



PUBLIC SCHOOLS OF NORTH CAROLINA

DEPARTMENT OF PUBLIC INSTRUCTION | Catherine Truitt, *Superintendent of Public Instruction*

WWW.DPI.NC.GOV

March 15, 2023

TO LEA Superintendents
Charter School Directors

FROM Michael Maher, Deputy State Superintendent *WMM*
Division of Standards, Accountability, and Research

Derrick Jordan, Deputy State Superintendent *DDJ*
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JUSTIFICATION REQUIRED FOR EXCEEDING 1.0 PERCENT PARTICIPATION IN THE ALTERNATE ASSESSMENT

Only students with the most significant cognitive disabilities are eligible to take an alternate assessment aligned with the alternate academic achievement standards (see the attached NCEXTEND1 eligibility criteria and *North Carolina Alternate Assessment Decision Making Flow Chart*). Public school units must provide sufficient training so that school staff who participate as members of an Individualized Education Program (IEP) team understand the eligibility criteria and implement the guidelines established by the state so that all students are appropriately assessed.

The *Every Student Succeeds Act* (ESSA) requires states to ensure that the total number of students who are instructed on the *Extended Content Standards* and assessed in each subject using the NCEXTEND1 alternate assessment, does not exceed 1.0 percent of the total number of all students assessed in each subject. The North Carolina Department of Public Instruction (NCDPI) has reviewed the participation data for the NCEXTEND1 assessment in 2021–22 and found at the state level that over 1.0 percent of students in North Carolina participated in mathematics and English Language Arts/reading at grades 3–8, mathematics at grade 11, and science at grades 5 and 8 of the NCEXTEND1. Additionally, data showed there are public school units that exceeded the 1.0 percent participation in the alternate assessment during the 2021–22 school year.

Based on the 2021–22 school year participation data, the NCDPI anticipates the state will exceed the 1.0 percent cap on alternate assessment participation in mathematics and English Language Arts/reading at grades 3–8, mathematics at grade 11, and science at grades 5 and 8 for the 2022–23 school year. The NCDPI anticipated that the participation rates would rise from last year's waiver due to the circumstances and impacts related to COVID-19. This is true and reflected in

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AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

Table 1 for the mathematics at grade 11 participation rate. Since the students who participate in the assessment are in a cohort, the denominator was greatly impacted last school year. The NCDPI anticipates that the 1.6 participation rate percentage will decrease this year to closely mirror the rate from the 2018–19 school year.

Table 1

Subject and Grade(s)	Numerator	Denominator	Percent
Mathematics Grades 3–8*	7,540	694,896	1.1%
Mathematics Grade 11*	825	52,641	1.6%
Reading Grades 3–8*	7,568	695,850	1.1%
Reading Grade 10	1,025	111,822	0.9%
Science Grades 5 & 8*	2,520	235,072	1.1%
Science Grade 11	824	84,565	1.0%

*Subject areas that exceed 1.0 percent of test population.

As required by the ESSA, the NCDPI must notify public school units that are identified (based on 2021–22 school year participation data) as being likely to exceed 1.0 percent of students who are instructed on the *Extended Content Standards* and assessed in a subject area (i.e., Reading, Mathematics, and/or Science) on the NCEXTEND1 for the 2022–23 school year. These identified public school units must provide the NCDPI a justification of the need to assess more than 1.0 percent of its students on the NCEXTEND1 in any assessed subject. Public school units that did not exceed 1.0 percent in 2021–22, but anticipate exceeding in 2022–23, must also submit a justification.

To assist in this process, assessment participation data for public school units is located on the secure shell at 2022/ALTPARTXXX.xls (XXX is the public school unit code). Superintendents and school directors must review this data and determine if participation on the NCEXTEND1 in any subject (i.e., Reading, Mathematics, and/or Science) may possibly exceed the 1.0 percent participation in the alternate assessment for the 2022–23 school year.

