May 20, 2024

The Honorable Katie Jenner  
Secretary of Education  
Indiana Department of Education  
100 N. Senate Ave., 9th Floor  
Indianapolis, IN 46204

Dear Secretary Jenner:

I am writing in response to the Indiana Department of Education’s (IDOE’s) request on December 28, 2023 (with additional information provided on April 17, 2024), 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 more than 1.0 percent of all students in the grades assessed using an alternate assessment aligned with alternate academic achievement standards (AA-AAAS). IDOE requested this waiver extension because, based on State data for the 2022-2023 school year, IDOE has concluded that it may need to assess more than 1.0 percent of students using an AA-AAAS in reading/language arts (R/LA), mathematics, and science in the 2023-2024 school year.

After reviewing IDOE’s waiver extension request, I am granting, pursuant to my authority under section 8401(b) of the ESEA, for SY 2023-2024, a one-year extension of the State’s 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, IDOE 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 student groups, to parents and the public.
- Had assessed in SY 2022-2023 at least 95 percent of all students and all students with disabilities who are enrolled in grades for which the R/LA, mathematics, and science assessments are required.
- 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 student group disproportionality in the percentage of students taking an AA-AAAS.

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

As a reminder, 34 CFR § 200.6(c)(3)(iv) requires a State to make publicly available the information submitted by an LEA justifying the need 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 publish your State’s plan, timeline, and progress in reducing the percentage of students taking the AA-AAAS.

Given the workplan submitted by IDOE, I expect to continue to see positive results of this plan in the 2023-2024 school year and beyond. I note that, while the rate of AA-AAAS participation is generally close to 1.0 percent, it increased slightly in the 2022-2023 school year compared to the 2021-2022 school year. Future requests for a waiver extension will continue to expect both continued progress implementing your plan and progress in reducing the percentage of students taking the AA-AAAS in all tested subjects.

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

Sincerely,

/s/

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

cc: Jennifer Spencer, IDOE Special Education Specialist
INDIANA 1% WAIVER EXTENSION REQUEST

ESEA §111(B)(2)(D) AND 34 CFR 200.6(C) AND (D)

Indiana Department of Education’s Offices of Student Assessment, Special Education, and Accountability

100 N. Senate Ave.
Indianapolis, IN 46204

December 2023
# Table of Contents

**Introduction & Federal Requirements** 3  
Requirement Two: Alternate Assessment Participation Data 3  
2022-2023 Statewide Participation Data by Content Area 5  
Comparing Historic Alternate Assessment Subgroup Participation by Content Area 7  
Alternate Assessment Participation by LEA 9  
Statewide Achievement Measuring at Least 95% of Students 10  

**Requirement Three: Alternate Assessment Participation Assurances** 10  
LEA Assurances to Address Disproportionality 11  

**Requirement Four: State Plan and Timeline** 12  
Alternate Assessment Participation Criteria 12  
LEA Support and Oversight 13  
Universal LEA Support Efforts 13  
Targeted LEA Support Efforts 14  
Components Timeline 15  

**Requirement Five: Substantial Statewide Progress** 15  
Training and Additional Guidance 15  
Feedback on Resource Development 15  
IDOE Support and Guidance for I AM 16  

**LEA Alternate Assessment Case Study** 18  
Local Data & Demographics Comparison 19  
Socioeconomic Status & Intellectual Disability Findings 20  
Special Education & Disproportionality Findings 21  

**Collaborative State Efforts** 21  
Appendix A: Public Comment & Response 23  
Appendix B: Indiana Alternate Diploma 25
Introduction & Federal Requirements

Title 1 of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESEA), requires states to submit a waiver request for exceeding the 1.0 percent cap for the number of students who participate in the state’s alternate assessment aligned with alternate academic achievement standards (AA-AAAS).

As described in 34 CFR 200.6(c)(3), states may not prohibit a local educational agency (LEA) from assessing more than 1.0 percent of its assessed students with an AA-AAAS; however, the LEA must submit information justifying the need to exceed this threshold. Section 34 of the Code of Federal Regulations (CFR) 200.6(c)(4) requires states to submit a waiver to the U.S. Department of Education if it anticipates exceeding the 1.0 percent cap for any subject using the AA-AAAS.

Indiana’s Alternate Measure (I AM) is used as the AA-AAAS for Indiana students with the most significant cognitive disabilities and assesses the alternate academic standards, or Indiana Content Connectors. **IDOE submits this waiver extension request to the U.S. Department of Education 90 days prior to the alternate assessment window in fulfillment of requirement one.**

Requirement Two: Alternate Assessment Participation Data

The following information provides historic data trends for students in Indiana who participated in I AM for English/Language Arts (ELA), Mathematics, and Science.

**Table 1. Historic Statewide Participation Rate by Content Area**

<table>
<thead>
<tr>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>ELA</td>
<td>1.25%</td>
<td>1.21%</td>
<td>1.14%</td>
<td>1.00%</td>
<td>1.01%</td>
<td>1.01%</td>
</tr>
<tr>
<td>Mathematics</td>
<td>1.25%</td>
<td>1.21%</td>
<td>1.14%</td>
<td>1.01%</td>
<td>1.01%</td>
<td>1.00%</td>
</tr>
<tr>
<td>Science</td>
<td>1.30%</td>
<td>1.26%</td>
<td>1.14%</td>
<td>1.00%</td>
<td>0.97%</td>
<td>1.06%</td>
</tr>
</tbody>
</table>

The following data trends can be observed for participation in I AM statewide:

- The participation rate for ELA in 2016-2017 was 1.25% and 1.01% in 2022-2023. This is a decrease of 0.24%.
- The participation rate for Mathematics was 1.25% in 2016-2017 and 1.00% in 2022-2023. This is a decrease of 0.25%.
- The participation rate for Science was calculated at 1.30% in 2016-2017 and 1.06% in 2022-2023. This is a decrease of 0.24%.

The following table displays participation data by primary disability, secondary disability, and severity of the intellectual disability.
Upon review of the Individualized Education Programs (IEPs) for students participating in I AM, the prevailing disability category for students participating in the alternate assessment was intellectual disability.

511 Indiana Administrative Code (IAC) 7-41-3 indicates that an *intellectual disability* (1) is manifested during the developmental period; (2) is characterized by significant limitations in intellectual functioning; (3) is demonstrated through limitations in adaptive behavior; and (3) adversely affects educational performance.

A trend was also identified in secondary disabilities. Of the 1,204 students with a secondary disability, over half (56%) of students participating in I AM were also identified with a language impairment.

**Table 3. Statewide Participation Rate by Secondary Disability Category**

When considering the severity of the disability, students identified as having a moderate intellectual disability made up 55% of students with an intellectual disability. Participation rates can be impacted by demographics, socioeconomic status, and the new Indiana Alternate Diploma. Understanding
these factors provide context for the culture and issues facing the LEA when observing significant differences throughout the state in I AM participation.

**Table 4. Statewide Participation of Students with Intellectual Disability by Severity**

![Graph showing participation by severity]

IDOE used census data to understand the demographics of I AM assessment participation to develop technical assistance that addresses specific issues. Indiana comprises 2.6 million households, or 6.8 million residents ([United States Census](https://www.census.gov), 2023). Of those households, 1,035,718 contain students attending a public school ([Hoosiers by the Numbers](https://www.in.gov), 2023).

According to the [My Community Explorer](https://www.mycommunityexplorer.com) using 2017-2021 five-year estimates:

- 26.9% of Indiana households have at least one member with a disability.
- 14.8% of families do not have home access to broadband.
- 12.3% of residents live below the poverty line.
- 6.1% of residents have no family vehicle.
- It is estimated that 14% of Indiana residents do not have access to the Internet at home.
- 40% of foreign born families speak English less than “very well” ([Migration Policy Institute](https://www.migrationpolicy.org), 2021).

