



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

April 22, 2022

The Honorable Joy Hofmeister
Superintendent of Public Instruction
Oklahoma Department of Education
2500 North Lincoln Boulevard
Oklahoma City, OK 73105-4599

Dear Superintendent, Hofmeister:

I am writing in response to the Oklahoma State Department of Education's (OSDE's) request on January 24, 2022, for an extension of the waiver of section 1111(b)(2)(D)(i)(I) of the Elementary and Secondary Education Act of 1965 (ESEA), which stipulates 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 the subjects of reading/language arts (R/LA), mathematics, and science.

After reviewing OSDE's waiver request, I am granting, pursuant to my authority under section 8401(b) of the ESEA, for school year 2021-2022, an extension of the 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 R/LA, mathematics, and science.

As part of this waiver, OSDE assured that it:

- Will continue to meet all other requirements of section 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.
- Had assessed in 2018-2019 at least 95 percent of all students and students with disabilities who are enrolled in grades for which an assessment is required. I note that while the State did not assess at least 95 percent of all students and students with disabilities in 2020-2021 due to disruptions caused by the COVID-19 pandemic, it assessed students with disabilities at about the same rate as all students in 2020-2021. Therefore, consistent with information provided in the guidance to States on October 29, 2021,¹ I am also approving a one-year waiver of the requirement in 34 CFR § 200.6(c)(4)(ii)(B) that a State must have assessed at least 95 percent of students in the prior year.
- 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.

¹ See: <https://oese.ed.gov/files/2021/10/Memo-to-States-re-One-Percent-Waiver-Requirements-2021-2022.pdf>.

- Will provide appropriate oversight of an LEA that is required to submit such information to the State.
- 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) – excluding (d)(6) and will address any subgroup disproportionality in the percentage of students taking an AA-AAAS.
- Will implement, consistent with the plan submitted in OSDE’s waiver request, system improvements and will monitor future administrations of the AA-AAAS to avoid exceeding the 1.0 percent cap.

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 would also like to remind you that this waiver does not alleviate any of the State’s obligations in meeting all of the requirements found in section 612(a)(16) of the Individuals with Disabilities Education Act (IDEA) which address assessment participation, assessment accommodations, alternate assessments, and reporting for children with disabilities.

Given the workplan submitted by OSDE, I expect to see positive results of this plan in the 2021-2022 school year and beyond. I note that the rate of AA-AAAS participation has declined in your State. Thank you for all of your efforts to reduce the rate of alternate assessment participation. Future requests for an extension of this waiver will continue to expect both continued progress implementing your plan and in reducing the percentage of students taking the AA-AAAS in all tested subjects.

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/

James F. Lane, Ed.D.
Senior Advisor, Office of the Secretary
Delegated the Authority to Perform the
Functions and Duties of the Assistant Secretary
Office of Elementary and Secondary Education

cc: Cora James, Executive Director of Assessments



December 13, 2021

Oklahoma State Department of Education (OSDE)

Public Notice and Comment Period

Waiver Request Pursuant to 34 C.F.R. §200.6(c)(4)

The Every Student Succeeds Act (ESSA) amended a provision of Title 1 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. The ESSA requires SEAs to submit waiver requests to the U.S. Department of Education in the event they have more than 1.0 percent of their student testing population participating in the alternate assessment in any subject area. OSDE anticipates Oklahoma will exceed the 1.0 percent cap based off preliminary data.

Oklahoma was granted a waiver for the 2020-2021 school year. The Oklahoma State Department of Education (OSDE) is requesting from the Secretary for the United States Department of Education an extension of the waiver of the 1.0 percent cap in ESEA section 1111(b)(2)(D)(i)(I) on the number of students who participate in alternate assessments aligned with alternate academic achievement standards (AA-AAAS) for the 2021-2022 school year for subject areas math, ELA, and science.

Local Education Agencies (LEAs) providing Justification Statements for overages, assurances submitted by Superintendents, and State level support activities such as regional trainings continue to make a positive impact on increasing LEAs' capacity to identify the most appropriate assessment for students with disabilities. OSDE-SES continues to address this area of need by providing supports and exploring new methods to maintain progress towards reaching the 1.0 percent cap both through the Office of Assessments and the Office of Special Education Services.

OSDE is seeking comments on this waiver extension request. Any individual or organization may submit written comments on the proposed waiver pursuant to 34 C.F.R. §200.6(c)(4). Comments will be submitted to the U.S. Department of Education. OSDE is providing statewide notice by sending a memo through our Special Education listserv and posting the waiver application on the Oklahoma State Department of Education, Special Education Services (OSDE-SES) webpage. Comments and questions should be submitted to Todd Loftin, Executive Director of Special Education Services, at Todd.Loftin@sde.ok.gov. Public comments must be submitted no later than 5:00pm Tuesday, January 18, 2022.

Section 1: Waiver Request

Requirement 1 – (§200.6(c)(4)(i)): Submit the waiver request at least 90 days before testing window starts for the relevant subject.

OSDE Response	Supporting Evidence
<p>OSDE indicated the dates of its alternate assessment testing window and general assessment window. OSDE is unable to meet the 90-day requirement for the AA-AAAS window, but would be able to meet the 90-day requirement for the OSTP general assessment testing window for grades 3-8. Due to the earlier window for the AA-AAAS, OSDE is requesting an exemption of this requirement.</p>	<p>The Oklahoma Alternate Assessment Program’s (OAAP) operational window is March 21, 2022 to May 17, 2022. On January 18, 2022, OSDE will submit a waiver request to the U.S. Department of Education for the subject areas of math, reading, and science.</p> <ul style="list-style-type: none"> • Date that is 90 days prior to the start date for the OAAP: December 21, 2021 • OAAP Year-End Operational Window (required) 3/21 - 5/17/2022 • Instructionally Embedded (IE) assessments are for instructional purposes and are optional for LEAs. The IE window is 9/13-2/23/2022 • The OAAP testing schedule is disseminated through the Special Education Listserv and is posted to the OAAP Webpage. A memo on Sept 7, 2021 (Requirement 1, 1 Attachment) was sent to LEAs through the Special Education Listserv detailing the testing schedules. • The Oklahoma School Testing Program (OSTP) window opens 4/20/2022 or grades 3-8 (Requirement 1, 2 Attachment).

Requirement 2 (A) - (§200.6(c)(4)(ii)(A)): Provide State-level data from the current or previous year that shows the number and percent in each subgroup who took the alternate assessment in the subject area.

2020-2021 Oklahoma Student Participation in ELA by Subgroup

Subgroup	Number participating in statewide assessment (ELA)	Number participating in OAAP	Percent participating in OAAP
All students	354797	4635	1.31%
Black	25668	645	2.51%
White	152558	2301	1.51%
Hispanic	63140	856	1.36%
Economically disadvantaged	191525	3500	1.83%
English Learner	33377	562	1.68%
Homeless	7844	144	1.84%

2020-2021 Oklahoma Student Participation in Math by Subgroup

Subgroup	Number participating in statewide assessment (Math)	Number participating in OAAP	Percent participating in OAAP
All students	354696	4635	1.31%

Black	25553	644	2.52%
White	152439	2300	1.51%
Hispanic	62976	858	1.36%
Economically disadvantaged	191103	3497	1.83%
English Learner	33267	564	1.70%
Homeless	7799	144	1.85%

2020-2021 Oklahoma Student Participation in Science by Subgroup

Subgroup	Number participating in statewide assessment (Science)	Number participating in OAAP	Percent participating in OAAP
All students	150566	1917	1.27%
Black	10746	262	2.44%
White	65352	995	1.52%
Hispanic	25935	325	1.25%
Economically disadvantaged	77113	1418	1.84%

English Learner	11196	201	1.80%
Homeless	3185	55	1.73%

Requirement 2 (B) - (§200.6(c)(4)(ii)(B)): Provide State-level data from the current or previous year on the overall assessment participation rate for all students and for students with disabilities.