If it is determined the participation is anticipated to exceed 1.0 percent, the ESSA requires the public school unit to complete and submit a justification. As a part of the justification form, the Disproportionality Excel document is to be used to assist with answering the questions in the last box of the Assurances section of the justification form. Justifications from each public school unit will be reviewed by the NCDPI and follow up actions will be determined based on the information in the justification document. Each public school unit, including Exceptional Children staff and Testing and Accountability staff, should collaborate to provide the information necessary for the justification form. A copy of the justification form and images of the Disproportionality Excel document are attached to this memo, and electronic copies for submission are posted on the Testing News Network (TNN) home page under the Administrative Documents section.

The completed justification document must be signed by the superintendent or charter school director, Exceptional Children’s director or coordinator, and public school unit test coordinator.

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The document must be completed electronically, scanned, and emailed to alternateassessment@dpi.nc.gov by July 6, 2023. Per ESSA, the justification documents must be made publicly available. As such, the document must not contain any personally identifiable student information. The NCDPI will notify public school units in writing if further information is needed and will include next steps. For questions, please contact your public school unit Exceptional Children Director or regional accountability office.

As always, thank you for all you do for our schools and for ensuring that we appropriately instruct and assess all students in North Carolina.

MM:TLH:ST:mmb

c: Catherine Truitt, State Superintendent
Ashley Baquero, Director, Office of Charter Schools
Dreama McCoy, Section Chief, Supporting Teaching and Related Services
Curtis Sonneman, Section Chief, Analysis and Reporting
Shannon Jordan, Section Chief, Testing Policy and Operations
Molly Britt, Education Consultant, Testing Policy and Operations
Matthew Martinez, Education Consultant, Significant Disabilities
Regional Accountability Coordinator
District Exceptional Children Director
Charter School Exceptional Children Coordinator
Public School Unit Test Coordinator

Attachments (4)

1.0 Percent Participation Justification Form 2022–23

The *Every Student Succeeds Act (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 (i.e., Reading, Mathematics, and/or Science) with the NCEXTEND1 alternate assessment. Justifications from each public school unit will be reviewed by the North Carolina Department of Public Instruction (NCDPI) and follow up actions will be determined based on the information provided in this form. Staff from the Exceptional Children and Accountability Department in each public school unit should collaborate to provide the requested information on this form. Responses to Sections 1–4 and the designated signatures are required; it is optional to include additional information (see page 5). After these forms are received from each public school unit, this justification form will be publicly posted. As such, the document **must not contain any personally identifiable information**. If necessary, additional pages may be attached to this form.

Section 1: Contact Information

Enter contact information for the primary public school unit staff member responsible for overseeing the completion of the justification form.

3-Digit Public School Unit Code: Click or tap here to enter text.
Contact Name: Click or tap here to enter text.
Contact Phone No.: Click or tap here to enter text.
Public School Unit Name: Click or tap here to enter text.
Contact Title: Click or tap here to enter text.
Contact E-Mail: Click or tap here to enter text.

Section 2: Analyzing Contributing Factors

Did the 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?

- Yes No

Describe how **all** members of the IEP teams have been informed **and** trained on the use of the alternate assessment eligibility criteria and the North Carolina Alternate Assessment Decision Making Flow Chart.

- Yes No

Explain your answer below:
Click or tap here to enter text.

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?

- Yes No

If yes, explain the criteria the IEP team used to determine how the students met the criteria for participation in the alternate assessment.

Click or tap here to enter text.

Does the public school unit provide a targeted program that may contribute to a higher enrollment of students with significant cognitive disabilities?

Yes No

If yes, explain your answer below:

[Click or tap here to enter text.](#)

Does the public school unit have a small overall student population that increased the likelihood of exceeding the 1.0 percent threshold?

Yes No

If yes, explain your answer below:

[Click or tap here to enter text.](#)

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?

Provide your response below:

[Click or tap here to enter text.](#)

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*.

