

Utah's 1% Alternate Assessment Participation Threshold Updates

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34 CFR § 200.6(c)(2)(3) – ESEA/ESSA

[Federal Regulation Code Link](#)

(2) For each subject for which assessments are administered under [§ 200.2\(a\)\(1\)](#), the total number of students assessed in that subject using an alternate assessment aligned with alternate academic achievement standards under [paragraph \(c\)\(1\)](#) of this section may not exceed 1.0 percent of the total number of students in the State who are assessed in that subject.

(Accountability Assessments RISE, Utah Aspire Plus and DLM (alternate assessment))

(3) A State must—

(ii) Require that an LEA submit information justifying the need of the LEA to assess more than 1.0 percent of its assessed students in any such subject with such an alternate assessment;

(iii) Provide appropriate oversight, as determined by the State, of an LEA that is required to submit information to the State; and

34 CFR § 200.6(c)(4)

[Federal Regulation Code Link](#)

(4) *If a State anticipates that it will exceed the cap under [paragraph \(c\)\(2\)](#) of this section with respect to any subject for which assessments are administered under [§ 200.2\(a\)\(1\)](#) in any school year, the State may request that the Secretary waive the cap for the relevant subject, pursuant to section 8401 of the Act, for one year. Such request must—*

(iv) Include a plan and timeline by which—

*(B) 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 of its assessed students in a given subject in a school year using an alternate assessment aligned with alternate academic achievement standards to ensure that only students with the most significant cognitive disabilities take an alternate assessment aligned with alternate academic achievement standards. **The State must describe how it will monitor and regularly evaluate each such LEA** to ensure that the LEA provides sufficient training such that school staff who participate as members of an IEP team or other placement team understand and implement the guidelines established by the State under [paragraph \(d\)](#) of this section so that all students are appropriately assessed; and*

State Data

Subject Area	SY 2016-17	SY 2017-18	SY 2018-19	SY 2019-20	SY 2020-21	SY 2021-22	SY 2022-23	SY 2023-24
ELA	1.04%	0.97%	0.91%	NA	0.87%	0.90%	0.97%	0.99%
Math	1.06%	0.98%	0.91%	NA	0.88%	0.91%	0.97%	1.00%
Science	1.04%	0.78%	0.79%	NA	0.86%	0.91%	0.96%	0.99%

2017-2018 was the first year for the Department of Education's Alternate Assessment 1% cap.

Starting with school year 2022-2023 grade 9 student assessment data is being reported through EDFacts, so data includes grades 3 through 10. In previous years, it only included grades 3 through 8 and grade 10. Alternate Assessment Participation Rates were similar with and without grade 9 added.

LEA Data

Subject Area	#LEAs Over 2%	#LEAs Over 1% but below 2%	#LEAs between 0.99% - 0.85%	#LEAs between 0.84% - 0.50%	#LEAs below 0.50%
ELA	11	31	18	21	68
Math	12	30	18	21	68
Science	12	34	19	21	68

Find State 1% Threshold Data on the [Special Education Assessment Webpage](#), Under the Alternate Assessment Tab, 1.0 Percent Alternate Assessment Participation Threshold section, [One Percent Alternate Assessment Participation Threshold Report](#). LEAs are reported "Yes" or "No" exceeding the alternate assessment Threshold.

Get your specific LEA data from your Assessment Director.

Additional Area of Concern

For a State to be eligible to receive a 1.0 percent threshold waiver for a subject area, it must have assessed at least 95 percent of all students enrolled and 95 percent of children with disabilities in the previous year in the grades assessed in that subject area.

