Minnesota Department of Education

Alternate Assessment Waivers Background Information

District requests for a waiver must be authorized by a superintendent and submitted in TestWES by Friday, March 28, 2014 at 4:00pm.

Calculations of Adequate Yearly Progress (AYP) and subsequent requests for a waiver have been annual occurrences in Minnesota in recent years. With the passing of Minnesota's No Child Left Behind (NCLB) Flexibility Request, the alternative assessment waivers not only impact AYP but also the Multiple Measurements Rating (MMR). Under normal conditions, when Proficiency is calculated for a district cell, only one percent of the total number of student records contributing index points may come from students taking the Minnesota Test of Academic Skills (MTAS). This limit is sometimes called the "one-percent cap". When the percentage of district students being tested on the alternate assessment based on alternate achievement standards, known as the MTAS, significantly exceeds one percent for a valid reason, the superintendent can submit a request to make an adjustment to the cap for the number of MTAS scores that can be included in the AYP and MMR calculations.

Districts with a large percentage of students taking the MTAS may submit a request for waiver that provides data and rationale substantiating the basis for the request. Some reasons for the large percentage might be:

- District has specialized programs for this targeted population of students.
- District serves as a regional hub, serving students from many districts.
- Specific grade levels have anomalies in enrollment.

As a basis for their request, districts may want to refer to their previous year's assessment results (e.g., nature of students tested, proficiency rates on the MTAS).

Districts use TestWES to submit a request for a waiver (see screen shot on page 2). Once the request is initiated, it goes to the superintendent or authorized designee for review. The superintendent confers with the district assessment coordinator and the special education director before authorizing the request. Once the superintendent has authorized the request for a waiver, it proceeds to MDE for review. MDE will review district and school data it has on file in order to verify the data submitted by the district.

Sample Waiver Form in Test Wes

Back to Dashboard

Help Logout

Start Waiver Request

Please complete the waiver request form below. You may upload supporting documentation files on the next screen once this form has been saved.
NOTE: Saving a request does not automatically submit it. The Submit Request button on the next screen will submit your request for district authorization.

Consider the following questions:
1. Did your district submit an Alternate Assessment Waiver (previously known as the 1% waiver) in 2012?
2. Does your district have specific programs or have unique demographics that result in serving a higher percentage of students with the most significant cognitive disabilities as compared to other districts?

If the answer to either question was "yes", you are encouraged to submit for an Alternate Assessment Waiver for the 2013 year.

Asterisk (*) indicates a required field.

*** Submitter Information**

* Name: Stephanie Graff
* Primary Phone Number: 651-582-8242
* Primary Email Address: stephanie.graff@state.mn.us
* Position: Choose one...

Please verify that your primary contact information above is complete and correct. Update this information including your direct phone extension if applicable. When you are done, check the box below to indicate that your primary contact information is complete and correct.

☐ * I certify that my primary contact information above is complete and correct.

Alternate Contact Information (optional)

Please provide alternate phone numbers and email addresses where we can contact you:

Choose one...
Choose one...
Choose one...

Impacted Organization

Impacted District: 0001-01 AITKIN PUBLIC SCHOOL DISTRICT

2011 - 12 Proficient Cap: Enrollment in grades assessed: 667 (1% = 7) for Math
Enrollment in grades assessed: 666 (1% = 7) for Reading

Waiver Request Category

Accountability Measure: AYP

Waiver Category: Alternate Assessment Waiver (e.g. if percentage of students with significant cognitive disabilities is higher than most districts)

*** Waiver Explanation**

Please provide an explanation of the reason for the waiver request. Provide evidence and documentation supporting this request.

* Short Description: (Limited to 80 typed-in characters: no special characters allowed.)

* Additional Explanation: (Limited to 8000 typed-in characters: no special characters allowed.
Use **Upload File** on the following page to add any additional information that cannot be typed in here.)

Following is an example of an unacceptable request for a waiver:

> |"Our district requests a waiver because we have a high percentage of special education students. Parents like our district and open enroll from neighboring communities."

This request for a waiver is not sufficient because it:

- Does not include specific data.
- Refers to overall special education child count, not to students with the most significant cognitive disabilities who are taking the MTAS.
- Does not mention special or unique district programs that are specific to this population of students

At the state and district level federal regulations limit the number of proficient alternate assessments that can be included as proficient in the AYP calculation. In Minnesota the alternate assessment based on alternate achievement standards is known as the MTAS. The regulations state that the number of proficient MTAS points that can be included in the AYP calculation cannot exceed one percent of the number of students enrolled in tested grades at the state or district level. Districts can exceed the one percent cap to the additional extent granted by the state approval of a waiver request, but the state cannot exceed the one percent cap.

