



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

May 16, 2022

The Honorable Carmen I. Ayala
Superintendent of Education
Illinois State Board of Education
100 North First Street
Springfield, IL 62777-0001

Dear Superintendent Ayala:

I am writing in response to the Illinois Board of Education's (ISBE's) request on December 2, 2021, updated on April 28, 2022, for a one-year extension of the State's 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 required subjects of reading/language arts (R/LA), mathematics, and science.

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

As part of this waiver, ISBE 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 the R/LA and mathematics assessments are required. Although the State did not assess at least 95 percent of all students and students with disabilities in R/LA and mathematics during 2020-2021 because of the disruptions caused by the COVID-19 pandemic, it assessed students with disabilities in R/LA and mathematics 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 in R/LA and mathematics.
- Will require that a local educational agency (LEA) submit information justifying the need of the LEA to assess more than 1.0 percent of its assessed students in any such subject with an AA-AAAS.
- Will provide appropriate oversight of an LEA that is required to submit such information to the State.
- 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.

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

- Will implement, consistent with the plan submitted in ISBE’s waiver request, system improvements and will monitor future administrations of the AA-AAAS to avoid exceeding the 1.0 percent cap.

However, I am declining to approve the request with respect to science because ISBE did not meet the 95 percent assessment participation requirement in 34 CFR § 200.6(c)(4)(ii) in science for students with disabilities during the 2018-2019 school year and in science for all students and students with disabilities during the 2020-2021 school year. If the data reported by ISBE are erroneous and the State can demonstrate that it assessed at least 95 percent of students with disabilities in science during the 2018-2019 school year and assessed at least 95 percent of all students and students with disabilities in science during the 2020-2021 school year, ISBE may revise its waiver request, consistent with section 8401(b)(4)(B)(ii) of the ESEA, to meet the requirements under 8401(b)(1)(C) and (F) and 34 CFR § 200.6(c)(4)(ii). The revised waiver request must be submitted no later than 60 days from the date of this letter.

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.

I appreciate the work you have undertaken to reduce the percentage of students taking an AA-AAAS in the 2020-2021 school year when compared to the 2018-2019 school year. I am pleased to see the positive results from your workplan and I want to thank you for your continued efforts in achieving this. We hope this will be the last year that Illinois believes it needs this waiver.

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: Amy Deegan, Principal Consultant Low Incidence: DHH/DB/VI
Barbara A. Moore, Director, Special Education Services Department



December 2, 2021

VIA EMAIL

U.S. Department of Education
Office of Elementary and Secondary Education
School Support and Accountability
400 Maryland Avenue, S.W.
Washington, D.C. 20202
ESEA.Assessment@ed.gov

RE: SY 2021-22 Waiver Request

To Whom it may Concern:

Enclosed please find the Illinois State Board of Education (ISBE) 2021-22 One Percent Threshold and 95 Percent Participation Rate Waiver Request. Per the requirements outlined in the October 29, 2021 letter to State Assessment Directors, the ISBE waiver request includes school year (SY) 2018-19 state-level assessment data in English/language arts, mathematics, and science.

ISBE provided assessment data from SY 2018-19 due to Executive Order 2020-15 which suspended all state assessments for SY 2019-20 in response to the novel coronavirus disease 2019 (COVID-19). Also, the decision to use data from SY 2018-19 was supported by guidance from the National Center for Educational Outcomes (NCEO) 1 Percent Cap Community of Practice.

Additionally, in an attempt to provide local educational agencies (LEAs) the most flexibility possible, ISBE offered LEAs a choice between administering spring 2021 assessments or fall 2021 assessments. As a result, SY 2020-21 state assessment participation data is not available at this time; however, ISBE intends to send the finalized 2020-21 assessment participation data to the U.S. Department of Education upon completion of collection in January 2022.

Notably, based on the 2018-19 data, ISBE anticipates exceeding the 1 percent threshold for participation in the Alternate Assessment for the 2021-22 school year. Correspondingly, the 2020-21 assessment participation data may demonstrate a participation rate less than the required 95 percent.

For more information, please contact Elizabeth Hayes or Amy Deegan in the Special Education department at ehayes@isbe.net or adeegan@isbe.net or call 217-782-5589.

