United States Department of Education
Office of Elementary and Secondary Education

May 10, 2022

The Honorable Catherine Truitt
Superintendent of Public Instruction
North Carolina Department of Public Instruction
6301 Mail Service Center
Raleigh, NC 27699-6301

Dear Superintendent Truitt:

I am writing in response to the North Carolina Department of Public Instruction (NCDPI) request on February 1, 2022, for an extension of its 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 NCDPI’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, mathematics, and science.

As part of this waiver, NCDPI 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, mathematics, and science assessments are required. Although the State did not assess at least 95 percent of all students and students with disabilities in the required subjects during 2020-2021 because of the disruptions caused by the COVID-19 pandemic, it assessed students with disabilities in these subjects 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, 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, mathematics, and science.
- 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.
• Will implement, consistent with the plan submitted in NCDPI’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.

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 North Carolina 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: Tammy Howard, NCDPI Director of Accountability Services
February 1, 2022

Honorable Miguel Cardona
Secretary of Education
US Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Dear Secretary Cardona:

Pursuant to 34 C.F.R. §200.6(c)(4), the North Carolina Department of Public Instruction (NCDPI) requests an extension for the previously granted 1.0 percent participation waiver, in part, from specific statutory and regulatory requirements established under the Elementary and Secondary Education Act (ESEA) as amended by the Every Student Succeeds Act (ESSA). This extension waiver request, if granted, would allow the state to exceed the 1.0 percent cap on students with significant cognitive disabilities who are administered the alternate assessment aligned with alternate academic achievement standards (AA-AAAS) to meet the statewide assessment requirement.

As presented in Table 1, the NCDPI anticipates exceeding the 1.0 percent cap on alternate assessment participation in science at grades 5 and 8 for the 2021–22 school year. The data in Table 1 is the reported data from the 2020–21 school year. While the data suggests exceeding the 1.0 percent cap only in the area of science at grades 5 and 8, the NCDPI recognizes that due to the circumstances related to COVID-19, the participation percentages in other subjects and grades may rise.

Table 1. North Carolina Anticipated Alternate Assessment Participation for the 2021–22 School Year

<table>
<thead>
<tr>
<th>Subject and Grade(s)</th>
<th>Numerator</th>
<th>Denominator</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mathematics Grades 3–8</td>
<td>6,775</td>
<td>658,235</td>
<td>1.0%</td>
</tr>
<tr>
<td>Mathematics Grade 11</td>
<td>152</td>
<td>80,927</td>
<td>.2%</td>
</tr>
<tr>
<td>ELA/Reading Grades 3–8</td>
<td>6,773</td>
<td>661,596</td>
<td>1.0%</td>
</tr>
<tr>
<td>ELA/Reading Grade 10</td>
<td>876</td>
<td>104,025</td>
<td>0.8%</td>
</tr>
<tr>
<td>Science Grades 5 &amp; 8*</td>
<td>2,346</td>
<td>221,649</td>
<td>1.1%</td>
</tr>
<tr>
<td>Science Grade 11</td>
<td>146</td>
<td>65,056</td>
<td>.2%</td>
</tr>
</tbody>
</table>

*Subject areas that exceed 1.0 percent of test population.
Honorable Miguel Cardona  
February 1, 2022  
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Since testing was waived in the 2019–20 school year, not all grade 10 students participated in the NCEXTEND1 Alternate Assessment, resulting in a lower number of students being reported in the numerator for mathematics and science at Grade 11. The grade 10 mathematics and science NCEXTEND1 Alternate Assessment scores are banked and utilized the following year in grade 11 reporting. The NCDPI anticipates the mathematics and science participation percentages to rise for the 2021–22 school year.

**2021–22 School Year Required State–Level Data**

As required by 34 C.F.R. §200.6(c)(4), the NCDPI is submitting this waiver ninety days prior to the administration of the AA-AAAS spring 2021 administrations. Also, as required, included in this request is state-level data from the 2020–21 school year that shows the number and percentage of students in each subgroup who participated in the AA-AAAS. In previous years, North Carolina has followed and met the federal participation assessment requirement and measured the achievement of at least ninety-five percent (95%) of all students and ninety-five percent (95%) of students with disabilities subgroup under section 1111(c)(2)(C) of the Act who are enrolled in grades for which the assessment is required under §200.5(a). As stated in the October 29, 2021, memo from the Office of Elementary and Secondary Education, “The Department recognizes, however, that due to COVID-related testing disruptions, the State may not have met the 95 percent requirements in SY 2020–2021.”

Table 2 shows a comparison of the 2018–19 and 2020–21 school year participation data, which includes the number and percentage of students in each subgroup of students defined in section 1111(c)(2)(A), (B), and (D) of the Act who took the alternate assessment aligned with alternate academic achievement standards.
Table 2. North Carolina Alternate Assessment 2018–19 and 2020–21 School Year Participation by Subgroup

<table>
<thead>
<tr>
<th>Subgroup</th>
<th>Total Number of Alternate Assessments Administered</th>
<th>Total Number of Assessments Administered</th>
<th>Percentage of Alternate Assessments Administered</th>
</tr>
</thead>
<tbody>
<tr>
<td>English Learners</td>
<td>2,337</td>
<td>2,095</td>
<td>129,526</td>
</tr>
<tr>
<td>Economically Disadvantaged Students</td>
<td>12,969</td>
<td>8,181</td>
<td>935,158</td>
</tr>
<tr>
<td>Students with Disabilities</td>
<td>21,405</td>
<td>16,759</td>
<td>251,172</td>
</tr>
<tr>
<td>Hispanic</td>
<td>3,484</td>
<td>3,042</td>
<td>370,722</td>
</tr>
<tr>
<td>Asian</td>
<td>615</td>
<td>553</td>
<td>68,340</td>
</tr>
<tr>
<td>Black</td>
<td>7,454</td>
<td>5,691</td>
<td>502,266</td>
</tr>
<tr>
<td>White</td>
<td>8,894</td>
<td>6,694</td>
<td>946,540</td>
</tr>
<tr>
<td>Native American</td>
<td>245</td>
<td>206</td>
<td>22,695</td>
</tr>
<tr>
<td>Multiple Ethnicities</td>
<td>985</td>
<td>846</td>
<td>89,287</td>
</tr>
</tbody>
</table>