### 2022-2023 Statewide Participation Data by Content Area

**Table 5. I AM ELA Participation: 2022-2023 School Year**

<table>
<thead>
<tr>
<th>Group</th>
<th>Total Number in Grades 3-8 and High School (HS)</th>
<th>Number Taking I AM in Grades 3-8 &amp; HS</th>
<th>Percent Taking I AM in Grades 3-8 &amp; HS</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Students</td>
<td>581,805</td>
<td>5,906</td>
<td>1.0151%</td>
</tr>
<tr>
<td>Hispanic or Latino</td>
<td>82,807</td>
<td>847</td>
<td>1.0229%</td>
</tr>
<tr>
<td>American Indian/Alaskan Native</td>
<td>943</td>
<td>12</td>
<td>1.2725%</td>
</tr>
</tbody>
</table>
### Table 6. I AM Mathematics Participation: 2022-2023 School Year

<table>
<thead>
<tr>
<th>Group</th>
<th>Total Number in Grades 3-8 and HS</th>
<th>Number Taking I AM in Grades 3-8 &amp; HS</th>
<th>Percent Taking I AM in Grades 3-8 &amp; HS</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Students</td>
<td>581,543</td>
<td>5,865</td>
<td>1.0085%</td>
</tr>
<tr>
<td>Hispanic or Latino</td>
<td>82,757</td>
<td>836</td>
<td>1.0102%</td>
</tr>
<tr>
<td>American Indian/Alaskan Native</td>
<td>946</td>
<td>12</td>
<td>1.2685%</td>
</tr>
<tr>
<td>Asian</td>
<td>17,878</td>
<td>165</td>
<td>0.9229%</td>
</tr>
<tr>
<td>Black or African American</td>
<td>73,078</td>
<td>961</td>
<td>1.3150%</td>
</tr>
<tr>
<td>Hawaiian/Pacific Islander</td>
<td>584</td>
<td>**</td>
<td>0.8562%</td>
</tr>
<tr>
<td>White</td>
<td>375,120</td>
<td>3,532</td>
<td>0.9416%</td>
</tr>
<tr>
<td>Two or More Races</td>
<td>31,180</td>
<td>354</td>
<td>1.1353%</td>
</tr>
<tr>
<td>Male</td>
<td>297,720</td>
<td>3,938</td>
<td>1.3227%</td>
</tr>
<tr>
<td>Female</td>
<td>283,823</td>
<td>1,927</td>
<td>0.6789%</td>
</tr>
<tr>
<td>English Learner</td>
<td>44,436</td>
<td>662</td>
<td>1.4898%</td>
</tr>
<tr>
<td>Economically Disadvantaged</td>
<td>275,282</td>
<td>3,352</td>
<td>1.2177%</td>
</tr>
</tbody>
</table>
Table 7. I AM Science Participation: 2022-2023 School Year

<table>
<thead>
<tr>
<th>Group</th>
<th>Total Number in Grades 3-8 and HS</th>
<th>Number Taking I AM in Grades 3-8 &amp; HS</th>
<th>Percent Taking I AM in Grades 3-8 &amp; HS</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Students</td>
<td>246,796</td>
<td>2,621</td>
<td>1.0620%</td>
</tr>
<tr>
<td>Hispanic or Latino</td>
<td>35,700</td>
<td>379</td>
<td>1.0616%</td>
</tr>
<tr>
<td>American Indian/Alaskan Native</td>
<td>392</td>
<td>**</td>
<td>1.2755%</td>
</tr>
<tr>
<td>Asian</td>
<td>7,529</td>
<td>75</td>
<td>0.9961%</td>
</tr>
<tr>
<td>Black or African American</td>
<td>30,337</td>
<td>438</td>
<td>1.4438%</td>
</tr>
<tr>
<td>Hawaiian/Pacific Islander</td>
<td>252</td>
<td>**</td>
<td>1.9841%</td>
</tr>
<tr>
<td>White</td>
<td>159,451</td>
<td>1,554</td>
<td>0.9746%</td>
</tr>
<tr>
<td>Two or More Races</td>
<td>13,135</td>
<td>165</td>
<td>1.2562%</td>
</tr>
<tr>
<td>Male</td>
<td>126,252</td>
<td>1,776</td>
<td>1.4067%</td>
</tr>
<tr>
<td>Female</td>
<td>120,544</td>
<td>845</td>
<td>0.7010%</td>
</tr>
<tr>
<td>English Learner</td>
<td>19,074</td>
<td>314</td>
<td>1.6462%</td>
</tr>
<tr>
<td>Economically Disadvantaged</td>
<td>116,403</td>
<td>1,487</td>
<td>1.2775%</td>
</tr>
</tbody>
</table>

**Student count was redacted in compliance with the Family Educational Records and Privacy Act, 20 U.S.C. 1232g; 34 CFR Part 99. Data is redacted in any cells that represent fewer than 10 students. In addition, at least two cells must be redacted where any total is available in order to prevent any cell required for redaction to be derived, these cells are noted by ‘xx’.

Comparing Historic Alternate Assessment Subgroup Participation by Content Area

IDOE calculated the following data regarding the participation of I AM content areas by demographics from the 2016-2017 school year through the 2022-2023 school year. The following findings were examined:

- Participation of students identified as “Two or more races” in Mathematics resulted in an increase that is larger than the participation in 2016-2017, 0.08%.
- Participation of students identified as “White” has decreased in each content area.

Table 8. I AM ELA Participation: 2016-2017 to 2022-2023 School Year

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>All Students</td>
<td>1.25%</td>
<td>1.21%</td>
<td>1.14%</td>
<td>1.0057%</td>
<td>1.0133%</td>
<td>1.0151%</td>
<td>-0.2349%</td>
</tr>
<tr>
<td>----------------------------------------------------------</td>
<td>-----------</td>
<td>-----------</td>
<td>-----------</td>
<td>-----------</td>
<td>-----------</td>
<td>-----------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>All Students</td>
<td>1.25%</td>
<td>1.21%</td>
<td>1.14%</td>
<td>1.0123%</td>
<td>1.0117%</td>
<td>1.0085%</td>
<td>-0.2415%</td>
</tr>
<tr>
<td>American Indian or Alaska Native</td>
<td>1.44%</td>
<td>1.06%</td>
<td>0.92%</td>
<td>0.95%</td>
<td>1.25%</td>
<td>1.2725%</td>
<td>-0.1675%</td>
</tr>
<tr>
<td>Asian</td>
<td>0.82%</td>
<td>0.87%</td>
<td>0.86%</td>
<td>0.71%</td>
<td>0.94%</td>
<td>0.9392%</td>
<td>+0.1192%</td>
</tr>
<tr>
<td>Hawaiian or Other Pacific Islander</td>
<td>2.14%</td>
<td>2.46%</td>
<td>1.56%</td>
<td>1.28%</td>
<td>0.92%</td>
<td>0.8532%</td>
<td>-1.2868%</td>
</tr>
<tr>
<td>Black or African American</td>
<td>1.71%</td>
<td>1.57%</td>
<td>1.48%</td>
<td>1.25%</td>
<td>1.29%</td>
<td>1.3205%</td>
<td>-0.3895%</td>
</tr>
<tr>
<td>Hispanic or Latino</td>
<td>1.14%</td>
<td>1.15%</td>
<td>1.13%</td>
<td>0.95%</td>
<td>1.00%</td>
<td>1.0229%</td>
<td>-0.1171%</td>
</tr>
<tr>
<td>Hawaiian or Other Pacific Islander</td>
<td>2.14%</td>
<td>2.46%</td>
<td>1.56%</td>
<td>1.28%</td>
<td>0.92%</td>
<td>0.8532%</td>
<td>-1.2868%</td>
</tr>
<tr>
<td>Black or African American</td>
<td>1.71%</td>
<td>1.57%</td>
<td>1.48%</td>
<td>1.25%</td>
<td>1.29%</td>
<td>1.3205%</td>
<td>-0.3895%</td>
</tr>
<tr>
<td>Hispanic or Latino</td>
<td>1.14%</td>
<td>1.15%</td>
<td>1.13%</td>
<td>0.95%</td>
<td>1.00%</td>
<td>1.0229%</td>
<td>-0.1171%</td>
</tr>
<tr>
<td>White</td>
<td>1.20%</td>
<td>1.16%</td>
<td>1.09%</td>
<td>0.97%</td>
<td>0.97%</td>
<td>0.9461%</td>
<td>-0.2539%</td>
</tr>
<tr>
<td>Two or more Races</td>
<td>1.26%</td>
<td>1.21%</td>
<td>1.27%</td>
<td>1.17%</td>
<td>1.04%</td>
<td>0.1476%</td>
<td>-1.1124%</td>
</tr>
<tr>
<td>English Learner</td>
<td>2.55%</td>
<td>2.43%</td>
<td>1.54%</td>
<td>1.43%</td>
<td>1.56%</td>
<td>1.5005%</td>
<td>-1.5005%</td>
</tr>
<tr>
<td>Economically Disadvantaged</td>
<td>1.62%</td>
<td>1.54%</td>
<td>1.41%</td>
<td>1.13%</td>
<td>1.18%</td>
<td>1.2234%</td>
<td>-0.3966%</td>
</tr>
<tr>
<td>Male</td>
<td>1.61%</td>
<td>1.55%</td>
<td>1.46%</td>
<td>1.30%</td>
<td>1.34%</td>
<td>1.3326%</td>
<td>-0.2774%</td>
</tr>
<tr>
<td>Female</td>
<td>0.88%</td>
<td>0.84%</td>
<td>0.81%</td>
<td>0.70%</td>
<td>0.68%</td>
<td>0.6821%</td>
<td>-0.1979%</td>
</tr>
</tbody>
</table>