Year	Report Subgroup	Subject Group	Students Assessed	Students Eligible	Participation Rate
2021	All Students	Math	327761	354696	92.41%
2021	All Students	Reading	328293	354797	92.53%
2021	All Students	Science	137639	150566	91.41%
2021	Individualized Education Program	Math	56219	61997	90.68%
2021	Individualized Education Program	Reading	56275	62027	90.73%
2021	Individualized Education Program	Science	22232	25044	88.77%

Requirement 3 (A) – (§200.6(c)(4)(iii)(A)): Provide assurance that districts over 1.0 percent participation in the alternate assessment followed the state’s participation guidelines.

OSDE Response	Supporting Evidence
<p>The Oklahoma State Department of Education provided an assurance that it has verified that each district with more than 1.0 percent participation in the OAAP followed the state’s guidelines for participation.</p>	<p>Assurance statements regarding the responsibility of IEP teams to follow the AA-AAAS participation requirements are gathered annually from all LEA Superintendents as part of their Assurances and LEA Agreements prior to the start of each new fiscal year. LEAs must complete Assurances before they can submit their LEA agreement. OSDE makes no payments until assurances and agreements are approved. The OSDE-SES utilizes an online grants management system to gather the assurance statements. (Requirement 3 (A) Attachment)</p>

Requirement 3 (B) – (§200.6(c)(4)(iii)(B)): Provide assurance that any disproportionality in students taking the alternate assessment will be addressed.

OSDE Response	Supporting Evidence
<p>The OSDE is requesting an exemption from this requirement. May 3, 2021, the OSDE submitted a waiver request to the USDE pursuant to section 8401 of the ESSA (Requirement 3(B), 1 Attachment). Subsequently, testing participation varied significantly by LEA. During the operational testing window, LEAs were guided to assess as many students as they reasonable could while taking into account their unique circumstances. OSDE has made 2021 summative assessment participation data widely available to LEAs. However, due to the degree of varying participation rates by LEAs, setting a state-wide disproportionality rate and notifying districts when disproportionality exists based on 2021 data would be inappropriate.</p>	<p>The OSDE has historically examined final state assessment participation data for disproportionality between the OAAP and the OSTP student participation for subgroups listed in 2(A), as well as Native Americans and male students. The two additional subgroups were chosen due to having historically experienced disproportionality in Oklahoma. The disproportionality rate for OAAP participation is set at 2.5%, which is consistent with other OSDE-SES monitoring activities (e.g., indicators 9 and 10 are set at 2.3%). Districts are notified when disproportionality exists and the method necessary for addressing it. Districts are also asked to examine subgroup participation rates when completing their annual justification survey. (Requirement 3(B), 2 Attachment)</p>

Requirement 4 (A) – (§200.6(c)(4)(iv)(A)): Submit a plan and timeline by which the State will improve the implementation of its participation guidelines, including if necessary, revising its definition of “students with the most significant cognitive disabilities” in future school years.

OSDE Response	Supporting Evidence
<p>Oklahoma provided a plan and timeline for future school years for improving its guidelines, including its definition of students with the most significant cognitive disabilities. The OSDE continually seeks ways to describe participation guidelines and the description of students who qualify for the OAAP in a cohesively manner across divisions.</p>	<p>The OSDE-SES worked in conjunction with three groups of stakeholders during the 2017-18 school year to develop a state definition of “students with the most significant cognitive disabilities.” This definition is posted to the OSDE OAAP webpage. The definition has also been included in the required professional development module regarding the Oklahoma Alternate Assessment Program (OAAP) participation criteria. The pd module is available in the statewide online IEP system and is also linked from the OAAP webpage: https://sde.ok.gov/assessment. In addition, LEAs may request print copies of the State definition from OSDE-SES to provide to IEP team members. (Requirement 4(A), 1 Attachment)</p> <p>The Office of Assessments ensured their 2021-2022 Oklahoma Accommodations Manual for the Oklahoma State Testing Program (OSTP) reflects language consistent with the State definition for students participating in the OAAP. The manual is reviewed on an annual basis. (Requirement 4(A), 2 Attachment)</p> <p>The Oklahoma Administrative Code 210:10-13-11, which addresses the requirement of testing students with disabilities was updated in March of 2021. The language describing students who participate in the OAAP, Parts (f) and (g), reflect</p>

	<p>language consistent with the State definition. Oklahoma Administrative Rules: https://sde.ok.gov/administrative-rules</p> <p>The Oklahoma state-side IEP system allows users to complete an online professional development module, “Criteria for Alternate Assessment Participation.” The module is designed to support educators in identifying students with the most significant cognitive disabilities using the State definition and State-established criteria identified in the <i>Criteria Checklist for Assessing Students with Disabilities on Alternate Assessments</i>. (Requirement 4 A (3) Attachment)</p>
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Requirement 4 (B) – (§200.6(c)(4)(iv)(B)): 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 alternate assessment.

OSDE Response	Supporting Evidence
<p>Oklahoma provided a plan and timeline for additional steps it will take to support and provide appropriate oversight of districts expected to assess more than 1.0 percent.</p>	<p>LEAs anticipating exceeding the 1.0 percent cap are annually required to complete the online survey <i>Justification for Exceeding 1.0 Percent OAAP Participation</i>. The survey is disseminated by the Office of Special Education Services and the Office of Assessments when the window for LEAs to certify student assessment data opens. The survey addresses an LEA’s projected and previous year’s AA-AAAS participation percentage and best practices for determining the appropriate year-end assessment for students with disabilities. The results of the survey are available the OAAP webpage.</p> <ul style="list-style-type: none"> November 2021: OSDE begins notifying LEAs regarding the requirement to complete the online <i>Justification for Exceeding 1.0 Percent OAAP Participation</i>

	<p>survey.</p> <ul style="list-style-type: none"> • New for the 2021-2022 School year: OSDE sent out a survey to gather feedback from educators to see what professional development they would benefit from. OSDE is designing targeted Professional Development opportunities for educators based on the feedback received. • OSDE is offering Facilitated Training Modules to educators who are new to administering the OAAP to ensure they meet the test administrator training requirement. (Requirement 4(B) Attachment)
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Requirement 4 (C) – (§200.6(c)(4)(iv)(C)): Submit a plan and timeline by which the State will address any disproportionality in the percentage of students taking the alternate assessment.

OSDE Response	Supporting Evidence
<p>Oklahoma provided a plan and timeline for addressing any disproportionality.</p>	<p>The plan for addressing any disproportionality in the percentage of students in any subgroup participating in the OAAP is comprised of two components. All LEAs anticipating exceeding the 1.0 percent cap are required to complete the <i>Justification for Exceeding 1.0 Percent OAAP Participation</i> survey. Secondly, after year-end assessment data is finalized, OSDE-SES analyzes all LEAs for discrepancy as described in Requirement 3(B).</p> <ul style="list-style-type: none"> • A component of the survey requires LEAs to complete a disproportionality analysis of their alternate assessment data. The analysis is based off an estimated participation rate for upcoming testing window.