Sincerely,

Barbara A. Moore
Director
Special Education Services Department
Illinois State Board of Education



**Illinois State Board of Education
Special Education Department**

**ALTERNATE ASSESSMENT:
ONE PERCENT THRESHOLD AND 95
PERCENT PARTICIPATION RATE WAIVER
REQUEST SCHOOL YEAR 2021-22**

December 2021

ALTERNATE ASSESSMENT: ONE PERCENT THRESHOLD AND 95 PERCENT PARTICIPATION RATE WAIVER REQUEST: SCHOOL YEAR 2021-22

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I. Introduction

Title 1 of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act of 2015 (ESSA) [ESEA §1111(b)(1)(E) and 34 CFR 200.6(c) and (d)], modifies the provision that students with the most significant cognitive disabilities may participate in alternate assessments based on alternate academic achievement standards (alternate assessments). ESSA places a 1 percent threshold on the number of students who may participate in alternate assessments. States that anticipate exceeding the 1 percent threshold must submit a waiver request to the U.S. Department of Education.

Per 34 CFR 200.6 (c)(4)(ii), states must meet a 95 percent participation rate requirement for all state accountability assessments. Additionally, states that anticipate not reaching the 95 percent participation rate may submit language that serves as a waiver request to the U.S. Department of Education.

The Illinois State Board of Education (ISBE) utilizes the Dynamic Learning Maps Alternate Assessment (DLM-AA) as its alternate assessment. The last typical administration of the DLM-AA was during the 2018-19 school year. DLM-AA participation rates for 2018-19 were 1.11 percent for English language arts, 1.11 percent for mathematics, and 1.10 percent for science. Assessments did not occur during the 2019-20 school year due to the COVID-19 pandemic; thus, there is no data to include.

Illinois administered assessments during the 2020-21 school year, but participation rates of all students assessed are expected to be less than 95 percent. This is due to certain impacts of the pandemic, such as the inability to bring students into schools safely to engage in testing. Additionally, the data from the 2018-19 school year indicates that Illinois can expect that DLM-AA participation will be more than 1 percent.

Illinois held a fall testing window to attempt to increase participation among students who did not test during the 2020-21 school year. The data collected during the fall testing window will contribute to the overall assessment data reflecting the 2020-21 school year; however, the complete data will not be available until January 2022. As such, this waiver request will include detailed participation rates for students who tested during the 2018-19 school year.

Based on these data, ISBE anticipates exceeding the 1 percent threshold for the 2021-22 school year for the DLM-AA administration in English language arts, mathematics, and science and is submitting the required waiver request.

The impact of the COVID-19 pandemic means that it is probable that Illinois will not meet the 95 percent participation rate requirement for SY 2020-21. Data regarding the overall participation rate for SY 2018-19 is also included in this waiver request. It is possible -- given the historical participation rates and the fact that Local Education Agencies (LEAs) have returned to more typical in-person learning environments -- that the overall participation rate may reach 95 percent; but, without access to accurate testing data, it is challenging to make such a prediction at this time.

II. One Percent Threshold and 95 Percent Participation Requirement Waiver Request Requirements

Submission 90 Days Prior to the State Testing Window

The ISBE spring testing window begins in March 2022. ISBE is submitting its 1 percent threshold and 95 percent participation requirement waiver request to the U.S. Department of Education for the areas of English language arts, mathematics, and science on December 15, 2021.

State-Level Data for DLM-AA Participation Rates

SY 2018-19 Data

ISBE is submitting testing data for the 2018-19 school year as part of this waiver request as it was the last school year during which typical test administration occurred. Tables 1, 2, and 3 illustrate ISBE’s state-level data for the number and percentage of students in each subgroup who participated in our statewide alternate assessment in English language arts, mathematics, and science for the 2018-19 academic year, respectively. Data was gathered via the ISBE Data Warehouse which sources information from the Student Information System and score data submitted into state systems by LEAs.

Table 1: Alternate Assessment Participation Rates for English Language Arts SY 2018-19

Student Subgroup	# of Students Participating in Regular Assessment	# of Students Participating in Alternate Assessment	Total # of Students Participating in All Assessments	Alternate Assessment Participation Rate (%)
ALL	999,387	11,237	1,010,624	1.11
American Indian or Alaska Native	2,479	28	2,507	1.12
Asian	50,978	545	51,523	1.11
Native Hawaiian or Other Pacific Islander	1,041	11	1,052	1.05
Black or African American	166,010	2,544	168,554	1.51
Hispanic or Latino	268,601	2,986	271,587	1.11
White	474,161	4,745	478,906	0.99
Two or More Races	36,117	378	36,495	1.04
Children with Disabilities	151,216	11,188	182,544	6.12
Bilingual	113,719	2,575	116,294	2.21
Economically Disadvantaged	501,580	6,762	508,342	1.33
Homeless	20,537	152	20,689	0.73
Migrant	163		166	1.81
Male	509,290	7,420	516,710	1.44
Female	490,097	3,817	493,914	0.77

