



November 7, 2022

Oklahoma State Department of Education (OSDE)

Public Notice and Comment Period

Waiver Request Pursuant to 34 C.F.R. §200.6(c)(4)

The Every Student Succeeds Act (ESSA) amended a provision of Title 1 of the Elementary and Secondary Education Act of 1965 related to students participating in alternate assessments of each State Education Agency's (SEA's) statewide assessment. The ESSA requires SEAs to submit waiver requests to the U.S. Department of Education in the event they have more than 1.0 percent of their student testing population participating in the alternate assessment in any subject area. OSDE anticipates Oklahoma will exceed the 1.0 percent cap based off preliminary data.

Oklahoma was granted a waiver for the 2021-2022 school year. The Oklahoma State Department of Education (OSDE) is requesting from the Secretary for the United States Department of Education an extension of the waiver of the 1.0 percent cap in ESEA section 1111(b)(2)(D)(i)(I) on the number of students who participate in alternate assessments aligned with alternate academic achievement standards (AA-AAAS) for the 2022-2023 school year for subject areas math, ELA, and science.

Local Education Agencies (LEAs) providing Justification Statements for overages, assurances submitted by Superintendents, and State level support activities such as regional trainings have made a positive impact on increasing LEAs' capacity to identify the most appropriate assessment for students with disabilities. OSDE-SES continues to address this area of need by providing supports and exploring new methods in order to maintain progress towards reaching the 1.0 percent cap both through the Office of Assessments and Office of Special Education Services.

OSDE is seeking comments on this waiver extension request. Any individual or organization may submit written comments on the proposed waiver pursuant to 34 C.F.R. §200.6(c)(4). Comments will be submitted to the U.S. Department of Education. OSDE is providing statewide notice by sending a memo through our Special Education listserv and posting the waiver application on the Oklahoma State Department of Education, Special Education Services (OSDE-SES) webpage. Comments and questions should be submitted to Todd Loftin, Executive Director of Special Education Services, using the following the email, Abby.Johnson@sde.ok.gov. Public comments must be submitted no later than 5:00pm Wednesday, December 7, 2022.

Section 1: Waiver Request

Requirement 1 – (§200.6(c)(4)(i)): Submit the waiver request at least 90 days before testing window starts for the relevant subject.

OSDE Response	Supporting Evidence
OSDE-SES indicated the dates of its alternate assessment testing window and confirmed that the waiver request was being submitted 90 days prior to the beginning of the testing window.	<p>The Oklahoma Alternate Assessment Program's (OAAP) operational window is March 20, 2023 through May 17, 2023. OSDE will submit a waiver request to the U.S. Department of Education for the subject areas of math, reading, and science prior to Tuesday, December 20, 2022.</p> <ul style="list-style-type: none">• Date that is 90 days prior to the start date for the OAAP: December 20, 2022• OAAP Year-End Operational Window (required) 3/20-5/17/2023• Instructionally Embedded (IE) assessments are for instructional purposes and are optional for LEAs. The IE window is 9/12-2/22/2023• The OAAP testing schedule is disseminated through the Special Education Listserv and is posted to the OAAP Webpage. A memo on September 12, 2022 (Requirement 1 Attachment) was sent to LEAs through the Special Education Listserv detailing the testing schedules.

Requirement 2 (A) - (§200.6(c)(4)(ii)(A)): Provide State-level data from the current or previous year that shows the number and percent in each subgroup who took the alternate assessment in the subject area.

2021-2022 Oklahoma Student Participation in ELA by Subgroup

Subgroup	Number participating in statewide assessment (ELA)	Number participating in OAAP	Percent participating in OAAP
All students	If you have questions about the data, please email caroline.misner@sde.ok.gov .		
Black			
White			
Hispanic			
Economically disadvantaged			
English Learner			
Homeless			

2021-2022 Oklahoma Student Participation in Math by Subgroup

Subgroup	Number participating in statewide assessment (Math)	Number participating in OAAP	Percent participating in OAAP
All students			
Black			
White			
Hispanic			
Economically disadvantaged			
English Learner			
Homeless			

2021-2022 Oklahoma Student Participation in Science by Subgroup

Subgroup	Number participating in statewide assessment (Science)	Number participating in OAAP	Percent participating in OAAP
All students			
Black			
White			
Hispanic			
Economically disadvantaged			
English Learner			
Homeless			

Requirement 2 (B) - (§200.6(c)(4)(ii)(B)): Provide State-level data from the current or previous year on the overall assessment participation rate for all students and for students with disabilities.

Year	Report Subgroup	Subject Group	Numerator	Denominator	Participation Rate
2022	All Students	Math			
2022	All Students	Reading			
2022	All Students	Science			
2022	Individualized Education Program	Math			
2022	Individualized Education Program	Reading			
2022	Individualized Education Program	Science			

Requirement 3 (A) – (§200.6(c)(4)(iii)(A)): Provide assurance that districts over 1.0 percent participation in the alternate assessment followed the state's participation guidelines.

OSDE Response	Supporting Evidence
<p>OSDE-SES provided an assurance that it has verified that each district with more than 1.0 percent participation in the OAAP followed the state's guidelines for participation.</p>	<p>Each LEA that is over 1% provides a written assurance to address the following:</p> <ul style="list-style-type: none"> • IEP teams followed the states <i>Criteria Checklist for Assessing Students with Disabilities on Alternate Assessments</i> • IEP teams are correctly identifying students with the most significant cognitive disabilities based on the evidence in the <i>Criteria Checklist for Assessing Students with Disabilities on Alternate Assessments</i> • IEP teams are informing parents/guardians of the implications associated with their child being assessed on the alternate assessment (Parent Brochure) • IEP teams have a completed <i>Criteria Checklist for Assessing Students with Disabilities on Alternate Assessments</i> in our online IEP platform <p>Assurance statements regarding the responsibility of IEP teams to follow the AA-AAAS participation requirements are gathered annually from all LEA Superintendents as part of their Assurances and LEA Agreements prior to the start of each new fiscal year. LEAs must complete Assurances before they can submit their LEA agreement. OSDE makes no payments until assurances and agreements are approved. The OSDE-SES utilizes an online grants management system to gather the assurance statements. (Requirement 3 (A) Attachment)</p>

Requirement 3 (B) – (§200.6(c)(4)(iii)(B)): Provide assurance that any disproportionality in students taking the alternate assessment will be addressed.

OSDE Response	Supporting Evidence
<p>Oklahoma has provided an assurance that it has verified that each LEA with more than 1.0 percent participation in the OAAP will address any disproportionality in participation in the alternate assessment.</p>	<p>OSDE continues to address disproportionality in the percentage of students in any subgroup taking the alternate assessment through the steps addressed below:</p> <ul style="list-style-type: none"> • Calculating and analyzing participation rates among subgroups at the state and district levels; • Identifying subgroups over-represented in the DLM participation counts; • Reviewing district justifications and data to identify unusual patterns and high participation rates across subgroups; • Districts that fall into tiers 1 through 3 (explained in more detail in Requirement 4 (B)) will respond to additional questions addressing disproportionality when they complete their Toolkit. <p>The OSDE annually examines finalized state assessment participation data for disproportionality between the OAAP and OSTP student participation for subgroups listed in 2(A), as well as Native Americans and male students. The two additional subgroups were chosen due to having historically experienced disproportionality in Oklahoma. The disproportionality rate for OAAP participation is set at 2.5%, which is consistent with other OSDE-SES monitoring activities (e.g., indicators 9 and 10 are set at 2.3%). Districts are notified when disproportionality exists and the method necessary for addressing it. (Requirement 3(B) Attachment)</p>

Requirement 4 (A) – (§200.6(c)(4)(iv)(A)): Submit a plan and timeline by which the State will improve the implementation of its participation guidelines, including if necessary, revising its definition of “students with the most significant cognitive disabilities” in future school years.

OSDE Response	Supporting Evidence
<p>Oklahoma provided a plan and timeline for future school years for improving its guidelines, including its definition of students with the most significant cognitive disabilities.</p>	<p>The OSDE-SES worked in conjunction with three groups of stakeholders during the 2017-18 school year to develop a state definition of “students with the most significant cognitive disabilities.” The definition has been included in the required professional development module regarding the Oklahoma Alternate Assessment Program (OAAP) participation criteria. This module is available in the statewide online IEP system. In addition, LEAs may request print copies of the State definition from OSDE-SES to provide to IEP team members. (Requirement 4(A), Attachment 1)</p> <p>The OSDE-SES provided a live webinar in the fall of 2020. A portion of the training focused on identifying students with the most significant cognitive disabilities using the State definition.</p> <p>The Office of Assessments updates the Oklahoma Accommodations Manual for the Oklahoma State Testing Program (OSTP) to reflect language consistent with the State definition for students participating in the OAAP. The manual is reviewed for edits every fall.</p> <p>In October of 2020 began the revision of the Oklahoma Administrative Code 210:10-13-11, which addresses the</p>

requirement of testing students with disabilities. The language describing students who participate in the OAAP, Parts (f) and (g), will reflect language consistent with the State definition. Oklahoma Administrative Rules:

<https://sde.ok.gov/administrative-rules>

December 3, 2020: IDEA Part B Advisory Panel is scheduled to evaluate the use and language of the State definition with the anticipation of improving the AA-AAAS participation rate for the State of Oklahoma.

March 2021: In February of 2020, LEAs exceeding the 1.0 percent cap based off 2018-2019 assessment data were placed into a three-tiered intervention/support system. Scheduled LEA monitoring activities for the spring of 2020 were suspended due to COVID-19. Monitoring activities have been rescheduled for spring of 2021.