North Carolina requires all students enrolled in a public school to be assessed using the general assessment under standard conditions, the general assessment with accommodations, or the alternate assessment aligned with alternate academic achievement standards with or without accommodations. The only exception to participation is for medical exceptions approved by the NCDPI medical exception committee. As previously stated, North Carolina in the 2017–18 and 2018–19 school years, met the ninety-five percent (95%) participation rate requirement of all students and the subgroup of students with disabilities under section 1111(c)(2)(C) of the Act who are enrolled in grades for which the assessment is required under §200.5(a). For the 2019–20 school year, the NCDPI Accountability Services Division submitted a request to the United States Department of Education (USED) seeking approval to waive federal testing and accountability requirements and the waiver request was approved. As a subsequent result of the waiver approval, the NCDPI rescinded the 1.0 Percent Participation extension waiver that had been submitted to the USED for the 2019–20 school year. Also, as a result of the approved federal testing and accountability waiver, state testing
did not occur in North Carolina schools at the end of the 2019–20 school year, and therefore, the NCDPI did not have test data to share with the USED. Due to COVID-related circumstances during the 2020–21 school year, the NCDPI experienced an influx of medical exceptions coupled with a lower rate of test participation across the state.

As shown in Table 3, data from all required assessments in the 2017–18 and 2018–19 school years show testing greater than ninety-five percent (95%) of all students and within the students with disabilities subgroup. While the 2020–21 school year does not show greater than ninety-five percent (95%) in all areas, the percentages are at or above ninety-three percent (93%) for all students and at or above eighty-nine percent (89%) for the students with disabilities subgroup.

Table 3. North Carolina Statewide General Assessment Participation Rates for the 2017–18, 2018–19, and 2020–21 School Years

<table>
<thead>
<tr>
<th>Subject and Grade(s)</th>
<th>Student Group</th>
<th>2017–18 Percent Participation</th>
<th>2018–19 Percent Participation</th>
<th>2020–21 Percent Participation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mathematics Grades 3–8</td>
<td>All Students</td>
<td>&gt;95%</td>
<td>&gt;95%</td>
<td>93%</td>
</tr>
<tr>
<td></td>
<td>Students with Disabilities</td>
<td>&gt;95%</td>
<td>&gt;95%</td>
<td>91%</td>
</tr>
<tr>
<td>Mathematics Grade 11</td>
<td>All Students</td>
<td>&gt;95%</td>
<td>&gt;95%</td>
<td>&gt;95%</td>
</tr>
<tr>
<td></td>
<td>Students with Disabilities</td>
<td>&gt;95%</td>
<td>&gt;95%</td>
<td>&gt;95%</td>
</tr>
<tr>
<td>ELA/Reading Grades 3–8</td>
<td>All Students</td>
<td>&gt;95%</td>
<td>&gt;95%</td>
<td>93%</td>
</tr>
<tr>
<td></td>
<td>Students with Disabilities</td>
<td>&gt;95%</td>
<td>&gt;95%</td>
<td>91%</td>
</tr>
<tr>
<td>ELA/Reading Grade 10</td>
<td>All Students</td>
<td>&gt;95%</td>
<td>&gt;95%</td>
<td>93%</td>
</tr>
<tr>
<td></td>
<td>Students with Disabilities</td>
<td>&gt;95%</td>
<td>&gt;95%</td>
<td>89%</td>
</tr>
<tr>
<td>Science Grades 5 &amp; 8</td>
<td>All Students</td>
<td>&gt;95%</td>
<td>&gt;95%</td>
<td>93%</td>
</tr>
<tr>
<td></td>
<td>Students with Disabilities</td>
<td>&gt;95%</td>
<td>&gt;95%</td>
<td>90%</td>
</tr>
<tr>
<td>Science Grade 11</td>
<td>All Students</td>
<td>&gt;95%</td>
<td>&gt;95%</td>
<td>&gt;95%</td>
</tr>
<tr>
<td></td>
<td>Students with Disabilities</td>
<td>&gt;95%</td>
<td>&gt;95%</td>
<td>95%</td>
</tr>
</tbody>
</table>

2021–22 School Year Participation Requirements for AA-AAAS

The NCDPI verifies that each public school unit anticipated to assess more than 1.0 percent of its students in any subject using the alternate assessment followed the State’s guidelines for participation in the AA-AAAs. The NCDPI examines and updates the alternate assessment eligibility criteria annually and provides training to all public school unit Exceptional Children (EC) and Accountability personnel involved with determining if a student has a significant cognitive disability. The NCDPI created an Alternate Assessment Frequently Asked Questions document to support public school units and the public in understanding this determination process. This document is updated regularly with new information as needed. An Individualized Education Program (IEP)
Team Decision-Making and Consideration Process Tool was developed for the 2018–19 school year and beyond for IEP teams to use when considering the appropriate educational program and related assessments for students who may have a significant cognitive disability.

This tool was implemented statewide in the 2018–19 school year. The EC Division completed and posted a webinar to the state’s website that included information about students who may be appropriate for the alternate assessment. In addition, the EC Division has provided guidance and information to Exceptional Children Directors at the Directors’ Advisory Council, the Regional Directors Meeting, and the 70th Exceptional Children Conference Institute (2021).

North Carolina will conduct course enrollment cross checks to ensure that every student enrolled in courses using the Extended Content Standards is assessed using the alternate assessment, which is based on those standards. The cross enrollment cross checks will be conducted using course codes that are specific to class enrollment and school level. (Courses that use the Extended Content Standards, have an “A” as the fifth digit of the course code. The letter in the sixth digit space denotes whether it is an elementary, middle, or high school course code.) Findings from the Course Enrollment Cross Checks are designed to prompt appropriate guidance, support, and continued monitoring of specific public school units as needed.

In the 2019–20, 2020–21, and 2021–22 school years, the Exceptional Children’s Division continued to collaborate with the Accountability Services Division to implement concentrated monitoring to include reviewing public school units (with an n-size greater than fifteen) who identify students with atypical eligibility categories and rates higher than two percent. Some public schools in North Carolina will continue to provide instruction remotely during the 2021–22 school year and the EC Division will implement virtual desk monitoring for these select public school units.

2021–22 School Year Plan and Timeline
Special educators are trained on the use of the IEP Team Decision-Making and Consideration Process Tool to effectively facilitate IEP team meetings in which decisions about alternate academic achievement standards and alternate assessments may be considered. This tool guides teams through the acceptable data sources and the questions that should be answered when considering if a student has a significant cognitive disability and is eligible for the instruction and assessment based on alternate academic achievement standards. The Alternate Assessment Eligibility Criteria is reviewed annually using the latest scholarly research, state partnerships, and district and school level input. This annual review and revision process will remain active as North Carolina continues to provide schools the tools they need to appropriately determine the educational plan for students with the most significant cognitive disabilities.