Table 2: Alternate Assessment Participation Rates for Mathematics in 2018-19

Student Subgroup	# of Students Participating in Regular Assessment	# of Students Participating in Alternate Assessment	Total # of Students Participating in All Assessments	Alternate Assessment Participation Rate (%)
ALL	997,587	11,225	1,008,812	1.11
American Indian or Alaska Native	2,479	28	2,507	1.11
Asian	50,927	544	51,471	1.06
Native Hawaiian or Other Pacific Islander	1,038	11	1,049	1.04
Black or African American	165,536	2,543	168,079	1.51
Hispanic or Latino	268,101	2,983	271,084	1.1
White	473,449	4,736	478,185	0.99
Two or More Races	36,057	380	36,437	1.04
Children with Disabilities	170,715	11,176	181,891	6.14
Bilingual	113,514	2,572	116,086	2.22
Low Socioeconomic Status	500,600	6,756	507,356	1.33
Homeless	20,477	152	20,629	0.74
Migrant	162		165	1.82
Male	508,323	7,414	515,737	1.44
Female	489,264	3,811	493,075	0.77

Table 3: Alternate Assessment Participation Rate for Science in 2018-19

Student Subgroup	# of Students Participating in Regular Assessment	# of Students Participating in Alternate Assessment	Total # of Students Participating in All Assessments	Alternate Assessment Participation Rate (%)
ALL	426,055	4731	430,786	1.10
American Indian or Alaska Native	1,121	12	1,133	1.06
Asian	2,2096	218	223,14	0.98
Native Hawaiian or Other Pacific Islander	452		453	0.22
Black or African American	67,060	1,114	68,174	1.63
Hispanic or Latino	116,257	1,210	117,467	1.03
White	203,326	2,031	205,357	0.99
Two or More Races	15,743	145	15,888	0.91
Children with Disabilities	70,208	4,715	74,923	6.30
Bilingual	39,317	971	40,288	2.41

Low Socioeconomic Status	205,716	2,763	208,479	1.33
Homeless	7,741	64	7805	0.82
Migrant	68		69	1.45
Male	216,678	3,136	219,814	1.43
Female	209,377	1,595	210,972	7.56

Overall Participation Rates SY 2018-19

Illinois met the 95 percent participation rate requirement for all students in English language arts, mathematics, and science in the 2018-19 school year as demonstrated in tables 4, 5, and 6. State Accountability Assessments include the Illinois Assessment of Readiness (IAR), Scholastic Aptitude Test (SAT), and the Illinois Science Assessment (ISA).

Table 4: Participation of All Students in English Language Arts Assessments (IAR, SAT, DLM)

Student Subgroup	# of Students Enrolled	# of Students Participating	Percentage of Students Participating
ALL	1,025,711	1,010,624	98.5
American Indian or Alaska Native	2,563	2,507	97.8
Asian	51,936	51,523	99.2
Native Hawaiian or other Pacific Islander	1,074	1,052	97.9
Black or African American	172,676	168,554	97.6
Hispanic or Latino	275,313	271,587	98.6
White	485,027	478,906	98.7
Two or More Races	37,122	36,495	98.3
Children with Disabilities	188,045	182,544	97.1
Bilingual	117,491	116,294	98.9
Low Socioeconomic Status	516,358	508,342	98.4
Homeless	21,497	20,689	96.2
Migrant	167	166	99.4
Male	524,871	516,710	98.4
Female	500,840	493,914	98.6

Table 5: Participation of All Students in Mathematics Assessment (IAR, SAT, DLM)

Student Subgroup	# of Students Enrolled	# of Students Participating	Percentage of Students Participating
ALL	1,025,170	1,008,812	98.4
American Indian or Alaska Native	2562	2,507	97.8

