



OFFICE OF ELEMENTARY AND SECONDARY  
EDUCATION

SCHOOL SUPPORT AND ACCOUNTABILITY

2023 State Assessment Conference  
Session 2E:

Addressing the 95% Assessment Participation Requirement

September 27, 2023

2:15-3:30

## FOCUS AREA: 2



# Session 2E: Addressing the 95% Assessment Participation Requirement

Andrew Hinkle, NCEO, [ahinkle@umn.edu](mailto:ahinkle@umn.edu)

Sheryl Lazarus, NCEO, [laza0019@umn.edu](mailto:laza0019@umn.edu)

Cary Rogers, Kansas State Department of Education, [crogers@ksde.org](mailto:crogers@ksde.org)

Wendy Stoica, Ohio Department of Education, [wendy.stoica@education.ohio.gov](mailto:wendy.stoica@education.ohio.gov)

Robin Stripling, Arkansas Department of Education, [robin.stripling@ade.arkansas.gov](mailto:robin.stripling@ade.arkansas.gov)

Kathy Strunk, NCEO, [kstrunk@umn.edu](mailto:kstrunk@umn.edu)



## **A note About this Conference/Session**

- The purpose of this conference/session is to provide an opportunity for State education agency (SEA) staff to interact and engage with relevant experts and other SEA staff about alternate assessment participation.
- The observations and opinions of the session presenters are their own.



# Addressing the 95% Participation Requirement Agenda

2:15-2:25	Introduction
2:25-2:40	Federal Regulations
2:40-3:00	NCEO Resources/State Comments
3:00-3:20	Breakout Action Plan
3:20-3:30	Discussion and Questions



# Objectives

- To learn the federal regulations
- To learn about resources and strategies to increase student assessment
- To develop a state action plan to increase student assessment participation



# Federal Requirements

**IDEA regulations**, section 300.160, calls for states to make certain that all children with disabilities are included in all general state and districtwide assessment programs, including assessments described under section 1111 of ESEA, 20 U.S.C. 6311, with appropriate accommodations and alternate assessments, if necessary, as indicated in their respective individualized education programs (IEPs).



## Federal Requirements, cont.

- **ESEA (as amended by the Every Student Succeeds Act, or ESSA)**, Section 1111(c)(4)(E) of ESEA reinforces testing for all students, stipulating that states must assess 100% of all students and all student subgroups.
- States are required to administer assessments: in reading/language arts and mathematics annually in grades 3–8 and once in high school; in science once in each grade span (elementary, middle, and high school); and for annual English language proficiency in grades K–12 for all English learners.
- States must include all students for each of the required assessments.
- Academic achievement indicators for accountability must be adjusted to account for at least 95% of all students and all subgroups.
  - This means if schools do not assess at least 95% of students then their academic achievement indicator must be reduced to reflect the performance of at least 95% of all students.



## Federal Requirements, cont.

- Another important connection to the issue of reaching a 95 percent student assessment participation rate has to do with the state's AA-AAAS. ESSA requires that the total number of students assessed in each content area using the AA-AAAS does not exceed 1.0 percent of the total number of all students who are assessed in these content areas.
- States may apply for a waiver from the U.S. Department of Education if they think they will exceed the 1.0 percent cap. However, in order for a state to receive a waiver, it must meet the ESSA requirement that 95 percent of all students, as well as 95 percent of students with disabilities, participated in the assessment. If states applying for a waiver do not meet the 95 percent assessment participation requirement, they will not be granted a waiver.





# NCEO Resources



# NCEO Tool #9: Customizable Flyer

Logo

## REASONS WHY STUDENTS WITH DISABILITIES SHOULD TAKE STATE TESTS

### How Does Taking the State Tests Help My Child?

- It provides you with information that you can use to advocate for supports and services for your child.
- It results in instruction appropriately rigorous for your child's educational needs.
- It supports high expectations and protects your child from the harm of low expectations.

### How Does Taking the State Tests Help My Child's School?

- It holds the school responsible for the learning of all students.
- It gives a complete and accurate picture of how all students in the school are doing, including those with disabilities. When students with disabilities are not included in test results, they are excluded from school improvement plans, and possibly funding allocations based on test results.

**Remind Your Child of These Stress Reducers for the Day of Testing and During the Test**

**Eat well and get plenty of sleep.**

**Wear comfortable clothes.**

10/15/2020

### What are Some Ways to Ensure a Less Stressful State Testing Experience for Your Child?

- Talk together about what makes testing stressful.
- Work with your child and your child's teacher on a plan to address stress triggers well before the time of the test.
- Have your child practice using identified stress-reducing strategies (breathing exercises, imagining peaceful scenes) for other possible "stressful" activities prior to testing.
- Work with your child to identify accommodations that help with reducing stress (self-calming object, music, favorite seat location). Be sure they are listed on the IEP and that your child has contributed to the list.
- Use positive language about testing and help your child use positive self-talk (e.g., I can do my best; mistakes are okay; tests are helpful).
- Have your child practice taking tests several times using planned stress-reducing strategies.
- Talk about testing as part of instruction and a regular part of the school day.
- Remind your child that passing the test is not required for promotion or graduation. See the Pathways to Graduation information.