Table 9. I AM Mathematics Participation: 2016-2017 to 2022-2023 School Year
### Table 10. I AM Science Participation: 2016-2017 to 2022-2023 School Year

<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>All Students</td>
<td>1.30%</td>
<td>1.26%</td>
<td>1.14%</td>
<td>1.0497%</td>
<td>0.9739%</td>
<td>1.0620%</td>
<td>-0.238%</td>
</tr>
<tr>
<td>American Indian or Alaska Native</td>
<td>1.35%</td>
<td>1.35%</td>
<td>0.74%</td>
<td>0.78%</td>
<td>1.36%</td>
<td>1.2755%</td>
<td>-0.0745%</td>
</tr>
<tr>
<td>Asian</td>
<td>0.75%</td>
<td>1.00%</td>
<td>0.99%</td>
<td>0.92%</td>
<td>0.71%</td>
<td>0.9961%</td>
<td>+0.2461%</td>
</tr>
<tr>
<td>Hawaiian or Other Pacific Islander</td>
<td>2.40%</td>
<td>1.64%</td>
<td>1.78%</td>
<td>0.50%</td>
<td>0.42%</td>
<td>1.9841%</td>
<td>-0.4159%</td>
</tr>
<tr>
<td>Black or African American</td>
<td>1.74%</td>
<td>1.71%</td>
<td>1.54%</td>
<td>1.23%</td>
<td>1.33%</td>
<td>1.4438%</td>
<td>-0.2962%</td>
</tr>
<tr>
<td>Hispanic or Latino</td>
<td>1.12%</td>
<td>1.22%</td>
<td>1.09%</td>
<td>1.04%</td>
<td>0.91%</td>
<td>1.0616%</td>
<td>-0.0584%</td>
</tr>
<tr>
<td>White</td>
<td>1.26%</td>
<td>1.20%</td>
<td>1.06%</td>
<td>1.01%</td>
<td>0.93%</td>
<td>0.9746%</td>
<td>-0.2854%</td>
</tr>
<tr>
<td>Two or more Races</td>
<td>1.46%</td>
<td>1.09%</td>
<td>1.39%</td>
<td>1.21%</td>
<td>1.04%</td>
<td>1.2562%</td>
<td>-0.2038%</td>
</tr>
<tr>
<td>English Learner</td>
<td>2.45%</td>
<td>2.44%</td>
<td>1.48%</td>
<td>1.68%</td>
<td>1.32%</td>
<td>1.6462%</td>
<td>-0.8038%</td>
</tr>
<tr>
<td>Economically Disadvantaged</td>
<td>1.66%</td>
<td>1.64%</td>
<td>1.40%</td>
<td>1.17%</td>
<td>1.15%</td>
<td>1.2775%</td>
<td>-0.3825%</td>
</tr>
<tr>
<td>Male</td>
<td>1.67%</td>
<td>1.62%</td>
<td>1.45%</td>
<td>1.35%</td>
<td>1.27%</td>
<td>1.4067%</td>
<td>-0.2633%</td>
</tr>
<tr>
<td>Female</td>
<td>0.93%</td>
<td>0.88%</td>
<td>0.81%</td>
<td>0.74%</td>
<td>0.68%</td>
<td>0.7010%</td>
<td>-0.229%</td>
</tr>
</tbody>
</table>

**Alternate Assessment Participation by LEA**

In the 2022-2023 school year, it was found that 62.3% of participating Indiana LEAs exceeded the 1.0 percent cap in one or more content areas, which totals 200 LEAs.
Statewide Achievement Measuring at Least 95% of Students

Indiana met the 95% participation requirement for state-measured achievement for the 2022-2023 school year for both the general assessment (ILEARN) and I AM in ELA, Mathematics, and Science pursuant to waiver requirements under CFR 200.6(c)(4)(ii)(B).

The following table demonstrates data for achieving the 95% state-measured achievement requirement.

<table>
<thead>
<tr>
<th>Content Area</th>
<th>All Students Assessed</th>
<th>All Students Enrolled</th>
<th>State Measured Achievement</th>
<th>All Students with Disabilities Assessed</th>
<th>All Students with Disabilities Enrolled</th>
<th>State Measured Achievement</th>
</tr>
</thead>
<tbody>
<tr>
<td>ELA</td>
<td>581,805</td>
<td>585,710</td>
<td>99.3%</td>
<td>97,746</td>
<td>99,539</td>
<td>98.2%</td>
</tr>
<tr>
<td>Math</td>
<td>581,543</td>
<td>585,618</td>
<td>99.3%</td>
<td>97,633</td>
<td>99,519</td>
<td>98.1%</td>
</tr>
<tr>
<td>Science</td>
<td>246,796</td>
<td>248,124</td>
<td>99.5%</td>
<td>40,772</td>
<td>41,377</td>
<td>98.5%</td>
</tr>
</tbody>
</table>

Requirement Three: Alternate Assessment Participation Assurances

LEAs that exceeded the 1% cap on alternate assessment participation for 2022-2023 were required to complete the Alternate Assessment Assurance and Justification Survey in winter of 2023. This survey required LEAs to submit justification for why they anticipate exceeding the 1% cap on alternate assessment participation for the spring 2024 assessment. These LEAs must provide assurances for the following:

- Appropriate LEA staff (including special education teachers, general education teachers, building administrators, Corporation Test Coordinators [CTCs], School Test Coordinators [STCs], special education directors, and school psychologists) have viewed the Alternate Assessment Participation Webinar. These stakeholders agree the appropriate students will participate in the alternate assessment during the 2023-2024 school year.
Appropriate stakeholders (including parents of students with significant cognitive disabilities, special education teachers, special education directors, and school psychologists) have reviewed the criteria for determining I AM participation and flowchart, participation frequently asked questions provided on IDOE’s I AM webpage, as well as IDOE’s Alternate Assessment ESSA 1% Cap webpage. Stakeholders agree the appropriate students will participate in the alternate assessment during the 2023-2024 school year.

Appropriate LEA staff (including special education teachers, general education teachers, building administrators, CTCs, STCs, special education directors, and school psychologists) have reviewed the 1% Disproportionality Data provided by IDOE. Stakeholders agree any disproportionality will be addressed, and the appropriate students will participate in the alternate assessment during the 2023-2024 school year.

Participation data is shared on the Results Driven Accountability (RDA) dashboard, see below. The user guide shared to LEAs can be found here.

In addition to providing assurances, LEAs were asked to provide information on the following:

- Decision-making procedures;
- A forecast on participation for the following school year; and
- Activities that inform families and/or increase parental involvement.

LEAs were required to choose at least one topic related to the alternate assessment for technical assistance. This will be used to provide information specific to the LEA. If there is high interest and/or data showing a high need for support, the topic will be shared statewide.

**LEA Assurances to Address Disproportionality**

Indiana disaggregated disproportionality data based on participation rates from the 2022-2023 school year. IDOE utilized a risk index to analyze this data for all student populations. Below is a list of student populations included in the analysis.

1. Racial/ethnic backgrounds:
   a. American Indian or Alaska Native
   b. Asian
   c. Pacific Islander or Other Pacific Islander
d. Black or African American (not Hispanic)
e. Hispanic or Latino
f. White (not Hispanic)
g. Two or more races (Multiracial not Hispanic)

2. Identified English learner (EL): Yes or No
3. Socioeconomic status (as determined by free and reduced price lunch status): Yes or No
4. Gender: Male or Female
Table 12. Statewide Disproportionality Calculations: 2022-2023

This chart illustrates data for LEAs with participation exceeding 1.0 percent in at least one subject.

- 12 LEAs were identified with disproportionality in ELA and Mathematics, and seven were identified with disproportionality in Science.
- The subgroup with the most significant disproportionate participation is the subgroup of male.
- The categories of economically disadvantaged and ELs showed similar disproportionality in the alternate assessment.