- OSDE staff will provide technical assistance to LEA leaders to identify any trends or disproportionality issues prior to the beginning of the assessment window.
- Early March: Placeholder date for disproportionality letters (See Requirement 3 (B)). Letters will not be sent to LEAs in March of 2022 due to the previous year's suspension the testing participation requirement.
- March 2023: OSDE will notify LEAs of CoP monitoring activities resulting from 2021-2022 OAAP participation rates. Monitoring activities will address previous disproportionality by using current feedback from the survey, as applicable.

Ongoing Integrate Monitoring Activities related to AA-AAAS disproportionality:

- OSDE annually seeks input from the IDEA B Panel for addressing and reducing disproportionality.
- OSDE-SES provides targeted technical assistance, in the form of integrated monitoring as part of Oklahoma's Differentiated Monitoring Results (DMR), to increase the capacity for LEAs to identify disproportionate representation of subgroups in special education.
- DMR Level 3 and 4 supports require a targeted or a comprehensive monitoring of student level files and a review of the districts internal processes and programs. Students assessed through alternate achievement standards are a part of the confidential files, as well as a review of the LEA's programs and internal process to identify subgroup disproportionality in the OSTP.

Requirement 5 – (§200.6(c)(4)(v)): Demonstrate substantial progress toward each component of the prior year’s plan and timeline, which was required under Requirement 4 (C).

School Year	District Name	Subject	OAAP Student Count	Total Students Tested	OAAP Percentage
2021	State Total	Math	5095	326829	1.56%
2021	State Total	Reading	5097	327355	1.56%
2021	State Total	Science	2114	137639	1.54%
2020	State Total	Math	N/A	N/A	N/A
2020	State Total	Reading	N/A	N/A	N/A
2020	State Total	Science	N/A	N/A	N/A
2019	State Total	Math	5779	350827	1.65%
2019	State Total	Reading	5797	351088	1.65%
2019	State Total	Science	2336	144474	1.62%

- EdFacts Discrepancy:** 2017-2018 was Oklahoma’s first year to be operational with our College- and Career-Readiness Assessment for grade 11 students. Grade 11 science was considered a pilot test that year and students did not receive a score; only the students who took a science assessment and received a score (100,810) were included in the EdFacts number. The OSDE required all grade 11 students to participate in the science assessment. The total number of students who participated in a science assessment in grades 5, 8 and 11 (144,879) is reflected above.

OSDE Response	Supporting Evidence
<p>Oklahoma has made progress toward its prior year’s plan and timeline.</p>	<p>Progress has been made in lowering the percentage of students assessed through the Oklahoma Alternate Assessment Program (OAAP) over the past four years. LEAs providing Justification Statements for overages, assurances submitted by district superintendents, and State level support have made a positive impact on increasing LEAs’ capacity to identify the most appropriate assessment for students with disabilities.</p> <p>Prior to the 2020 suspension of testing due to COVID-19, the OAAP operational window was open for 12 school days. During that time, 995 students completed at least one test section. Four weeks prior to the window opening, 184 LEAs indicated to OSDE they anticipated exceeding the participation cap through the required survey referenced in this waiver. For comparison, in 2018, 256 LEAs exceeded the participation cap and 5,759 students participated in an AA-AAAS ELA assessment.</p> <p>OSDE is projecting to have 354,822 students participate in assessments in the 2021-2022 school year. Currently, 5005 students out of our total student population are expected to participate in the OAAP.</p> <p>OSDE continues to explore new methods to maintain and build progress towards reaching the 1.0 percent cap. Additionally, OSDE is committed to providing ongoing support to our educators in methods not referenced in the waiver requirements such as biweekly assessment webinars, OAAP desk monitoring, OAAP Memos, and targeted technical</p>

assistance.

Oklahoma continues to experience teacher shortage, low levels of teacher retention, an increase in non-traditionally certified special education teachers, and an increase in the special education population over the past few years. Many of our districts have expressed major concern regarding loss of learning related to COVID disruptions. Despite these extenuating circumstances, OSDE realizes more progress can be made towards our 1.0 percent goal and is actively committed to our students and educators across the state in building our capacity to determine the most appropriate state assessment for students with significant cognitive disabilities and adaptive behavior deficits.



OAAP Update: Sept. 7, 2021

2021-2022 OAAP Year-End Testing

2021-2022 OAAP Operational Testing Schedule: 3/21 – 5/17 (DLM Year-End)

	3 rd	4 th	5 th	6 th	7 th	8 th	9 th	10 th	11 th
ELA	√	√	√	√	√	√			√
MATH	√	√	√	√	√	√			√
SCIENCE			√			√			√
HISTORY									√

Test Administrator Training Protocol

Test administrators may begin completing training courses. Courses are accessed in the Moodle training site at <http://training.dynamiclearningmaps.org/>. The DLM system will only assign training courses to users assigned a teacher role in Educator Portal. District administrators who would like to complete DLM training must assign themselves a teacher role.

- All training must be completed before administering the DLM assessment.
- Each post-test must be completed with a score of 80% or better. All post-tests must be successfully completed for the entire training course to be complete.

[Guide to DLM Required Administrator Training 2021-2022](#)

DLM Instructionally Embedded Assessments (Optional)

2021-2022 Window: *September 13th* – February 26th

Instructionally embedded assessments are computer-delivered alternate assessments that are intended to integrate classroom instruction and assessment in a cycle throughout the year. The Instruction and Assessment Planner is used to create instructional plans and assign testlets for students. These assessments are only used during the instructionally embedded window. Find out more about instructionally embedded assessments here:

[Instructionally Embedded Assessments](#)

DLM Checklist & Key Steps - 9/7/2021

- Subscribe to [DLM Test Updates](#).
- All user accounts in [Kite Educator Portal](#) must be current. Phase out inactive users and users who are no longer associated with your district for the current school year.
- Review student demographic information. Students have been uploaded into Kite Educator Portal. Ensure student data for your district is correct. Enrollment data is based on student records in OK EdPlan from 9/2/2021. Any student designated as taking the OAAP after 9/2/2021 will need to be uploaded into Kite by the district.
- Ensure that Kite® Student Portal 8.0 is installed on student assessment devices.
- Roster students to teachers for their current grade-level assessments. One roster will need to be created per subject for each teacher administering DLM assessments. Once completed, teachers may:
 - Complete First Contact Surveys;
 - Complete Personal Needs and Preferences (PNP) Profiles; and,
 - Complete the annual security agreement in their Kite Educator Portal profile.
- The Instructionally Embedded Assessment window is scheduled to open on September 13th! As a district, consider utilizing these optional formative assessments to drive classroom instruction for your students with the most significant cognitive disabilities.

OAAP Resources

<https://sde.ok.gov/assessment>

<https://dynamiclearningmaps.org/oklahoma>

If you need support with Kite, (e.g., creating rosters, accessing test scores, or enrolling students) contact the OK Service Desk: 1-844-261-6481

Contact the DLM OK Service Desk at 1-844-261-6481 or DLM-support@ku.edu for support.

All Dynamic Learning Maps (DLM) manuals can be accessed [here](#).

