



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING


GRETCHEN WHITMER
GOVERNOR

MICHAEL F. RICE, Ph.D.
STATE SUPERINTENDENT

MEMORANDUM

DATE: December 10, 2020

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

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

SUBJECT: Notice and Request for Public Comment: Alternate Assessment Waiver
Request for the 1 Percent Cap

The Michigan Department of Education (MDE) will re-submit a request of a waiver extension for the spring 2021 administration of Michigan's alternate assessment (MI-Access) that outlines the continued plan to address participation rates. A previous waiver extension request was submitted in January 2020 but was rescinded due to the overall cancellation of statewide assessments for spring 2020. This cancellation was caused by circumstances related to the COVID-19 pandemic and subsequent mandated school closures.

Michigan's alternate assessment (MI-Access) is aligned to Michigan's 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 2018-2019, as provided under the federal Every Student Succeeds Act (ESSA), Michigan applied for, and received, a [waiver](#) of the 1 percent cap for the participation rate regarding students taking the alternate assessment (MI-Access). Part of this federal waiver was an agreement for MDE to implement a plan to ensure students are properly assessed using the state assessment system programs.

Michigan's ongoing plan demonstrates an innovative and cohesive approach that supports an aligned, coherent education system at all levels (state, intermediate school district (ISD), district, and school) consistent with Michigan's Top 10 Strategic Education Plan.

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Analysis of the 2018-2019 state assessment data shows a reduction in the participation rate for the alternate assessment in Michigan from 2.2 percent to 2.0 percent in mathematics and also from 2.2 percent to 2.1 percent in ELA. This represents a reduction of approximately 3,000 students taking the alternate assessment in Michigan from 2017 to 2019.

Given the participation rate on the alternate assessment is still over 1 percent, Michigan intends to apply for an extension of the federal waiver under ESSA for the 2020-2021 school year. Michigan has made substantial progress on its plan and intends to take further measures to provide guidance and assistance to districts in making individualized and appropriate assessment decisions.

Michigan's 2020-2021 waiver application for grades 3-8 and 11 must meet the following U.S. Department of Education requirements:

- Be submitted at least 90 days prior to the start of the testing window.
- Provide state-level data from the most recent testing cycle to show the number and percentage of students (including subgroups) who took an alternate assessment of all students tested in each subject, as well as projected participation rates for spring 2021.
- Demonstrate that Michigan has tested at least 95 percent of all students and 95 percent of students with disabilities across all summative assessments during the last cycle that summative assessments were given.
- Provide assurances that local education agencies (LEAs) contributing to the state exceeding the 1 percent cap (during the last cycle that summative assessments were given) have adhered to the participation guidelines and address any disproportionality in any subgroup of students taking the alternate assessment.

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

- Post justification forms for exceeding the 1 percent participation threshold for students taking the alternate assessment.
- Require local agencies to calculate a projected participation rate for 2020, in addition to responding to 2019 participation rate data, and provide a projected participation rate for spring of 2021.
- Continue collection of justification forms in the electronic monitoring system to ensure ease of analysis of data.
- Conduct a review of justification forms with guidance to ISDs for direct technical assistance, to include:
 - Guidance/training to ISDs about reviewing and flagging trends for potential technical assistance to LEAs.
 - MDE support for ISDs in providing feedback to their constituent LEAs.
 - MDE involvement with providing targeted assistance to districts considered to require Tier III supports.
 - A demonstration of how these activities were carried out remotely in spring 2020.

- MDE focus on determining the appropriate assessment for each and every student with a disability, and complementing of this effort by adding a focus on how individualized education program (IEP) teams make decisions on targeting instruction unique to a student's need, whether by utilizing the general education or alternate content standards.

MDE continues to seek public comment on this plan. Any interested party may submit comments by close of business on Friday, December 18, 2020 as follows:

- Survey: https://www.surveymonkey.com/r/1Pnct_Waiv_PC_2021
- Email: mde-oeaa@michigan.gov (be sure to include "1 percent alternate assessment waiver" in the subject line)

The following resources are available on the MI-Access Web Site (<https://www.michigan.gov/mi-access>) with direct links provided below:

- 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 percent cap: [1 percent cap ISD Guidance](#)
- Michigan's alternate content expectations: [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 or 517-291-2589.

cc: Michigan Education Alliance
Confederation of Michigan Tribal Education Directors