



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

October 27, 2023

The Honorable Mark A. Holodick
Secretary of Education
Delaware Department of Education
The Townsend Building
401 Federal Street, Suite 2
Dover, DE 19901-3639

Dear Secretary Holodick:

We are writing regarding the Delaware Department of Education's (DDOE's) percentage of students with the most significant cognitive disabilities taking an alternate assessment based on alternate academic achievement standards (AA-AAAS). The Elementary and Secondary Education Act of 1965 (ESEA) limits the percentage of students that a State may assess with an AA-AAAS to no more than 1.0 percent of all assessed students in reading/language arts, mathematics, and science. On July 17, 2020, the U.S. Department of Education (Department) placed a condition on DDOE's Title I, Part A grant award after Delaware exceeded the 1.0 percent threshold in the 2018-2019 school year in reading/language arts, mathematics, and science, based on data submitted to the Department via the *EDFacts* reporting system.

The Department recognizes that this was a new requirement starting in the 2017-2018 school year and that most States previously assessed more than 1.0 percent of students with the AA-AAAS. We further understand that States needed time to adjust their systems to reduce AA-AAAS participation rates and that the COVID-19 pandemic impacted many plans in States in the 2019-2020 and 2020-2021 school years.

For the 2021-2022 school year, DDOE submitted information to the Department via *EDFacts* that showed the following AA-AAAS rates:

Reading/language arts: 1.21% **Mathematics:** 1.21% **Science:** 1.07%

While DDOE requested and was approved for a waiver of this requirement in reading/language arts and mathematics for the 2021-2022 school year, and also significantly reduced the AA-AAAS rate in 2021-2022 compared to 2018-2019, DDOE's AA-AAAS science participation rate

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was above 1.0 percent. As a result, the grant condition will continue on DDOE’s fiscal year 2023 Title I, Part A grant award. In order to satisfy this condition, DDOE must:

- Submit, within 30 calendar days of the date of this letter, a revised plan for how the State will come into compliance with the requirement to assess no more than 1.0 percent of students with an AA-AAAS; and
- Demonstrate that the State assessed less than 1.0 percent of its students with an AA-AAAS in science.

The Department also notes that the State had relatively low rates of overall assessment participation in 2021-2022 (approximately 92 percent in reading/language arts and mathematics and 89 percent in science). The Department strongly encourages the State to take appropriate actions to increase the overall rates of assessment participation in the State.

If the State continues to report an AA-AAAS rate over 1.0 percent in future years, the Department may take additional action. This is particularly true if the State is unable to demonstrate that it is making progress reducing the percentage of students taking the AA-AAAS.

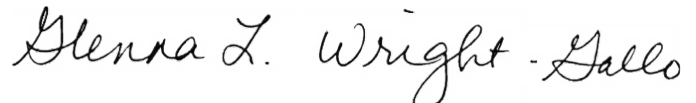
The Department continues to support Delaware and all States in meeting this critical ESEA requirement. In September, the Department hosted a conference on State assessments that focused, in part, on helping States further address this issue. We shared lessons learned from States that have been successful reducing their overall AA-AAAS rates. Materials from the conference are available at: <https://apps1.seiservices.com/2023SSA/Materials.aspx>.

We appreciate the work you are doing to improve your schools and provide a high-quality education for students. If you have any questions, please contact Department staff at ESEA.Assessment@ed.gov.

Sincerely,



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



Glenna Wright-Gallo
Assistant Secretary
Office of Special Education and
Rehabilitative Services

cc: Theresa Bennett, DDOE
Dale Matusevich, DDOE