	MATH	ELA	SCIENCE
Grade 3			
Grade 4			
Grade 5			
Grade 6			
Grade 7			
Grade 8			

COLLEGE- & CAREER-READINESS ASSESSMENTS

	ACT OR SAT	SCIENCE	U.S. HISTORY
Grade 11			

	ONLINE TESTING	PAPER/PENCIL TESTING*	ASSESSMENTS
Grade 3	April 20 - May 17, 2022	April 20 - May 3, 2022	MATH ELA
Grade 4	April 20 - May 17, 2022	April 20 - May 3, 2022	MATH ELA
Grade 5	April 20 - May 17, 2022	April 20 - May 3, 2022	MATH ELA SCIENCE
Grade 6	April 20 - May 17, 2022	April 20 - May 3, 2022	MATH ELA
Grade 7	April 20 - May 17, 2022	April 20 - May 3, 2022	MATH ELA
Grade 8	April 20 - May 17, 2022	April 20 - May 3, 2022	MATH ELA SCIENCE

COLLEGE- & CAREER-READINESS ASSESSMENTS

Grade 11	April 4 - April 22, 2022	April 4 - April 15, 2022	SCIENCE U.S. HISTORY
ACT Test ACT Make-Up Dates	April 5 - 7 & April 12 - 14, 2022 April 19 - 21, 2022	Please reference the ACT test administration manuals for accommodated testing schedules	
SAT Test SAT Make-Up Date	April 13 - 15 & April 19 - 20, 2022 April 26, 2022	Please reference the SAT test administration manuals for accommodated testing schedules	

WIDA ACCESS/ALTERNATE ACCESS: January 10 - March 25, 2022

NAEP: January 24 - March 4, 2022 **Long-term Trend NAEP:** January 10 - March 18, 2022

Oklahoma Alternate Assessment Program (OAAP) | DLM Testing Window: March 21 - May 17, 2022

***Under special circumstances only**





Applicant: 62-1019 ADA LEA Agreement
Application: 2020-2021 LEA Agreement - 00- Printer-Friendly
Cycle: Original Application Project Period: 7/1/2020 - 6/30/2021
Application Due Date: 6/30/2020 Click to Return to Organization Select
Click to Return to GMS Access/Select Page
Click to Return to Menu List / Sign Out

The application has been submitted. No more updates will be saved for the application.

Overview	Contact Information	Cooperative Interlocal	Maintenance of Effort	Forms	Agreement	Developmental Delay	Specific Learning Disabilities	Personnel Development	Discipline Policies/Procedures	GEPA	Submit	Agreement Print
Agreement Part 1				Agreement Part 2				Agreement Summary				
FAPE	FAPE Part 2	Child Find	Participation in Assessments			Personnel Development Agreement			Charter Schools			

Participation in Assessments

By checking this box and saving the page, the local education agency (LEA) superintendent hereby certifies that he/she has read, understood and will comply with the assurances listed below.

The LEA assures that it will include students with disabilities in state/districtwide assessments, with appropriate accommodations, as indicated in the student's IEPs, in accordance with 34 CFR § 300.160 and the "Special Education Policies". Students who, even with appropriate accommodations, cannot participate in state/districtwide assessments will participate in the State's alternate assessments. The LEA will establish and implement guidelines for the participation of students with disabilities in districtwide assessments, with appropriate accommodations in administration, if necessary. These guidelines will also address participation of students with disabilities in alternate assessments for those students who cannot participate, even with appropriate accommodations, in standard districtwide assessment programs. The school district assures that only those students who meet the participation criteria identified in the Criteria Checklist for Assessing Students with Disabilities on Alternate Assessments will participate in the Oklahoma Alternate Assessment Program. The school district also assures that IEP teams will complete the Criteria Checklist for Assessing Students with Disabilities on Alternate Assessments on an annual basis prior to student participation in the alternate assessment.

34 CFR § 300.160 Participation in Assessments.

- (A) General. A State must ensure that all children with disabilities are included in all general State and district-wide assessment programs, including assessments described under section 1111 of the ESEA, 20 U.S.C. 6311, with appropriate accommodations and alternate assessments, if necessary, as indicated in the respective IEPs.
- (B) Accommodation guidelines.
 - (1) A State (or, in the case of a district-wide assessment, an LEA) must develop guidelines for the provision of appropriate accommodations.
 - (2) The State's (or, in the case of a district-wide assessment, the LEA's) guidelines must-
 - (i) Identify only those accommodations for each assessment that do not invalidate the score; and
- (C) Alternate assessments.
 - (1) A State (or, in the case of a district-wide assessment, an LEA) must develop and implement alternate assessments and guidelines for the participation of children with disabilities in alternate assessments for those children who cannot participate in regular assessments, even with accommodations, as indicated in their respective IEPs, as provided in paragraph (a) of this section.
 - (2) For assessing the academic progress of students with disabilities under Title I of the ESEA, the alternate assessments and guidelines in paragraph (c)(1) of this section must provide for alternate assessments that -
 - (i) Are aligned with the State's challenging academic content standards and challenging student academic achievement standards;
 - (ii) If the State has adopted modified achievement standards permitted in 34 CFR 200.1(e), measure the achievement of children with disabilities meeting the State's criteria under § 200.1(e)(2) against those standards; and
 - (iii) If the State has adopted alternate academic achievement standards permitted in 34 CFR 200.1(d), measure the achievement of children with the most significant cognitive disabilities against those standards.
- (D) Explanation to IEP Teams. A State (or in the case of a district-wide assessment, an LEA) must provide IEP Teams with a clear explanation of the differences between assessments based on grade-level academic achievement standards and those based on modified or alternate academic achievement standards, including any effects of State and local policies on the student's education resulting from taking an alternate assessment based on alternate academic achievement standards (such as whether only satisfactory performance on a regular assessment would qualify a student for a regular high school diploma).
- (E) Inform parents. A State (or in the case of a district-wide assessment, an LEA) must ensure that parents of students selected to be assessed based on alternate academic achievement standards are informed that their child's achievement will be measured based on alternate academic achievement standards.
- (F) Reports. An SEA (or, in the case of a district-wide assessment, an LEA) must make available to the public, and report to the public with the same frequency and in the same detail as it reports on the assessment of nondisabled children, the following:
 - (1) The number of children with disabilities participating in regular assessments, and the number of those children who were provided accommodations (that did not result in an invalid score) in order to participate in those assessments.
 - (2) The number of children with disabilities, if any, participating in alternate assessments based on grade-level academic achievement standards.
 - (3) The number of children with disabilities, if any, participating in alternate assessments based on modified academic achievement standards.
 - (4) The number of children with disabilities, if any, participating in alternate assessments based on alternate academic achievement standards.
- (5) Compared with the achievement of all children, including children with disabilities, the performance results of children with disabilities on regular assessments, alternate assessments based on grade-level academic achievement standards, alternate assessments based on modified academic achievement standards, and alternate assessments based on alternate academic achievement standards if-
 - (i) The number of children participating in those assessments is sufficient to yield statistically reliable information; and
 - (ii) Reporting that information will not reveal personally identifiable information about an individual student on those assessments.
- (G) Universal design. An SEA (or, in the case of a district-wide assessment, an LEA) must, to extent possible, use universal design principles in developing and administering any assessments under this section. (Authority: 20 U.S.C. 1412(a)(16))

LEA Agreement

The LEA assures that it will include students with disabilities in state/districtwide assessments, with appropriate accommodations, as indicated in the student's IEPs, in accordance with 34 CFR § 300.160 and the "Special Education Policies". Students who, even with appropriate accommodations, cannot participate in state/districtwide assessments will participate in the State's alternate assessments. The LEA will establish and implement guidelines for the participation of students with disabilities in districtwide assessments, with appropriate accommodations in administration, if necessary. These guidelines will also address participation of students with disabilities in alternate assessments for those students who cannot participate, even with appropriate accommodations, in standard districtwide assessment programs. The school district assures that only those students who meet the participation criteria identified in the Criteria Checklist for Assessing Students with Disabilities on Alternate Assessments will participate in the Oklahoma Alternate Assessment Program. The school district also assures that IEP teams will complete the Criteria Checklist for Assessing Students with Disabilities on Alternate Assessments on an annual basis prior to student participation in the alternate assessment.