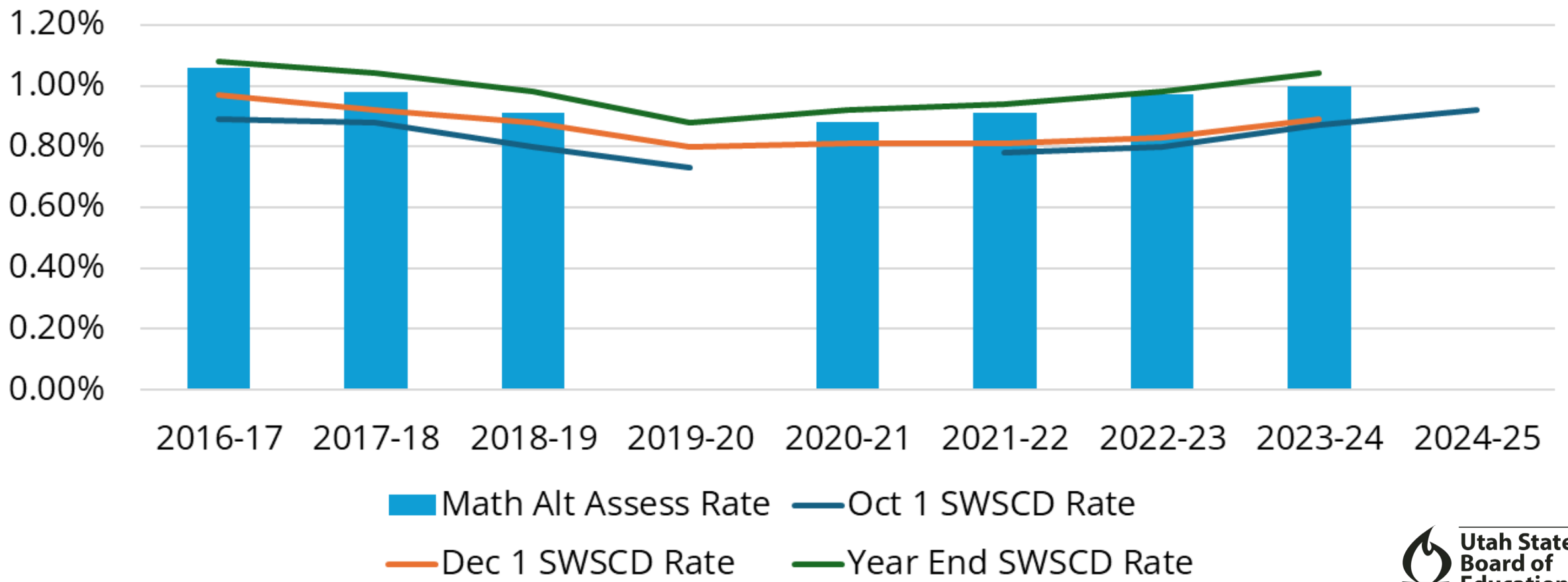
School Year	Subject Area	Grade Level	All Students Participation	SWD Participation
2024	L	3-10	88.75%	88.26%
2024	M	3-10	88.22%	88.15%
2024	S	4-10	88.61%	87.87%

SWSCD Identification Rates (Grades 3-10) Over Time, by UTREx Submission Period

Subject Area	SY 2016-17	SY 2017-18	SY 2018-19	SY 2019-20	SY 2020-21	SY 2021-22	SY 2022-23	SY 2023-24	SY 2024-25
Oct 1 SWSCD Rate	0.89%	0.88%	0.80%	0.73%	---	0.78%	0.80%	0.87%	0.92%
Dec 1 SWSCD Rate	0.97%	0.92%	0.88%	0.80%	0.81%	0.81%	0.83%	0.89%	
Year End SWSCD Rate	1.08%	1.04%	0.98%	0.88%	0.92%	0.94%	0.98%	1.04%	

SWSCD Identification Rates Compared to Math Alternate Assessment Rates (Grades 3-10)

SWSCD Rates by School Year and UTREx Submission Period



Dec 1 SWSCD Identification Rates (Grades 3-10) vs. Math Alt Assessment Rates

- Math always has the highest Alt Assessment Rates
- Compared with Dec 1 SWSCD identification rates:
 - Math Alt Assessment Rates tend to be about a tenth of a percent higher than Dec 1 identification rates

Subject Area	SY 2020-21	SY 2021-22	SY 2022-23	SY 2023-24
Math Alt Assessed	0.88%	0.91%	0.97%	1.00%
SWSCD Rate as of Dec 1	0.81%	0.81%	0.83%	0.89%
Percentage Point Gap	0.07	0.10	0.14	0.11

Oct 1 SWSCD Identification Rates (Grades 3-10) vs. Math Alt Assessment Rates

- Compared with Oct 1 SWSCD identification rates:
 - If we have the same gap between our Oct 1 identification rate and our Alternate Assessment rates this year we will exceed 1%