In October 2020, the EC Division developed and disseminated a Canvas course to professionals in the field titled, *North Carolina Extended Content Standards*. Module 1 of the course provides an in depth focus on legislation, definitions, and IEP team decisions, including a video, review, and quick assessment of the IEP Team Decision-Making and Consideration Process Tool. The Canvas course is updated by the EC Division annually to incorporate any updated information and additional guidance.
In preparation for the 2021–22 school year, the EC Division created a video for school-based administrators. The video titled, *Administration Support Video for the ECS Classroom*, elaborates on the following topics:

- ESSA requirements,
- who should be instructed using the Extended Content Standards,
- the IEP Team Decision-Making and Consideration Process Tool,
- a resource titled, *Using the Least Dangerous Assumption in Educational Decisions*, from the TIES Center,
- district and teacher matrix identifying needs in professional learning opportunities,
- identifying communication needs for students, and
- analyzing core instructional time in the ECS classroom.

The video was sent out via the quarterly EC Director’s Meeting, the EC Director’s Weekly Memo, and the significant cognitive disabilities Listserv in August 2021.

In the 2019–20, 2020–21, and 2021–22 school years, the EC Division collaborated with the Accountability Services Division to implement the following:

1. Targeted assistance to identified public school units.
2. A webinar with Testing Coordinators and EC Directors in public school units.
3. Targeted monitoring of some public school units through the Policy, Monitoring, and Audit section within the EC Division.
4. Desk reviews for the additional public school units identified.

Implementation of the above steps provided a focused review of public school units that have continued to exceed the 1.0 percent participation. The NCDPI identified twenty-one public school units (nineteen LEAs and two charter schools) who are at or above 1.6% for participation on the NCEXTEND1 Alternate Assessments during the 2020–21 school year.

Additionally, as part of the plan and timeline, the NCDPI provides comprehensive training annually for all staff involved with identifying students as having a significant cognitive disability. This training includes the eligibility criteria defined by the state, and information about the impact the decision to identify a student with a significant cognitive disability has on a student’s graduation and post-secondary opportunities. For public school units that exceed the 1.0 percent cap, additional monitoring, support, and technical assistance will be provided by the NCDPI to ensure that all students are appropriately educated and assessed based on individual needs. Providing decision-making teams with targeted support will enable the NCDPI to have a better understanding of gaps in information-sharing that exist within the state and will inform plans to strategically address them.

Informational resources are available to parents of students with disabilities to assist them when considering which assessment(s) their student will take. Parent resources include, but are not limited to, post-secondary and transition planning for students with significant cognitive disabilities, implications for selecting the alternate content standards, and supplemental aids and supports that may be available to support participation in the general assessment.
The *Justification Process* (attached) requires each public school unit that anticipates exceeding 1.0 percent participation on the AA-AAAS to address disproportionality found in a data analysis. After the 2021–22 school year testing window, the NCDPI will analyze participation data in each subject for the alternate assessment aligned to alternate academic achievement standards to determine the anticipated participation rates for the 2022–23 school year.

**Addressing Disproportionality**

The NCDPI EC Division and the Accountability Services Division will continue to address disproportionality in the percentage of students participating in the alternate assessment aligned with alternate academic achievement standards by requiring a justification from each district and charter school that exceeds the 1.0 percent cap. Public school units were encouraged to analyze their data for disproportionality to include, but not limited to, internal audits and compliance checks to ensure students taking the NCEXTEND1 Alternate Assessment meet the eligibility criteria. The NCDPI will continue to provide professional development opportunities through face-to-face and webinar format to present current data as well as updated training on the eligibility criteria. In addition, the NCDPI will provide technical assistance as needed to individual districts and charter schools where disproportionality is present. The NCDPI will require public school units that exceed the 1.0 percent cap for the total student population assessed in a subject area using an alternate assessment to complete the disproportionality excel worksheet to assist in identifying student and subject areas of concern. Staff members tasked with deciphering the disproportionality data will be provided guiding questions to help pinpoint concerns. Public school units are expected to submit the worksheets along with an action plan that address how the areas of concern will potentially be rectified in future years.

**2021–22 School Year Testing Window**

The North Carolina Operational Testing Calendar is publicly available on the NCDPI website. Students who are instructed on the North Carolina *Extended Content Standards* (i.e., reading and mathematics) and the North Carolina *Extended Essential Standards* (i.e., science) are assessed using the NCEXTEND1 Alternate Assessment the final ten (10) instructional days of the school year.

**2021–22 School Year Public Comment Process**

On December 20, 2021, the NCDPI published a notice of the waiver request for public comment. The notice was posted on the NCDPI website along with an email address and a submission form to collect any public comments. The requirements of the waiver and the NCDPI’s responses, as cited in this request, were included in the notice. The public comment period was open until January 20, 2022. The NCDPI did not receive any public comments for the posted waiver.
Table 4 outlines North Carolina’s evidence of progress for the 2020–21 school year. Table 5 outlines the evidence of progress for the 2018–19 and 2019–20 school years. Table 6 outlines the evidence of progress for the 2017–18 school year.