34 CFR § 300.160 Participation in Assessments.

(A) General. A State must ensure that all children with disabilities are included in all general State and district-wide assessment programs, including assessments described under section 1111 of the ESEA, 20 U.S.C. 6311, with appropriate accommodations and alternate assessments, if necessary, as indicated in the respective IEPs.

(B) Accommodation guidelines.

- (1) A State (or, in the case of a district-wide assessment, an LEA) must develop guidelines for the provision of appropriate accommodations.
- (2) The State's (or, in the case of a district-wide assessment, the LEA's) guidelines must-
 - (i) Identify only those accommodations for each assessment that do not invalidate the score; and

(C) Alternate assessments.

- A State (or, in the case of a district-wide assessment, an LEA) must develop and implement alternate assessments and guidelines for the participation of
- (1) children with disabilities in alternate assessments for those children who cannot participate in regular assessments, even with accommodations, as indicated in their respective IEPs, as provided in paragraph (a) of this section.

- For assessing the academic progress of students with disabilities under Title I
- (2) of the ESEA, the alternate assessments and guidelines in paragraph (c)(1) of this section must provide for alternate assessments that -
 - (i) Are aligned with the State's challenging academic content standards and challenging student academic achievement standards;

- (ii) If the State has adopted modified achievement standards permitted in 34 CFR 200.1(e), measure the achievement of children with disabilities meeting the State's criteria under § 200.1(e)(2) against those standards; and
 - (iii) If the State has adopted alternate academic achievement standards permitted in 34 CFR 200.1(d), measure the achievement of children with the most significant cognitive disabilities against those standards.
- (D) Explanation to IEP Teams. A State (or in the case of a district-wide assessment, an LEA) must provide IEP Teams with a clear explanation of the differences between assessments based on grade-level academic achievement standards and those based on modified or alternate academic achievement standards, including any effects of State and local policies on the student's education resulting from taking an alternate assessment based on alternate academic achievement standards (such as whether only satisfactory performance on a regular assessment would qualify a student for a regular high school diploma).
- (E) Inform parents. A State (or in the case of a district-wide assessment, an LEA) must ensure that parents of students selected to be assessed based on alternate academic achievement standards are informed that their child's achievement will be measured based on alternate academic achievement standards.
- (F) Reports. An SEA (or, in the case of a district-wide assessment, an LEA) must make available to the public, and report to the public with the same frequency and in the same detail as it reports on the assessment of nondisabled children, the following:
 - The number of children with disabilities participating in regular assessments,
 - (1) and the number of those children who were provided accommodations (that did not result in an invalid score) in order to participate in those assessments.
 - (2) The number of children with disabilities, if any, participating in alternate assessments based on grade-level academic achievement standards.
 - (3) The number of children with disabilities, if any, participating in alternate assessments based on modified academic achievement standards.
 - (4) The number of children with disabilities, if any, participating in alternate assessments based on alternate academic achievement standards.
 - Compared with the achievement of all children, including children with disabilities, the performance results of children with disabilities on regular assessments, alternate assessments based on grade-level academic achievement standards,
 - (5) alternate assessments based on modified academic achievement standards, and alternate assessments based on alternate academic achievement standards if-
 - (i) The number of children participating in those assessments is sufficient to yield statistically reliable information; and
 - (ii) Reporting that information will not reveal personally identifiable information about an individual student on those assessments.
- (G) Universal design. An SEA (or, in the case of a district-wide assessment, an LEA) must, to extent possible, use universal design principles in developing and administering any assessments under this section. (Authority: 20 U.S.C. 1412(a)(16))



JOY HOFMEISTER
STATE SUPERINTENDENT *of* PUBLIC INSTRUCTION
OKLAHOMA STATE DEPARTMENT *of* EDUCATION

OKLAHOMA STATE DEPARTMENT OF EDUCATION,
SPECIAL EDUCATION SERVICES
2500 NORTH LINCOLN BLVD
OKLAHOMA CITY OK 73105

LOCAL EDUCATION AGENCY: **XXXXXXX**

March 4, 2020
RE: OAAP Subgroup Disproportionality

I. INTRODUCTION

Local educational agencies (LEAs) must adopt policies and procedures consistent with State and federal requirements and are responsible for implementing programs that comply with the Individuals with Disabilities Education Act (IDEA), Part B. General supervision of LEAs is carried out at the State level.

The Every Student Succeeds Act (ESSA) places a statewide 1.0 percent participation cap on students participating in an alternate assessment based on alternate academic achievement standards—AA-AAAS. As a result of the State of Oklahoma exceeding this cap for the 2018-19 school year, the United States Department of Education (USED) granted the Oklahoma State Department of Education, Special Education Services (OSDE-SES) a waiver.

As part of this waiver requirement, the OSDE must notify districts when subgroup disproportionality exists in the percentage of students taking the Oklahoma Alternate Assessment Program (OAAP). Districts must then address disproportionality among students in their LEA as required by 34 CFR 200.6(c)(4)(iii).

II. AREA THAT REQUIRES ACTION: DUE APRIL 30, 2020

- 1) The LEA must address disproportionality in the subgroup area(s) listed below for students who participated in the 2018-2019 Oklahoma Alternate Assessment Program.

	Economically Disadvantaged	Male	Homeless	English Language Learner	Black	Hispanic	American Indian
XXXXXX Risk Ratio	NA	NA	4.67	NA	NA	NA	NA
State of Oklahoma Risk Ratio	1.69	1.75	0.76	1.20	1.49	0.83	1.01

The method for addressing disproportionality is at the discretion of the LEA. Options *may* include a written statement that addresses the disproportionality, an Improvement Plan, Self-Assessment, amending the 2020 OAAP Justification Statement survey, or completing a Root Cause Analysis. Submissions must be signed by the LEA superintendent. Questions regarding addressing disproportionality should be emailed to Kurt.Johnson@sde.ok.gov.

III. TECHNICAL ASSISTANCE

The State's comprehensive approach to technical assistance enables the OSDE-SES to differentiate the scope of services provided for LEAs based on local needs. For example, the OSDE-SES makes available for all LEAs Technical Assistance (TA), such as meetings with local LEAs, webinars to support compliant implementation of the IDEA, updates via email, webinars, and training on the Oklahoma Special Education Handbook and Process Guide.

IV. OTHER INFORMATION

Within ten days from the receipt of the final report, the LEA may submit a written request to the OSDE-SES, requesting a hearing if the LEA alleges that the OSDE has violated state or federal statutes or regulations. Hearing procedures shall be in accordance with federal regulations for State Administered Programs (34 CFR §§ 76.401 and 76.783) and General Education Provisions Act (34 CFR §§ 81.30 - 81.45).

Under the Open Records Act, it may be necessary for the LEA or the OSDE to provide access to this public document upon request. In the event that the OSDE receives such a request, it will seek to protect, to the extent provided by law, personally identifiable information, which, if released, could constitute an unwarranted invasion of privacy and confidentiality.

In accordance with 34 CFR § 300.212, Public Information, the LEA will make such public documents, relating to the eligibility of the agency under IDEA, Part B, available to the parents of children with disabilities and to the general public, as necessary.