- LEAs grouped into each of the three tiers are required demonstrate that all educators serving on IEP teams, where students have been scheduled to participate in the OAAP, have completed the online professional development module “Criteria for Alternate Assessment Participation.” The module is designed to assist educators in identifying students with the most significant cognitive disabilities using the State definition and State-established criteria identified in the *Criteria Checklist for Assessing Students with Disabilities on Alternate Assessments*. (Requirement 4(A), Attachment 2)

2022-2023 Plan and Timeline for improving our participation guidelines:

- Our OAAP Specialist participates in the bi-monthly NCEO 1% calls to increase knowledge on how we can move Oklahoma forward in lowering our percentage.
- The OSDE staff participates in the CCSSO-SCASS and CCSSO-ASES meetings to increase our knowledge around assessing students with the most significant cognitive disabilities.
- July 2022: Training provided to Special Education Directors regarding OAAP and ensuring their teams refer to our definition of a student with the most significant cognitive disability.
- An OAAP Memo is sent out through our listserv to inform district test coordinators, special education directors, and teachers of any relevant information and upcoming trainings related to students with the most significant cognitive disabilities.

Requirement 4 (B) – (§200.6(c)(4)(iv)(B)): Submit a plan and timeline by which the State will take additional steps to support and provide appropriate oversight to each LEA that the state anticipates will assess more than 1.0 percent with the alternate assessment.

OSDE Response	Supporting Evidence
<p>Oklahoma provided a plan and timeline for additional steps it will take to support and provide appropriate oversight of districts expected to assess more than 1.0 percent.</p>	<p>LEAs anticipating exceeding the 1.0 percent cap are annually required to complete the online survey <i>Justification for Exceeding 1.0 Percent OAAP Participation</i> (Requirement 4(B), Attachment 1). The survey is disseminated by the Office of Special Education Services and the Office of Assessments when the window for LEAs to certify student assessment data opens. The survey addresses an LEA's projected and previous year's AA-AAAS participation percentage and best practices for determining the appropriate year-end assessment for students with disabilities. The survey closes four weeks prior to the opening of the OAAP operational window. The results of the most recent survey, based off anticipated data, is available on the OAAP webpage.</p> <ul style="list-style-type: none"> • November 2021: OSDE begins notifying LEAs regarding the requirement to complete the online <i>Justification for Exceeding 1.0 Percent OAAP Participation</i> survey. • March 2022: Justification Survey results were reviewed for comments made by districts to see areas that districts would benefit from more support and training related to alternate assessment decision making. • Summer of 2022: The Special Education Office and Office of Assessments collaborated to develop a new tiered monitoring approach to support districts who are over 1% to ensure they are appropriately identifying

students who meet the requirements for alternate assessment. The requirements for LEAs to complete at each tier are listed below. We have also attached the monitoring documents that are being provided to districts. (Requirement 4(B), Attachment 2)

Tier 1:

- Complete Professional Development Module on the 1.0% criteria and implications of assessing students on the alternate assessment;
- Complete the 1% Toolkit.

Tier 2:

- Complete Professional Development Module on the 1.0% criteria and implications of assessing students on the alternate assessment;
- Complete the 1% Toolkit;
- Complete a file review of students provided by OSDE utilizing the Rubric for Determining Student Eligibility for OAAP and submit the file reviews to OSDE.

Tier 3:

- Complete Professional Development Module on the 1.0% criteria and implications of assessing students on the alternate assessment;
- Complete the 1% Toolkit;
- OSDE will monitor each LEAs alternate assessment IEPs with a monitoring checklist;
- OSDE will meet with each LEA via Zoom or onsite meeting to review results of monitoring.

Requirement 4 (C) – (§200.6(c)(4)(iv)(C)): Submit a plan and timeline by which the State will address any disproportionality in the percentage of students taking the alternate assessment.

OSDE Response	Supporting Evidence
<p>Oklahoma provided a plan and timeline for addressing any disproportionality.</p>	<p>The plan for addressing any disproportionality in the percentage of students in any subgroup participating in the OAAP is comprised of two components. All LEAs anticipating exceeding the 1.0 percent cap are required to complete the <i>Justification for Exceeding 1.0 Percent OAAP Participation</i> survey. Secondly, after year-end assessment data is finalized, OSDE-SES analyzes all LEAs for discrepancy as described in Requirement 3(B).</p> <ul style="list-style-type: none"> • A component of the survey requires LEAs to complete a disproportionality analysis of their alternate assessment data. The analysis is based off an estimated participation rate for upcoming testing window; and • OSDE-SES staff will provide technical assistance to LEA leaders to identify any trends or disproportionality issues prior to the beginning of the assessment window. • Early March: Placeholder date for disproportionality letters. Each LEA will receive a letter outlining the area in which the disproportionality existed and the federally mandated requirements for addressing the disproportionality. See sample letter attachment from Requirement 3 (B).

Ongoing Integrative Activities:

- Results from the *Justification for Exceeding 1.0 Percent OAAP Participation* survey, which addressed disproportionality, have been posted to the [OAAP webpage](#).
- OSDE annually seeks input from the IDEA B panel for addressing and reducing disproportionality.
- OSDE-SES provides targeted technical assistance, in the form of integrated monitoring as part of Oklahoma's Differentiated Monitoring Results, to increase the capacity for LEAs to identify disproportionate representation of subgroups in special education.
- Districts will be notified in March 2023 if their district needs to address any disproportionality in the percentage of students taking the alternate assessment. Districts will be required to submit a plan to OSDE stating their plan of action for addressing their district's disproportionality. OSDE will review each district's plan and work with districts on an individual basis to address concerns related to the disproportionality data increases or decreases when OSDE has the student data from the 2023 testing sessions.

Requirement 5 – (§200.6(c)(4)(v)): Demonstrate substantial progress toward each component of the prior year’s plan and timeline, which was required under Requirement 4 (C).

School Year	District Name	Subject	OAAP Student Count	Total Students Tested	OAAP Percentage
2022	State Total	Math			
2022	State Total	Reading			
2022	State Total	Science			
2019	State Total	Math	5779	350827	1.65%
2019	State Total	Reading	5797	351088	1.65%
2019	State Total	Science	2336	144474	1.62%
2018	State Total	Math	5747	345792	1.66%
2018	State Total	Reading	5759	345476	1.67%
2018	State Total	Science	2293	144879	1.58%
2017	State Total	Math	5840	346763	1.68%
2017	State Total	Reading	5852	346316	1.69%

2017	State Total	Science	2167	128009	1.69%
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- **EdFacts Discrepancy:** 2017-2018 was Oklahoma's first year to be operational with our College- and Career-Readiness Assessment for grade 11 students. Grade 11 science was considered a pilot test that year and students did not receive a score; only the students who took a science assessment and received a score (100,810) were included in the EdFacts number. The OSDE required all grade 11 students to participate in the science assessment. The total number of students who participated in a science assessment in grades 5, 8 and 11 (144,879) is reflected above.

OSDE Response	Supporting Evidence
Oklahoma showed that it made progress toward its prior year's plan and timeline.	<p>Progress has been made in lowering the percentage of students assessed through the Oklahoma Alternate Assessment Program (OAAP) over the past four years. LEAs providing Justification Statements for overages, assurances submitted by district superintendents, and State level support have made a positive impact on increasing LEAs' capacity to identify the most appropriate assessment for students with disabilities.</p> <p>Prior to the suspension of testing due to COVID-19, the OAAP operational window was open for 12 school days. During that time, 995 students completed at least one test section. Four weeks prior to the window opening, 184 LEAs indicated to OSDE they anticipated exceeding the participation cap through the required survey referenced in this waiver. For comparison, in 2018 256 LEAs exceeded the participation cap and 5,759 students participated in an AA-AAAS ELA assessment.</p>

OSDE continues to explore new methods to maintain and build progress towards reaching the 1.0 percent cap. Additionally, OSDE is committed to providing ongoing support to our educators in methods not referenced in the waiver requirements such as biweekly assessment webinars, OAAP desk monitoring, OAAP Memos, and targeted technical assistance.

Oklahoma has experienced teacher shortage, low levels of teacher retention, an increase in non-traditionally certified special education teachers, and an increase in the special education population over the past few years. Many of our districts continue to experience massive disruption this school year due to the COVID-19 Pandemic. Despite these extenuating circumstances, OSDE realizes more progress can be made towards our 1.0 percent goal and is actively committed to our students and educators across the state in building our capacity to determine the most appropriate state assessment for students with significant cognitive disabilities and adaptive behavior deficits.

While we have continued to see a decrease in our alternate assessment participation numbers, we are hopeful that provided tiered monitoring and a disproportionality toolkit for districts we will continue to see our numbers decrease with students moving to assessments that are appropriate based on their cognitive and adaptive behavior abilities.

2022-2023 OAAP Update: September 12, 2022

This update will cover:

- 2022-2023 Testing Schedule
- DLM Service Desk Contact Information
- Student Upload in Kite Educator Portal
- Test Administrator Training Information and New Lists of Required Training
- DLM Action Items

2022-2023 Testing Schedule

OAAP Spring Window: March 20 - May 17, 2023 (DLM Year-End)

	3 rd	4 th	5 th	6 th	7 th	8 th	9 th	10 th	11 th
ELA	✓	✓	✓	✓	✓	✓			✓
MATH	✓	✓	✓	✓	✓	✓			✓
SCIENCE			✓			✓			✓
HISTORY									✓

Instructionally Embedded Assessment Window opens September 12, 2022. This is highly encouraged, but optional.