### 2020–21 School Years Evidence Towards Progress

Table 4. *North Carolina’s Evidence of Progress 2021–22 School Years*

<table>
<thead>
<tr>
<th>Plans for the 2020–21 School Year:</th>
<th>Evidence and Dates of Implementation for the 2021–22 School Year:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. IEP Team Decision-Making and Consideration Process Tool</strong></td>
<td><strong>On-going</strong>&lt;br&gt;• Posted on webpage*&lt;br&gt;• Reviewed in Regional Meetings as well as within the posted NCEXTEND1 webinar*&lt;br&gt;• EC created a video on how to use the IEP Team Decision-Making and Consideration Process Tool to include:&lt;br&gt;  - EC directors, teachers, and support staff</td>
</tr>
<tr>
<td><strong>2. Alternate Assessment Criteria is reviewed using the latest scholarly research, state partnerships, district and school level input, as well as stakeholder feedback.</strong></td>
<td>• Reviewed annually with EC and Accountability Staff*&lt;br&gt;• Exceptional Children Division and Accountability Services Division Collaborative Meeting Dates:&lt;br&gt;  - August 12, 2021*&lt;br&gt;  - November 22, 2021*&lt;br&gt;  - January 24, 2022*&lt;br&gt;  - April 8, 2022</td>
</tr>
<tr>
<td><strong>3. Informational resources available to parents of students with disabilities so parents can contribute to the IEP decision making process.</strong>&lt;br&gt;  - Parent resources for post-secondary transition planning for students, implications, and supplemental aids.</td>
<td>The EC division has a working relationship with the Exceptional Children’s Assistance Center (ECAC). This is a training and information center that provides free information and assistance with educational issues to parents of children with disabilities. They offer a lending library, newsletter, and a Parent Info Line answered by parents.&lt;br&gt;Parent friendly informational charts, manuals, and handbooks available online:&lt;br&gt;  - IEP Team Decision-Making and Consideration Process Tool*&lt;br&gt;  - NC Policies Governing Services for Children with Disabilities—Amended March 2021*&lt;br&gt;  - Parents Rights and Responsibilities in Special Education: NC Notice of Procedural Safeguards—July 2016*&lt;br&gt;Other parent resources are available on the Exceptional Children’s website under Parent Resources. A parent liaison is on staff to assist with communicating information and resources to parents and guardians.</td>
</tr>
</tbody>
</table>

*Evidence of completed tasks.
### Plans for the 2020–21 School Year:

4. Explicit training annually for all professionals involved with identifying students as having a significant cognitive disability.
   - Encompasses eligibility criteria, identification and impact on graduation/post-secondary outcomes, additional monitoring, support, and technical assistance.

### Evidence and Dates of Implementation for the 2021–22 School Year:

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 2020</td>
<td><em>Decision-Making Consideration Process Tool Webinar</em></td>
</tr>
<tr>
<td></td>
<td>- This webinar was presented by the consultant for students with significant cognitive disabilities (EC Division) as well as the consultant for testing students with disabilities (Accountability Services Division). This webinar was focused around how to implement the use of the flow chart within IEP meetings as well as addressing any concerns or questions from the field.</td>
</tr>
<tr>
<td>April 13, 2021</td>
<td>1.0 Percent Participation Video*</td>
</tr>
<tr>
<td></td>
<td>- This video was presented by the consultant for students with significant cognitive disabilities (EC Division) as well as the consultant for testing students with disabilities (Accountability Services Division). This video elaborated on the one percent participation information provided under the Every Student Succeeds Act (ESSA), North Carolina’s definition of a significant cognitive disability, the decision-making flow chart, and eligibility requirements for student participation on the NCEXTEND1 alternate assessments. In addition to those topics, we reviewed ways to analyze your one percent participation data and the one percent justification form for the 2020–21 school year.</td>
</tr>
<tr>
<td>October 2021</td>
<td>*Identification of public school units exceeding 1.6% or above with a “n” size of 15 or greater.</td>
</tr>
<tr>
<td>January—June 2022</td>
<td>- Coordinate targeted monitoring of some public school units with the Policy, Monitoring and Audit section of the EC Division.</td>
</tr>
<tr>
<td></td>
<td>- Coordinate and conduct desk reviews for the additional public school units.</td>
</tr>
</tbody>
</table>

*Evidence of completed tasks.*
### 2018–19 and 2019–20 School Years Evidence Towards Progress

Table 5. North Carolina’s Evidence of Progress 2018–19 and 2019–20 School Years

<table>
<thead>
<tr>
<th>Plans for the 2018–19 and 2019–20 School Years:</th>
<th>Evidence and Dates of Implementation for the 2019–20 and 2020–21 School Years:</th>
</tr>
</thead>
</table>
| 5. IEP Team Decision-Making and Consideration Process Tool | **On-going**  
- Posted on webpage*
- Reviewed in Regional Meetings as well as within the posted NCEXTEND1 webinar*
- EC will conduct a webinar on how to use the IEP Team Decision-Making and Consideration Process Tool to include:  
  - EC directors, teachers, and support staff |
| 6. Alternate Assessment Criteria is reviewed using the latest scholarly research, state partnerships, district and school level input, as well as stakeholder feedback. | **Reviewed annually with EC and Accountability Staff**  
- Exceptional Children Division and Accountability Services Division Collaborative Meeting Dates:  
  - October 11, 2019*
  - January 24, 2020*
  - April 8, 2020*
  - July 8, 2020*
  - October 23, 2020*
  - January 27, 2021*
  - April 14, 2021 |
| 7. Informational resources available to parents of students with disabilities so parents can contribute to the IEP decision making process.  
- Parent resources for post-secondary transition planning for students, implications, and supplemental aids. | The EC division has a working relationship with the Exceptional Children’s Assistance Center (ECAC). This is a training and information center that provides free information and assistance with educational issues to parents of children with disabilities. They offer a lending library, newsletter, and a Parent Info Line answered by parents.  
Parent friendly informational charts, manuals, and handbooks available online:  
- IEP Team Decision-Making and Consideration Process Tool*
- NC Policies Governing Services for Children with Disabilities—Amended August 2020*
- Parents Rights and Responsibilities in Special Education: NC Notice of Procedural Safeguards—July 2016*  
Other parent resources are available on the Exceptional Children’s website under Parent Resources. A parent liaison is on staff to assist with communicating information and resources to parents and guardians. |

*Evidence of completed tasks.
<table>
<thead>
<tr>
<th>Plans for the 2018–19 and 2019–20 School Years:</th>
<th>Evidence and Dates of Implementation for the 2019–20 and 2020–21 School Years:</th>
</tr>
</thead>
</table>
| 8. Explicit training annually for all professionals involved with identifying students as having a significant cognitive disability. | December 4–5, 2019—EC Regional Meetings (Regions 3 and 4) *  
This training was provided by the Exceptional Children’s Division. The consultant for students with significant cognitive disabilities is available to present relevant information to EC Directors in different regions within the state. North Carolina utilizes the train-the-trainer model both in the Accountability Services Division and in the Exceptional Children’s Division. The information included in the presentations are as follows: the eligibility criteria and requirements for students with significant cognitive disabilities, impact on student outcomes, IEP goal writing, and progress monitoring. |
| - Encompasses eligibility criteria, identification and impact on graduation/post-secondary outcomes, additional monitoring, support, and technical assistance. | January 23, 2020 - New EC Director’s Conference*  
- The information included within this presentation addresses all the components from initial eligibility to graduation requirements for students with significant cognitive disabilities. |
| | January 2020*  
- Identification of LEAs with the subgroup of atypical eligibility categories. |
| | February 2020*  
- Collaborate with Accountability Services on conducting a webinar with testing coordinators, EC directors in those specific LEAs and charter schools. |
| | March 2020 – Decision-Making Consideration Process Tool Webinar  
- This webinar will be presented by the consultant for students with significant cognitive disabilities (EC Division) as well as the consultant for testing students with disabilities (Accountability Services Division). This webinar will be focused around how to implement the use of the flow chart within IEP meetings as well as addressing any concerns or questions from the field. |
| | March—May 2020  
- Coordinate targeted monitoring of some LEAs with the Policy, Monitoring and Audit section of the EC division in the 2019–20 monitoring cycle.  
- Coordinate and conduct desk reviews for the additional LEAs and charter schools. |