The state must ensure LEAs provide assurances that any disproportionality in the percentage of students in any one student population identified for or participating in the alternate assessment will be addressed, which were requested based on participation data. The data was presented beforehand and a reflection was requested to remark on the known population of students participating in the alternate assessment.

**Requirement Four: State Plan and Timeline**

Components for the state’s plan are outlined below, followed by a cumulative timeline of all activities.

**Alternate Assessment Participation Criteria**

The criteria for participating in the alternate assessment was revised for the 2022-2023 school year and can be found on IDOE’s [IAM webpage](#) and [Accountability Dashboard webpage](#). The criteria is as follows:

1. Review of the student’s record indicates a disability that significantly impacts intellectual functions and adaptive behavior. Adaptive behavior is defined as essential for someone to live independently and to function safely in daily life.
2. The student requires extensive, repeated, individualized direct instruction and substantial support that is not of a temporary nature.
3. The student requires substantially adapted materials and individualized methods of accessing information in alternative ways to achieve measurable gains on the state academic content standards for the grade in which the student is enrolled.

This information and the I AM Participation Decision Flowchart for LEAs is available in both English and Spanish. IDOE also developed a frequently asked questions resource for additional support in both English and Spanish.

LEA Support and Oversight

In its commitment to ensuring that only students with the most significant cognitive disabilities participate in the alternate assessment, IDOE’s plan aims to provide data to LEAs regarding alternate assessment participation and preparation. In doing this, LEAs can provide sufficient training to support special education staff in allocating assessments to students appropriately.

Universal LEA Support Efforts

Indiana’s RDA determination includes alternate assessment participation as a subcomponent within the calculation. LEAs are informed of the points possible out of each category, how many points their district received in those categories, and an overall percentage that correlates to one of the tiers of technical assistance in the RDA Guiding Document. Alternate assessment participation data is included in the data review. Indiana Resource Centers will also provide support to LEAs that exceed the 1.0 percent cap. Technical assistance may include onsite visits, webinars, emails, and/or phone calls. This presentation was created to explain the calculation to stakeholders. Refer to slide 10 for documentation addressing RDA procedures.

- A participation rate of less than or equal to 1.0 percent will yield a score of five.
- A participation rate of more than 1.0 percent but less than 1.02 percent will yield a score of three.
- A participation rate of greater than 1.02 percent will yield a score of one.

LEAs exceeding 1.0 percent were prompted to complete an assurances survey within the RDA system, which is sent to IDOE’s Office of Special Education to ensure LEA completion. The RDA data system and assurances process was updated to more effectively communicate steps to stakeholders in a user-friendly format.

An additional universal effort includes IDOE’s Office of Student Assessment and Office of Special Education monthly I AM office hours. This scheduled monthly convening invites testing coordinators and special education support staff to join a virtual meeting to ask questions and receive reminders pertinent to the annual I AM assessment. LEAs receive notification of this event via I AM listserv emails.

IDOE also hosted professional development tailored to improving outcomes for students with significant cognitive disabilities at the new statewide conference Elevating Education: Improving Outcomes for All.

IDOE’s Office of Special Education met with the parent advocacy group INSource to discuss the alternate assessment and held a live presentation via IDOE’s digital learning platform, the Indiana Learning Lab. IDOE will meet with INSource again in April 2024. Additional efforts are listed below:

- IDOE’s Office of Student Assessment developed a resource to help educators analyze alternate assessment data found on I AM student reports.
• IDOE’s Office of Student Assessment hosts monthly CTC office hours to offer tailored support for statewide assessments, including I AM.
• The Indiana Learning Lab provides various professional learning communities, including a special education group with weekly resource dissemination and discussion threads.

Targeted LEA Support Efforts

IDOE requires specific activities for LEAs exceeding the 1.0 percent cap through a targeted monitoring program. In addition to considering participation percentages for monitoring, IDOE also considers student counts, as some LEAs with small populations may have a high participation rate due to calculations. These student count parameters will be adjusted annually to address needs for Indiana LEAs.

Participation must adhere to the three criteria outlined by IDOE, and it must be clear from the IEP that the student meets this criteria. The case conference committee (CCC) for the student ultimately makes the decision to move students to the alternate assessment, and this monitoring cannot challenge a CCC decision, but evidence and justifications can be requested by IDOE to ensure that decision-making adheres to the identified criteria.

Table 13. Monitoring Level Tiers and Required Activities

<table>
<thead>
<tr>
<th>Monitoring Level</th>
<th>Minimum Percentage</th>
<th>Participation Count</th>
<th>Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tier 1</td>
<td>1.1%</td>
<td>N/A</td>
<td>Announced: Indiana Learning Lab</td>
</tr>
<tr>
<td>Tier 2</td>
<td>1.1%</td>
<td>20-99</td>
<td>Invited: Indiana Learning Lab, Office Hours</td>
</tr>
<tr>
<td>Tier 3</td>
<td>1.1%</td>
<td>100 or More</td>
<td>Required: Indiana Learning Lab, Office Hours, IEP Reviews</td>
</tr>
</tbody>
</table>

For the Tier 3 monitoring level, IEP reviews consist of five IEPs of students who participated in I AM selected at random by IDOE. IDOE concurrently shares feedback with the LEA and schedules a meeting to further discuss findings. A survey is sent following this meeting to determine any follow-up, reflection, and lessons learned. The survey includes a detailed strengths, weaknesses, opportunities, and threats (SWOT) analysis to shape current and future efforts when developing strategic goals pertaining to the alternate assessment. IDOE reserves the ability to perform more in-depth monitoring, as needed. A Tier 3 LEA that demonstrates significant unresolved and/or consistent concerns related to this monitoring and the application of practices may be required to participate in a one-on-one meeting with IDOE in person. The LEA will then complete a Corrective Action Plan and use issues found in the SWOT analysis and IEP reviews to develop goals for state monitoring. In requiring this process, IDOE will consider demographics and other factors that impact participation and may not be controllable by the LEA.

The Corrective Action Plan includes regular monitoring meetings to report on the status of the items in the plan, which can occur in December and May. IDOE will then review additional IEPs and/or revised IEPs. LEA will share evidence on improved procedures through a second SWOT analysis. When the LEA’s identified goals are met, they will be released from the Corrective Action Plan. The process will continue with additional, escalated monitoring activities until the identified goals are achieved at the discretion of IDOE.
Components Timeline

IDOE provides annual I AM Milestones to provide a detailed timeline of events before, during, and after the annual alternate assessment. It is the responsibility of the LEA to ensure that all tasks and deadlines are monitored and completed to ensure that the assessment is administered with fidelity. This includes ensuring staff members are properly trained, accommodations are confirmed in the testing system, and all needed materials are provided.

Requirement Five: Substantial Statewide Progress

IDOE accomplished substantial progress toward meeting the 1.0 percent cap for the alternate assessment since submission and approval of the original waiver request in 2016. This advancement is evident in I AM participation data and completion of state plan and timeline activities outlined in this year’s waiver extension request. A comparison of 2016 through 2023 data confirms Indiana’s progress toward reducing the number of students participating in the alternate assessment.

Table 14. LEAs Exceeding 1.0 Percent Cap: 2016-2017 to 2022-2023

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>ELA</td>
<td>190</td>
<td>186</td>
<td>166</td>
<td>146</td>
<td>142</td>
<td>147</td>
<td>-43</td>
</tr>
<tr>
<td>Mathematics</td>
<td>189</td>
<td>186</td>
<td>165</td>
<td>144</td>
<td>142</td>
<td>146</td>
<td>-43</td>
</tr>
<tr>
<td>Science</td>
<td>183</td>
<td>183</td>
<td>153</td>
<td>149</td>
<td>134</td>
<td>160</td>
<td>-23</td>
</tr>
</tbody>
</table>

Training and Additional Guidance

Feedback on Resource Development

As part of the I AM assurances, LEAs were invited to share a topic related to the alternate assessment that could be developed as a technical assistance support for decision-making and additional assessment communication. The following recommendations were made for these I AM topics:

- Student Supports: 25 recommendations
- Least Restrictive Environment: 20 recommendations
- Adaptive Behavior: 14 recommendations
- Specially-Designed Instruction: 12 recommendations
- Application of the Participation Criteria: 9 recommendations

The predominant topic was Student Supports specific to those with intellectual disabilities, which addresses accommodations and modifications in behavior and instruction. Feedback from LEAs will be used to consider future technical assistance resources to continue reducing participation rates in the alternate assessment. Additional technical assistance topics include the following:

- Secondary disability of language impairment; of the 1,204 students with a secondary disability, over half (56%) of students participating in the alternate assessment also were identified with a language impairment.
● Growth plan for students scoring “At Proficiency” two or more years; of the students attending LEAs mentioned in the following case study (LEA-A and LEA-B), nearly half of all students participating in I AM ELA in 2022-2023 achieved scores considered “At Proficiency.”
● Instructional support to students participating in I AM Mathematics; students attending LEA-A and LEA-B and participating in I AM Mathematics achieved scores considered “Below Proficiency,” LEA-A at 45% and LEA-B at 49%.
● Accommodations for students participating in the general assessment as an alternative to participation in the alternate assessment
● Indiana Alternate Diploma participation criteria and I AM participation criteria
● Intersectionality of ELs and an identified intellectual disability
● Disproportionality in male participation, specifically for economically-disadvantaged; the majority of disproportionality found in the last assessment administration was found in the subgroup of male and economically disadvantaged.
● Family engagement to better understand the needs and concerns of families who have a student in their family participating in I AM
● Early intervention of services and supports to ensure students with significant cognitive disabilities are equally supported in instruction
● Professional development for educators on the challenges of students living in poverty and identified with a significant cognitive disability

IDOE Support and Guidance for I AM

The following resources are developed to support educators and LEAs in overseeing administration and determination for participation in the alternate assessment.