Asian	51910	51,471	99.1
Native Hawaiian or other Pacific Islander	1,072	1049	97.9
Black or African American	172,585	168,079	97.4
Hispanic or Latino	275,257	271084	98.5
White	484,684	478,185	98.7
Two or More Races	37,100	36,437	98.2
Children with Disabilities	187,892	181,891	96.8
Bilingual	117,461	116,086	98.8
Low Socioeconomic Status	516,189	507,356	98.3
Homeless	21,481	20,629	96.2
Migrant	166	165	99.4
Male	524,583	515,737	98.3
Female	500,587	493,075	98.5

Table 6: Participation of All Students in Science Assessment (ISA, DLM)

Student Group	# of Students Enrolled	# of Students Participating	Percentage of Students Participating
ALL	448,168	430,786	96.1
American Indian or Alaska Native	1,186	1,133	95.5
Asian	22,954	22,314	97.2
Native Hawaiian or other Pacific Islander	476	453	95.1
Black or African American	73,241	68,174	93.1
Hispanic or Latino	122,190	117,467	96.1
White	211,545	205,357	97.1
Two or More Races	16,576	15,888	95.8
Children with Disabilities	8,163	74,923	93.5
Bilingual	41,939	40,288	96.1
Low Socioeconomic Status	219,136	208,479	95.1
Homeless	8,635	7,805	90.1

Migrant	72	69	95.8
Male	229,307	219,814	95.9
Female	218,861	210,972	96.4

The overall participation rate for science assessments fell below 95 percent for two subgroups. The participation rate for children with disabilities was 93.5 percent and the rate for students who are homeless was 90.1 percent. These rates may be due to LEA error in enrolling students in assessments and ensuring the same students are added to testing rosters. The ISBE Assessment department has increased communication around assessment enrollment and rosters via weekly webinars, mass communications, and reaching out to specific LEAs that have missing roster data.

SY 2019-20 Data

Assessment participation data is not included for the 2019-20 school year as assessments were cancelled due to the COVID-19 pandemic.

SY 2020-21 Data

LEAs in Illinois engaged in required state accountability assessments during the 2020-21 school year to the best of their ability. Participation rates were significantly impacted due to students on remote learning status having difficulty coming into schools in a safe and secure manner. Students in the most vulnerable populations, including those with the most significant cognitive and physical disabilities or who are medically fragile, struggled to successfully test during the Spring 2021 window. However, as the 2020-21 school year was highly atypical, ISBE is of the assumption that once returned to a typical in-person learning model and given the Fall 2021 testing window, it is probable the overall participation rate will fall below 95 percent and the DLM-AA participation rate will rise above 1 percent in at least one subject area. Complete participation data for the IAR, SAT, and DLM will not be available until January 2022. ISBE will also know at that time if Illinois has met the 95 percent participation rate requirement. ISBE will compile the complete SY 2020-21 data at that time and submit to the U.S. Department of Education as a supplement to this waiver request.

III. State Assurance that LEAs Followed State DLM-AA Participation Guidelines

LEAs were made aware of changes to the 1 percent threshold exception rule in 2018 via conference presentations that were held throughout Illinois. ISBE posted DLM-AA participation guidelines and webinar on its website at that time, which were updated in 2020 and 2021, respectively. The participation guidelines and webinar outline that all students who are being considered for the alternate assessment must have the participation guidelines addressed within the Individual Education Program (IEP).

ISBE sent formal identification letters to LEAs that exceeded 1 percent participation rate on the DLM-AA and required submission of justifications for the 2018-19 school year, which were re-sent for the 2019-20 school year. Justifications were posted to the [ISBE webpage](#).

During the 2018-19 school year, 211 LEAs were identified to have exceeded the 1 percent threshold. Districts exceeding the 1 percent threshold were required to view the recorded participation guideline webinar.

At that time, seventy LEAs had a student population of 500 or fewer, which impacts the overall calculation of the participation rate. LEAs in Illinois demonstrate a highly diverse student population in rural, suburban, and urban areas which also impacts overall student enrollment and participation rates. Illinois has 852 LEAs, 3,872 schools, and approximately 2,000,000 students.

Beginning in SY 2021-22, ISBE will implement a newly developed monitoring system for participation in alternate assessment (See the State Plan and Timeline section below).

IV. State Assurance that LEAs Will Address Disproportionality of Subgroups

ISBE will utilize a risk ratio approach to analyze alternate assessment participation data for disproportionality for all subgroups from SY 2021-22 onward. The ISBE 2020-23 Strategic Plan now includes equity goals and initiatives, which will be applied to all agency processes, including a monitoring system for Alternate Assessment participation, which is described below in Part V. Should disproportionality arise among subgroups, it will be addressed as part of the monitoring system.