*Evidence of completed tasks.
### 2017–18 School Year Evidence Towards Progress

Table 6. *North Carolina’s Evidence of Progress 2017–18 School Year*

<table>
<thead>
<tr>
<th>Plan for the 2017–18 School Year:</th>
<th>Evidence and Dates of Implementation for the 2018–19 School Year:</th>
</tr>
</thead>
</table>
| **1. IEP Team Decision-Making and Consideration Process Tool** | **On-going**  
• Posted on webpage—November 2018*  
• Reviewed in Regional Meetings as well as within the posted NCEXTEND1 webinar* |
| **2. Alternate Assessment Criteria is reviewed using the latest scholarly research, state partnerships, district and school level input, as well as stakeholder feedback.** | **March 4–7, 2019—March Institute**  
• Cooperative Planning Consortium – Stakeholder Group (EC Directors, EC Teachers, Disability Rights individuals, Parents, and NCDPI Staff)*  
• Reviewed annually with EC and Accountability Staff*  
• Exceptional Children Division and Accountability Services Division Collaborative Meeting Dates:  
  - July 13, 2018*  
  - December 3, 2018*  
  - March 11, 2019*  
  - May 13, 2019* |
| **3. Informational resources available to parents of students with disabilities so parents can contribute to the IEP decision making process.**  
• Parent resources for post-secondary transition planning for students, implications, and supplemental aids. | The EC division has a working relationship with the Exceptional Children’s Assistance Center (ECAC). This is a training and information center that provides free information and assistance with educational issues to parents of children with disabilities. They offer a lending library, newsletter, and a Parent Info Line answered by parents.  
Parent friendly informational charts, manuals, and handbooks available online:  
• IEP Team Decision-Making and Consideration Process Tool*  
• NC Policies Governing Services for Children with Disabilities—Amended March 2018*  
• Parents Rights and Responsibilities in Special Education: NC Notice of Procedural Safeguards—July 2016*  
Other parent resources are available on the Exceptional Children’s website under Parent Resources |

*Evidence of completed tasks.
<table>
<thead>
<tr>
<th>Plan for the 2017–18 School Year:</th>
<th>Evidence and Dates of Implementation for the 2018–19 School Year:</th>
</tr>
</thead>
</table>
| 4. Explicit training annually for all professionals involved with identifying students as having a significant cognitive disability. - Encompasses eligibility criteria, identification and impact on graduation/post-secondary outcomes, additional monitoring, support, and technical assistance. | **September 19, 2018—NCEXTEND1 Webinar**<br>  - This webinar encompassed information on the one percent population as related to ESSA, the justification form, what constitutes a significant cognitive disability, eligibility requirements, who makes the determination, course codes, guidance documents and review of 2016–17 data. <br>**October 2, 2018—Test Coordinators’ Meeting**<br> 1.0 Percent Participation as It Relates to LEAs, Charter Schools, and the State<br>  - This session was designed to provide more clarity regarding the 1.0 Percent Participation on the Alternate Assessment and requirements of school districts and charter schools in terms of the law. Test Coordinators received information on the changes to the ESSA and its impact on the state. Other important information included: eligibility requirements for students who participate in the NCEXTEND1 Alternate Assessment, the appropriateness of this assessment for students with disabilities, the impact on student learning as it relates to different learning pathways, and information about the justification form that is submitted for LEAs and charter schools that exceed the 1.0 percent participation rate. | **Evidence of completed tasks.**
| | **December 4–7, 2019—EC Regional Meetings (Regions 1, 2, 3, and 4)**, **February 12–13, 2019—EC Regional Meetings (Regions 7 and 8)**, and **May 16–17, 2019—EC Regional Meetings (Regions 5 and 6)**<br>  - This training was provided by the Exceptional Children’s Division. The consultant for students with significant cognitive disabilities presents multiple times to EC Directors in different regions within the state. North Carolina utilizes the train-the-trainer model both in the Accountability Services Division and in the Exceptional Children’s Division. The information included in the presentations are as follows: the eligibility criteria and requirements for students with significant cognitive disabilities, NCEXTEND1 data from the 2017–18 school year, impact on student outcomes, IEP goal writing, and progress monitoring. **January 9, 2019 and January 17, 2019 - New EC Director’s Conference**<br>  - This presentation was presented multiple times to different regions within the state. This information included the eligibility requirements for students with significant cognitive disabilities, NCEXTEND1 data from the 2017–18 school year, IEP goal writing, and progress monitoring. | **February 18, 2019 - New 1.0 percent justification form training for Regional Accountability Coordinators (RACs)**<br>  - The RACs were trained on the new 1.0 percent justification form required for LEA and charter schools to fill out when exceeding the 1.0 percent participation rate. The form will be reviewed as well as expectations for completing and returning the form. **March 4–7, 2019 - March Institute**<br>  **Alternate Achievement Standards**<br>  - This was presented multiple times throughout the conference. The presentation included the following information: using the Extended Content Standards, instructional and assessment alignment, eligibility requirements and considerations, the review of 2017–18 NCEXTEND1 data, documentation of justification in the IEP, and the new one percent participation justification form. **March 18, 2019 - Connecting Communities of Education Stakeholders Conference (CCES)**<br>  - This session was designed to provide additional clarifying information regarding the 1.0 percent participation on the NCEXTEND1 Alternate Assessment. Data was presented and reviewed from the 2017–18 school year to look at trends, areas of concern, and areas of strength within North Carolina. Information will be provided on the changes to the ESSA and its impact on the state. Other important information included: eligibility requirements for students who participate in the NCEXTEND1 Alternate Assessment, the appropriateness of this assessment for students with disabilities, the impact on student learning as it relates to different learning pathways, and information about the justification form that is submitted for LEAs and charter schools that exceed the 1.0 percent. **April 8, 2019 – 1.0 Percent Participation Webinar**<br>  - This webinar was presented by the consultant for students with significant cognitive disabilities (EC Division) as well as the consultant for testing students with disabilities (Accountability Services Division). This webinar included the following information: eligibility criteria for students with significant cognitive disabilities, data from the 2017–18 school year, resources for IEP teams, and an overview of the new 1.0 percent justification form. |
Honorable Miguel Cardona
February 1, 2022
Page 14

Thank you for your consideration of this 1.0 percent participation waiver extension as North Carolina continues to ensure all students have access to grade-level content standards and extended grade-level content standards as appropriate. Please contact Tammy Howard at tammy.howard@dpi.nc.gov for any additional information or clarification.