Accessibility and Accommodations Training: IDOE provides accessibility and accommodations training overviews for statewide assessments, including the I AM Accommodations Overview. Webinar topics include universal accessibility tools, designated accessibility tools, and accommodations available to students. Viewing this training is an annual requirement for Test Administrators (TAs) and Corporation Test Coordinators (CTCs).

Statewide Assessment Webpages: IDOE’s Assessment webpage, I AM webpage, and Indiana Assessment Portal house information, resources, training materials, and links for special education professionals supporting students with disabilities. The webpage and portal are updated throughout the school year to provide the most relevant information regarding I AM.

CTC Pretest Workshops: IDOE’s Office of Assessment provides pretest workshops for all statewide assessments prior to the opening of the testing window. For I AM testing, the Spring 2024 Pretest Workshop contains important administration information for CTCs to prepare their corporation for testing. This workshop is found annually in the Moodle Test Coordinator Corner and will begin February 5, 2024.

I AM TA Certification and First Year I AM TA Training: TAs administering the I AM assessment must complete annual recertification requirements. The I AM TA Certification Course is assessment-specific and becomes available on the Indiana Assessment Portal on January 16, 2024. Additionally, TAs administering I AM for the first time must have completed a first-year training webinar which was held on Monday, December 4, 2023. The recording of the live training is now available on the Indiana Assessment Portal.
**Understanding I AM Webinar:** Each year, IDOE and Cambium Assessment, Inc. (CAI) release a webinar providing an overview of the assessment titled Understanding I AM. The targeted audience is educators, administrators, and other school personnel involved in the administration of the alternate assessment, and this webinar is housed on the Indiana Assessment Portal.

**Question and Answer (Q&A) Sessions:** IDOE hosts two question and answer (Q&A) sessions each year from the field’s frequently asked questions (FAQs) regarding the administration of I AM. Any administrator or educator can attend one of these live webinars. The 2023-2024 I AM Q&A sessions will be hosted on March 13 and 14, 2024. The sessions will be recorded and shared with CTCs in listservs from IDOE’s Office of Student Assessment.

**Office Hours:** The Office of Student Assessment and the Office of Special Education collaborate to host monthly office hours sessions. These sessions cover general and specific guidance for educators. Content is based on requests by the field and needs identified through the review of data.

**I AM Participation Guidance:** IDOE sought input from stakeholders on the participation criteria documents, including Participation Guidance in English and Spanish, Participation FAQ in English and Spanish. These documents explain participation in the alternate assessment and are posted on IDOE’s I AM webpage.

**Indiana Learning Lab:** IDOE partners with FiveStar, an educational technology solutions organization, to oversee the Indiana Learning Lab, a digital learning platform to support teachers and staff directly in the field. The Indiana Learning Lab empowers specific communities of practice to initiate discussions and share resources. IDOE disseminates weekly posts regarding high-leverage practices, RDA, indicator and monitoring supports, and other relevant information to the field. The Learning Lab has been utilized to share out important guidance to the field related to No Mode of Communication (NMC), an important concept for testing administrators related to students who may appear to have no observable means of communication and will participate in the alternate assessment. This online forum will continue to be used to educate the field on procedures related to the alternate assessment participation with topics such as: selecting appropriate students for the alternate assessment, criteria for participation, required justifications and procedures related to the IEP, information on supports and services, and information on the state alternate achievement standards (i.e., Content Connectors).

**New Directors Training:** IDOE held New Directors Training for special education directors in July 2023 for the 2023-2024 school year. This in-person training introduces new directors to the policies and procedures related to I AM and support for students with significant cognitive disabilities.

**Accessibility and Accommodations Information for Statewide Assessments:** IDOE updates its Accessibility and Accommodations Information for Statewide Assessments annually to coincide with the new accommodations offered for statewide testing. This guidance is available on IDOE’s Assessment webpage. Schools may review this for more information on new and updated accommodations for the 2023-2024 school year.

**Stimulus and Response Materials Guidance:** Per recommendation from Indiana’s Technical Advisory Committee (TAC), IDOE developed guidance regarding the use of stimulus and response materials that are acceptable for I AM. This guidance is referenced in the I AM Test Administrator’s Manual (TAM).
Content Connectors Revisions: Following the reduction and streamlining of the Indiana Academic Standards, the Indiana Content Connectors were reviewed and adjusted accordingly. IDOE staff consisting of context experts and special education specialists reviewed the Content Connectors for vertical alignment and accessibility for the intended population. Standards were then reviewed by educators from the field, and will be presented for public comment in the coming months prior to formal review from the Indiana State Board of Education.

Test Items Review: Following a formal analysis from stakeholders consisting of assessment experts, field experts, and special education specialists, Indiana is leveraging the opportunity to develop a revised alternate assessment format to consist of a through-year design for ELA and Mathematics. Following this determination, test items are currently under review for alignment. This new through-year format intends to better measure students’ performance and needs to allow timely data that can further support areas of greatest need.

IDOE collaborates with key stakeholders, using diverse feedback to improve the accessibility, accuracy, and usefulness of alternate assessment training resources. By ensuring that these resources contain relevant information for educators and school-level decision-makers and accurately reflect legislation surrounding the alternate assessment, Indiana can continue to reduce the participation rate for I AM. Resource engagement is carefully monitored, and IDOE works to incorporate feedback into improving these practices.

LEA Alternate Assessment Case Study

LEAs with significant participation rates in Indiana’s alternate assessment were evaluated through a comparison of mean rates by enrollment size. The mean was calculated to compare LEAs to determine which reported rates outside of the mean.

Table 15. LEA Classification and Mean

<table>
<thead>
<tr>
<th>Classification &amp; Size</th>
<th>Mean</th>
</tr>
</thead>
<tbody>
<tr>
<td>Large (L) (10,001-30,000)</td>
<td>1.08%</td>
</tr>
<tr>
<td>Medium (M) (2501-10,000)</td>
<td>1.05%</td>
</tr>
<tr>
<td>Small (S) (1,001-2,500)</td>
<td>0.91%</td>
</tr>
<tr>
<td>Extra Small (XS) (0-1,000)</td>
<td>0.78%</td>
</tr>
</tbody>
</table>

To define significance for participation rates, IDOE assembled a list of 10 LEAs with the highest participation rates and student counts. Participation rates exceeded 1.0 percent in the 2021-2022 and 2022-2023 school years, were larger than the mean rate within their enrollment group size, and at least 20 students were included in the LEA's cohort. These factors align with Tier 3, required technical assistance and monitoring. IDOE referenced two LEAs from this group for this case study, which are identified as LEA-A and LEA-B.
Local Data & Demographics Comparison

A review of student scores, demographics, participation data, student-teacher ratios, RDA scores, and socioeconomic observations took place to better understand the factors of participation facing both students and administrators. Many similarities were discovered, despite the difference in enrollment and geographic area. LEA-A student enrollment was 22,928 and LEA-B student enrollment was 3,672 for the 2020-2021 school year as reported by INView, Indiana’s public LEA database.

Table 16. State and County Demographics: Participation and Enrollment

![State and County Demographics](image)

The counties of LEA-A and LEA-B demonstrate a higher mean in three of the four categories compared to statewide data. There was one exception in one category, which was Residents Speaking English Less Than Very Well. In this category, both counties have fewer residents meeting this criteria than determined statewide.