### CONTACT

(Delete the instructions below and add in your contact information)

Scan the QR code to the left with a smartphone camera to go to QR-Code-Generator.com and create your own custom QR code for your website for free.

[www.yourwebsites.com](http://www.yourwebsites.com)

**Have all needed materials at hand.**

**Practice positive self-talk, deep breathing, and use of calming accommodations.**

**Ask questions if you do not understand directions. Know that some questions about the test itself cannot be answered.**

**Don't worry if you are unsure about an answer because many tests are designed to ask hard questions.**

**NCEO**  
National Center on Educational Outcomes  
University of Minnesota, 201 Foster Hall  
150 Pillsbury Dr. SE, Minneapolis, MN 55455

NCEO is supported through a cooperative agreement (H326G580003) between the University of Minnesota, National Center on Educational Outcomes (NCEO) (H326G580003) and the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS), Office of Special Education Programs. The materials do not necessarily reflect the position or policy of the U.S. Department of Education or Offices within it. Project Officer: David Eggar.



# Participation Communication Toolkit

- Family Letter
- One-page “ready to go” flyers (i.e., teacher, families, students, policymakers)
- Slide presentation
- IEP team one-page discussion guide
- Customizable flyers





# Empowering Families





# State Comments



# Arkansas

- Federal Accountability (includes sub-groups): A School that does not test 95% in ELA or Mathematics for either all students or a student sub-group for two consecutive years will result in the school being placed on an improvement plan.
- State Accountability (all students only): A District that does not test 95% in ELA and Mathematics will be recommended for Accredited-Cited status. If the district that does not test 95% in ELA and Mathematics for two years can be recommended for Accreditation-Probation status.



# Arkansas

- LEAs that fail to meet requirements:
  - Notification of status and possible consequences
- LEAs that fail to meet requirements for two years:
  - Must test early
  - Make corrections early
  - Attend test corrections webinar
- LEAs that fail to meet requirements for three years:
  - Must test in week one
  - DESE conducts an onsite monitoring



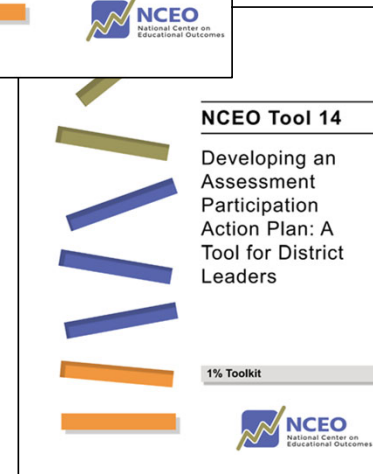
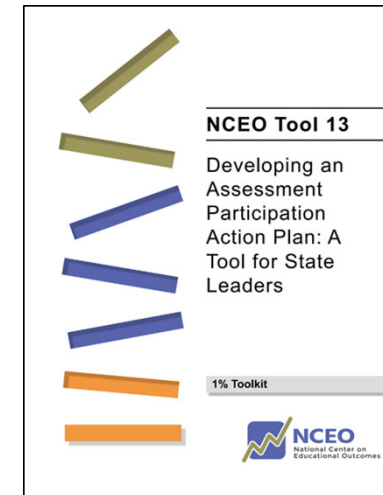
# Breakout Group Activity





# Developing an Assessment Participation Action Plan

The purpose of this resource is to provide a tool for states that wish to improve student assessment participation. The tool provides guidance on how state leaders can develop an assessment participation action plan and describes a series of steps that support the development of the action plan. States may customize the tool as needed to meet their needs. This resource was developed through a collaborative process with the 49 states participating in NCEO's 1% Cap Community of Practice (CoP) during its bi-weekly webinar calls in 2021 and 2022.





# Breakout Group Activity: Developing an Assessment Participation Action Plan

(Use resource in SharePoint)

- Step 1: Form Teams for Designing, Implementing, Monitoring, and Evaluating an Assessment Participation Action Plan
- Step 2: Collect and Analyze State Assessment Participation Data
- Step 3: Collect and Analyze District Assessment Participation Data
- Step 4: Compile State Contextual Information
- Step 5: Identify State Level Challenges to 95 Percent Participation Rate
- Step 6: Design Action Plan Steps for Implementation and Monitoring
- Step 7: Evaluate the Effectiveness of the Plan



# Questions?





Thank you!