Below is a list of subgroups included in the risk ratio analysis:

1. Racial/Ethnic Groups
 - a. American Indian or Alaska Native
 - b. Asian
 - c. Pacific Islander or Other Pacific Islander
 - d. Black or African American
 - e. Hispanic or Latino
 - f. White (Non-Hispanic)
 - g. Two or More Races (Multiracial not Hispanic)
2. Bilingual
3. Economically Disadvantaged
4. Migratory
5. Gender
 - a. Male
 - b. Female
 - c. Non-Binary

ISBE is also analyzing the primary and secondary eligibilities of each DLM-AA participant to ensure only students with the most significant cognitive disabilities are found eligible to take the DLM-AA.

The risk analysis will allow ISBE to determine if any subgroup is more likely than other subgroups to participate in the alternate assessment. Analysis of this data will provide ISBE with information, so it can focus on reducing disproportionality in the participation of students in the alternate assessment for individual subgroups. Information that is collected through the risk analysis will provide additional data that will be used to address the overall percentage of students participating in the alternate assessment.

The risk ratio compares the risk of participating in the alternate assessment for each subgroup to the risk for all other students at the LEA level. A risk ratio of 1.0 for a subgroup means that the rate of participation in the alternate assessment is proportionate by students in the subgroup to the rate of participation for students not in the subgroup. The higher the risk ratio, the greater the chance that students in the subgroup will participate in the alternate assessment as compared to students not in the subgroup.

ISBE uses the following formula to calculate the risk ratio for each subgroup:

- A. The risk of participating in the alternate assessment by students in the subgroup: The number of students in the subgroup who participated in the alternate assessment divided by the number of students in the subgroup who participated in statewide assessments multiplied by 100.
- B. The risk of participating in the alternate assessment by all other students (comparison group): The number of students in the comparison group who participated in the alternate assessment divided by the number of students in the comparison group who participated in statewide assessments multiplied by 100.
- C. The risk ratio for the subgroup: The risk of the subgroup (A) divided by the risk of the comparison group (B).

V. State Plan and Timelines

One Percent Threshold for Participation in the State Alternate Assessment: Monitoring and Support System

ISBE has developed a new system for monitoring the 1 percent threshold, which will be fully implemented during the 2021-22 school year.

ISBE's monitoring system is intended to reduce the participation rate and support LEAs in accurately identifying students who are eligible for the DLM-AA. To that end, ISBE began implementing a monitoring and support system that is designed to:

- Maintain a high level of compliance with the Elementary and Secondary Education Act federal regulations for special education.
- Support LEAs in the process of self-assessment, root cause analysis, evaluation, and improvement.
- Connect improvement activities with planning and supports.

The monitoring system is described in three sections: LEA Determinations, LEA Requirements and Tiered Supports, and the LEA Action Plan.

Section I: LEA Determinations

ISBE utilizes assessment participation data to determine the degree to which a school district, or LEA, is correctly implementing the requirements of the 1 percent threshold. The formula below is used to determine if an LEA's population of students that participates in the alternate assessment exceeds the 1 percent threshold.

$$\left(\frac{\text{The number of students in the LEA taking the DLM-AA}}{\text{The total number of students in the LEA participating in state accountability assessments}} \right) \times 100$$

*This calculation is done for total participation across the LEA and for each subject area: English language arts, mathematics, and science at each tested grade level.

ISBE selects LEAs for tiered monitoring and support by identifying potential risk through the LEA determinations process. This leads to an overall determination for LEAs in one of the following categories:

- LEA within the 1 percent threshold.
- LEA exceeding the 1 percent threshold.
- LEA exceeding the 1 percent AND have disproportionality of subgroup(s).

LEAs that have 1 percent or fewer of the enrolled student population taking the alternate assessment will not be subject to review by ISBE. Participation guidance should be adhered to in making individualized decisions on behalf of the student.

If an LEA exceeds the 1 percent threshold, it must complete and submit a [Justification Form](#) to ISBE. ISBE will review the participation rate data and the LEA's Justification Form to determine what level of support the LEA may need.