DLM Service Desk Contact Information

(Phone Number: 844-261-6481; email: DLM-support@ku.edu)

Do not send any Personally Identifiable Information. The only identifier relating to a student that can be sent is the STN.

Please send your contact information (name and email), your school and district name, and error message or the area in which you need assistance.

Student Upload in Kite Educator Portal

All districts should now be able to view students in Educator Portal. The student enrollments were based on IEP records in EdPlan on 9/7/2022. Please review your students, make any necessary updates, and remove any student who is no longer enrolled in your district.

Test Administrator Training Information

Test Administrator training is now open on the [Moodle training site](#). The DLM system will only assign training courses to users assigned a teacher role in Educator Portal. District administrators who would like to complete DLM training must assign themselves a teacher role.

- All training must be completed before administering the DLM assessment.
- Each post-test must be completed with a score of 80% or better. All post-tests must be successfully completed for the entire training course to be complete.

[Guide to DLM Required Administrator Training 2022-2023](#)

[List of Required Training for Returning DLM Test Administrators](#)

[List of Required Training for New DLM Test Administrators](#)

DLM Action Items

- ✓ Download the [updated Kite Student Portal](#) on all devices that students will be using to test.
- ✓ Subscribe to [DLM Test Updates](#).
- ✓ DLM is offering a recorded training for District Test Coordinators that is available now. It covers the basics of the DLM alternate assessment design and its terminology, the roles and responsibilities of assessment coordinators, data managers and technology personnel, and the types of extracts and reports available to help monitor and manage the assessment. They will be hosting live Question and Answer session on September 29th. The training can be accessed [here](#).

- ✓ All user accounts in [Kite Educator Portal](#) must be current. Please mark users who are no longer associated with your district for the current school year as inactive. If you utilize the User Upload Template, please use the new templates as there have been many updates to Educator Portal. The User Upload Template is located on Kite Educator Portal under Users on the Upload Users tab.

If you have any questions, please reach out to Caroline Misner at caroline.misner@sde.ok.gov or Kristen Coleman at kristen.coleman@sde.ok.gov.

	MATH	ELA	SCIENCE
Grade 3	✓	✓	
Grade 4	✓	✓	
Grade 5	✓	✓	
Grade 6	✓	✓	
Grade 7	✓	✓	
Grade 8	✓	✓	✓

COLLEGE & CAREER READY ASSESSMENT

ELA and Math

SCIENCE CONTENT

U.S. HISTORY

Grade 11



OKLAHOMA
Education

OKLAHOMA SCHOOL TESTING PROGRAM 2022-2023 ASSESSMENT DATES

	ONLINE TESTING	PAPER/PENCIL TESTING*	ASSESSMENTS	
Grade 3	April 17 - May 17, 2023	April 20 - May 3, 2023	MATH	ELA
Grade 4	April 20 - May 17, 2023	April 20 - May 3, 2023	MATH	ELA
Grade 5	April 20 - May 17, 2023	April 20 - May 3, 2023	MATH	ELA SCIENCE
Grade 6	April 20 - May 17, 2023	April 20 - May 3, 2023	MATH	ELA
Grade 7	April 20 - May 17, 2023	April 20 - May 3, 2023	MATH	ELA
Grade 8	April 20 - May 17, 2023	April 20 - May 3, 2023	MATH	ELA SCIENCE
Grade 11	To Be Determined	To Be Determined	MATH	ELA
Grade 11	April 3-27, 2023	April 3-14, 2023	U.S. HISTORY	SCIENCE CONTENT

WIDA Access/Alternate Access: January 09 - March 24, 2023

National Assessment of Educational Progress (NAEP): Long-Term Trend | Age 13: Oct 10-Dec 16, 2022

International Studies: PISA: Oct 3-Nov 25, 2022 | **TIMSS** Spring 2023 | **ICILS** Spring 2023

Oklahoma Alternate Assessment Program (OAAP) | DLM Testing Window: March 20- May 17, 2023

*Paper / Pencil testing is only allowable under special circumstances.

https://egrantsweb.sde.ok.gov/OSDEGMSWeb/02/ApplicationShell.aspx?Display/Name=Participation in Assessments

Grant Application

File Edit View Favorites Tools Help

OKLAHOMA State Department of Education

Applicant: 62-1019 ADA
 Application: 2020-2021 LEA Agreement - 00-
 Cycle: Original Application
 Application Due Date: 6/30/2020

Project Period: 7/1/2020 - 6/30/2021

LEA Agreement▼
 Printer-Friendly
 Click to Return to Organization Select
 Click to Return to GMS Access/Select Page
 Click to Return to Menu List / Sign Out

The application has been submitted. No more updates will be saved for the application.

Overview	Contact Information	Cooperative Interlocal	Maintenance of Effort	Forms	Agreement	Developmental Delay	Specific Learning Disabilities	Personnel Development	Discipline Policies/Procedures	GEPA	Submit	Agreement Print
				Agreement Part 1			Agreement Part 2		Agreement Summary			
FAPE	FAPE Part 2	Child Find	Participation in Assessments			Personnel Development Agreement			Charter Schools			

Participation in Assessments

By checking this box and saving the page, the local education agency (LEA) superintendent hereby certifies that he/she has read, understood and will comply with the assurances listed below.

The LEA assures that it will include students with disabilities in state/districtwide assessments, with appropriate accommodations, as indicated in the student's IEPs, in accordance with 34 CFR § 300.160 and the "Special Education Policies". Students who, even with appropriate accommodations, cannot participate in state/districtwide assessments will participate in the State's alternate assessments. The LEA will establish and implement guidelines for the participation of students with disabilities in districtwide assessments, with appropriate accommodations in administration, if necessary. These guidelines will also address participation of students with disabilities in alternate assessments for those students who cannot participate, even with appropriate accommodations, in standard districtwide assessment programs. The school district assures that only those students who meet the participation criteria identified in the Criteria Checklist for Assessing Students with Disabilities on Alternate Assessments will participate in the Oklahoma Alternate Assessment Program. The school district also assures that IEP teams will complete the Criteria Checklist for Assessing Students with Disabilities on Alternate Assessments on an annual basis prior to student participation in the alternate assessment.

34 CFR § 300.160 Participation in Assessments.

(A) General. A State must ensure that all children with disabilities are included in all general State and district-wide assessment programs, including assessments described under section 1111 of the ESEA, 20 U.S.C. 6311, with appropriate accommodations and alternate assessments, if necessary, as indicated in the respective IEPs.

(B) Accommodation guidelines.

(1) A State (or, in the case of a district-wide assessment, an LEA) must develop guidelines for the provision of appropriate accommodations.

(2) The State's (or, in the case of a district-wide assessment, the LEA's) guidelines must-

(i) Identify only those accommodations for each assessment that do not invalidate the score; and

(C) Alternate assessments.

(1) A State (or, in the case of a district-wide assessment, an LEA) must develop and implement alternate assessments and guidelines for the participation of children with disabilities in alternate assessments for those children who cannot participate in regular assessments, even with accommodations, as indicated in their respective IEPs, as provided in paragraph (a) of this section.

(2) For assessing the academic progress of students with disabilities under Title I of the ESEA, the alternate assessments and guidelines in paragraph (c)(1) of this section must provide for alternate assessments that-

(i) Are aligned with the State's challenging academic content standards and challenging student academic achievement standards;

(ii) If the State has adopted modified achievement standards permitted in 34 CFR 200.1(e), measure the achievement of children with disabilities meeting the State's criteria under § 200.1(e)(2) against those standards; and

(iii) If the State has adopted alternate academic achievement standards permitted in 34 CFR 200.1(d), measure the achievement of children with the most significant cognitive disabilities against those standards.

(D) Explanation to IEP Teams. A State (or in the case of a district-wide assessment, an LEA) must provide IEP Teams with a clear explanation of the differences between assessments based on grade-level academic achievement standards and those based on modified or alternate academic achievement standards, including any effects of State and local policies on the student's education resulting from taking an alternate assessment based on alternate academic achievement standards (such as whether only satisfactory performance on a regular assessment would qualify a student for a regular high school diploma).

(E) Inform parents. A State (or in the case of a district-wide assessment, an LEA) must ensure that parents of students selected to be assessed based on alternate academic achievement standards are informed that their child's achievement will be measured based on alternate academic achievement standards.

(F) Reports. An SEA (or, in the case of a district-wide assessment, an LEA) must make available to the public, and report to the public with the same frequency and in the same detail as it reports on the assessment of nondisabled children, the following:

(1) The number of children with disabilities participating in regular assessments, and the number of those children who were provided accommodations (that did not result in an invalid score) in order to participate in those assessments.

(2) The number of children with disabilities, if any, participating in alternate assessments based on grade-level academic achievement standards.

(3) The number of children with disabilities, if any, participating in alternate assessments based on modified academic achievement standards.

(4) The number of children with disabilities, if any, participating in alternate assessments based on alternate academic achievement standards.

(5) Compared with the achievement of all children, including children with disabilities, the performance results of children with disabilities on regular assessments, alternate assessments based on grade-level academic achievement standards, alternate assessments based on modified academic achievement standards, and alternate assessments based on alternate academic achievement standards if-

(i) The number of children participating in those assessments is sufficient to yield statistically reliable information; and

(ii) Reporting that information will not reveal personally identifiable information about an individual student on those assessments.