- Data reported in My Community Explorer 3.0 shows 3% of residents in the county of LEA-A do not have access to a family car. The state rate is 2%.
- 7% of the residents in the county of LEA-B do not have access to a family car. Transportation impacts school attendance, access to healthcare and mental health services, and access to basic needs (e.g., food, clothing).
- The category “Residents Living Below the Poverty Line” also displays a higher percentage than the state’s average. This trend extends to other categories reported by the United States Census within these LEAs and statewide.

Enrollment Size: LEA-A is approximately seven times the size of LEA-B. Despite the dissimilarity in size, there are similarities in student population and participation in the alternate assessment. Both
LEAs have exceeded the 1.0 percent participation cap for the last two years, and participation rates are higher than the mean for the state.

**Student-Teacher Ratio:** LEA-A is a large, urban school with a more diverse population than LEA-B, a medium, rural school with less diversity. There are more English learners attending LEA-A. LEA-A is employing 10% more teachers. The student-teacher ratio is 10:1 for LEA-A and 6:1 for LEA-B.

**Assessment Results:** Regarding the content area in the alternate assessment, a trend was found in scores of students. Nearly half of all students attending these schools and participating in I AM ELA achieved scores considered “At Proficiency.”

- LEA-A: 51% of students scored “At Proficiency” in ELA.
- LEA-B: 45% of students scored “At Proficiency” in ELA.

A similar trend was found in Mathematics for these LEAs. Students attending these schools and participating in I AM Mathematics achieved scores considered “Below Proficiency,” with LEA-A at 45% and LEA-B at 49%. Social Studies also exhibited a trend wherein the majority of students achieved scores considered “Below Proficiency.”

**RDA Results:** Indiana’s Results Driven Accountability (RDA) system is used to ensure LEAs are implementing the requirements of the Individuals with Disabilities Education Act (IDEA). This includes the analysis of data related to the 17 indicators defined by the U.S. Department of Education’s Office of Special Education Programs (OSEP) and reported in the State Performance Plan/Annual Performance Report. Each LEA receives an annual determination indicating the level of compliance and support necessary to address performance. LEAs are reviewed based on several criteria and ranked in one of three categories in this tiered system: Meets Requirements, Needs Assistance, and Needs Intervention.

- LEA-A is categorized as Needs Intervention.
- LEA-B is categorized as Needs Assistance.

**Socioeconomic Status & Intellectual Disability Findings**

When considering demographics for the state, counties, and these LEAs, numerous similarities were found. Over half of the students in LEA-A and LEA-B are identified as being of low socioeconomic status ([INView](https://www.inview.org/)), while 12% of Indiana’s residents live below the poverty line according to [My Community Explorer](https://www.mycommunityexplorer.org/).

- 65% of students attending LEA-A are identified as having low socioeconomic status.
- 71% of students attending LEA-B are identified as having low socioeconomic status.

The rates of poverty found in LEA-A and LEA-B are higher than the rate of poverty reported in the LEA’s county of residence and the state.

While socioeconomic status is not considered a factor in decision-making for participation in the alternate assessment, the challenges of living in poverty (long-term and situational) are addressed in the participation criteria as evidence through exhibited need. Coupled with an identification of a significant cognitive impairment, students living in poverty and having intense needs in the classroom will be more likely to be found eligible for the alternate assessment. This resulted in an increase in participation statewide.
Special Education & Disproportionality Findings

The following data was also found for the LEAs’ percentage of students receiving special education services:

- 18% of the student population attending LEA-A are receiving special education services.
- 16% of the student population attending LEA-B are receiving special education services.

No disproportionality was found in the 2022-2023 administration in Science for either LEA. No disproportionality was found in ELA or Mathematics in LEA-A. There was disproportionality identified in both ELA and Mathematics with the participation of LEA-B specific to male students.

Statewide, 12 LEAs demonstrated disproportionality in ELA and Mathematics, and seven LEAs demonstrated disproportionality in Science. This is a reduction from the previous school year, where 22 LEAs demonstrated disproportionate participation in the alternate assessment.

The following chart illustrates disproportionality in I AM participation for the last two school years. While the subgroup of male continues to be a concern, progress has been made. This chart shows the distribution of the disproportionality by subgroups statewide.

Table 17. LEA I AM Participation: Comparison of Disproportionality

Disproportionality is a key topic of the technical assistance efforts from IDOE. LEAs found with disproportionality in any area will participate in strategic technical assistance initiatives to improve these student outcomes.

Collaborative State Efforts

Below is a summary of resources and activities to support the appropriate determination of participation in the alternate assessment.

- **IDOE’s Alternate Assessments Specialist and Accessibility and Accommodations Specialist**: These two specialists exist in the Office of Student Assessment to serve as a liaison between LEAs on I AM and accessibility needs. Specialists work closely with the
intense intervention specialist in the Office of Special Education to oversee appropriate participation in I AM.

- **IDOE’s Intense Intervention Specialist:** This role leads efforts related to the 1.0 percent cap, participating in training by the National Center on Educational Outcomes (NCEO), monitoring participation data to create resources, and developing programming based on the tiered intervention system of supports. This specialist audits districts exceeding the 1.0 percent cap and oversees interventions.

- **IDOE’s Technical Assistance Specialists:** These specialists assist the field in supporting students of specialized populations, which include students with low-incidence disabilities. These specialists collaborate with federal resource networks such as the TIES Center, National Technical Assistance Center on Transition (NTACT), and NCEO to support students, families, and educators.

- **Multi-State Collaborative Groups:** IDOE participates in the NCEO 1.0 percent cap community of practice bimonthly webinars and the Council of Chief State School Officers (CCSSO) State Collaborative on Assessment and Student Standards (SCASS) Assessing Special Education Students (ASES) meetings.

- **Stakeholder Feedback:** IDOE shares information, collaborates, and seeks feedback from stakeholders regarding the 1.0 % cap on alternate assessment participation. Stakeholders include LEAs, Indiana Resource Networks (IRNs), the Indiana’s Parent and Training Information Center (INSOURCE), IDOE’s Office of Student Support and Accessibility, and IDOE’s Assessment Implementation Advisory Group (AIAG). AIAG is a small group of administrators and data managers that meet monthly to discuss updates for assessments, provide feedback on procedures, and review information regarding legislative changes and research being completed. IDOE is committed to educating stakeholders about alternate assessment participation issues and ensuring that only students with the most significant cognitive disabilities in Indiana participate in the alternate assessment.

- **Three-Year Review Process for NMC Guidance:** IDOE has shared guidance within the Indiana Assessments Policy Manual regarding the three-year review process and IEP audit for students with NMC.

- **Indiana’s Special Education Annual Determination:** As part of the state’s general supervision system, each LEA is assigned an annual determination that includes measures of compliance, results, and data timeliness. The results measure consists of growth and proficiency on the general assessment and participation in the alternate assessment. Indiana achieved “meets requirement” from the U.S. Department of Education following the previous SPP/APR submission.

- **IEP Data and the Test Information Distribution Engine (TIDE):** IEP data from Indiana IEP along with the testing information platform TIDE for the I AM assessment reinforce information regarding what students should be tested using the alternate assessment.

Indiana has diligently worked to improve the participation rate in the alternate assessment since the 2016-2017 school year. Through new and continuing initiatives, Indiana will continue to persist in holding LEAs accountable and projecting high expectations for students with significant cognitive disabilities.
Appendix A: Public Comment & Response

IDOE provided direct information to stakeholders via email regarding the changes pursuant of ESEA §111(b)(2)(D) and 34 CFR 200.6(c) and (d) to the 1 percent cap on alternate assessment participation, a copy of the initial Indiana 1% Cap Waiver Extension Request, and guidelines for submitting comments to IDOE through the online public comment form. Stakeholders included but were not limited to Indiana’s Resource Network, CTCs, and special education directors. To ensure public access, a copy of the Indiana 1% Cap Waiver Extension Request and guidelines for providing comments were posted on IDOE’s Alternate Assessment ESSA 1% Cap webpage. An invitation to comment on the Indiana 1% Cap Waiver Extension Request was included in Dr. Jenner’s Weekly Updates and IDOE’s Office of Special Education Newsletter. IDOE allowed two weeks for public comment, and responses can be found below.