Section II: LEA Requirements and Tiered Supports

The ISBE Special Education Department uses a tiered supports model to provide an appropriate level of assistance for LEAs. LEAs that are assigned a level of support must carry out specific activities that are intended to both ensure compliance and help districts improve results. The procedures outline in the Illinois Special Education Accountability and Support System facilitate ISBE's efforts in the following activities:

- Fulfilling its responsibility to provide appropriate general supervision to Illinois LEAs.
- Differentiating levels of support for Illinois LEAs based on degree/intensity of needs.

- Allocating resources to address specific need(s) of Illinois LEAs.

The tiered support model consists of three levels, with required activities and supports in place at each level to ensure accountability for both compliance and results measures as well as resources to strengthen and improve student outcomes.

LEA Determination Designation	Tiered Level of Support
Exceeding the 1 Percent Threshold for the First Year	Universal (Support Available) Tier 1
Exceeding the 1 Percent Threshold for Two or More Consecutive Years Without Acceptable Justifications	Targeted (Guidance Needed) Tier 2
Exceeding the 1 Percent Threshold for Three or More Consecutive Years Without Acceptable Justifications	Intensive (Coaching Required) Tier 3

Tiered Supports

Universal: The LEA completes the Justification Form, which is reviewed by ISBE. Tier 1 supports are available to all LEAs. DLM-AA participation guidance and resources are available to all LEAs via the ISBE [Assessment webpage](#).

Targeted: LEAs designated as “Exceeding the 1 Percent Threshold for Two of More Consecutive Years Without Acceptable Justifications” fall under the Targeted level of support (Tier 2). The LEA completes the Justification Form, which is reviewed by ISBE. LEA staff is required to present the [Dynamic Learning Maps for Alternate Assessment \(DLM-AA\) Participation Guidelines](#) webinar to district representatives and confirm that efforts are being made to address the DLM-AA participation rate. Tier 2 supports will last for one year.

Intensive: LEAs designated as “Exceeding the 1 Percent Threshold for Three or More Consecutive Year Without Acceptable Justifications” fall under the Intensive level of support (Tier 3). The LEA completes the Justification Form, which is reviewed by ISBE. In addition, an ISBE special education consultant reviews IEPs. Unsatisfactory reviews may result in the development of a plan for the LEA to make improved efforts. Tier 3 supports will last one or more years based on yearly participation rate data and until such time as the LEA falls below the 1 percent threshold or presents acceptable justifications. Evaluations and ISBE support logs for district activities will be maintained by an ISBE consultant.

Section III: LEA Action Plan

LEAs that have unsatisfactory justification and/or IEP reviews require further action by the district. After reviewing the IEPs, the ISBE special education consultant will initiate an on-site or virtual visit to provide support to the district in the development of an action plan. The action plan may include one or more of the following activities:

- Reviewing and/or revising district policies, procedures, and/or practices.

- Providing professional development and support to relevant staff.
- Utilizing national, state, or local technical assistance resources.

The district can begin implementation of the action plan after the ISBE special education consultant approves it. The ISBE consultant will provide implementation support to the district throughout the one-year determination cycle.

The ISBE special education consultant will verify action plan implementation through the LEA's mid-year and end-of-year evaluations. If the district remains in the Tier 3 level of support for subsequent LEA determinations, district staff will continue to work with the ISBE special education consultant until the district's participation rate in the alternate assessment falls within the 1 percent threshold.

Timeline

Fall 2021: LEAs complete Fall testing window. Data is entered into state systems and the Illinois Report Card is developed.

November 2021: The ISBE Special Education department drafts the waiver request and posts for public comment. At the closing of the public comment period, any necessary changes will be made.

December 2021: The waiver request is finalized. The ISBE Special Education department submits the waiver request for SY 2021-22 with most recent assessment data from SY 2018-19.

January 2022: The ISBE Special Education Department will request complete SY 2020-21 assessment participation data from the ISBE Data Warehouse.

March 2022: The Spring testing window for the DLM-AA begins on March 16, 2021.

April-May 2022: LEAs are notified if the 1 percent threshold is exceeded. The LEAs will be directed to complete the Justification Form available on the ISBE Webpage. Once received, the Justification Form will be posted to the ISBE webpage.

May 2022: ISBE will notify LEAs of monitoring designations in accordance with the 1 percent threshold monitoring system in place. LEAs will be directed to complete measures based on the level of support identified.

June 2022: The ISBE Special Education department will request SY 2021-22 IAR, SAT, and DLM participation data to inform monitoring and determine the need for submission of a waiver request for SY 2022-23.