(G) Universal design. An SEA (or, in the case of a district-wide assessment, an LEA) must, to extent possible, use universal design principles in developing and administering any assessments under this section. (Authority: 20 U.S.C. 1412(a)(16))

LEA Agreement

The LEA assures that it will include students with disabilities in state/districtwide assessments, with appropriate accommodations, as indicated in the student's IEPs, in accordance with 34 CFR § 300.160 and the "Special Education Policies". Students who, even with appropriate accommodations, cannot participate in state/districtwide assessments will participate in the State's alternate assessments. The LEA will establish and implement guidelines for the participation of students with disabilities in districtwide assessments, with appropriate accommodations in administration, if necessary. These guidelines will also address participation of students with disabilities in alternate assessments for those students who cannot participate, even with appropriate accommodations, in standard districtwide assessment programs. The school district assures that only those students who meet the participation criteria identified in the Criteria Checklist for Assessing Students with Disabilities on Alternate Assessments will participate in the Oklahoma Alternate Assessment Program. The school district also assures that IEP teams will complete the Criteria Checklist for Assessing Students with Disabilities on Alternate Assessments on an annual basis prior to student participation in the alternate assessment.

34 CFR § 300.160 Participation in Assessments.

- (A) General. A State must ensure that all children with disabilities are included in all general State and district-wide assessment programs, including assessments described under section 1111 of the ESEA, 20 U.S.C. 6311, with appropriate accommodations and alternate assessments, if necessary, as indicated in the respective IEPs.
- (B) Accommodation guidelines.
 - (1) A State (or, in the case of a district-wide assessment, an LEA) must develop guidelines for the provision of appropriate accommodations.
 - (2) The State's (or, in the case of a district-wide assessment, the LEA's) guidelines must-
 - (i) Identify only those accommodations for each assessment that do not invalidate the score; and
- (C) Alternate assessments.
 - A State (or, in the case of a district-wide assessment, an LEA) must develop and implement alternate assessments and guidelines for the participation of
 - (1) children with disabilities in alternate assessments for those children who cannot participate in regular assessments, even with accommodations, as indicated in their respective IEPs, as provided in paragraph (a) of this section.
 - For assessing the academic progress of students with disabilities under Title I
 - (2) of the ESEA, the alternate assessments and guidelines in paragraph (c)(1) of this section must provide for alternate assessments that -
 - (i) Are aligned with the State's challenging academic content standards and challenging student academic achievement standards;

- (ii) If the State has adopted modified achievement standards permitted in 34 CFR 200.1(e), measure the achievement of children with disabilities meeting the State's criteria under § 200.1(e)(2) against those standards; and
- (iii) If the State has adopted alternate academic achievement standards permitted in 34 CFR 200.1(d), measure the achievement of children with the most significant cognitive disabilities against those standards.

(D) Explanation to IEP Teams. A State (or in the case of a district-wide assessment, an LEA) must provide IEP Teams with a clear explanation of the differences between assessments based on grade-level academic achievement standards and those based on modified or alternate academic achievement standards, including any effects of State and local policies on the student's education resulting from taking an alternate assessment based on alternate academic achievement standards (such as whether only satisfactory performance on a regular assessment would qualify a student for a regular high school diploma).

(E) Inform parents. A State (or in the case of a district-wide assessment, an LEA) must ensure that parents of students selected to be assessed based on alternate academic achievement standards are informed that their child's achievement will be measured based on alternate academic achievement standards.

(F) Reports. An SEA (or, in the case of a district-wide assessment, an LEA) must make available to the public, and report to the public with the same frequency and in the same detail as it reports on the assessment of nondisabled children, the following:

- The number of children with disabilities participating in regular assessments,
- (1) and the number of those children who were provided accommodations (that did not result in an invalid score) in order to participate in those assessments.
- (2) The number of children with disabilities, if any, participating in alternate assessments based on grade-level academic achievement standards.
- (3) The number of children with disabilities, if any, participating in alternate assessments based on modified academic achievement standards.
- (4) The number of children with disabilities, if any, participating in alternate assessments based on alternate academic achievement standards.

Compared with the achievement of all children, including children with disabilities, the performance results of children with disabilities on regular assessments, alternate assessments based on grade-level academic achievement standards, alternate assessments based on modified academic achievement standards, and alternate assessments based on alternate academic achievement standards if-

- (i) The number of children participating in those assessments is sufficient to yield statistically reliable information; and
- (ii) Reporting that information will not reveal personally identifiable information about an individual student on those assessments.

(G) Universal design. An SEA (or, in the case of a district-wide assessment, an LEA) must, to extent possible, use universal design principles in developing and administering any assessments under this section. (Authority: 20 U.S.C. 1412(a)(16))



OKLAHOMA STATE
DEPARTMENT *of* EDUCATION

OKLAHOMA STATE DEPARTMENT OF EDUCATION,
SPECIAL EDUCATION SERVICES
2500 NORTH LINCOLN BLVD
OKLAHOMA CITY OK 73105

LOCAL EDUCATION AGENCY: Example

March 6, 2023

RE: OAAP Subgroup Disproportionality

I. INTRODUCTION

Local educational agencies (LEAs) must adopt policies and procedures consistent with State and federal requirements and are responsible for implementing programs that comply with the Individuals with Disabilities Education Act (IDEA), Part B. General supervision of LEAs is carried out at the State level.

The Every Student Succeeds Act (ESSA) places a statewide 1.0 percent participation cap on students participating in an alternate assessment based on alternate academic achievement standards—AA-AAAS. As a result of the State of Oklahoma exceeding this cap for the 2021-2022 school year, the United States Department of Education (USED) granted the Oklahoma State Department of Education, Special Education Services (OSDE-SES) a waiver.

As part of this waiver requirement, the OSDE must notify districts when subgroup disproportionality exists in the percentage of students taking the Oklahoma Alternate Assessment Program (OAAP). Districts must then address disproportionality among students in their LEA as required by 34 CFR 200.6(c)(4)(iii).

II. AREA THAT REQUIRES ACTION: DUE APRIL 30, 2023

- 1) The LEA must address disproportionality in the subgroup area(s) listed below for students who participated in the 2021-2022 Oklahoma Alternate Assessment Program.

	Economically Disadvantaged	Male	Homeless	English Language Learner	Black	Hispanic	American Indian
Granite Risk Ratio	NA	3.02	NA	NA	NA	NA	NA
State of Oklahoma Risk Ratio	1.69	1.75	0.76	1.20	1.49	0.83	1.01

The method for addressing disproportionality is at the discretion of the LEA. Options may include a written statement that addresses the disproportionality, an Improvement Plan, Self-Assessment, amending the 2023 OAAP Justification Statement survey, or completing a Root Cause Analysis. Submissions must be signed by the LEA superintendent. Questions regarding addressing disproportionality should be emailed to Caroline.Misner@sde.ok.gov.



OKLAHOMA STATE
DEPARTMENT *of* EDUCATION

III. TECHNICAL ASSISTANCE

The State's comprehensive approach to technical assistance enables the OSDE-SES to differentiate the scope of services provided for LEAs based on local needs. For example, the OSDE-SES makes available for all LEAs Technical Assistance (TA), such as meetings with local LEAs, webinars to support compliant implementation of the IDEA, updates via email, webinars, and training on the Oklahoma Special Education Handbook and Process Guide.

IV. OTHER INFORMATION

Within ten days from the receipt of the final report, the LEA may submit a written request to the OSDE-SES, requesting a hearing if the LEA alleges that the OSDE has violated state or federal statutes or regulations. Hearing procedures shall be in accordance with federal regulations for State Administered Programs (34 CFR §§ 76.401 and 76.783) and General Education Provisions Act (34 CFR §§ 81.30 - 81.45).

Under the Open Records Act, it may be necessary for the LEA or the OSDE to provide access to this public document upon request. In the event that the OSDE receives such a request, it will seek to protect, to the extent provided by law, personally identifiable information, which, if released, could constitute an unwarranted invasion of privacy and confidentiality.

In accordance with 34 CFR § 300.212, Public Information, the LEA will make such public documents, relating to the eligibility of the agency under IDEA, Part B, available to the parents of children with disabilities and to the general public, as necessary.

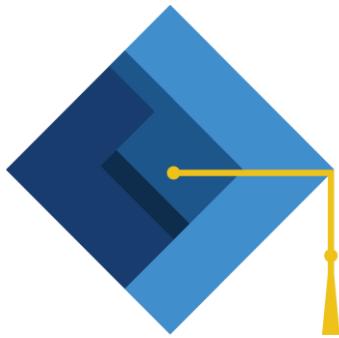
V. VERIFICATION OF CONTINUOUS COMPLIANCE

Subsequent monitoring activities will be initiated as necessary to ensure the LEA's compliance is consistent with policies, procedures, and regulations and in accordance with the state educational agency's responsibilities required by 34 CFR § 300.149.

The LEA must ensure that any noncompliance is corrected in accordance with the identified corrective action requirement. Furthermore, as soon as possible, but in no case more than one year from identification; the OSDE-SES must ensure that the LEA has demonstrated systemic compliance for each individual case of noncompliance that was identified. In ensuring that each individual case of noncompliance has been corrected, the State does not need to review each child's record in the LEA where the noncompliance occurred, but rather may review a reasonable sample of the previously noncompliance files to verify that the noncompliance was corrected.