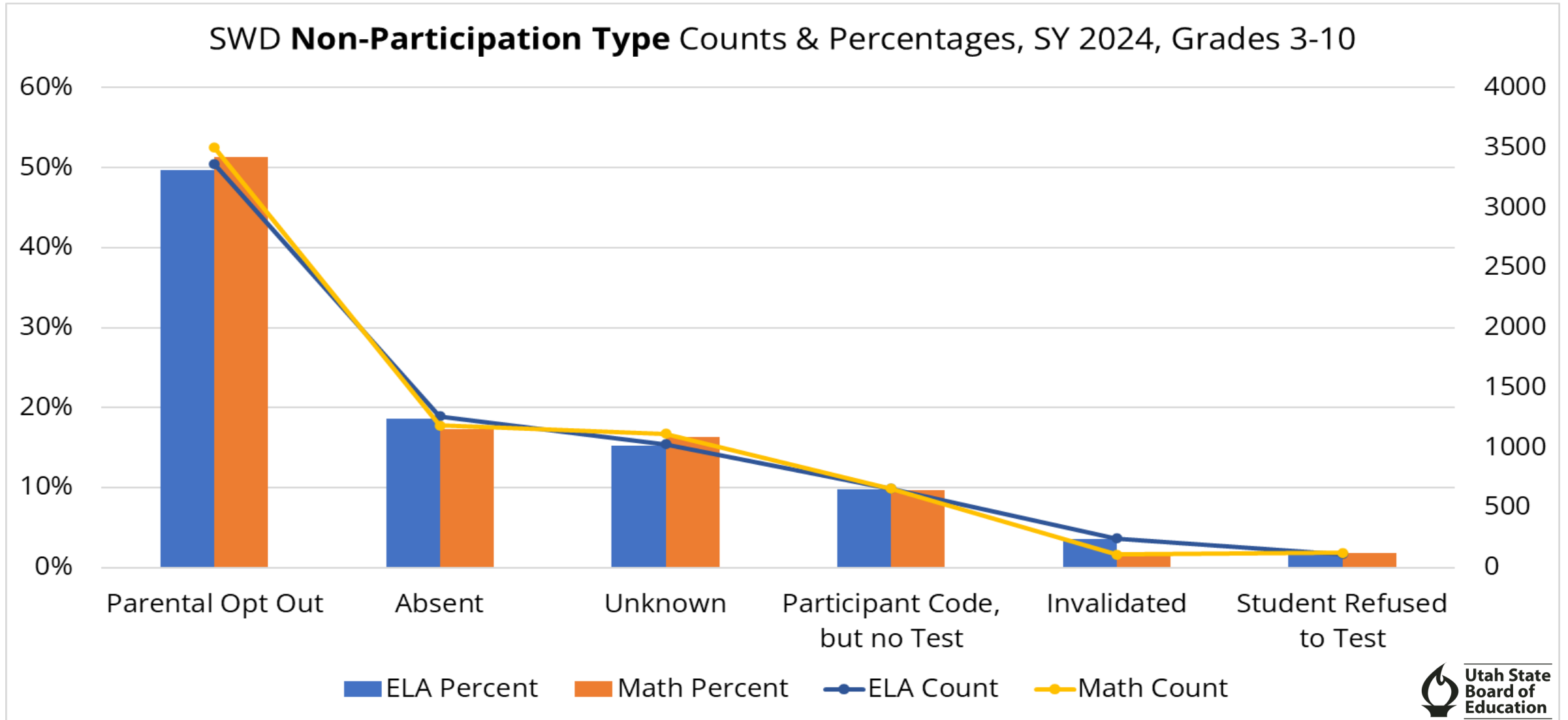
Subject Area	SY 2021-22	SY 2022-23	SY 2023-24	SY 2024-25
Math Alt Assessed	0.91%	0.97%	1.00%	?
SWSCD Rate as of Oct 1	0.78%	0.80%	0.87%	0.92%
Percentage Point Gap	0.13	0.17	0.13	?

How Reliable is SY2025 Oct 1 Data?

