,314,736 | 0.0% |
| English learners | 190,297 | 5,103 | 195,400 | 2.61% |
| Not English learners | 1,284,697 | 14,059 | 1,298,756 | 1.08% |
| Migrant | 11,456 | 104 | 11,560 | 0.90% |
| Not migrant | 1,463,538 | 19,058 | 1,482,596 | 1.29% |
| Economically disadvantaged | 876,397 | 12,078 | 888,475 | 1.36% |
| Not economically disadvantaged | 598,597 | 7,084 | 605,681 | 1.17% |
| Homeless | 50,622 | 585 | 51,207 | 1.14% |
| Not homeless | 1,424,372 | 18,577 | 1,442,949 | 1.29% |
| Military | 17,462 | 181 | 17,643 | 1.03% |

| Student Subgroup | # of Students Participating in Regular Assessment | # of Students Participating in Alternate Assessment | Total # of Students Assessed | Percentage Participating in Alternate Assessment |
|-------------------------|--|--|-------------------------------------|---|
| Not military | 1,457,532 | 18,981 | 1,476,513 | 1.29% |
| Female | 723,132 | 6,397 | 729,529 | 0.88% |
| Male | 751,862 | 12,765 | 764,627 | 1.67% |

State-Level Data Showing 95 Percent Participation Overall and Students with Disabilities Subgroup; Requirement 2(B)

California adheres to the federal participation requirement, which is set for 95 percent participation on each assessment. However, California did not meet the 95 percent requirement in 2018–19. Refer to Table 4 for the participation rates.

Table 4 (Requirement 2B). 2018–19 Participation Rate of All Students and Students with Disabilities

| Content Area | Reading/language arts | Mathematics | Science |
|--|------------------------------|--------------------|----------------|
| Students Tested | 3,200,402 | 3,208,320 | 1,494,156 |
| Students Required to Test | 3,297,186 | 3,297,186 | 1,587,963 |
| Percent Achievement Measured for all Students | 97.1% | 97.3% | 94.5% |
| Students with Disabilities Tested | 403,257 | 401,690 | 179,420 |
| Students with Disabilities Required to Test | 427,329 | 427,329 | 171,397 |

| Content Area | Reading/language arts | Mathematics | Science |
|--|-----------------------|-------------|---------|
| Percent Achievement Measured for Students with Disabilities | 94.4% | 94.0% | 87.8% |

One significant change in policy had an impact on the identification of students who would be administered the Science assessments. On July 24, 2018, the California Longitudinal Pupil Achievement Data System (CALPADS) implemented a change to one category of students in the age group of eighteen to twenty-two-years. Students in that age group who had been categorized as “UNGRADED” were changed to “grade 12” for enrollment. The removal of “UNGRADED” in the CALPADS enrollment category resulted in an increase of 3,817 students enrolled in grade 12 becoming eligible for assessment in Science.

Further data analysis of this specific population revealed an unusually high rate of Parent Guardian Exemptions (PGE) and students Not Tested (NT) within the group. Table 4B presents the overall number of students within this age group eligible for assessment, PGEs, Not Tested Due to Medical Emergency (NTE), and NTs. Additional comparisons of participation rates, both with and without this group, indicate that the overall participation rate for Science would have been significantly higher without the inclusion of this group.

Table 4B. 2019 Participation Rate Comparison of All Students and 12+ Students

| CAA Science | Population | Tested | PGE | % | NTE | % | Not Tested | % |
|-------------------------|------------|--------|-------|-----|-----|------|------------|------|
| Enrollment (ALL) | 23,970 | 19,162 | 1,242 | 5.1 | 96 | 0.50 | 3470 | 14.4 |
| Enrollment 12+ | 3,817 | 2,564 | 326 | 8.5 | 29 | 0.75 | 898 | 23.5 |

State Assurance; Requirement 3(A)

In this request, the CDE is providing assurance that it has verified that every LEA that the state anticipates will assess more than 1.0 percent of eligible students in a subject assessed by the CAAs (reading/language arts, mathematics, and science) followed the state’s participation guidelines and will address any disproportionality. More information on disproportionality can be found in the following section.