Sincerely,

Todd P. Loftin
Oklahoma State Department of Education
2500 N. Lincoln Blvd., Suite 412
Oklahoma City, OK 73105
Office: 405-522-3237



OKLAHOMA STATE DEPARTMENT OF EDUCATION

— CHAMPION EXCELLENCE —

State Definition of “students with the most significant cognitive disabilities” 34 CFR § 200.6(d)(1)

Students with the most significant cognitive disabilities have limited conceptual skills, written language skills, and understanding of numerical concepts such as quantity, time, and money. Vocabulary and grammar are quite limited and augmentative communication devices are often necessary to communicate with others. They tend to focus on present, everyday events and rarely attempt to analyze or expand on new ideas and concepts through spoken language. Skill acquisition and measurable gains on grade-level alternate academic achievement standards require extensive, direct individualized instruction. These students require substantial supports for all activities of daily living including meal preparation, dressing, grooming, and personal hygiene. Their personal safety is dependent upon constant supervision and will be a concern throughout their lifetime.

CRITERIA CHECKLIST FOR ASSESSING STUDENTS WITH DISABILITIES ON ALTERNATE ASSESSMENTS

NAME OF CHILD:

FIRST

MIDDLE

LAST

STUDENT ID:

BIRTHDATE:

MONTH/DAY/YEAR

GRADE:

AGE:

DATE:

MONTH/DAY/YEAR

PARENT(S):

PHONE: (WORK)

(HOME)

(OTHER)

HOME ADDRESS:

STREET ADDRESS/P.O. BOX

CITY

STATE

DISTRICT/AGENCY:

ZIP

BUILDING:

SITE CODE:

IEP TEACHER OF RECORD:

The OAAP Portfolio assessment is intended for a very small population of students with the **most significant cognitive disabilities**. Due to the severity of the cognitive disabilities of this population of students, alternate achievement of the content standards is required in daily instruction as well as statewide assessment and the performance expectations aligned with the statewide general assessment are not appropriate even with accommodations. Assessment decisions are made on an annual basis by the IEP team and students must meet certain criteria to be eligible for an alternate assessment. **Students who do not meet the eligibility criteria displayed below SHOULD NOT take the alternate assessment.**

PARTICIPATION CRITERIA CHECKLIST	YES	NO
Does the student have significant intellectual disabilities AND significant adaptive behavior deficits?		
Does the student's IEP require alternate achievement standards in ALL content areas?		
Does the IEP team feel extensive family/community supports will be a lifelong requirement , regardless of modifications, accommodations or adaptations implemented in the student's program?		
Does the student require intensive and extensive direct instruction in multiple settings to acquire, maintain, generalize and demonstrate knowledge of skills?		
The decision to place the student on an alternate assessment is based on the student's disability and NOT on excessive absences, language, social, cultural, or economic differences, OR administration reasons such as the student is expected to perform poorly on the regular assessment, the student displays disruptive behaviors, or the student experiences emotional distress during testing.		

If the answer to **ANY** of the questions above is "NO", the student must participate in the regular assessment with or without accommodations. If **ALL** of the answers to the questions above are "YES", the student is eligible to participate in an alternate assessment.

2023 Justification for Exceeding 1.0 Percent OAAP Participation Survey

The Every Student Succeeds Act (ESSA) requires Oklahoma to ensure the number of students assessed with the OAAP in Math, English language arts, and Science does not exceed 1.0 percent of the statewide student testing population. If your district is anticipating more than 1.0 percent of your testing population will participate in the OAAP for the 2023 spring operational window, complete the following survey by February 10, 2023.

District staff may utilize this template prior to completing the online survey. This template is designed to be a reference when completing the online survey and is for your own records. Please allow yourself enough time to complete the online survey in one sitting. The survey is scheduled to expire after the due date.

For questions related to the survey, contact Caroline Misner at (405) 522-1677 or caroline.misner@sde.ok.gov.

* Required

1. District Name *

2. Director of Special Education *

3. Email Address *

Template

4. Did all IEP teams use the OAAP participation guidelines found in The Criteria Checklist for Assessing Students with Disabilities on Alternate Assessments to make participation decisions? *

5. Are IEP teams confident when applying the OAAP criteria guidelines when making * assessment participation decisions?

a. What resources, technical assistance, or professional development would benefit IEP teams when making assessment participation decisions?

6. Small district sizes impact OAAP participation percentages. For example, a district * with a testing population of 180 students that has two students taking the OAAP would equal 1.11%. What is your district's projected testing population for the 2022-2023 operational window?

7. Is there a medical facility, care home, or group homes within your district that * impact the number of students participating in the OAAP?

a. If so, please describe the care facility. Do not use any personally identifiable information.

Template

8. Are there any other factors unique to your district that might cause an unusual spike in the number of students participating in the OAAP? *

a. Please describe these factors. Do not use any personally identifiable information.

9. District Level Data: English Language/Arts and Math. Enter the percentage of OAAP assessments from the 2022-2023 school year. Enter the projected OAAP participation in Math and ELA for the 2022-2023 school year. OAAP Participation expected to exceed 1.0% for 2023. *

Formula: OAAP Student Testing Population / Total Testing Population (Total Students Tested Grades 3-8, 11) = N; N x 100 = % of OAAP Assessments

Template

10. Does the district have a current plan or is the district developing a plan to increase IEP teams' capacity for identifying the most appropriate assessment for students with disabilities? *

a. If yes, does your district have in place a specific measurable goal for identifying the correct students to participate in the OAAP? Do not use any personally identifiable information.

b. If yes (continued), briefly describe the process, training, and steps the district will use to meet the percentage goal reduction proposed above. Include how teachers of students with significant cognitive abilities are included in the goal development and implementation of the plan. Do not use any personally identifiable information.

11. Disproportionality: Are there any significant differences between the subgroups of * students participating in the OAAP compared to the general education assessment? Areas include, but are not limited to student IEP disability category, grade level, race, and gender.

Template

12. Parent Participation: How does the district support parents in participating in the IEP team decision for their child to participate in the OAAP? *

This content is neither created nor endorsed by Google.

Google Forms

Template



OKLAHOMA STATE
DEPARTMENT *of* EDUCATION

October 31, 2022

RE: 2023 OAAP Monitoring Notification

Dear **Superintendent**,

The Every Student Succeeds Act (ESSA) places a statewide 1.0 percent participation cap on students participating in an alternate assessment based on alternate academic achievement standards (AA-AAAS). As a result of the State of Oklahoma exceeding this cap for the 2021-2022 school year, the United States Department of Education (USDE) granted the Oklahoma State Department of Education, Special Education Services (OSDE-SES) a waiver.

As part of this waiver requirement, the OSDE must submit a plan and timeline by which the OSDE will take additional steps to support and provide appropriate oversight to each LEA that anticipates assessing more than 1.0 percent with the alternate assessment as required by 34 CFR 200.6(c)(4)(iv)(B).

In the 2021-2022 school year **your district** assessed between 1.01%-1.99% of students on the alternate assessment. This places the district in Tier 1.

Please refer to the email attachments for the Tier 1 Requirements. You will also find a Dates to Remember document to ensure timely completion of all requirements and all required documents.

If you have further questions, please contact me at caroline.misner@sde.ok.gov or 405-522-1677. Thank you for your assistance with this important matter.

Sincerely,

Caroline Misner
Office of Assessments
Director of Alternate Assessment



Tier 1 – Districts that assessed between 1.01% and 1.99% of students on alternate assessment

Federal law, 34 C.F.R. 200.6(c)(2), requires State Education Agencies to limit the number of students assessed in each subject area with an alternate assessment to no more than one 1 percent of the total tested population. Any state assessing more than 1 percent with an alternate assessment must request an alternate assessment participation waiver and improve the implementation of its alternate assessment participation guidelines. This includes collecting assurance statements from LEAs that IEP teams are following state guidelines when making assessment decisions and justification statements identifying why more than 1 percent of the total tested population was assessed with an alternate assessment.

Your LEA assessed more than 1 percent of its total tested population with an alternate assessment during the previous school year. This resulted in a Tier 1 designation in Oklahoma's 1% Alternate Assessment Participation Waiver plan approved through the United States Department of Education.

Please complete the following:

- OAAP 1% Toolkit
- OAAP 1% Professional Development Module on OSDE Connect - This should be completed by Special Education teachers, Special Education Director, and Principals.

Please list the names and titles of the individuals who completed the module.

First and Last Name	Title



This document needs to be uploaded to LEA Document Library in EdPlan by May 31, 2023.

Superintendent's Signature

Date

Monitoring Dates to Remember

Date	Task	Required	Explanation
October 31	Monitoring Notification	Yes	Review Monitoring Notification Letter emailed to the district.
November 8	Tier 1 Webinar (10 a.m.)	Maybe	Review the Monitoring Notification Letter for tier information. Tier 1 LEAs are required to attend.
November 9	Tier 2 Webinar (10 a.m.)	Maybe	Review the Monitoring Notification Letter for tier information. Tier 2 LEAs are required to attend.
November 10	Tier 3 Webinar (10 a.m.)	Maybe	Review the Monitoring Notification Letter for tier information. Tier 3 LEAs are required to attend.
December 31	Toolkit uploaded to EdPlan	Yes	Upload toolkits to EdPlan>Tools>LEA Document Library.
January 20	Tier 2 - Rubrics due from monitoring of IEPs	Yes	In your Monitoring Notification Letter, districts received information on how to access the list of STNs for IEP review utilizing the rubric attached to the letter.
*Beginning in February	Zoom Meetings will be scheduled with Tier 3 districts	Yes	A meeting will be scheduled with districts to review OSDE's monitoring of OAAP IEPs.
May 31	Professional Development Due (sign-in sheet)	Yes	Upload the Tiered Letter received in October with the names of participants to EdPlan.

*These dates are estimated. The Monitoring Coordinator will notify each district once the dates have been set.