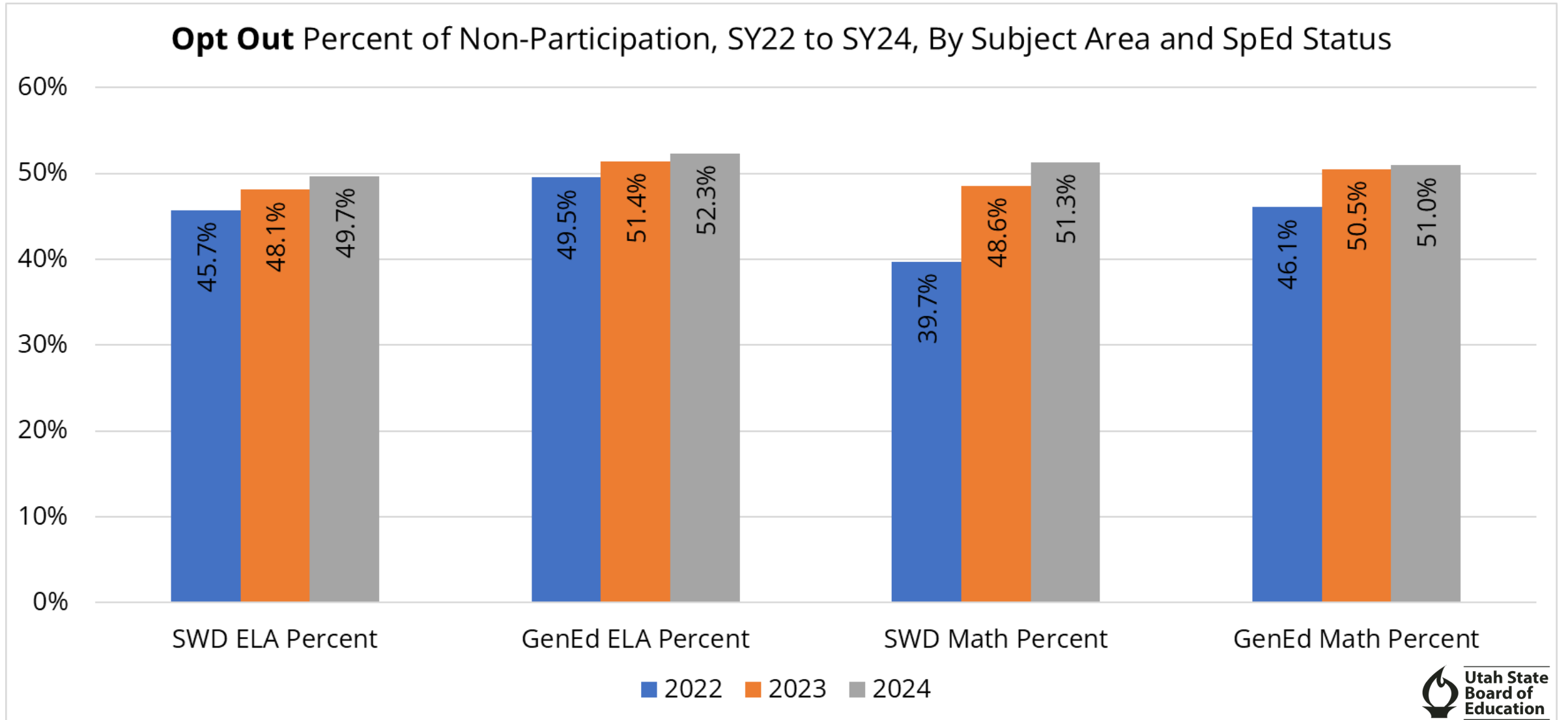
- Compared with Year-End, Oct 1 has about 3 to 8 percent fewer LEAs reporting SWSCD
- SY2025 is in the typical range of LEAs reporting
- Based on trends and this year's Oct 1 SWSCD ID rate of 0.92% we can reliably predict well over 1% SWSCD ID Rate by Year-End

Subject Area	SY 2021-22	SY 2022-23	SY 2023-24	SY 2024-25
Pct of LEAs with 1% - Oct 1	65%	67%	72%	70%
Pct of LEAs with 1% - Year-End	72%	75%	75%	
Percentage Point Difference	7	8	3	

SWD Non-Participation Reasons, SY2024



Opt Out Non-Participation Over Time



Consequences for Not Meeting the 1.0 Percent Threshold

Classification Criteria	Consequences for State
Between 1.0-1.3 percent of students assessed with an AA-AAAS in at least one subject without a waiver and the State would have been eligible for (i.e., assessed at least 95 percent of all students and students with disabilities in the previous year), but did not request, a waiver.	Notification letter and a State is required to submit a plan for compliance with the requirement.