Public Comment

ISBE posted a draft waiver request for public comment from November 15, 2021 to November 29, 2021 on the [ISBE Webpage](#). The public was informed of the posting via mass communications including the State Superintendent's Weekly Message and Click Dimensions Listservs. Members of the public were able to submit comments on the waiver request via email to altexception@isbe.net. Public comments received are listed below.

The ISBE received one public comment during the public comment period:

District 300 position is that the 1% should be adjusted to higher. We feel that it makes more sense to be at less than 2.5%. For example, we are typically above the 1% because of our size and programming. However the students that take it actually qualify to take it based on the criteria.

Comment submitted via email on 11-15-2021.

Appendix

Table 1: Overall Rates of Assessment Participation for 2018-19 and 2020-21

Group	All Students Grades 3-8 and High School R/LA 2018-19	Students with Disabilities Grades 3-8 and High School R/LA 2018-19	All Students Grades 3-8 and High School R/LA 2020-21	Students with Disabilities Grades 3-8 and High School R/LA 2020-21
Students Assessed	1,010,959	145,831	741,028	106,402
Students Enrolled	1,025,145	149,623	994,148	148,713
Assessment Participation Rate	98.62%	97.47%	74.54%	71.55%
Group	All Students Grades 3-8 and High School Math 2018-19	Students with Disabilities Grades 3-8 and High School Math 2018-19	All Students Grades 3-8 and High School Math 2020-21	Students with Disabilities Grades 3-8 and High School Math 2020-21
Students Assessed	1,009,142	145,321	733,832	104,988
Students Enrolled	1,024,593	149,534	993,986	148,694
Assessment Participation Rate	98.49%	97.18%	73.83%	70.61%
Group	All Students Grades 3-8 and High School Science 2018-19	Students with Disabilities Grades 3-8 and High School Science 2018-19	All Students Grades 3-8 and High School Science 2020-21	Students with Disabilities Grades 3-8 and High School Science 2020-21
Students Assessed	430,892	57,818	283,741	38,221
Students Enrolled	448,396	62,265	433,654	63,331
Assessment Participation Rate	96.10%	92.86%	65.43%	60.35%

Table 2: Assessment Participation Rates by Subgroup for 2018-19 and 2020-21

Group	Total # of Students in Grades 3-8 and High School R/LA 2018-19	# of Students Taking State AA-AAAS Grades 3-8 and High School R/LA 2018-19	% of Students Taking State AA-AAAS Grades 3-8 and High School R/LA 2018-19
All Students	1,010,959	11,165	1.10%
American Indian or Alaska Native	2,511	28	1.12%
Asian	51,523	536	1.04%
Native Hawaiian or Other Pacific Islander	1,056	12	1.14%
Black or African American	168,632	2,510	1.49%

Hispanic or Latino	271,665	2,955	1.09%
White	479,058	4,746	0.99%
Two or More Races	36,511	378	1.04%
Children with Disabilities	145,831	11,165	7.66%
English Learners	116,115	2,534	2.18%
Economically Disadvantaged	508,304	6,777	1.33%
Homeless	20,857	195	0.93%
Migrant	137		2.19%
Male	516,925	7,377	1.43%
Female	494,034	3,788	0.77%
Group	Total # of Students in Grades 3-8 and High School R/LA 2020-21	# of Students Taking State AA-AAAS Grades 3-8 and High School R/LA 2020-21	% of Students Taking State AA-AAAS Grades 3-8 and High School R/LA 2020-21
All Students	741,028	7,583	1.02%
American Indian or Alaska Native	1,466	24	1.64%
Asian	37,786	332	0.88%
Native Hawaiian or Other Pacific Islander	723	10	1.38%
Black or African American	100,770	1,487	1.48%
Hispanic or Latino	169,751	1,831	1.08%
White	394,131	3,659	0.93%
Two or More Races	28,633	240	0.84%
Children with Disabilities	106,402	7,583	7.13%
English Learners	77,611	1,592	2.05%
Economically Disadvantaged	325,477	4,160	1.28%
Homeless	11,412	100	0.88%
Migrant	154		0.65%
Male	380,171	5,041	1.33%
Female	360,224	2,542	0.71%
Group	Total # of Students in Grades 3-8 and High School Math 2018-19	# of Students Taking State AA-AAAS Grades 3-8 and High School Math 2018-19	% of Students Taking State AA-AAAS Grades 3-8 and High School Math 2018-19
All Students	1,009,142	11,154	1.11%
American Indian or Alaska Native	2,512	28	1.11%
Asian	51,473	535	1.04%
Native Hawaiian or Other Pacific Islander	1,053	12	1.14%
Black or African American	168,155	2,510	1.49%
Hispanic or Latino	271,155	2,952	1.09%
White	478,338	4,737	0.99%
Two or More Races	36,453	380	1.04%