** The Toolkit was attached in the notification email.

Monitoring Contacts: Caroline.Misner@sde.ok.gov , 405-522-1677 or Kristen.Coleman@sde.ok.gov , 405-522-1463.

LEAs assessing over 1% of their student population on OAAP

Purpose: Your district has been notified that they are assessing more than 1% of students on the Oklahoma Alternate Assessment (OAAP), and in an attempt to lower the state participation rate, OSDE is reviewing how districts are qualifying students for the OAAP.

Address Part A:

- Answer questions regarding your participation rates

Address Part B:

- Submit an assurance statement signed by the Superintendent and Special Education Director.
- Identify Root Cause.
- Develop an Improvement Plan.
- Establish monitoring tools needed to measure effectiveness of the Improvement Plan.

Date Reviewed	OSDE-SES Reviewer

Part A

Questions regarding participation rates: The required information on this page is intended to assist the district with exploring whether students with disabilities are being correctly identified as having the most significant cognitive disabilities. Please consider each question carefully.

Participation Rates Review	Provide a detailed explanation for each question with a focus on the area of risk (identifying students for alternate assessment) identified in the first review box below.
Are there special circumstances that would suggest the participation rate might be higher than expected (e.g., special programs or services attractive to families with children who have particular disabilities)? Please explain.	
Have your participation rates in the alternate assessment increased steadily or suddenly spiked? Has anything occurred in the district that could explain the change?	
Consider whether participation rates on alternate assessment are higher in some grades than others. Do rates jump when students enter middle school or high school? Consider why this may happen.	
Consider whether participation rates are higher in one school compared to other schools with similar grade levels. Please explain.	
Consider whether participation rates are different for certain subgroups (e.g., Black, Hispanic, Asian, White English learners, economically disadvantaged) compared to the district rate as a whole and compared to other subgroups. Are some subgroups disproportionately participating in the alternate assessment?	

Are many students with disabilities other than intellectual disabilities, autism, and multiple disabilities (such as specific learning disabilities, speech language impairment, emotional disturbance, or other health impairments) participating in the alternate assessment?	
Consider whether some students with the most significant cognitive disabilities repeatedly score proficient and advanced on the alternate assessment in one or more content areas. Do school staff who participate as members of the IEP teams consider whether these students could participate in the general assessment with the necessary supports and accommodations?	

Assurance Statement:

Districts identified as administering OAAP to more than 1% of their testing population are required to provide the OSDE with assurance that the LEA will review their data and complete this toolkit.

Please provide your assurance statement in the box below and have it signed by the Superintendent and Special Education Director.

Assurance Signatures

Superintendent Signature: _____ Date: _____

Special Education Director Signature: _____ Date: _____

Please describe any improvement activities implemented. Were they effective? If not, please describe why the team feels it was not effective and what are your next steps.

Review your IEP data and identification practices to identify the root cause of why the district is over the 1% threshold for students participating in OAAP.

Improvement Plan

Develop an improvement plan for reviewing your OAAP IEP's to ensure your teams are utilizing the criteria checklist and only placing students who truly meet the definition of a student with the most significant cognitive disability.

- Describe your district's plan.
- List the progress monitoring activity and/or data source that will assist in determining effectiveness of the improvement plan.
- Identify the person(s) responsible for monitoring the progress of the improvement plan.

Dates to Remember

- **December 31st** -
 - Upload completed OAAP Toolkit.

EdPlan Upload Instructions: Upload the Toolkit to EdPlan in the LEA Document Library found by clicking on Tools located on the Main Menu Bar.

OSDE Program Contacts:

Caroline Misner, Email: caroline.misner@sde.ok.gov, Phone: 405-522-1677

Kristen Coleman, Email: kristen.coleman@sde.ok.gov, Phone: 405-522-1463



OKLAHOMA STATE
DEPARTMENT *of* EDUCATION

October 31, 2022

RE: 2023 OAAP Monitoring Notification

Dear **Superintendent**,

The Every Student Succeeds Act (ESSA) places a statewide 1.0 percent participation cap on students participating in an alternate assessment based on alternate academic achievement standards (AA-AAAS). As a result of the State of Oklahoma exceeding this cap for the 2021-2022 school year, the United States Department of Education (USDE) granted the Oklahoma State Department of Education, Special Education Services (OSDE-SES) a waiver.

As part of this waiver requirement, the OSDE must submit a plan and timeline by which the OSDE will take additional steps to support and provide appropriate oversight to each LEA that anticipates assessing more than 1.0 percent with the alternate assessment as required by 34 CFR 200.6(c)(4)(iv)(B).

In the 2021-2022 school year **your district** assessed between 2.00%-2.99% of students on the alternate assessment. This places the district in Tier 2.

Please refer to the email attachments for the Tier 2 Requirements. You will also find a Dates to Remember document to ensure timely completion of all requirements and all required documents.

If you have further questions, please contact me at caroline.misner@sde.ok.gov or 405-522-1677. Thank you for your assistance with this important matter.

Sincerely,

Caroline Misner
Office of Assessments
Director of Alternate Assessment



Tier 2 – Districts that assessed between 2.00% and 2.99% of students on alternate assessment

Federal law, 34 C.F.R. 200.6(c)(2), requires State Education Agencies to limit the number of students assessed in each subject area with an alternate assessment to no more than one 1 percent of the total tested population. Any state assessing more than 1 percent with an alternate assessment must request an alternate assessment participation waiver and improve the implementation of its alternate assessment participation guidelines. This includes collecting assurance statements from LEAs that IEP teams are following state guidelines when making assessment decisions and justification statements identifying why more than 1 percent of the total tested population was assessed with an alternate assessment.

Your LEA assessed more than 1 percent of its total tested population with an alternate assessment during the previous school year. This resulted in a Tier 2 designation in Oklahoma's 1% Alternate Assessment Participation Waiver plan approved through the United States Department of Education.

Please complete the following:

- OAAP 1% Toolkit
- LEA completes student file review Rubrics (Please find a list of STN's for the file review in the LEA Document Library on EdPlan)
- OAAP 1% Professional Development Module on OSDE Connect- This should be completed by Special Education teachers, Special Education Director, and Principals.

Please list the names and titles of the individuals who completed the module.

First and Last Name	Title



This document needs to be uploaded to LEA Document Library in EdPlan by May 31, 2023.

Superintendent's Signature

Date

Monitoring Dates to Remember

Date	Task	Required	Explanation
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*Beginning in February	Zoom Meetings will be scheduled with Tier 3 districts	Yes	A meeting will be scheduled with districts to review OSDE's monitoring of OAAP IEPs.
May 31	Professional Development Due (sign-in sheet)	Yes	Upload the Tiered Letter received in October with the names of participants to EdPlan.

*These dates are estimated. The Monitoring Coordinator will notify each district once the dates have been set.

** The Toolkit was attached in the notification email.

Monitoring Contacts: Caroline.Misner@sde.ok.gov , 405-522-1677 or Kristen.Coleman@sde.ok.gov , 405-522-1463.

LEAs assessing over 1% of their student population on OAAP

Purpose: Your district has been notified that they are assessing more than 1% of students on the Oklahoma Alternate Assessment (OAAP), and in an attempt to lower the state participation rate, OSDE is reviewing how districts are qualifying students for the OAAP.

Address Part A:

- Answer questions regarding your participation rates

Address Part B:

- Submit an assurance statement signed by the Superintendent and Special Education Director.
- Identify Root Cause.
- Develop an Improvement Plan.
- Establish monitoring tools needed to measure effectiveness of the Improvement Plan.

Date Reviewed	OSDE-SES Reviewer

Part A

Questions regarding participation rates: The required information on this page is intended to assist the district with exploring whether students with disabilities are being correctly identified as having the most significant cognitive disabilities. Please consider each question carefully.

Participation Rates Review	Provide a detailed explanation for each question with a focus on the area of risk (identifying students for alternate assessment) identified in the first review box below.
Are there special circumstances that would suggest the participation rate might be higher than expected (e.g., special programs or services attractive to families with children who have particular disabilities)? Please explain.	
Have your participation rates in the alternate assessment increased steadily or suddenly spiked? Has anything occurred in the district that could explain the change?	
Consider whether participation rates on alternate assessment are higher in some grades than others. Do rates jump when students enter middle school or high school? Consider why this may happen.	
Consider whether participation rates are higher in one school compared to other schools with similar grade levels. Please explain.	
Consider whether participation rates are different for certain subgroups (e.g., Black, Hispanic, Asian, White English learners, economically disadvantaged) compared to the district rate as a whole and compared to other subgroups. Are some subgroups disproportionately participating in the alternate assessment?	

Are many students with disabilities other than intellectual disabilities, autism, and multiple disabilities (such as specific learning disabilities, speech language impairment, emotional disturbance, or other health impairments) participating in the alternate assessment?	
Consider whether some students with the most significant cognitive disabilities repeatedly score proficient and advanced on the alternate assessment in one or more content areas. Do school staff who participate as members of the IEP teams consider whether these students could participate in the general assessment with the necessary supports and accommodations?	

Assurance Statement:

Districts identified as administering OAAP to more than 1% of their testing population are required to provide the OSDE with assurance that the LEA will review their data and complete this toolkit.

Please provide your assurance statement in the box below and have it signed by the Superintendent and Special Education Director.

Assurance Signatures

Superintendent Signature: _____ Date: _____

Special Education Director Signature: _____ Date: _____

Please describe any improvement activities implemented. Were they effective? If not, please describe why the team feels it was not effective and what are your next steps.