Educational Unit	**Is there a cap on the number of students who can take an MTAS?**	**Is there a cap on the percent of index points that are included in the AYP calculation?**	**Comments**
Individual	No	N/A	If the Individualized Education Program (IEP) team says a student should participate in the MTAS, then the student should be administered the MTAS.
School	No	Under some conditions	The number of index points coming from MTAS may exceed the one percent at the school. However, if the district reaches its one-percent cap, then schools may need to "shed" points from MTAS given to students who are members of the fewest subgroup cells.
District	No	Yes	There is a one-percent cap on the number of points a district can include from the MTAS in the AYP calculation. However, districts with exceptional circumstances may request a waiver to have an adjustment to the one-percent cap.
State	No	Yes	There is also a one-percent cap on number of MTAS points that can be included in the state AYP calculation. This cap is firm.

Frequently Asked Questions about the Alternate Assessment Waiver: Requests to Waive the One-Percent Cap on the Number of MTAS Scores

Q. Should the district limit the number of students who are assessed with the MTAS because of concerns about the one-percent cap?

A. No. This is contrary to requirements of Individuals with Disabilities Education Act. Students are assessed with the MTAS if their Individual Education Program (IEP) team determines they meet the participation guidelines and that the MTAS is the most appropriate assessment option for them. There should be no consideration for how their scores may figure in the AYP calculation.

Q. How does MDE determine how many MTAS points may be included in the AYP calculation?

A. The number of index points from students taking the MTAS cannot exceed a number equal to one percent of the total number of students enrolled in tested grades at the state or district level. For example, if during the testing window, there are 325 students enrolled in the district, MDE can grant up to four (numbers are rounded up) index points from students taking the MTAS. Students scoring at the Proficient level generate one index point and students scoring at the Partially Proficient level generate one half index point. Here's an example:

Student	Rating on the Alternate Assessment	Index Points	Can index point be used?	Value of index point for AYP calculation	Cumulative total of index points used n AYP calculation
A	Proficient	1.0	Y	1	1.0
B	Proficient	1.0	Y	1	2.0
C	Partially Proficient	0.5	Y	.5	2.5
D	Partially Proficient	0.5	Y	.5	3.0
E	Partially Proficient	0.5	Y	.5	3.5
F	Partially Proficient	0.5	Y	.5	4.0
G	Partially Proficient	0.5	N	0	4.0
H	Partially Proficient	0.5	N	0	4.0
I	Not Proficient	0.0	N	0	4.0

The index points from Students A, B, C, D, E, and F are included in the AYP calculation. The index points generated by students G, H and I are not included in the AYP calculation. The index points for the AYP calculation for students G and H are converted to 0. The scores of students G and H do not change, individual student reports continue to reflect the partially proficient scores they earned, and their IEPs should not be changed.

Q. Some students are included in more subgroups than others. Does MDE's calculation of AYP take into account the additional proficient points generated by students who are members of more subgroups than other students?

A. Yes. In the example above, if Students C, D, E and F were in five subgroups (All, White, Special Education, Free and Reduce Price Lunch, and English Language Learners) and Students G and H were only in three subgroups (All, White, and Special Education) the index points generated by Students G and H would not be included in the AYP calculation. The MDE calculation uses the index points from students who are included in the largest number of subgroups.

Q. Under what conditions can a district request a waiver to include index points from more MTAS than allowed under the one- percent cap?

A. If a district has a high percentage of students with the most significant cognitive disabilities being tested on the MTAS and the district exceeds the one-percent cap, with adequate data and rationale, the superintendent can apply for a waiver. The district must complete the Start Appeal/Waiver Request page in Test WES, being sure to choose the Alternate Assessment Waiver category.

Q. Where do districts send the request for a waiver?

A. District personnel must use Test WES to submit requests for Alternate Assessment Waivers. Requests will be routed first to the superintendent (and/or authorized designee) who will review the contents of the request with the district assessment coordinator and the district special education coordinator before validating it. Requests validated by the superintendent will proceed to MDE for review.

Q. When is the last date when Alternate Assessment Waiver Requests will be accepted by MDE?

A. Alternate Assessment Waiver Requests must be submitted online by March 28, 2014. Early submissions are encouraged.

Q. Whom can I contact with questions?

A. If you have questions, contact Eric Kloos at eric.kloos@state.mn.us or 651-582-8268.