V. VERIFICATION OF CONTINUOUS COMPLIANCE

Subsequent monitoring activities will be initiated as necessary to ensure the LEA's compliance is consistent with policies, procedures, and regulations and in accordance with the state educational agency's responsibilities required by 34 CFR § 300.149.

The LEA must ensure that any noncompliance is corrected in accordance with the identified corrective action requirement. Furthermore, as soon as possible, but in no case more than one year from identification; the OSDE-SES must ensure that the LEA has demonstrated systemic compliance for each individual case of noncompliance that was identified. In ensuring that each individual case of noncompliance has been corrected, the State does not need to review each child's record in the LEA where the noncompliance occurred, but rather may review a reasonable sample of the previously noncompliance files to verify that the noncompliance was corrected.

Sincerely,



Todd P. Loftin
Executive Director
Special Education Services
Oklahoma State Department of Education
2500 N. Lincoln Blvd., Suite 412
Oklahoma City, OK 73105
Office: 405-522-3237
Cell: 405-248-8581



JOY HOFMEISTER
STATE SUPERINTENDENT *of* PUBLIC INSTRUCTION
OKLAHOMA STATE DEPARTMENT *of* EDUCATION

May 3, 2021

VIA E-MAIL ONLY

The Honorable Ian Rosenblum
Deputy Assistant Secretary for Policy and Programs
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202
Ian.Rosenblum@ed.gov

Re: Oklahoma – Request for Waivers

Dear Deputy Assistant Secretary Rosenblum,

I am writing to request a waiver, pursuant to section 8401 of the Elementary and Secondary Education Act of 1965 (ESEA), of the following requirements as a result of ongoing challenges related to the novel Coronavirus Disease 2019 (COVID-19):

1. Accountability and school identification requirements in ESEA sections 1111(c)(4) and 1111(d)(2)(C)-(D): the requirements that a State measure progress toward long-term goals and measurements of interim progress; meaningfully differentiate, on an annual basis, all public schools, including by adjusting the Academic Achievement indicator based on a participation rate below 95 percent; and identify schools for comprehensive, targeted, and additional targeted support and improvement based on data from the 2020- 2021 school year
2. Report card provisions related to accountability in ESEA section 1111(h) based on data from the 2020-2021 school year. These include:
 - Section 1111(h)(1)(C)(i)(I)-(IV) and (VI) (Accountability system description, other than the list of comprehensive, targeted, and additional targeted support and improvement schools).
 - Section 1111(h)(1)(C)(iii)(I) (Other Academic indicator results for schools that are not high schools).
 - Section 1111(h)(1)(C)(v) (School Quality or Student Success indicator results).

- Section 1111(h)(1)(C)(vi) (Progress toward meeting long-term goals and measurements of interim progress).
- Section 1111(h)(2)(C) with respect, at the local educational agency (LEA) and school levels, to all waived requirements in section 1111(h)(1)(C).

Consistent with the requirements of ESEA section 8401(b)(1)(C), the Oklahoma State Department of Education (OSDE) submits that the waiving of such requirements will advance student academic achievement. Further, OSDE states:

While the state of Oklahoma is requesting a waiver from the accountability requirements above, the Oklahoma State Department of Education (OSDE) is continuing to make all summative ESSA assessments available to schools this spring and has asked schools to test to the greatest extent practicable. To support local needs, the OSDE is extending testing window to maximize flexibility in test administration. We believe that it is critical to obtain as much assessment information as possible and to get these data back into the hands of stakeholders, communities, and parents.

To support this, the OSDE hosts a parent portal where families and communities can obtain information about how students are performing. Further, the state will leverage all available data to determine where students are in an effort to drive acceleration efforts to support students and advance student achievement to help children meet grade level expectations.

Oklahoma schools will also continue to receive support for acceleration and renewal support and services through existing and recently expanded statewide programs aligned to state and federal funding. This includes the state tele-education network, TeleEDGE, which is a virtual collaborative space focused on rural schools and districts that can address common challenges by sharing promising and proven practices in operations, teaching, and learning. In addition, the state is providing additional support and guidance using OSDE's curriculum frameworks, which will help guide districts and schools through an instructional framework that promotes student engagement with content and grade-level academic standards.

Consistent with the requirements of ESEA section 8401(b)(1)(F), in order to maintain or improve transparency in reporting to parents and the public on student achievement and school performance in school year 2020-2021, including the achievement of subgroups of students, I assure that:

1. The State will make publicly available chronic absenteeism data, either as defined in the State's School Quality or Student Success indicator, if applicable, or ED Facts, disaggregated to the extent such data are available by the subgroups in ESEA section 1111(c)(2), on State and local report cards (or in another publicly available location)
2. The State will make publicly available data on student and/or teacher access to technology devices and high-speed internet, disaggregated by the subgroups in ESEA section 1111(c)(2), to the extent such data are collected at the state or LEA level.

Additionally, the OSDE will continue to collect data associated with the state's accountability system, where appropriate. This includes data on graduation rates,

postsecondary opportunity indicators, regular attendance, chronic absenteeism, and student performance data on summative assessments, including assessments for English learners and for students with the most severe cognitive disabilities.

In addition to the ongoing data collection to support the public's understanding of school quality, the OSDE will continue to collect student data on opportunity to learn based on existing data collection efforts. This includes information on mode of learning (e.g., in-person, fully remote, hybrid) and educator quality (e.g., teacher experience, teacher diversity, teacher certification, certification types, teacher in-field credentials, and teacher licensure levels). To the extent possible, all data will be disaggregated by subgroup while protecting personally identifiable information.

Consistent with the requirements of ESEA section 8401(b)(1)(F), in order to ensure that schools will continue to provide assistance to the same populations served by Title I, Part A (e.g., subgroups in section 1111(c)(2)), I assure that:

1. Any school that is identified for comprehensive, targeted, or additional targeted support and improvement in the 2019-2020 school year (i.e., any school that was in that status as of the 2019-2020 school year), except for comprehensive support and improvement schools identified based on low graduation rates that meet the State's exit criteria, will maintain that identification status in the 2021-2022 school year, implement its support and improvement plan, and receive appropriate supports and interventions.

In further response, any school that is identified for comprehensive, targeted, or additional targeted support and improvement will continue to be supported with appropriate resources, interventions, and funding.

CSI schools will continue to be supported by teams with representation from the agency's departments of school support, special education, EL/Title III, finance, federal programs, educator effectiveness, family/ community engagement and instruction/ curriculum to support struggling schools and build leadership capacity, which focuses on moving beyond compliance and shifting toward capacity-building and coaching for academic success. CSI schools will continue to be supported with evidence-based strategies, where the OSDE will provide technical assistance to LEAs and schools as described in the state's consolidated state plan.

Furthermore, Additional Targeted Support and Improvement (ATSI) schools will continue to receive support from a school support team that will assess the needs of the ATSI schools by subgroup and provide resources and professional development according to those needs. Support for ATSI designated schools will be dependent upon funding and the capacity of the school support team. ATSI leadership teams will use the Nine Essential Elements needs assessment and root cause analysis similar to CSI schools as practicable.

2. The State will identify comprehensive, targeted, and additional targeted support and improvement schools using data from the 2021-2022 school year in the fall of 2022 to ensure school identification resumes as quickly as possible.