In analyzing the data for 2018–19, the CDE identified and notified 178 out of 1,794 LEAs that would exceed the 1.0 percent participation threshold in any subject for which the AA-AAAS are administered. The CDE required all LEAs receiving the notice to submit a verification form to the CDE that included the following assurances:

1. The individualized education program (IEP) teams correctly identified students with the most significant cognitive disabilities, following state criteria and participation guidelines.
2. The LEAs will measure the achievement of at least 95 percent of all students, including students with disabilities in all grades for which an assessment is required.
3. Eligible students participating in the CAAs have been receiving instruction according to the California Alternate Achievement Standards.
4. The LEA will inform parents/guardians of students with the most significant cognitive disabilities that their child(ren) will participate in the CAAs and will inform parents/guardians of the implications of participation in the CAAs.
5. The LEA will address any disproportionality in the percentage of students in any subgroup taking the CAAs.

State Assurance to Address Disproportionality of Student Participation in the AA-AAAS; Requirement 3(B)

The CDE will continue to address disproportionality in the percentage of students in any subgroup taking the CAAs through multiple activities, described as follows:

- Calculating and analyzing participation rates among subgroups at the state level
- Identifying subgroups overrepresented in the CAA participation count
- Reviewing LEA justifications and data to identify unusual patterns and high participation rates across subgroups
- Analyzing subgroup data over time to identify trends in subgroup participation with the goal of decreasing disproportionality
- Continuing support and guidance for appropriate use for the participation guidelines for California's alternate assessments
- Revising and posting updated participation guidelines as well as any supporting documents.
- Engaging with stakeholder groups to address disproportionality
- Reporting assessment data publicly

In addition, California will continue its efforts with the following:

- Participation in the National Center on Educational Outcomes (NCEO), 1% Community of Practice (CoP), meetings; a cooperative with the Research to Practice Division, Office of Special Education Programs, U.S. Department of Education. The CoP is a collaboration of state education agencies working to address compliance with 1% rules. The information gathered at these meetings will facilitate California's communications to LEAs that have been identified as having exceeded the 1.0 percent threshold. Participation in the NCEO meetings will continue to support California's ongoing efforts to move toward compliance.
- Use the State Assessment Metric Interface (SAMI) within our Test Operations Management System, which is accessed by local assessment coordinators and the CDE, for real-time monitoring of the percentage of AA-AAAS-based testing in the state and for facilitating interaction with LEAs during the testing window. California created the SAMI in coordination with its assessment contractor, the Educational Testing Service.

The CDE will continue to monitor samples of students to ensure that students with disabilities are given the accessibility supports required by their IEP. The review will

include a comparison of the accessibility supports in their IEP and the supports made available to the student on California Assessment of Student Performance and Progress tests, including Smarter Balanced. Once an LEA is selected for a monitoring activity, student files are randomly selected for review. The CDE anticipates reviewing 350 student files annually. LEAs with noncompliance identified will be required to go through a corrective action process.

The CDE also will continue to annually monitor alternate assessment data. LEAs that exceed the 1.0 percent threshold will be required to provide the CDE with detailed justification. Monitoring data will be used to develop targeted, content-specific training and support aimed at addressing each LEA's unique needs. The CDE will continue to provide professional learning opportunities (<https://www.cde.ca.gov/ta/tg/ca/caaiepteamrev.asp>) and resources (<https://www.cde.ca.gov/ta/tg/sa/documents/iepedresource.pdf>) for IEP team members and other educators, particularly on the nature of the alternate assessment and the students who are eligible to participate under the California Alternate Assessment Decision Confirmation Worksheet (<https://www.cde.ca.gov/ta/tg/ca/documents/altassessmentdecision.pdf>).

California is committed to ensuring that all of its students with disabilities are assessed appropriately and will continue to provide monitoring and technical assistance in this regard. It looks forward to working with the ED to ensure ongoing compliance with federal law.

