



STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING

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INTERIM STATE SUPERINTENDENT

**MEMORANDUM**

**DATE:** November 15, 2018

**TO:** Local and Intermediate School District Superintendents  
Public School Academy Directors

**FROM:** Dr. Scott M. Koenigsknecht, Deputy Superintendent  
P-20 System and Student Transitions 

**SUBJECT:** Notice and Request for Comment: Alternate assessment waiver request for the 1% cap

Michigan's alternate assessment (MI-Access) is aligned to the Michigan alternate content standards in English Language Arts (ELA), mathematics, science, and social studies. The alternate assessment is designed to allow students with the most significant cognitive disabilities to demonstrate their knowledge and skills.

In 2017-2018, as provided for under the Every Student Succeeds Act (ESSA), Michigan applied for and received a waiver on the 1% cap for the participation rate regarding students taking the alternate assessment (MI-Access). Part of this waiver was an agreement that the Michigan Department of Education (MDE) implement a plan to ensure students are properly assessed using the state assessment system programs.

The plan included clarifying the state guidelines for participation in the alternate assessment as well as developing and posting professional development resources to assist staff and Individualized Education Program (IEP) teams in determining the appropriate assessment for each individual. These tasks have been completed. Analysis of the 2017-2018 state assessment data shows a reduction in the participation rate of the alternate assessment in Michigan from 2.4% to 2.2%. The effects of the implementation of this plan may be better reflected in the 2018-2019 testing data, as districts have had one full year to apply the enhanced state guidelines for participation.

Given the participation rate on the alternate assessment is still over 1%, Michigan intends to apply for a renewal of the waiver provided for under ESSA. Michigan has made substantial progress on the plan and intends to take further measures to provide guidance and assistance to districts in making individualized and appropriate assessment decisions.

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The plan demonstrates an innovative and cohesive approach that supports an aligned, coherent education system at all levels (state, ISD, district, and school) as it relates to MDE's Top 10 in 10 goal of being student-focused and supporting the education system at all levels. This guidance is further outlined below.

As required, Michigan's waiver application will (inclusive of grades 3-8 and 11):

- Be submitted at least 90 days prior to the start of the testing window;
- Provide state-level data from the 2018 testing cycle to show the number and percentage of students (including sub-groups) who took an alternate assessment of all students tested in each subject;
- Demonstrate that Michigan has tested at least 95% of all students and 95% of students with disabilities across all summative assessments; and
- Provide assurances that Local Education Agencies (LEAs) contribute to the state exceeding the 1% cap have adhered to the participation guidelines and address any disproportionality in any sub-group of students taking the alternate assessment.

Further, the waiver will include a plan and timeline by which the state will:

- Improve the implementation of its guidelines on the alternate assessment;
- Take additional steps to support and provide oversight to each LEA that contributes to the state exceeding the 1% cap; and
- Address any disproportionality in the percentage of students taking the alternate assessment.

The specific plan will include the following activities:

- Provide more in-depth guidance to Intermediate School Districts (ISDs) and LEAs on examining data for students taking the alternate assessment when overall LEA rate is over 1%.
- Create a tiered system of supports for districts to increase understanding and improve alignment with state guidance on assessment selection.
  - Tier I: for all would include additional
    - Communication about the training currently available online as developed for the 2017-2018 plan;
    - In-person training as requested by ISDs or LEAs;
    - Resources developed by the MDE, ISDs, or LEAs for others to access and use for individual and group professional development (such as developing standards-based IEPs based on alternate content standards).
  - Tier II: for LEAs whose participation exceeds 2% or whose data indicate issues of disproportionality in state testing for students with disabilities. The MDE will work with ISDs to provide increased support at this level, which will be determined on a case by case basis.

- Tier III: for LEAs whose participation rates fall within the highest 3% of all participation rates in the state, or whose participation rate exceeds 2% and whose data indicate issues of disproportionality in state testing for students with disabilities. The MDE will work with ISDs to provide support at this level.

The MDE seeks public comment on this plan. Any interested party may leave comments in the following ways **before the end of the day on Tuesday, December 17, 2018:**

- Survey: [https://www.surveymonkey.com/r/MI\\_1pct\\_Cap\\_waiver\\_input](https://www.surveymonkey.com/r/MI_1pct_Cap_waiver_input)
- Email: [mde-oeaa@michigan.gov](mailto:mde-oeaa@michigan.gov) (be sure to include "1% alternate assessment waiver" in the subject line)
- Via mail: Michigan Department of Education, 608 W. Allegan Street, P.O. Box 30008, Lansing, MI 48909, Attn: OEAA 1% waiver – 2nd floor

The following resources are available on the [MI-Access Web Site](http://www.michigan.gov/mi-access) ([www.michigan.gov/mi-access](http://www.michigan.gov/mi-access)) with direct links provided here:

- Michigan's guidelines for participation in the alternate assessment (MI-Access): [Alternate Assessment Guidelines](#)
- Guidelines for ISD's to provide support to LEAs regarding the 1% cap: [1% cap ISD Guidance](#)
- Michigan's alternate content standards: [alternate content standards](#)
- Assessment selection guidance training module online: [Assessment Selection Guidelines Training](#)
- Interactive assessment selection tool for IEP teams: [IEP Interactive Decision Making Tool](#)

For further information, please contact John Jaquith at [jaquithj@michigan.gov](mailto:jaquithj@michigan.gov) or 517-335-1987.

cc: Michigan Education Alliance