Utah does NOT meet this criteria!

[*Information Regarding Consequences for States Not Meeting the Requirement to Assess Not More than 1.0 Percent of Students on the Alternate Assessment.*](#)

From Education Department, March 28, 2019

Consequences Continued

Classification Criteria	Consequences for State
<p>Between 1.0-1.3 percent of students assessed with an AA-AAAS in at least one subject without a waiver. The State would not have been eligible for a waiver request because assessment participation rates in that subject for all students or students with disabilities were below 95 percent.</p> <p>OR</p> <p>More than 1.3 percent of students assessed with an AA-AAAS in at least one subject without a waiver.</p> <p>OR</p> <p>State received a notification letter in the preceding year and did not come into compliance by reducing the AA-AAAS participation rate below 1.0 percent.</p>	<p>Title I Part A grant award condition. As part of the condition, a State is required to submit a plan to come into compliance with the 1.0 percent cap and submit data via ED Facts.</p>

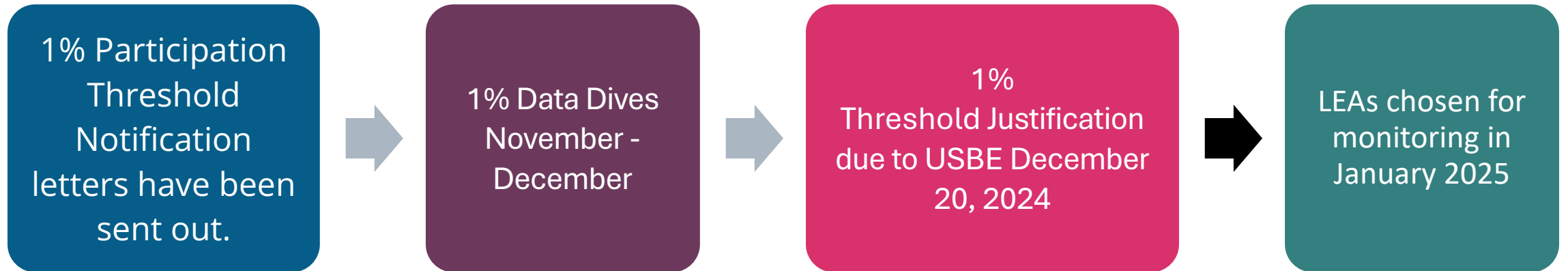
Consequences Continued

Classification Criteria	Consequences for State
State received a Title I grant condition in the preceding year and did not make progress in decreasing the AA-AAAS participation rate by at least 0.1 percent.	High-risk status for the Title I Part A grant award. A State with high-risk status would be required to submit a plan to come into compliance with the 1.0 percent cap and participate in joint OESE/OSEP monitoring calls until it meets the requirement.

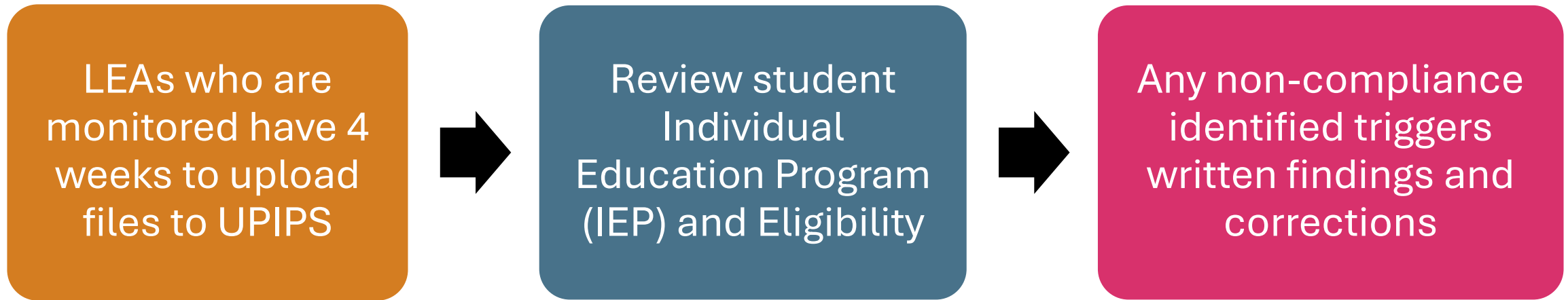
Consequences Continued

Classification Criteria	Consequences for State
State was on high-risk status or had Title I administrative funds withheld in the preceding year and did not make progress in decreasing the AA-AAAS participation rate by at least 0.1 percent.	Withhold a percentage of Title I Part A State administrative funds. A State would be required to submit a plan to come into compliance with the requirement and participate in joint OESE/OSEP monitoring calls while until it meets the requirement.