Best Regards,

Catherine Truitt
State Superintendent

CT/TLH/lm

c: Shelby Armentrout, Chief of Staff
    Catherine Edmonds, Deputy Superintendent, Office of Educational Equity
    Tammy Howard, Director, Accountability Services
    Sherry Thomas, Director, Exceptional Children
    Dave Machado, Director, Office of Charter Schools

Attachments
Justification Process for Exceeding the 1% Participation Rate in the Alternate Assessments based on Alternate Academic Achievement Standards for Students with Significant Cognitive Disabilities

The NCEXTEND1 alternate assessment measures the content standards specified in the North Carolina Standard Course of Study Extended Content Standards for all assessed content areas. The Every Student Succeeds Act (ESSA) requires states to ensure that the total number of students assessed in each subject using the alternate assessment based on alternate academic achievement standards does not exceed 1.0 percent of the total number of all students assessed in each subject. States that anticipate they will exceed 1.0 percent participation in the alternate assessment based on alternate academic achievement standards must submit a waiver request to the US Department of Education.

The North Carolina Department of Public Instruction (NCDPI) has reviewed participation data for the NCEXTEND1 assessment in 2020–21 and found that just over 1.0 percent of students in North Carolina participated in science grades 5 and 8 of the NCEXTEND1 Alternate Assessment. For this reason, North Carolina will submit a waiver for the 2021–22 school year. Furthermore, the ESSA requires that the waiver be submitted ninety (90) days prior to the beginning of the alternate assessment testing window. To ensure this deadline is met, North Carolina will submit the waiver request to the US Department of Education on February 1, 2022.

The ESSA requires each public school unit to complete and submit a justification when it anticipates exceeding 1.0 percent of students assessed in a subject area with the alternate assessment. In North Carolina, there are approximately 141 public school units that exceeded the one percent participation in the alternate assessment during the 2020–21 school year and are predicted to do the same in 2021–22. Justifications from each public school unit will be reviewed by the NCDPI and follow up actions will be determined based on the information found in the justification document. Staff from the Exceptional Children and Accountability Divisions in each district and charter school should collaborate to provide the following information in the justification document:

Section 1: Contact Information
- Contact information for the primary district/charter school staff member responsible for the justification document.

Section 2: Analyzing Contributing Factors
- Did Individualized Education Program (IEP) teams utilize the alternate assessment eligibility criteria and the North Carolina Alternate Assessment Decision Making Flow Chart to make alternate assessment participation decisions?
- Describe how all members of the IEP teams have been informed or trained on the alternate assessment eligibility criteria and the North Carolina Alternate Assessment Decision Making Flow Chart.
- Does the public school unit have any student(s) participating in the alternate assessment with the primary eligibility areas of: Specific Learning Disability, Other Health Impairment, Orthopedic Impairment, or Speech Language Impairment? If
yes, explain the criteria the IEP team used to determine how the students met the criteria for participation in the alternate assessment.

- Does the public school unit provide a targeted program that may contribute to a higher enrollment of students with significant cognitive disabilities?
- Does the public school unit have a small overall student population that increased the likelihood of exceeding the 1.0 percent threshold?

**Section 3: Assurances**

- What data sources are used to determine eligibility for students participating on the *Extended Content Standards* that align with the alternate assessment?
- Describe the public school unit’s process for transitioning a student’s instruction from the North Carolina *Standard Course of Study* to the *Extended Content Standards* or from the *Extended Content Standards* to the North Carolina *Standard Course of Study*.
- Describe the public school unit’s annual process for ensuring instruction and assessment on the *Extended Content Standards* is the most appropriate based on the individual needs of the student.
- In the public school unit, how are parents or guardians directly informed annually about the implications of the *Extended Content Standards* in relation to not receiving a high school diploma?
- Describe the process for auditing Exceptional Children IEP records for students instructed on the *Extended Content Standards* and participating in the alternate assessment.
- After completing the Disproportionality Excel document, answer the following guiding questions.
  - In reviewing the data, what subgroups in your public school unit have the largest discrepancy between participants on the general assessment and the alternate assessment?
  - When looking at subgroup discrepancies, what hypotheses can be formed?
  - What problem-solving actions will the public school unit take to address the identified hypotheses?

**Section 4: Resources and Technical Assistance**

- What resources and technical assistance does the public school unit need from the North Carolina Department of Public Instruction to ensure that students are being assessed using the appropriate assessment?
Additional information may include, but is not limited to:

- Evidence that all educators who administer the alternate assessment meet the requirements for test administrators, and have received test administration training prior to administering the alternate assessment.
- Evidence that all students have appropriate access to accessibility features on statewide tests.
- A review of the percentage of students taking the alternate assessment at grade 3 versus grade 4–7 versus grade 8 versus high school and an explanation of how IEP teams are making consistent participation decisions across grade levels.
- A review of data to determine if students are moving from the alternate assessment to the general assessment or vice versa, and an explanation for grade levels where this action is more prevalent.
- Evidence that the district is providing appropriate supports and services to students with disabilities to assist in meeting the same graduation requirements as their non-disabled peers.
- An evaluation of students instructed using the Extended Content Standards, but who are spending more than eighty (80%) percent of their day in the general education setting.
- Evidence of data driven team decisions to determine appropriate instruction and assessment.
- An assessment of varying practices across a district and/or between different schools.
- An explanation of special programs or populations that are served by the district/charter school that may contribute to the alternate assessment participation rate.

The completed justification document must be signed by the superintendent/charter school director, exceptional children’s director, and testing coordinator. The document must be scanned and emailed to alternateassessment@dpi.nc.gov. The justification document will be publicly posted. As such, the document must not contain any personally identifiable information.