Provide your response below:

[Click or tap here to enter text.](#)

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.

Provide your response below:

[Click or tap here to enter text.](#)

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?

Provide your response below:

[Click or tap here to enter text.](#)

Describe the process for auditing Exceptional Children IEP records for students instructed on the *Extended Content Standards* and participating in the alternate assessment.

Provide your response below:

[Click or tap here to enter text.](#)

After completing the Disproportionality Excel document, answer the following guiding questions.

1. 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?

Click or tap here to enter text.

2. When looking at subgroup discrepancies, what hypotheses can be formed?

Click or tap here to enter text.

3. What problem-solving actions will the public school unit take to address the identified hypotheses?

Click or tap here to enter text.

Section 4: Resources and Technical Assistance

What resources and technical assistance does the public school unit need from the NCDPI to ensure that students are being assessed using the appropriate assessment?

Click or tap here to enter text.

Signatures

Superintendent or School Director _____ Date _____

Exceptional Children Director or Coordinator _____ Date _____

Public School Unit Test Coordinator _____ Date _____

The completed justification form must be signed by the superintendent or school director, exceptional children’s director or coordinator, and public school unit testing coordinator. The form must be scanned and emailed to alternateassessment@dpi.nc.gov by July 6, 2023.

The NCDPI will notify public school units in writing if further information is needed and will include next steps. For questions, please contact your Exceptional Children Director or regional accountability office.

Note: The following additional information can be included with the justification documentation, but is not required:

- 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 grades 4–7 versus grade 8 versus high school and an explanation of how Individualized Education Program (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 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 or charter school that may contribute to the alternate assessment participation rate.

Disproportionality Excel document Screenshots

The fillable disproportionality excel document and this memo will be posted to TNN.

2021–22 Data Reading Grades 3–8 (Combined)									
	Male Subgroup Percentage	Female Subgroup Percentage	Economically Disadvantaged Subgroup Percentage	Hispanic Subgroup Percentage	American Indian Subgroup Percentage	Asian Subgroup Percentage	Black Subgroup Percentage	White Subgroup Percentage	Multiple Subgroup Percentage
Percent of NCEXTEND1 participants									
Percent of general participants									
Percentage difference (+/-)	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Notes: 1. The green and red percentages in row 6, the goal is to have those percentages be as close to 0% as possible. 2. Red percentages may indicate over identification of students participating on the alternate assessment compared to the students participating on the general assessment. 3. Green percentages may indicate under identification of students participating on the alternate assessment compared to the students participating on the general assessment.				Guiding Questions: 1. In reviewing the data, which subgroups in your public school unit have the largest discrepancy between participants on the general assessment and the alternate assessment? 2. When looking at subgroup discrepancies, what hypotheses can be formed? 3. What problem-solving actions will the public school unit take to address the identified hypotheses?					

2021–22 Data Mathematics Grades 3–8 (Combined)									
	Male Subgroup Percentage	Female Subgroup Percentage	Economically Disadvantaged Subgroup Percentage	Hispanic Subgroup Percentage	American Indian Subgroup Percentage	Asian Subgroup Percentage	Black Subgroup Percentage	White Subgroup Percentage	Multiple Subgroup Percentage
Percent of NCEXTEND1 participants									
Percent of general participants									
Percentage difference (+/-)	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Notes: 1. The green and red percentages in row 6, the goal is to have those percentages be as close to 0% as possible. 2. Red percentages may indicate over identification of students participating on the alternate assessment compared to the students participating on the general assessment. 3. Green percentages may indicate under identification of students participating on the alternate assessment compared to the students participating on the general assessment.				Guiding Questions: 1. In reviewing the data, which subgroups in your public school unit have the largest discrepancy between participants on the general assessment and the alternate assessment? 2. When looking at subgroup discrepancies, what hypotheses can be formed? 3. What problem-solving actions will the public school unit take to address the identified hypotheses?					

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 owing 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