Tables 6, 7, and 8, below, provide the data analysis related to Alternate Assessment Risk Ratio for Reading/Language Arts (Table 6), for Mathematics (Table 7), and for Science (Table 8).

Table 6. Alternate Assessment Risk Ratio for 2018–19 Reading/Language Arts

| Target Subgroup | Comparison Group | Percentage of Target Subgroup Participating in Alternate Assessment | Percent of Comparison Subgroup Participating in Alternate Assessment | Risk Ratio |
|-------------------------------|------------------|---|--|------------|
| African American | All other races | 1.78% | 1.14% | 1.5614 |
| American Indian/Alaska Native | All other races | 1.51% | 1.17% | 1.2906 |
| Asian | All other races | 0.98% | 1.19% | 0.8235 |

| Target Subgroup | Comparison Group | Percentage of Target Subgroup Participating in Alternate Assessment | Percent of Comparison Subgroup Participating in Alternate Assessment | Risk Ratio |
|--------------------------------|------------------------------------|--|---|-------------------|
| Filipino | All other races | 1.40% | 1.17% | 1.1966 |
| Hispanic | All other races | 1.22% | 1.12% | 1.0892 |
| Pacific Islander | All other races | 1.15% | 1.17% | 0.9830 |
| Two or more races | All other races | 0.97% | 1.18% | 0.8220 |
| White | All other races | 1.0% | 1.22% | 0.8197 |
| English learner | All not English learners | 2.14% | 0.98% | 2.1837 |
| Not English learner | All English learners | 0.98% | 2.14% | 0.4579 |
| Migrant | All not migrant | 0.81% | 1.17% | 0.6923 |
| Not migrant | All migrant | 1.17% | 0.81% | 1.4444 |
| Economically disadvantaged | All not economically disadvantaged | 1.26% | 1.04% | 1.2115 |
| Not economically disadvantaged | Economically disadvantaged | 1.04% | 1.26% | 0.8253 |
| Homeless | All not homeless | 1.10% | 1.17% | 0.9402 |
| Not homeless | All homeless | 1.17% | 1.10% | 1.0636 |
| Military | All not military | 0.86% | 1.17% | 0.7350 |
| Not military | All military | 1.17% | 0.86% | 1.3605 |

| Target Subgroup | Comparison Group | Percentage of Target Subgroup Participating in Alternate Assessment | Percent of Comparison Subgroup Participating in Alternate Assessment | Risk Ratio |
|-----------------|------------------|---|--|------------|
| Female | All male | 0.78% | 1.54% | 0.5065 |
| Male | All female | 1.54% | 0.78% | 1.9744 |

Table 7. Alternate Assessment Risk Ratio for 2018–19 Mathematics

| Target Subgroup | Comparison Group | Percentage of Target Subgroup Participating in Alternate Assessment | Percent of Comparison Subgroup Participating in Alternate Assessment | Risk Ratio |
|-------------------------------|--------------------------|---|--|------------|
| African American | All other races | 1.78% | 1.13% | 1.5752 |
| American Indian/Alaska Native | All other races | 1.50% | 1.16% | 1.2931 |
| Asian | All other races | 0.97% | 1.18% | 0.8220 |
| Filipino | All other races | 1.39% | 1.16% | 1.1983 |
| Hispanic | All other races | 1.21% | 1.11% | 1.0900 |
| Pacific Islander | All other races | 1.16% | 1.16% | 1.0000 |
| Two or more races | All other races | 0.97% | 1.17% | 0.8291 |
| White | All other races | 0.99% | 1.21% | 0.8182 |
| English learner | All not English learners | 2.08% | 0.98% | 2.1224 |
| Not English learner | All English learners | 0.98% | 2.08% | 0.4712 |