The NCDPI will notify public school units in writing if further information is needed and include next steps. For questions, contact your Exceptional Children Director or regional accountability office.
NCEXTEND1 Eligibility Criteria
To determine participation in any of the NCEXTEND1 alternate assessments, the following eligibility requirements must be met:

- The student must have a current Individualized Education Program (IEP).
- The student must have a significant cognitive disability.
  - The student’s disability significantly impacts cognitive functioning and adaptive behaviors, defined as those skills which are essential for someone to live and function independently.
  - The student requires extensive and repeated individualized instruction and support to make meaningful gains.
  - The student uses substantially adapted materials and individualized methods of accessing information in alternative ways.
- The student must be instructed using the North Carolina Extended Content Standards (i.e., reading and mathematics) and the North Carolina Extended Essential Standards (i.e., science).
- The student must be enrolled in grades 3–8, 10, or 11, according to PowerSchool. Only those students enrolled in 11th grade for the first time are required to take the NCEXTEND1 alternate assessment at grade 11.

The vast majority of students with disabilities do not have a significant cognitive disability. The NCEXTEND1 is **not** appropriate for students who

- are being instructed in any or all the assessed general grade- or course-level content standards of the North Carolina Standard Course of Study (i.e., reading, mathematics) and the Essential Standards (i.e., science);
- demonstrate delays only in academic achievement;
- demonstrate delays only in selected areas of academic achievement;
- demonstrate delays owning primarily to behavioral issues; or
- if in high school, are pursuing a North Carolina high school diploma (including students enrolled in the Occupational Course of Study pathway).

Evidence for the decision to participate in NCEXTEND1 is **not** based on:

- a disability category or label;
- poor attendance or extended absences;
- native language, social, cultural, or economic differences;
- expected poor performance on the general education assessment;
- academic or other services the student receives;
- educational environment or instructional setting;
- percent of time receiving special education services;
- English Learner status;
- low reading level or achievement level;
- anticipated disruptive behavior;
- impact of student scores on the accountability program;
- administrative decisions;
- anticipated emotional distress; or
- need for accommodations to participate in the assessment process.

IEP teams may use the following *North Carolina Alternate Assessment Decision Making Flow Chart* to aid in decision making regarding the NCEXTEND1 alternate assessment for students.
North Carolina Alternate Assessment Decision Making Flow Chart

Has the student been evaluated and determined eligible under Individuals with Disabilities Education Act (IDEA)?

Y

Does the student demonstrate a significant cognitive disability and limited adaptive skills that may be combined with physical or behavioral limitation?

No

Student must participate in the North Carolina required tests using standard administration. This student may be able to use Accessibility Features. Please see the Testing Students with Disabilities publication.

Yes

The student has been determined to have cognitive abilities falling within the most significant cognitive disability range of 3+ standard deviations below the mean plus or minus one standard error of measure using standardized assessments and demonstrates adaptive skills that are 2 standard deviations below the mean in one area or one and one-half standard deviations below the mean in two or more domains.

No

Student must participate in the statewide assessment and district – wide assessment. Student may be eligible to use accommodations based on IEP team decision.

Yes

Does the student’s significant cognitive disability impact the level of supports and services needed to progress through the standards?

No

Student must participate in the statewide assessment and district – wide assessment. Student may be eligible to use accommodations based on IEP team decision.

Yes

The student requires a highly specialized educational program with intensive supports and modifications/accommodations and requires daily instruction for core academic standards and functional life skills on a substantially lower grade level than that of other peers with disabilities and requires extensive and repeated individualized instruction and support to make meaningful gains and uses substantially adapted materials and individualized methods of accessing information in alternative ways and services and supports provided outside the general education classroom for greater than 60% of the day and requires constant immediate supervision and instruction is from the Extended Content Standards.

No

Student must participate in the statewide assessment and district – wide assessment. Student may be eligible to use accommodations based on IEP team decision.

Yes

Will the student’s significant cognitive disability impact the student’s post-school outcomes compared to same age peers?

No

Student must participate in the statewide assessment and district – wide assessment. Student may be eligible to use accommodations based on IEP team decision.

Yes

Is the student’s inability to participate in the regular assessment primarily the result of the extent of the significant cognitive disability and NOT the result of excessive absences, visual or auditory processing, social, cultural, language or economic difference?

No

Student must participate in the statewide assessment and district – wide assessment. Student may be eligible to use accommodations based on IEP team decision.

Yes

Student is eligible to participate in the NC Alternate Assessment.

North Carolina Department of Public Instruction
Division of Accountability Services

August 2021
Testing Policy and Operations
### Table 1: Overall Rates of Assessment Participation for 2018–19 and 2020–21