“I checked 4 items since all applied to me at one time or another. In addition, my husband’s sister had Down Syndrome and was mildly mentally retarded. She was in public school for awhile and then the School of Hope a couple years in Wabash county. Later she lived in a group home in Wabash and worked at the Sheltered Workshop. Even the thought of the "lostness" she endured in P.S. makes me cringe. To expect her to participate in such tests as you're describing would be unfair to her, to the teachers. What a complete and total joke our current legislature is turning our state's education into. (Same goes for U.S. Congress.) They want everyone uneducated and stupid so they can undermine our democracy. Sorry for the rant but we must be very vigilant or all will be lost.”

“While I agree for the state of Indiana to submit a waiver request for the ESEA’s cap of 1% of students with disabilities taking an alternative assessment, the state of Indiana must also put into their IEP system the programming of an OPT OUT/refusal option and develop the procedures and policy for parents to Opt Out/refuse state standardized assessments. The continued historical bullying of parent's federal rights to refuse state standardized assessments by IDOE by not developing the federally allowed policy/procedure and stating no policy exists must stop. Develop the Indiana Opt Out/Refusal of assessments policy NOW and program the option within the IEP system.”

“We are slightly above 1% due to the small number of students in our district. We have also had a lot of move-in students who came in with the alternate assessment option.”

“The 1% cap is arbitrary and forces schools and districts into recommending less-appropriate services for students.”

“With the addition of the alternative diploma, this will likely increase our students taking the alternative assessment. As there was not alternative assessment requirement with the CoC previously if students were not given this but were not capable of meeting requirements associated with the general diploma we could still give them a completion "diploma". Now that this is a requirement for these students we are going to have more students even in 11+ grade who started on general but through reevaluation and CCC decision have been moved to the alternative diploma. We have a large intensive interventions population due to the make up of our district. The number of our locally created CoC students is our 1%, giving us really no room for our Alternative Diploma students.”

“Based on the data within my school corporation, we will be above the 1% cap for the alternate assessment. We have had a lot of students move into the district that qualify for the alternate assessment.”

“I AM count should be based upon the school’s SE population and NOT on a set percent across the board.”
"I have had the privilege to give the assessment to students in the past three years. I am thrilled there is another type of assessment for our students in life skills but the cap doesn't seem appropriate. We may have 5 students one year then have up to 10 another year who struggle already on the alternative assessment then to say we have to have a cap is worse. It breaks my heart each time I administer the test as the student struggles to do the assessment and is frustrated because they can't read or comprehend what it is asking based on their IQ then to turn around and decide who is the lowest to make the 1% cap is even worse. We don't just put students on this form of assessment. Students have IEPs that state they are life skills bound which should be enough for the students to be granted this alternative assessment if we aren't going to waive them from the standardized tests we give. They have daily struggles the way it is then to put them through this and then to say there is a cap is frustrating. I have a student who wants to be like the other kids so bad and wants to read but can't no matter how hard he tries then we say take this test but you may have to take the other version because we have a cap. I am not sure those who make this benchmark have ever given the alternative assessment to students in life skills or there is no way they would think this is a good idea. Thanks for allowing us to share our concerns."

"I feel strongly that we need this waiver in place. Having worked with students with disabilities in the community and in schools I have found that for many, the alternate assessment is absolutely necessary and still challenging. To think that we cannot exceed 1% when we are seeing a significant increase in students with autism and more significant needs is a failure on our part as a state. We must do what is best for children and an alternate assessment for some is necessary to cut down on the stress and anxiety that testing causes. It is great to have high expectations but we must also be realistic. I am 100% in favor of the waiver."

"What criteria was used to determine 1% as cap? The way the 1% is calculated is misleading--it's 1% of a tested grade level, not 1% of the district's overall K-12 population. Uneven distribution of alternate testers in particular grade levels can make compliance difficult for small districts. Do we force students on alternate diploma tracks to take ILEARN/SAT simply to meet a quota? In theory, these students should then be placed into grade-level courses, not modified courses. Best practice and common sense state that assessment should align to curriculum. The new punitive measures for schools exceeding 1% seem completely misguided. Why should schools have to devote tens of thousands of dollars in retraining teachers to properly identify alternate learners when that is not the problem? The problem we have is a growing number of students with unique needs coupled with a flawed algorithm. As both a parent and an educator, I am completely baffled at the logic involved with this policy."

"With the new alternative diploma that has been released, there is a graduation pathway that has been created between a certificate of completion and a general diploma. It seems that an alternative assessment correlates with this new diploma. Parents want this for their students as it is the most appropriate pathway for their students however districts are hesitant to put too many students in this cohort because of the 1% cap. We are forcing students to take a test on curriculum and enduring work that is too difficult. We push off aligning and modifying at the appropriate level for fear that we are putting too many students on the alternative assessment. We do this even when alternative assessment has been clearly identified as most appropriate. Why do we push students through at the elementary and middle school level to stay on an assessment we know ultimately we will take them off at the high school level? We have just wasted years of pushing them through material that is inappropriate and causing them frustration and dislike for learning. This 1% cap is absurd. We need a way to track that a student is performing well below grade level and use that data to support moving to an alternative assessment. Students move, demographics impact some areas more than others, and we have a system that is creating a disservice to students and school corporations. This topic is one of the most frustrating as a special education director. WE NEED TO DO WHAT IS BEST FOR KIDS! 1% is not looking at each individual. Untie our hands and let us do what benefits students. Take a survey of special education staff
and parents and you will get an overwhelming response that this needs to be changed. DO BETTER INDIANA.”

“I am a teacher of students with cognitive disabilities. I find it troublesome that the state puts a limit on the number of students who can participate in the alternate testing. Public schools accept all children - regardless of disability. How can you put a cap on the number of students with cognitive disabilities who are tested if the school is not able to cap the number of students they accept?? Why is there a 1% limit?”

“I fully believe that case conference committees spend time discussing the pros and cons of a child taking the alternate assessment. Educators, parents and other relevant professionals should be trusted by the state/federal government to make these decisions and not limit to 1%. A child is not a number. It is wrong to force a child to take a test that is too difficult and beyond their capability.”

IDOE’s response was shared directly to the participants in the public comment:

The Indiana Department of Education (IDOE) appreciates your participation in the public comment period for the 2023-2024 Indiana 1% Waiver Extension Request for the U.S. Department of Education. Title I of the Elementary and Secondary Education Act of 1965 (ESEA) requires that:

- Only students with the most significant cognitive disabilities participate in an alternate assessment; and
- No more than 1.0% of all students assessed participate in the alternate assessment.

For each subject for which assessments are administered, the total number of students assessed in that subject using an alternate assessment may not exceed 1% of the total number of students in the state who are assessed in that subject. Local educational agencies (LEAs) that anticipate exceeding this cap must provide justification and assurances that they will review disproportionality data for students taking the alternate assessment.

A case conference committee (CCC) determination based on the identified participation criteria for I AM and the student’s needs is used to determine participation in the general or alternate assessment. CCCs must be informed that the decision to participate in I AM means that the student will have modified exposure to grade-level standards, which could result in a significant impact on academic and post-secondary outcomes.

LEAs can calculate alternate assessment participation by dividing the total number of students participating in I AM by the total number of all tested students in the LEA multiplied by 100. While this can be calculated at building level for a more comprehensive understanding, IDOE only examines the LEA participation rate.

Technical assistance is available for LEAs to receive support in decision-making and examining both the functional and academic skills of students. Request technical assistance here, and find more information on IDOE’s website.

Appendix B: Indiana Alternate Diploma

In May 2021, the Indiana State Board of Education approved an amendment for 511 IAC 6-7.1 (Graduation Requirements) to establish an alternate diploma and implement corresponding changes to the existing regulatory language in 511 IAC 7.
The alternate diploma is intended for students with most significant cognitive disabilities for whom a CCC has determined that the alternate diploma is appropriate, as indicated in the student’s IEP, and has taken the alternate assessment. To earn an Indiana alternate diploma, a student must complete the following:

- A minimum of 40 high school credits, applied units, or a combination of high school credits and applied units.
- At least one of the following activities aligned with the student’s transition goals:
  - Complete an industry-recognized certification, one year certificate, or state-approved alternative;
  - Complete a project-based or work-based learning experience as determined by the CCC;
  - Earn a work ethic certificate; or
  - Participate in part-time employment or other work related activities as determined by the CCC.
- Beginning with cohort 2023 students, develop a transition portfolio that demonstrates the work experience, credentials, or work certificates the student completed during high school.

