



## UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

October 27, 2023

The Honorable Megan Degenfelder  
Superintendent of Public Instruction  
Wyoming Department of Education  
122 W. 25<sup>th</sup> Street Suite E200  
Cheyenne, WY 82002

Dear Superintendent Degenfelder:

We are writing regarding the Wyoming Department of Education's (WDE) percentage of students taking the 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.

The U.S. Department of Education (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 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, WDE submitted information to the Department via *EDFacts* that showed the following AA-AAAS rates:

**Reading/language arts:** 1.07%

**Mathematics:** 1.07%

**Science:** 1.10%

The Department acknowledges that, while the State exceeded 1.0 percent cap in the 2021-2022 school year, WDE requested and received a waiver of the 1.0 percent cap requirement for the 2022-2023 school year.<sup>1</sup> As part of that waiver request, WDE provided a plan and timeline to reduce AA-AAAS participation below 1.0 percent. Because the State has provided its plan to come into compliance, and because the State data show that WDE is already close to 1.0 percent in each subject, no further action is required of the State at this time.

If the State continues to have an AA-AAAS participation 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.

---

<sup>1</sup> See <https://oese.ed.gov/files/2023/03/WYonepercent2223.pdf>.

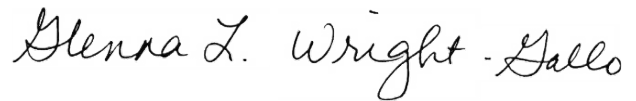
The Department continues to support Wyoming and all States in meeting this critical ESEA requirement. In September, the Department hosted a conference on State assessments that focused, in part, on helping States further address this issue. We shared lessons learned from States that have been successful 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](mailto: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: Laurie Hernandez, WDE  
Margee Robertson, WDE