| Target Subgroup | Comparison Group | Percentage of Target Subgroup Participating in Alternate Assessment | Percent of Comparison Subgroup Participating in Alternate Assessment | Risk Ratio |
|--------------------------------|------------------------------------|---|--|------------|
| Migrant | All not migrant | 0.79% | 1.17% | 0.6752 |
| Not migrant | All migrant | 1.17% | 0.79% | 1.4810 |
| Economically disadvantaged | All not economically disadvantaged | 1.25% | 1.03% | 1.2136 |
| Not economically disadvantaged | Economically disadvantaged | 1.03% | 1.25% | 0.824 |
| Homeless | All not homeless | 1.09% | 1.17% | 0.9316 |
| Not homeless | All homeless | 1.17% | 1.09% | 1.0734 |
| Military | All not military | 0.86% | 1.17% | 0.7350 |
| Not military | All military | 1.17% | 0.86% | 1.3605 |
| Female | All male | 0.78% | 1.53% | 0.5098 |
| Male | All female | 1.53% | 0.78% | 1.9615 |

Table 8. Alternate Assessment Risk Ratio for 2018–19 Science

| Target Subgroup | Comparison Group | Percentage of Target Subgroup Participating in Alternate Assessment | Percent of Comparison Subgroup Participating in Alternate Assessment | Risk Ratio |
|------------------|------------------|---|--|------------|
| African American | All other races | 1.96% | 1.24% | 1.5806 |

| Target Subgroup | Comparison Group | Percentage of Target Subgroup Participating in Alternate Assessment | Percent of Comparison Subgroup Participating in Alternate Assessment | Risk Ratio |
|--------------------------------|------------------------------------|--|---|-------------------|
| American Indian/Alaska Native | All other races | 1.46% | 1.28% | 1.1406 |
| Asian | All other races | 1.10% | 1.30% | 0.8462 |
| Filipino | All other races | 1.52% | 1.28% | 1.1875 |
| Hispanic | All other races | 1.30% | 1.26% | 1.0317 |
| Pacific Islander | All other races | 1.47% | 1.28% | 1.1484 |
| Two or more races | All other races | 1.10% | 1.29% | 0.8527 |
| White | All other races | 1.16% | 1.32% | 0.8788 |
| English learner | All not English learners | 2.61% | 1.08% | 2.4167 |
| Not English learner | All English learners | 1.08% | 2.61% | 0.4138 |
| Migrant | All not migrant | 0.90% | 1.29% | 0.6977 |
| Not migrant | All migrant | 1.29% | 0.90% | 1.4333 |
| Economically disadvantaged | All not economically disadvantaged | 1.36% | 1.17% | 1.1624 |
| Not economically disadvantaged | Economically disadvantaged | 1.17% | 1.36% | 0.8603 |
| Homeless | All not homeless | 1.14% | 1.29% | 0.8837 |
| Not homeless | All homeless | 1.29% | 1.14% | 1.1316 |

| Target Subgroup | Comparison Group | Percentage of Target Subgroup Participating in Alternate Assessment | Percent of Comparison Subgroup Participating in Alternate Assessment | Risk Ratio |
|-----------------|------------------|---|--|------------|
| Military | All not military | 1.03% | 1.29% | 0.7984 |
| Not military | All military | 1.29% | 1.03% | 1.2524 |
| Female | All male | 0.88% | 1.67% | 0.5269 |
| Male | All female | 1.67% | 0.88% | 1.8977 |

Plan and Timeline for Improving the Implementation of Participation Guidelines (and possibly revising definition of students with the most significant cognitive disabilities), Requirement 4(A)

The CDE will annually monitor alternate assessment data. As part of the process to justify exceeding the 1 percent threshold, the CDE will contact all LEAs that exceed the one percent threshold, and they will be required to provide the CDE with detailed justification for having exceeded the one percent threshold. Data from the monitoring has already been used to develop targeted training on analyzing LEA data related to AA-AAAS participation, content-specific training, and support aimed at addressing each LEA’s unique needs. The CDE will provide professional learning opportunities for IEP team members and other educators, particularly on the nature of the alternate assessment and the students who are eligible to participate under the “California Alternate Assessment Decision Confirmation Worksheet.”