A comprehensive understanding of the whole student, including a review of educational considerations and data obtained through the IEP process, is required to make this determination. The CCC must agree that the following criteria applies to the student:

- Review of the student’s record indicates a disability that significantly impacts intellectual functions and adaptive behavior. Adaptive behavior is defined as essential for someone to live independently and to function safely in daily life.
- The student requires extensive, repeated, individualized direct instruction and substantial support that is not of a temporary nature.
- The student requires substantially adapted materials and individualized methods of accessing information in alternative ways to achieve measurable gains on the state academic content standards for the grade in which the student is enrolled.

More information regarding the alternate diploma can be found [here](#).
Good afternoon,

Thank you for the opportunity to provide additional clarification on Indiana’s 1% Cap Waiver Extension request. Our team has carefully reviewed the information requested and prepared a response. The response is located below; responses are typed in bold for your convenience. If you have additional questions please feel free to share them.

Thank you,

Jennifer Spencer, M.Ed.
Special Education Specialist
Indiana Department of Education
in.gov/doe

Kathleen Banks, Ph.D.
Education Research Analyst, School Support and Accountability (SSA)
**Statutory or Regulatory Requirement for this Request**

States are required in 34 CFR §200.6(c)(4)(i) to submit their alternate assessment waiver request (or extension request) at least 90 days prior to the start of the relevant subject testing windows.

34 CFR § 200.6(c)(4)(iii) requires assurances from the SEA that it has verified that each district with more than 1.0% participation in the alternate assessment has (A), followed participation guidelines and (B), will address any disproportionality in participation in the alternate assessment.

34 CFR § 200.6(c)(4)(iv) requires a plan and timeline by which:
(A). The State improve the implementation of its guidelines for participation in the AA-AAAS (including by reviewing and, if necessary, revising its definition of children with significant cognitive disabilities so that the State meets the cap in each subject in future school years).

(B). The SEA will take additional steps to support and provide appropriate oversight to each LEA that the State anticipates will assess more than 1.0 percent of its assessed students with an AA-AAAS to ensure that only students with the most significant cognitive disabilities take an AA-AAAS. The State must describe how it will monitor and regularly evaluate each such LEA to ensure that the LEA provides sufficient training such that school staff who participate as members of an IEP team or other placement team understand and implement the guidelines established by the State so that all students are appropriately assessed; and

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<th>Question</th>
<th>Answer</th>
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<td>When does the State’s I AM testing window open?</td>
<td>The State’s I AM testing window opens on April 1 and continues through May 10, 2024.</td>
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<td>Indiana’s waiver extension request did not include any copies of completed Alternate Assessment Assurance and Justification Survey forms for SY 22-23.</td>
<td>Please provide 5 completed copies and indicate who is required to sign the survey. Here is a link to a folder containing five completed assurances. Assurances must be signed by the superintendent, certified test coordinator, or the special education director.</td>
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<td>There are seven outstanding responses; 96% of responses have been collected and all LEAs with outstanding surveys continue to be contacted.</td>
<td>Also, describe the process the State used to collect any outstanding surveys. Local education agencies (LEAs) not responding to the initial assurances notification receive a direct email sent to the special education director and the superintendent requesting the survey be completed asap. If no response is provided, the superintendent of the LEA is sent a secure notification email with an option for a meeting or to provide a completed survey. There are seven outstanding responses; 96% of responses have been collected and all LEAs with outstanding surveys continue to be contacted.</td>
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<td>Indiana’s waiver extension request did not include any evidence to suggest that the State has collected justifications from each required district for SY 22-23. We understand that the assurance form and justification form are combined into the Alternate Assessment Assurance and Justification Survey.</td>
<td>Please provide a link to a website (that is accessible to the public) where the justifications or the information in the justifications are stored. <a href="https://www.in.gov/doe/it/accountability-dashboard/alternate-assessment-essa-1-cap/">https://www.in.gov/doe/it/accountability-dashboard/alternate-assessment-essa-1-cap/</a></td>
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<td>There are seven outstanding responses; 96% of responses have been collected and all LEAs with outstanding surveys continue to be contacted.</td>
<td>Or, provide a link to a website that includes instructions for requesting copies of completed justifications.</td>
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<td>Indiana’s waiver extension request did not include a SY 23-24 plan and timeline for (A), (B), and (C). Instead, the State discussed several activities but it is unclear when these activities will take place.</td>
<td>Please provide the month and year for the following activities:</td>
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<td>For (A) – Staff training, office hours with State, question/answer sessions with State Staff Training - Bi-monthly participation in the National Center on Education Outcomes (NCEO) Community of Practice beginning July of 2023 (ongoing) Office hours - State staff offer Office Hours Monthly beginning August of 2023 (ongoing) I AM Spring Q&amp;A sessions- Two sessions were held before the opening of the assessment window, March 13 and 14, 2024.</td>
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<td>For (B) – Tier notification to districts, onsite visits to districts/schools, live webinars or development of recorded ones, random IEP reviews, one-on-one meetings with State staff, corrective action plan due dates and any goal setting or progress updates. Feedback from stakeholders maybe on revising criteria for I AM participation.</td>
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<td>-Tier notifications were supplied to local education agencies through data reporting in the Results Driven Accountability (RDA) portal. The RDA dashboard was published on November 15, 2023.</td>
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<td>-Onsite visits began in February of 2024.</td>
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(C). The State will address any disproportionality in the percentage of students taking an alternate assessment aligned with alternate academic achievement standards as identified through the data provided in accordance with paragraph (c)(4)(iii)(A) of this section;

-Three presentations were created in November of 2023. The first presentation is guidance to assist local education agencies in understanding and responding to disproportionality found in I AM participation and the other presentation addresses trends in participation within subgroups and is used to inform the field on the trends. A presentation will be shared on April 23, 2024 with INSource, Indiana’s parent training institute group, on family-friendly topics related to I AM.

-Desk audits of IEPs of the students participating in the alternate assessment were conducted in October and November of 2023.

- During the on-site visits referenced previously, the one-on-one meetings and development of corrective action/implementation plans are reviewed with state staff.

-Public comment was received from stakeholders- educators and families in September of 2023.

-Goals were set in November of 2023 based on trends in participation. There are no comments on changing the criteria but there are comments advocating for the removal of the one percent cap.

For (C) – What risk index does the State use to identify disproportionality, e.g., risk index of 2.0? When are disproportionality analyses conducted at the State- and district-level? When are the results shared with districts? What does the State and its districts do when disproportionality is found?

A risk index of 2.0 is used to measure significant disproportionality.

When are disproportionality analyses conducted at the State- and district level? In November following assessment.

When are the results shared with districts? Results are shared with districts in November.

What do the State and its districts do when disproportionality is found? LEAs review the findings, consider their student demographics, ensure policies and procedures do not result in over or underrepresentation of any subgroup, and provide a detailed response in the assurances survey.

Extensions only:
As required in 34 CFR § 200.6(c)(4)(v), the State must demonstrate substantial progress towards achieving each component of the prior year’s plan and timeline in the following areas:

(A) … improve the implementation of its guidelines for participation in the AA-AAAS
(B) ... support and provide appropriate oversight to each LEA that the State anticipates will assess more than 1.0 percent of its assessed students with an AA-AAAS to ensure that only students with the most significant cognitive disabilities take an AA-AAAS.
(C) … address any disproportionality in the percentage of students taking an alternate assessment aligned with alternate academic achievement standards.

We are piecing together the progress that Indiana has made regarding (A), (B), and (C).

Please provide a little more detail about the following:

For (A) describe the success that the State has seen in improving the implementation of its guidelines for I AM participation? We are aware that the State revised its criteria for I AM participation in SY 22-23. If various stakeholder groups, districts, or schools were involved in this work please briefly describe this.

The criteria revisions were related to the addition of an alternate diploma and public comment requirements were implemented.

If since the revision the State has noticed that a certain number of students with disabilities have been transitioned from the I AM to the general assessment based on re-reviews of their eligibility for I AM please provide that data. For example, the waiver says that nearly half of all students attending districts involved in the State’s case study achieved “At Proficiency” on the I AM ELA assessment. What was done based on this finding, were any of these students moved to the general assessment? Will the State conduct a larger study that includes more districts?

This data will be reviewed following the SY23-24 assessment and may include a larger study.

For (C) The waiver says that the State found several instances of disproportionality in its SY 2022-2023 assessment data. Twelve districts showed disproportionality in R/LA and mathematics; and seven did so in science. This was a reduction from SY 2021-2022 where 20 districts showed disproportionality by subgroups statewide. Are you saying that 1 less district showed disproportionality in SY 22-23?

13 LEAs were identified as having a disproportionate percentage of students taking an AA-AAS compared to 20 LEAs being identified in SY 21-22.