Consistent with the requirements of ESEA section 8401(b)(3)(A), prior to submitting this waiver, the State provided interested LEAs and the public with notice and a reasonable opportunity to

comment and provide input on this waiver request and considered the feedback and input in finalizing this request. However, no comments were received during this public comment period.

Thank you for your consideration and should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joy Hofmeister". The signature is fluid and cursive, with a large initial "J" and "H".

Joy Hofmeister

State Superintendent of Public Instruction

Chairperson of the Oklahoma State Board of Education



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

May 17, 2021

The Honorable Joy Hofmeister
Superintendent of Public Instruction
Oklahoma Department of Education
2500 North Lincoln Boulevard
Oklahoma City, OK 73105-4599

Dear Superintendent Hofmeister:

I am writing in response to Oklahoma's request on May 3, 2021, that the U.S. Department of Education (Department) waive the accountability, school identification, and related reporting requirements for the 2020-2021 school year, pursuant to the authority in section 8401 of the Elementary and Secondary Education Act of 1965 (ESEA). Specifically, Oklahoma requested a waiver of:

- Accountability and school identification requirements in sections 1111(c)(4) and 1111(d)(2)(C)-(D): the requirements that a State measure progress toward long-term goals and measurements of interim progress; meaningfully differentiate, on an annual basis, all public schools, including by adjusting the Academic Achievement indicator based on a participation rate below 95 percent; and identify schools for comprehensive, targeted, and additional targeted support and improvement based on data from the 2020-2021 school year.
- Report card provisions related to accountability in section 1111(h) based on data from the 2020-2021 school year. These include:
 - Section 1111(h)(1)(C)(i)(I)-(IV) and (VI) (Accountability system description, other than the list of comprehensive, targeted, and additional targeted support and improvement schools).
 - Section 1111(h)(1)(C)(iii)(I) (Other Academic indicator results for schools that are not high schools).
 - Section 1111(h)(1)(C)(v) (School Quality or Student Success indicator results).
 - Section 1111(h)(1)(C)(vi) (Progress toward meeting long-terms goals and measurements of interim progress).
 - Section 1111(h)(2)(C) with respect, at the local educational agency (LEA) and school levels, to all waived requirements in section 1111(h)(1)(C).

After reviewing Oklahoma's request, I am pleased to approve a waiver of the requirements listed above. The intent of these accountability waivers is to focus on assessments to provide information to parents, educators, and the public about student performance and to help target resources and supports. This is particularly crucial this year, due to the COVID pandemic. As a result, we also encourage you and your school districts to consider other steps within your purview to further reduce the stakes of assessments this year, such as excluding their use from students' final grades, grade promotion decisions, educator evaluations, and local school ratings.

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

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

As part of this waiver, Oklahoma assured that:

- The State will make publicly available chronic absenteeism data, either as defined in the State’s School Quality or Student Success indicator, if applicable, or *EDFacts*, disaggregated to the extent such data are available by the subgroups in ESEA section 1111(c)(2), on State and local report cards (or in another publicly available location).
- The State will make publicly available data on student and/or teacher access to technology devices and high-speed internet, disaggregated by the subgroups in ESEA section 1111(c)(2), to the extent such data are collected at the State or LEA level.
- Any school that is identified for comprehensive, targeted, or additional targeted support and improvement in the 2019-2020 school year (i.e., any school that was in that status as of the 2019-2020 school year), except for comprehensive support and improvement schools identified based on low graduation rates that meet the State’s exit criteria, will maintain that identification status in the 2021-2022 school year, implement its support and improvement plan, and receive appropriate supports and interventions.
- The State will identify comprehensive, targeted, and additional targeted support and improvement schools using data from the 2021-2022 school year in the fall of 2022 to ensure school identification resumes as quickly as possible.

Finally, it remains vitally important that parents, educators, and the public have access to data on student learning and success. The Department encourages States, when posting State assessment results for the 2020-2021 school year, to prominently and in clear language provide information about the context of the data, including its limitations as a result of the pandemic. For example, in a situation where participation rates are low and/or uneven across student groups as a result of the pandemic, the results should include clearly worded context that such data are incomplete and, where applicable, are not representative of the make-up of the State, district, or school population. As always, assessment data should also be viewed alongside other important measures of student outcomes and opportunity to learn data to provide a more complete perspective on resources, support, and student success.

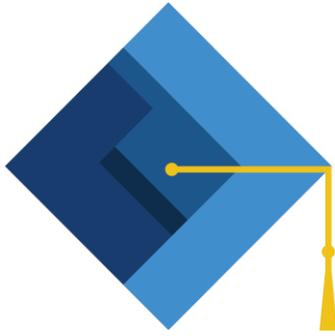
I continue to thank you for the work you are doing to help support the social, emotional, and academic needs of your State’s students in this difficult time. If you have any questions about this waiver, please contact my staff at OESE.TitleI-a@ed.gov.

Sincerely,



Ian Rosenblum
Deputy Assistant Secretary for Policy and Programs
Delegated the Authority to Perform the
Functions and Duties of the Assistant Secretary
Office of Elementary and Secondary Education

cc: Maria Cammack, Oklahoma State Department of Education
Bryan Koerner, Oklahoma State Department of Education



OKLAHOMA STATE DEPARTMENT OF
EDUCATION
— CHAMPION EXCELLENCE —

State Definition of “students with the most significant cognitive disabilities” 34 CFR § 200.6(d)(1)

Students with the most significant cognitive disabilities have limited conceptual skills, written language skills, and understanding of numerical concepts such as quantity, time, and money. Vocabulary and grammar are quite limited and augmentative communication devices are often necessary to communicate with others. They tend to focus on present, everyday events and rarely attempt to analyze or expand on new ideas and concepts through spoken language. Skill acquisition and measurable gains on grade-level alternate academic achievement standards require extensive, direct individualized instruction. These students require substantial supports for all activities of daily living including meal preparation, dressing, grooming, and personal hygiene. Their personal safety is dependent upon constant supervision and will be a concern throughout their lifetime.

tests or typed directly into the secure testing client for online tests. The transcriber must copy the student's marks or responses exactly as he/she has written—including all errors in grammar, mechanics, spelling, etc.

If necessary, proofread the student essay with another scribe before word processing the student response.

- ✓ If the student is using a tape recorder or videotape for later transcription by a scribe, it is required to have two people listen or view as a reliability check for accuracy.
- ✓ For an accuracy check, scribes may record the session on audio or videotape for playback.
- ✓ Corrections of exclusively Braille errors will be at the discretion of the scribe. Braille errors are those errors that occur specifically to that population due to recording medium. An example could be the result of the physical typing on a Braille machine, such as typing an 'f' as opposed to the intended 'd' due to finger misplacement. The transcriber has the option to verify student response with another examiner trained in Braille.
- ✓ To increase accuracy, it is advisable to have one person reading the student's responses as another transcribes them into the test booklet. The persons then switch roles to check the transcription. Transcriptions must take place in a secure environment and, whenever possible, under the direction of the BTC. Please note that all test material—including the test booklet the student originally used—must be returned to the testing vendor.
- ✓ Collect scratch paper, rough drafts, and login information immediately at the end of the testing session. These items are considered secure material and must be collected and shredded by the BTC at the end of the testing session.

NOTE: For SAT/ACT, please refer to the [SAT/ACT Accommodations section on page 2](#).

Oklahoma Alternate Assessment Program (OAAP)

The OAAP is a component of the OSTP and is designed for students with the most significant cognitive disabilities and adaptive behavior deficits. The OAAP mirrors the general assessment system in regard to grade levels and subjects assessed and utilizes the Dynamic Learning Maps (DLM) Alternate Assessment System. The academic achievement of students participating in the OAAP is based on alternate academic achievement standards, which differ in complexity from the Oklahoma Academic Standards (OAS) of the general state assessments.