Children with Disabilities	145,321	11,154	7.68%
English Learners	115,898	2,531	2.18%
Economically Disadvantaged	507,310	6,770	1.33%
Homeless	20,791	195	0.94%
Migrant	136		2.21%
Male	515,953	7,371	1.43%
Female	493,189	3,783	0.77%
Group	Total # of Students in Grades 3-8 and High School Math 2020-21	# of Students Taking State AA-AAAS Grades 3-8 and High School Math 2020-21	% of Students Taking State AA-AAAS Grades 3-8 and High School Math 2020-21
All Students	733,832	7,565	1.03%
American Indian or Alaska Native	1,442	24	1.66%
Asian	37,470	330	0.88%
Native Hawaiian or Other Pacific Islander	711	10	1.41%
Black or African American	98,775	1,481	1.50%
Hispanic or Latino	167,713	1,829	1.09%
White	391,689	3,653	0.93%
Two or More Races	28,374	238	0.84%
Children with Disabilities	104,988	7,565	7.21%
English Learners	76,484	1,590	2.08%
Economically Disadvantaged	321,054	4,154	1.29%
Homeless	11,164	99	0.89%
Migrant	154		0.65%
Male	376,384	5,030	1.34%
Female	356,819	2,535	0.71%
Group	Total # of Students in Grades 3-8 and High School Science 2018-19	# of Students Taking State AA-AAAS Grades 3-8 and High School Science 2018-19	% of Students Taking State AA-AAAS Grades 3-8 and High School Science 2018-19
All Students	430,892	4,751	1.10%
American Indian or Alaska Native	1,140	10	0.88%
Asian	22,318	216	0.97%
Native Hawaiian or Other Pacific Islander	457		0.44%
Black or African American	68,167	1,113	1.63%
Hispanic or Latino	117,360	1,213	1.03%
White	205,530	2,052	1.00%
Two or More Races	15,920	145	0.91%
Children with Disabilities	57,818	4,751	8.22%
English Learners	40,124	966	2.41%

Economically Disadvantaged	207,702	2,831	1.36%
Homeless	7686	76	1.00%
Migrant	58		1.72%
Male	219,900	3,155	1.43%
Female	210,992	1,596	0.76%
Group	Total # of Students in Grades 3-8 and High School Science 2020-21	# of Students Taking State AA-AAAS Grades 3-8 and High School Science 2020-21	% of Students Taking State AA-AAAS Grades 3-8 and High School Science 2020-21
All Students	283,741	2,956	1.04%
American Indian or Alaska Native	504	10	1.98%
Asian	14,857	125	0.84%
Native Hawaiian or Other Pacific Islander	245		1.63%
Black or African American	34,211	574	1.68%
Hispanic or Latino	62,471	707	1.13%
White	160,960	1,446	0.90%
Two or More Races	10,492	90	0.86%
Children with Disabilities	38,221	2,956	7.73%
English Learners	22,092	567	2.57%
Economically Disadvantaged	112,476	1,578	1.40%
Homeless	3,784	44	1.16%
Migrant	47		0.00%
Male	146,201	1,921	1.31%
Female	137,539	1,035	0.75%

From: [DEEGAN AMY](#)
To: [OESE.ESEA.Assessment](#)
Subject: Illinois 20-21 data
Date: Thursday, April 28, 2022 3:35:21 PM
Attachments: [IL One Percent Waiver - updated 20-21 data tables.docx](#)

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Hello,

Attached please find an updated data table which includes the SY 20-21 EdFacts data as requested. You will notice the assessment participation rates for SY 20-21 were below 95% in all 3 areas. This is most likely due to the impacts of COVID-19 which impeded overall state assessment participation. Illinois anticipates improved participation rates for the 21-22 school year.

Please let me know if you have any follow up questions or concerns.

Again, thank you for your help and patience.

All the best,

Amy Deegan, LCSW (she/her/hers)

Principal Consultant Low Incidence: DHH/DB/VI

Educational Surrogate Parent Program Coordinator

Special Education Department

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In office 8:00 am – 4:00 pm

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