Review your IEP data and identification practices to identify the root cause of why the district is over the 1% threshold for students participating in OAAP.

Improvement Plan

Develop an improvement plan for reviewing your OAAP IEP's to ensure your teams are utilizing the criteria checklist and only placing students who truly meet the definition of a student with the most significant cognitive disability.

- Describe your district's plan.
- List the progress monitoring activity and/or data source that will assist in determining effectiveness of the improvement plan.
- Identify the person(s) responsible for monitoring the progress of the improvement plan.

Dates to Remember

- **December 31st** -
 - Upload completed OAAP Toolkit.

EdPlan Upload Instructions: Upload the Toolkit to EdPlan in the LEA Document Library found by clicking on Tools located on the Main Menu Bar.

OSDE Program Contacts:

Caroline Misner, Email: caroline.misner@sde.ok.gov, Phone: 405-522-1677

Kristen Coleman, Email: kristen.coleman@sde.ok.gov, Phone: 405-522-1463



Rubric for Determining Student Eligibility for the Oklahoma Alternate Assessment Program (OAAP)

Student Name: _____

Date: _____

School: _____

Date of Birth: _____

Parent(s)/Guardian(s): _____

Grade: _____

This rubric is provided as a companion document to [The Criteria Checklist for Assessing Student with Disabilities on Alternate Assessments](#) to assist Individualized Education Program (IEP) Teams in making appropriate decisions regarding student participation in the Oklahoma Alternate Assessment Program (OAAP) for students with the most significant cognitive disabilities and adaptive behavior deficits.

IEP Teams must use various data sets in review of a student's eligibility to participate in the OAAP which may include:

- Evaluation team reports
- Benchmark assessment data
- Diagnostic assessments
- Assistive Technology (AT) evaluation
- Speech and Language assessments that determine expressive/receptive language communication status.
- IEP goal/objectives progress data
- Both formative academic and transition assessment data
- Adaptive skills checklists/inventories
- Progress on functional, daily living and life skill standards
- Sensory and/or motor assessments describing access modes of communication, fine and gross motor tasks.

Evidence for the decision to participate in the OAAP is **NOT BASED** on:

1. A disability category or label
2. Poor attendance or extended absences
3. Native language/social, cultural or economic difference
4. Expected poor performance on the general education assessment
5. Academic and other services student receives
6. Educational environment or instructional setting
7. Percent of time receiving special education services
8. English Learner (EL) status
9. Low reading level/achievement level
10. Anticipated disruptive behavior
11. Impact of student scores on the accountability system
12. Administration decision
13. Anticipated emotional duress
14. Need for accommodations (e.g., assistive technology/ Augmentative and Alternative Communication (AAC) to participate in the assessment process

Note: Intelligence quotient (IQ) scores are not a reliable measure when used in isolation to determine eligibility, as many of the assessment tools used to determine IQ are not fully accessible for learners with significant motor, communication and sensory complexities. IQ scores should never be used in isolation to determine eligibility.



Rubric for Determining Eligibility for OAAP Participation

Directions: Review a student's IEP, assessment data, and related documents to answer each question. Mark the column that best answers the question. Responses do not all need to be in the far-right column, but **most** should be in the 4th column. Only a small number of learners, approximately 1.0 percent across the entire state, should qualify as meeting the criteria for the OAAP designed for Students with the most significant cognitive disabilities.

1. Does the student have a current IEP ? (<i>Skip question if this is for an Initial IEP. Questions regarding IEP content should be answered through supporting documentation</i>)			
No. Stop here , the student is not eligible for alternate assessment			Yes. Continue to question #2.
2. Does the cognitive assessment data support a most significant cognitive disability (typically 2 ½ or more standard deviations below the mean as determined by district administered ability assessment, plus significant impairments to a person's ability to reason, plan, solve problems, think abstractly, comprehend complex ideas, learn quickly, and learn from experience? If the student is in the not limited or mild cognitive limitations category please stop here ; the student is not eligible for the alternate assessment.			
Not limited	Mild Cognitive Limitations	Moderate to Significant Cognitive Limitations	Most Significant Cognitive Limitations
Verbal Intelligence/Cognition (related to language skills)			
Verbal intelligence in average range or above	Verbal Intelligence 1 to 2 SD below mean	Verbal Intelligence 2 to 2.5 SD below mean	Verbal Intelligence 2.5 SD or more below mean
Nonverbal Intelligence/Cognition (related to visual-spatial skills)			
Non-verbal intelligence in average range or above	Non-verbal Intelligence 1 to 2 SD below mean	Non-verbal Intelligence 2 to 2.5 SD below mean	Non-verbal Intelligence 2.5 SD or more below mean
Thinking/Reasoning/Problem-Solving			
Reasoning and problem-solving skills at age-level or within average range on an assessment.	Minimal assistance (e.g., general education interventions/supports) needed to carry out reasoning and problem-solving tasks	Requires special education services, including modifications and levels of scaffolding to complete reasoning and problem-solving tasks	Dependent on others for completing tasks that require reasoning and problem-solving
Executive Function/Attention/Memory			
Cognitive planning and working memory at age-level or within average range on an assessment	Minimal assistance (e.g., general education interventions/supports) needed to support cognitive planning and working memory	Requires special education services, including modifications and levels of scaffolding to support cognitive planning and working memory	Dependent on others for completing tasks that require cognitive planning and working memory
Learning			
Learning grade level academic skills	Learning grade level academics with general education supports	Learning general standards or mastering target or successor linkage level EEs with increasing levels of assistance from special education services and supports	Making progress on the Essential Elements (EEs) with moderate/maximal levels of supports



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3. Does the adaptive assessment data support a most significant deficit in adaptive **behavior**? Does the student require systematic, direct instruction of adaptive behavior (an individual's ability to apply social and practical skills in everyday life) skills to be embedded within standards-based instruction? If the student is in the **not limited or mild to moderate deficits category, please stop here**; the student is not eligible for the alternate assessment.

Conceptual skills: receptive and expressive language, reading and writing, money concepts, self-direction

Social skills: interpersonal, responsibility, self-esteem, follows rules, obeys laws, is not gullible, and avoids victimization.

Practical skills: personal activities of daily living such as eating, dressing, mobility and toileting; instrumental activities of daily living such as preparing meals, taking medication, using the telephone, managing money, using transportation and doing housekeeping activities, occupational skills; maintaining a safe environment.

Not Limited	Mild to Moderate Deficits	Moderate to Significant Deficits	Most Significant Deficits
Adaptive Behavior Scale			
Overall adaptive behavior score in average range or above	Adaptive behavior 1 to 2 SD below mean	Adaptive behavior 2 to 2.5 SD below mean	Adaptive behavior 2.5 SD or more below mean
Conceptual			
Age-level expressive and receptive communication skills	Communicates expressively and receptively with minimal prompting/assistance	Beginning to communicate wants/needs/preferences using assistive technology (augmentative device or symbols)	No formal communication system
Learning grade level academic skills	Learning grade level academics with general education supports	Mastering target or successor linkage level EEs; learning grade level academics with increasing levels of assistance	Making progress on the Essential Elements (EEs) with moderate/maximal levels of supports
Social			
No instruction is needed on responsibility, following rules, interpersonal skills	General instruction addressed through MTSS and general education interventions for responsibility, following rules, and interpersonal skills	Systematic, direct instruction in responsibility, following rules, and interpersonal skills	Prescriptive, systematic, direct instruction relating to responsibility, following rules, and interpersonal skills
Practical			
No instruction needed on daily living skills or community living skills	Minimal assistance/supports for daily living skills and community living skills; student will likely be successful living independently and holding a job	Requires moderate assistance/supports to complete daily living skills and community living skills (e.g., meal prep, phone use, housekeeping); student will likely be successful in supportive living	Dependent on others for daily living skills and community living skills; student will likely need 24 hour supports as an adult



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4. Do the student's PLAAFPs indicate adequate performance with Essential Elements curricular standards? If yes, stop here. If no, choose descriptor that best matches student performance.			
Present levels of Academic and Functional Performance (PLAAFP) indicate that the learner's skills are closely aligned with general grade- level standard concepts and skills Stop here , the student is not eligible for alternate assessment	Student PLAAFPs indicate a level of performance still commensurate with general grade- level concepts but indicating some need for supports and scaffolding. Stop here , the student is not eligible for alternate assessment	Student PLAAFPs indicate ability to make adequate progress through the <u>most complex alternate standards</u> , with increasing levels of supports and scaffolding, and objectives that include alternate standard skills and concepts or learning progression steps that lead to grade-aligned performance target(s)	Student PLAAFPs indicate ability to make progress through alternate standards (Essential Elements) with maximal supports and scaffolding in order to make progress on concepts and skill targets on the <u>least complex</u> side of the range.
5. What level of support and instruction do the student's goals and objectives describe? What level of documentation is indicated in the evaluation portion of the goals and objectives?			
Statements indicate <u>general levels of academic support</u> to make adequate progress through grade-level standard concepts and skills. Documentation consists of project rubrics, work samples, and/or Instructionally Embedded Assessments, etc. showing student <u>general independence</u> in academic progress. Stop here , the student is not eligible for alternate assessment.	Statements indicate <u>minimal to moderate levels of support</u> to make adequate progress through grade-level standard concepts and skills. Documentation consists of project rubrics, work samples, and/or Instructionally Embedded Assessments, etc. showing student's need for <u>minimal, continual assistance</u> in making academic progress. Stop here , the student is not eligible for alternate assessment.	Statements indicate <u>increasing levels of support</u> to make adequate progress through grade-level standard concepts and skills. Documentation consists of project rubrics, work samples, and/or Instructionally Embedded Assessments, etc. showing student's need for <u>increasing levels of continual assistance</u> in making academic progress.	Statements indicate <u>maximal levels of support</u> to make adequate progress through grade-level standard concepts and skills. Documentation consists generally of checklists collected by teacher; documentation indicates <u>maximal levels of support</u> are needed to make academic progress.