In order to participate in the OAAP, students must require alternate achievement standards in all content areas and must have an IEP containing rigorous, measurable goals that include short-term benchmarks/objectives. In addition, students must meet the criteria identified in *The Criteria Checklist for Assessing Students with Disabilities on Alternate Assessments*, and the IEP team must determine an alternate assessment is appropriate for the student. The Every Student Succeeds Act (ESSA) mandates that no more than 1% of all tested students may participate in an alternate assessment. IEP teams should discuss the accommodations needed for students to participate in the general assessment prior to considering eligibility in the alternate assessment. For additional information on the OAAP, visit <https://sde.ok.gov/assessment> or contact the Special Education Office at (405) 521-3351.



2022 Justification for Exceeding 1.0 Percent OAAP Participation Template

The Every Student Succeeds Act (ESSA) requires Oklahoma to ensure the number of students assessed with the OAAP in Math, English language arts, and Science does not exceed 1.0 percent of the statewide student testing population. **If your district is anticipating more than 1.0 percent of your testing population will participate in the OAAP for the 2021 spring operational window, complete the following survey by February 11, 2022.**

District staff may utilize this template prior to completing the online survey. This template is designed to be a reference when completing the online survey and is for your own records.

Please allow yourself enough time to complete the online survey in one sitting. You may save and continue the survey later if needed. You may also use the back button to change your responses. The survey is scheduled to expire after the due date.

Online Survey due February 11, 2022:

[2021 Justification for Exceeding 1.0 Percent OAAP Participation](#)

For questions related to the survey, contact the Oklahoma State Department of Education, Special Education Services at (405) 521-3351 or caroline.misner@sde.ok.gov.

District Name:

Director of Special Education:

Email Address:

1. Did all IEP teams use the OAAP participation guidelines found in The Criteria Checklist for Assessing Students with Disabilities on Alternate Assessments to make participation decisions?

2. Are IEP teams confident when applying the OAAP criteria guidelines when making assessment participation decisions?
 - a. What resources, technical assistance, or professional development would benefit IEP teams when making assessment participation decisions?



OKLAHOMA Education

3. Small district sizes impact OAAP participation percentages. For example, a district with a testing population of 180 students that has two students taking the OAAP would equal 1.11%. What is your district's projected testing population for the 2021-2022 operational window?

4. Is there a medical facility, care home, or group homes within your district that impact the number of students participating in the OAAP?
 - a. If so, please describe the care facility. Do not use any personally identifiable information.

5. Are there any other factors unique to your district that might cause an unusual spike in the number of students participating in the OAAP?
 - a. Please describe these factors. Do not use any personally identifiable information.

6. District Level Data: English Language/Arts and Math. Enter the percentage of OAAP assessments from the 2020-2021 school year. Enter the projected OAAP participation in Math and ELA for the 2021-2022 school year.

OAAP Participation expected to exceed 1.0% for 2022

Formula: $\text{OAAP Student Testing Population} / \text{Total Testing Population (Total Students Tested Grades 3-8, 11)} = N$; $N \times 100 = \% \text{ of OAAP Assessments}$

School Year (2022 Projection)	Subject	OAAP Student Count	Total Students Tested	OAAP Percentage
Example	ELA	2	180	1.11%
2021	MATH			
2021	ELA			
2022 (Estimate)	MATH			
2022 (Estimate)	ELA			



OKLAHOMA Education

7. Does the district have a current plan or is the district developing a plan to increase IEP teams' capacity for identifying the most appropriate assessment for students with disabilities?
 - a. If yes, does your district have in place a specific measurable goal for identifying the correct students to participate in the OAAP? Do not use any personally identifiable information.

 - b. If yes (continued), briefly describe the process, training, and steps the district will use to meet the percentage goal reduction proposed above. Include how teachers of students with significant cognitive abilities are included in the goal development and implementation of the plan. Do not use any personally identifiable information.

8. Disproportionality: Are there any significant differences between the subgroups of students participating in the OAAP compared to the general education assessment? Areas include, but are not limited to student IEP disability category, grade level, race, and gender.

9. Parent Participation: How does the district support parents in participating in the IEP team decision for their child to participate in the OAAP?



OKLAHOMA Education

Screenshot retrieved on 10/26/2020 from the statewide special education professional development site "Pepper".

The screenshot shows the Pepper professional development site interface. At the top is a dark blue navigation bar with the "pepper" logo and menu items: Courses, People, Communities, PD Planner, Reports, Support & Tools, and Messenger (109). Below the navigation bar is a grid of six course cards, each representing an Oklahoma SDE course. Each card has a title, a description, and a grade level (K-12). The first three cards are OKSE115, OKSE116, and OKSE117. The last three cards are OKSE119, OKSE120, and OKSE122. Each card also features a small icon or image related to the course content.

Course ID	Grade Level	Topic
OKSE115	K-12	Criteria for Alternate Assessment Participation
OKSE116	K-12	Behavior at a Glance
OKSE117	K-12	Writing IEP Goals and Objectives
OKSE119	K-12	Criteria for Alternate Assessment Participation
OKSE120	K-12	Behavior at a Glance
OKSE122	K-12	Writing IEP Goals and Objectives

OAAP Test Administrator Training Information

New to administering the OAAP:

You will have two options this year to complete your required training modules.

1. Facilitated Training for all 4 training modules

If you are interested in this option, please sign up using the links below. These trainings will begin at 3:30 p.m. and last approximately 30-40 minutes in length. You will receive a certificate once all trainings have been completed to add to your Professional Development hours.

Module 1- January 25 Register in advance for this meeting:

https://zoom.us/meeting/register/tJMrdu2hqDMsGtXd76vj_GBVoEuyRltexeDW

Module 2- January 27 Register in advance for this meeting:

<https://zoom.us/meeting/register/tJcocuivpzooE9IGsUXoAX1QXQIYpZDpncE9>

Module 3- February 1 Register in advance for this meeting:

<https://zoom.us/meeting/register/tJUkceyuqDwtE90ULLHBZ7k7MgqnGKKvjMVD>

Module 4- February 3 Register in advance for this meeting:

<https://zoom.us/meeting/register/tJwvcemgrjosHt16if7SalTnAJj59HLEuAC4>

Please remember you must complete the training modules in order and through the same method, either facilitated or self-paced.

2. Self-paced Training modules

You will access these trainings through the DLM Training and Review webpage.

<https://training.dynamiclearningmaps.org/login/index.php>

Oklahoma Alternate Assessment Program (OAAP) Participation Rates SY2018

2018-2019 Oklahoma Student Participation in English language arts (ELA), by Subgroup

Subgroup	Number participating in the OSTP	Number participating in OAAP	Percent participating in OAAP
All students	351088	5797	1.65%
Black	30096	714	2.37%
White	168872	2736	1.62%
Hispanic	63416	902	1.42%
Economically disadvantaged	206950	4118	1.99%
English Learner	28032	550	1.96%
Homeless	9175	197	2.15%

Figures for mathematics and science participation showed similar results by subgroup. The overall participation rate for math was 1.65% and science was 1.62%, respectively.

District level participation rates and district justification statements for exceeding the 1.0 percent alternate assessment cap for students with disabilities are available upon request by contacting the Oklahoma Department of Education, Special Education Services division.