Process and Timeline for 2024-2025



Monitoring Process for 2024-2025



1% Data Dives

- USBE will be hosting 1% Data Dives across the state in November and December.
- LEAs who assessed more than 1% of their students on the alternate assessment (DLM) are required to attend a 1% Data Dive session.
- LEAs who assessed between 0.85% - 0.99% are invited and encouraged to join a session.
- This is an opportunity to dig deeper into school- and student-level data to determine the root cause for assessing over 1% and create an action plan to address that cause.
- LEAs are asked to bring some student files to review Alternate Assessment Participation Criteria.

1% Data Dives – Component of the State’s Oversight

34 CFR § 200.6(c)(2)(3) – ESEA/ESSA

[Federal Regulation Code Link](#)

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1% Data Dive Registration

[MIDAS](#) Course ID : 64841

Locations, Dates and Times:

- Ogden Area: November 6, 2024 - 9:00am-12:00pm
- St. George Area: November 11, 2024 (Veterans Day) - 9:00am-12:00pm
- Heber Area: November 14, 2024 - 12:00pm-3:00pm
- Salt Lake City Area: December 2, 2024 - 12:00pm-3:00pm
- Nephi Area: December 4, 2024 - 12:00pm-3:00pm

LEAS Over 1% Threshold

- Spectrum Academy
- Utah Schools for the Deaf and the Blind
- Moab Charter School
- Mountain View Montessori
- Endeavor Hall
- Terra Academy
- Gateway Preparatory Academy
- C.S. Lewis Academy
- Ogden City District
- Ogden Preparatory Academy
- Sevier District
- Freedom Preparatory Academy
- Wasatch Waldorf Charter School
- Roots Charter High School
- St. George Academy
- Merit College Preparatory Academy
- Treeside Charter School
- Rich District
- Duchesne District
- Leadership Academy of Utah
- Timpanogos Academy
- Venture Academy
- San Juan District
- Juab District

LEAS Over 1% Threshold cont.

- Carbon District
- Uintah District
- Ranches Academy
- Dual Immersion Academy
- Promontory School of Expeditionary Learning
- Excelsior Academy
- Maria Montessori Academy
- Good Foundations Academy
- Athenian eAcademy
- Utah Connections Academy
- Weber District
- Greenwood Charter School
- North Summit District
- Washington District
- South Summit District
- Box Elder District
- Utah Virtual Academy
- Piute District
- Tooele District
- Granite District
- Bridge Elementary School
- Iron District
- Salt Lake District

LEAs 0.85%-0.99%

- Beaver District
- Weilenmann School of Discovery
- Logan City District
- Cache District
- Wasatch District
- Alpine District
- Murray District
- Morgan District
- North Sanpete District
- Millard District
- Grand District
- Nebo District
- Kane District
- Pinnacle Canyon Academy
- George Washington Academy
- Provo District
- South Sanpete District
- Providence Hall
- Athlos Academy of Utah

Where to Find More Information

- 34 CFR § 200.6(c)(2)(3) [Federal Regulation Code Link](#)
- [US Department of Education Standards and Assessment webpage](#)
- [*Information Regarding Consequences for States Not Meeting the Requirement to Assess Not More than 1.0 Percent of Students on the Alternate Assessment*](#) (From Education Department, March 28, 2019)
- [*Requirements to Request a Waiver or Waiver Extension for the 2024-25 School Year from the 1.0 Percent Cap on the Percentage of Students with the Most Significant Cognitive Disabilities Who May Be Assessed with an Alternate Assessment Aligned with Alternate Academic Achievement Standards*](#) (From Education Department, October 3, 2024)
- [Special Education Assessment Webpage](#) (under the Alternate Assessment tab, 1.0 Percent Alternate Assessment Participation Threshold Section)

Questions

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