Summary Question: Were most ratings in the far right-hand (fourth) column?

This document is modified with permission from the Kansas Department of Education's *Rubric for Determining Student Eligibility for the DLM*.



OAAP Tier 2

LEA instructions for reviewing IEP files

1. Download the Rubric for Determining Student Eligibility for the Oklahoma Alternate Assessment Program (OAAP) from the email that was sent to your district or from the link above.
2. In the table below please find the STNs selected for the IEP file review(s). The Rubric for Determining Student Eligibility for the OAAP will need to be completed for each student listed below.

3. Please upload the completed rubrics into your LEA Document Library on EdPlan by January 20, 2023.
4. SDE will review the rubrics submitted and reach out with follow up questions and/or guidance as needed.
5. Please utilize the information gained through the file review to speak with your special education staff to ensure best practices for identifying students for alternate assessment are being followed.

If you have questions please reach out to Caroline Misner, caroline.misner@sde.ok.gov or Kristen Coleman, kristen.coleman@sde.ok.gov.



OKLAHOMA STATE
DEPARTMENT *of* EDUCATION

October 31, 2022

RE: 2023 OAAP Monitoring Notification

Dear **Superintendent**,

The Every Student Succeeds Act (ESSA) places a statewide 1.0 percent participation cap on students participating in an alternate assessment based on alternate academic achievement standards (AA-AAAS). As a result of the State of Oklahoma exceeding this cap for the 2021-2022 school year, the United States Department of Education (USDE) granted the Oklahoma State Department of Education, Special Education Services (OSDE-SES) a waiver.

As part of this waiver requirement, the OSDE must submit a plan and timeline by which the OSDE will take additional steps to support and provide appropriate oversight to each LEA that anticipates assessing more than 1.0 percent with the alternate assessment as required by 34 CFR 200.6(c)(4)(iv)(B).

In the 2021-2022 school year **your district** assessed 3.00% or more of students on the alternate assessment. This places the district in Tier 3.

Please refer to the email attachments for the Tier 3 Requirements. You will also find a Dates to Remember document to ensure timely completion of all requirements and all required documents.

If you have further questions, please contact me at caroline.misner@sde.ok.gov or 405-522-1677. Thank you for your assistance with this important matter.

Sincerely,

Caroline Misner
Office of Assessments
Director of Alternate Assessment



Tier 3 – Districts that assessed 3.00% or more of their students on alternate assessment

Federal law, 34 C.F.R. 200.6(c)(2), requires State Education Agencies to limit the number of students assessed in each subject area with an alternate assessment to no more than one 1 percent of the total tested population. Any state assessing more than 1 percent with an alternate assessment must request an alternate assessment participation waiver and improve the implementation of its alternate assessment participation guidelines. This includes collecting assurance statements from LEAs that IEP teams are following state guidelines when making assessment decisions and justification statements identifying why more than 1 percent of the total tested population was assessed with an alternate assessment.

Your LEA assessed more than 1 percent of its total tested population with an alternate assessment during the previous school year. This resulted in a Tier 3 designation in Oklahoma's 1% Alternate Assessment Participation Waiver plan approved through the United States Department of Education.

Please complete the following:

- OAAP Toolkit
- SDE will review student files and schedule a Zoom or in person meeting to review the findings
- OAAP 1% Professional Development Module on OSDE Connect - This should be completed by Special Education teachers, Special Education Director, and Principals.

Please list the names and titles of the individuals who completed the module.

First and Last Name	Title



This document needs to be uploaded to LEA Document Library in EdPlan by May 31, 2023.

Superintendent's Signature

Date

Monitoring Dates to Remember

Date	Task	Required	Explanation
October 31	Monitoring Notification	Yes	Review Monitoring Notification Letter emailed to the district.
November 8	Tier 1 Webinar (10 a.m.)	Maybe	Review the Monitoring Notification Letter for tier information. Tier 1 LEAs are required to attend.
November 9	Tier 2 Webinar (10 a.m.)	Maybe	Review the Monitoring Notification Letter for tier information. Tier 2 LEAs are required to attend.
November 10	Tier 3 Webinar (10 a.m.)	Maybe	Review the Monitoring Notification Letter for tier information. Tier 3 LEAs are required to attend.
December 31	Toolkit uploaded to EdPlan	Yes	Upload toolkits to EdPlan>Tools>LEA Document Library.
January 20	Tier 2 - Rubrics due from monitoring of IEPs	Yes	In your Monitoring Notification Letter, districts received information on how to access the list of STNs for IEP review utilizing the rubric attached to the letter.
*Beginning in February	Zoom Meetings will be scheduled with Tier 3 districts	Yes	A meeting will be scheduled with districts to review OSDE's monitoring of OAAP IEPs.
May 31	Professional Development Due (sign-in sheet)	Yes	Upload the Tiered Letter received in October with the names of participants to EdPlan.

*These dates are estimated. The Monitoring Coordinator will notify each district once the dates have been set.

** The Toolkit was attached in the notification email.

Monitoring Contacts: Caroline.Misner@sde.ok.gov , 405-522-1677 or Kristen.Coleman@sde.ok.gov , 405-522-1463.

LEAs assessing over 1% of their student population on OAAP

Purpose: Your district has been notified that they are assessing more than 1% of students on the Oklahoma Alternate Assessment (OAAP), and in an attempt to lower the state participation rate, OSDE is reviewing how districts are qualifying students for the OAAP.

Address Part A:

- Answer questions regarding your participation rates

Address Part B:

- Submit an assurance statement signed by the Superintendent and Special Education Director.
- Identify Root Cause.
- Develop an Improvement Plan.
- Establish monitoring tools needed to measure effectiveness of the Improvement Plan.

Date Reviewed	OSDE-SES Reviewer

Part A

Questions regarding participation rates: The required information on this page is intended to assist the district with exploring whether students with disabilities are being correctly identified as having the most significant cognitive disabilities. Please consider each question carefully.

Participation Rates Review	Provide a detailed explanation for each question with a focus on the area of risk (identifying students for alternate assessment) identified in the first review box below.
Are there special circumstances that would suggest the participation rate might be higher than expected (e.g., special programs or services attractive to families with children who have particular disabilities)? Please explain.	
Have your participation rates in the alternate assessment increased steadily or suddenly spiked? Has anything occurred in the district that could explain the change?	
Consider whether participation rates on alternate assessment are higher in some grades than others. Do rates jump when students enter middle school or high school? Consider why this may happen.	
Consider whether participation rates are higher in one school compared to other schools with similar grade levels. Please explain.	
Consider whether participation rates are different for certain subgroups (e.g., Black, Hispanic, Asian, White English learners, economically disadvantaged) compared to the district rate as a whole and compared to other subgroups. Are some subgroups disproportionately participating in the alternate assessment?	

Are many students with disabilities other than intellectual disabilities, autism, and multiple disabilities (such as specific learning disabilities, speech language impairment, emotional disturbance, or other health impairments) participating in the alternate assessment?	
Consider whether some students with the most significant cognitive disabilities repeatedly score proficient and advanced on the alternate assessment in one or more content areas. Do school staff who participate as members of the IEP teams consider whether these students could participate in the general assessment with the necessary supports and accommodations?	

Assurance Statement:

Districts identified as administering OAAP to more than 1% of their testing population are required to provide the OSDE with assurance that the LEA will review their data and complete this toolkit.

Please provide your assurance statement in the box below and have it signed by the Superintendent and Special Education Director.

Assurance Signatures

Superintendent Signature: _____ Date: _____

Special Education Director Signature: _____ Date: _____

Please describe any improvement activities implemented. Were they effective? If not, please describe why the team feels it was not effective and what are your next steps.

Review your IEP data and identification practices to identify the root cause of why the district is over the 1% threshold for students participating in OAAP.

Improvement Plan

Develop an improvement plan for reviewing your OAAP IEP's to ensure your teams are utilizing the criteria checklist and only placing students who truly meet the definition of a student with the most significant cognitive disability.

- Describe your district's plan.
- List the progress monitoring activity and/or data source that will assist in determining effectiveness of the improvement plan.
- Identify the person(s) responsible for monitoring the progress of the improvement plan.

Dates to Remember

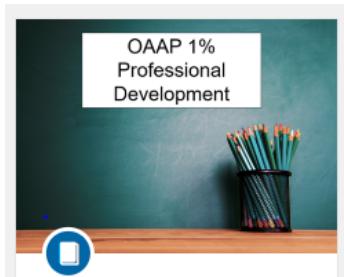
- **December 31st** -
 - Upload completed OAAP Toolkit.

EdPlan Upload Instructions: Upload the Toolkit to EdPlan in the LEA Document Library found by clicking on Tools located on the Main Menu Bar.

OSDE Program Contacts:

Caroline Misner, Email: caroline.misner@sde.ok.gov, Phone: 405-522-1677

Kristen Coleman, Email: kristen.coleman@sde.ok.gov, Phone: 405-522-1463



OAAP 1%
Professional
Development

OAAP 1% Professional
Development

This course will address the guidelines IEP
teams should utilize when making alternate
assessment placement decisions and the
implications of those decisions for students.

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Education

Self-paced
1 credit

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