The following supporting documents and guidance are made available to LEAs:

- *Alternate Assessment Decision Confirmation Worksheet*, located at: <https://www.cde.ca.gov/ta/tg/ca/documents/altassessmentdecision.pdf>
- *Alternate Assessment IEP Team Guidance*, located at: <https://www.cde.ca.gov/ta/tg/ca/caaiepteamrev.asp>
- *Available Resources for the IEP Teams*, located at: <https://www.cde.ca.gov/ta/tg/sa/documents/iepedresource.pdf>

Submit a Plan and Timeline by Which the State Will Take Additional Steps to Support and Provide Appropriate Oversight to Each LEA That the State Anticipates Will Assess More Than 1.0 Percent with the AA-AAAS; Requirement 4(B)

The CDE will annually monitor and address all LEAs that have exceeded the 1 percent threshold on participation with the AA-AAAS. Current CDE procedures require all LEAs to report their specific participation rates, regardless of whether the LEA exceeded the threshold. The CDE will contact all LEAs that exceeded the 1 percent threshold and **did not** report, as well as the LEAs that reported appropriately. Information related to the appropriate identification of students, general IEP team guidance, and strategies for confirming and reducing participation rates will be provided to each LEA in question.

Table 9. Plan and Timeline of Key Activities for Compliance with the 1.0 Percent Requirement for Alternate Assessments for the 2020–2021 School Year

| Description of Activity | 2019 Completion Date | 2019 Completion Status | 2020 Completion Date |
|---|----------------------|-------------------------------|----------------------|
| 1. Presentation of ED notification letter to the Advisory Commission for Special Education for awareness and input | June 2019 | Completed | June 2020 |
| 2. Analysis of assessment data to identify LEAs that exceeded the 1.0 percent threshold and did not complete the 1.0 Percent Threshold Survey; notification to LEAs of their responsibility to report and provide justification | June–August 2019 | Three-year Analysis Completed | June–August 2020 |

| Description of Activity | 2019 Completion Date | 2019 Completion Status | 2020 Completion Date |
|---|----------------------|---|-----------------------------|
| 3. Presentation of 1.0 percent threshold requirements to LEA coordinators at the annual statewide assessment information meetings | August 2019 | Completed | August 2019 |
| 4. Notification to LEA superintendents about the requirement to test all students and the importance of reporting and providing justification for potentially exceeding the 1.0 percent threshold | September 2019 | Completed | September 2019 |
| 5. Administration of the 1.0 Percent Threshold Survey to LEAs | Fall 2019 | https://www.cde.ca.gov/ta/tg/ca/caaonepercent.asp | Fall 2020 |
| 6. Submission of a 2019–20 application for the 1.0 percent threshold waiver if a review of the 1.0 Percent Threshold Survey data indicates a need for such a request | December 2019 | May 2020 | December 2020, if necessary |

| Description of Activity | 2019 Completion Date | 2019 Completion Status | 2020 Completion Date |
|--|----------------------------------|------------------------|----------------------------------|
| 7. Review of guidelines and provision of guidance, during pretest workshops throughout the state, on participation in the AA-AAAS to ensure appropriate identification of students for alternate assessments | September 2019– February 2020 | Completed | September 2020– February 2021 |

Submit a Plan and Timeline by Which the State Will Address Any disproportionality in the percentage of the student take the AA-AAAS; Requirement 4(C)

The CDE will determine whether a disproportionality of students taking the CAAs exists by doing a risk analysis of the participation of each of the following subgroups:

1. Racial and Ethnic Groups
 - a. African American
 - b. American Indian/Alaska Native
 - c. Asian
 - d. Filipino
 - e. Hispanic
 - f. Pacific Islander
 - g. Two or more races
 - h. White
2. English learner
3. Migrant
4. Economically disadvantaged
5. Homeless
6. Military

7. Female

8. Male

To determine a risk for disproportionality for these various subgroups, the CDE will examine the participation in the CAAs of each subgroup, compared to the participation in the CAAs of students not in the subgroup. The analysis of this risk will identify whether any of the subgroups are more likely than others not in the subgroup to participate in the CAAs. Information from this analysis will provide the CDE with anticipated participation and potential risk of disproportionality of student subgroups taking the CAAs. In turn, this information will be used to provide the basis for contacting affected LEAs to provide continued oversight and monitoring.