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Students Assessed</td>
<td>837,558</td>
<td>106,119</td>
<td>772,203</td>
<td>95,973</td>
</tr>
<tr>
<td>Students Enrolled</td>
<td>841,684</td>
<td>107,203</td>
<td>827,093</td>
<td>105,487</td>
</tr>
<tr>
<td>Assessment Participation Rate</td>
<td>&gt;95% grades 3–8, 10, and 11</td>
<td>&gt;95% grades 3–8, 10, and 11</td>
<td>93% grades 3–8 and 10</td>
<td>91% grades 3–8 89% grade 10</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>All Students</td>
<td>841,684</td>
<td>8,947</td>
<td>1.1%</td>
</tr>
<tr>
<td>English Learners</td>
<td>95,391</td>
<td>1,022</td>
<td>1.1%</td>
</tr>
<tr>
<td>Economically Disadvantaged</td>
<td>397,971</td>
<td>5,379</td>
<td>1.4%</td>
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<tr>
<td>Students with Disabilities</td>
<td>107,203</td>
<td>8815</td>
<td>8.2%</td>
</tr>
<tr>
<td>Hispanic</td>
<td>157,384</td>
<td>1,448</td>
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</tr>
<tr>
<td>Asian</td>
<td>28,971</td>
<td>267</td>
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</tr>
<tr>
<td>Black</td>
<td>211,681</td>
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</tr>
<tr>
<td>White</td>
<td>395,067</td>
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<tr>
<td>Native American</td>
<td>9,536</td>
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<tr>
<td>Multiple Ethnicities</td>
<td>37,864</td>
<td>405</td>
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</tr>
<tr>
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<td>---------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>All Students</td>
<td>820,803</td>
<td>7,649</td>
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</tr>
<tr>
<td>English Learners</td>
<td>90,287</td>
<td>953</td>
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<tr>
<td>Economically Disadvantaged</td>
<td>325,802</td>
<td>3,671</td>
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<tr>
<td>Students with Disabilities</td>
<td>104,807</td>
<td>7,508</td>
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<td>Hispanic</td>
<td>163,150</td>
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<tr>
<td>Asian</td>
<td>30,641</td>
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<tr>
<td>Black</td>
<td>207,739</td>
<td>2,553</td>
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<tr>
<td>White</td>
<td>368,256</td>
<td>3,000</td>
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<tr>
<td>Native American</td>
<td>8,900</td>
<td>96</td>
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</tr>
<tr>
<td>Multiple Ethnicities</td>
<td>40,952</td>
<td>379</td>
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<td>All Students</td>
<td>832,630</td>
<td>9,019</td>
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</tr>
<tr>
<td>English Learners</td>
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<td>1,005</td>
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<td>390,845</td>
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<tr>
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<td>28,694</td>
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<tr>
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<td>209,387</td>
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<tr>
<td>Multiple Ethnicities</td>
<td>37,237</td>
<td>412</td>
<td>1.1%</td>
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<thead>
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<tbody>
<tr>
<td>All Students</td>
<td>791,442</td>
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<td>English Learners</td>
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<td>886</td>
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<tr>
<td>Economically Disadvantaged</td>
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<tr>
<td>Students with Disabilities</td>
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<td>6.8%</td>
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<td>1,253</td>
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<td>29,002</td>
<td>229</td>
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<tr>
<td>Black</td>
<td>201,064</td>
<td>2,322</td>
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<tr>
<td>White</td>
<td>354,664</td>
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<td>0.8%</td>
</tr>
<tr>
<td>Native American</td>
<td>8,663</td>
<td>84</td>
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<tr>
<td>Multiple Ethnicities</td>
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<td>348</td>
<td>0.9%</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>---------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>All Students</td>
<td>349,207</td>
<td>3,740</td>
<td>1.1%</td>
</tr>
<tr>
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<tr>
<td>Students with Disabilities</td>
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<tr>
<td>Hispanic</td>
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<td>0.9%</td>
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<tr>
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<td>85</td>
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<tr>
<td>Black</td>
<td>87,089</td>
<td>1,266</td>
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</tr>
<tr>
<td>White</td>
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</tr>
<tr>
<td>Multiple Ethnicities</td>
<td>15,098</td>
<td>168</td>
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<tr>
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<tbody>
<tr>
<td>All Students</td>
<td>309,999</td>
<td>2,492</td>
<td>0.8%</td>
</tr>
<tr>
<td>English Learners</td>
<td>27,648</td>
<td>304</td>
<td>1.1%</td>
</tr>
<tr>
<td>Economically Disadvantaged</td>
<td>115,080</td>
<td>1,174</td>
<td>1.0%</td>
</tr>
<tr>
<td>Students with Disabilities</td>
<td>38,277</td>
<td>2,455</td>
<td>6.4%</td>
</tr>
<tr>
<td>Hispanic</td>
<td>59,816</td>
<td>418</td>
<td>0.7%</td>
</tr>
<tr>
<td>Asian</td>
<td>11,682</td>
<td>89</td>
<td>0.8%</td>
</tr>
<tr>
<td>Black</td>
<td>76,387</td>
<td>816</td>
<td>1.1%</td>
</tr>
<tr>
<td>White</td>
<td>143,342</td>
<td>1,017</td>
<td>0.7%</td>
</tr>
<tr>
<td>Native American</td>
<td>3,430</td>
<td>26</td>
<td>0.8%</td>
</tr>
<tr>
<td>Multiple Ethnicities</td>
<td>14,927</td>
<td>119</td>
<td>0.8%</td>
</tr>
</tbody>
</table>
Dear Colleagues,

As requested, please see the attached participation information for North Carolina’s waiver from the one percent participation requirement.

Please let us know if additional information is needed.

Kindly,
Tammy

Tammy Howard, PhD
Director
Accountability Services
Office of Educational Equity
NC Department of Public Instruction
(W) 984-236-2716
Tammy.Howard@dpi.nc.gov
Follow us: Facebook, Twitter, Instagram and YouTube

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From: Tammy Howard <Tammy.Howard@dpi.nc.gov>
Sent: Tuesday, April 19, 2022 5:09 PM
To: OESE.ESEA.Assessment; Peasley, Donald; OESE.titlei-a
Cc: Street, Mary Frances; Lucy Medlin; Shannon Jordan
Subject: RE: North Carolina 2021-22 One Percent Waiver Request
Attachments: 1.0 Percent Waiver Data Table_020122.pdf

Follow Up Flag: Follow up
Flag Status: Completed
Hello Tammy,

The Department is currently working on North Carolina’s 1% cap waiver request. I noticed that the State’s waiver request did not include a data table showing the number of students tested, and number/percent of students assessed with an alternate assessment for each required subject.

The October 29, 2021 memo required that this information be provided. I have created a data table and attached it to this email. Please complete the data table at your earliest convenience and send it back to us so that we may move forward with your State’s request.

Kathy

From: Peasley, Donald <Donald.Peasley@ed.gov>
Sent: Tuesday, February 1, 2022 1:38 PM
To: Tammy Howard <Tammy.Howard@dpi.nc.gov>; OESE.titlei-a <OESE.titlei-a@ed.gov>; OESE.ESEA.Assessment <ESEA.Assessment@ed.gov>
Cc: Street, Mary Frances <mary.street@ed.gov>; Lucy Medlin <Lucy.Medlin@dpi.nc.gov>
Subject: RE: North Carolina 2021-22 One Percent Waiver Request

Thanks tammy. We are acknowledging receipt. We’ll let you know if we have any questions.

From: Tammy Howard <Tammy.Howard@dpi.nc.gov>
Sent: Tuesday, February 1, 2022 1:37 PM
To: OESE.titlei-a <OESE.titlei-a@ed.gov>; OESE.ESEA.Assessment <ESEA.Assessment@ed.gov>
Cc: Street, Mary Frances <mary.street@ed.gov>; Peasley, Donald <Donald.Peasley@ed.gov>; Lucy Medlin <Lucy.Medlin@dpi.nc.gov>
Subject: North Carolina 2021-22 One Percent Waiver Request

Dear Colleagues,

Please see the attached waiver request for exceeding the 1.0 percent cap on students who are significantly cognitively disabled and participate in the alternate assessment aligned to alternate academic achievement standards.

As always, thank you.

Tammy

Tammy Howard, PhD
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