



STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING

GRETCHEN WHITMER  
GOVERNOR

MICHAEL F. RICE, Ph.D.  
STATE SUPERINTENDENT

**MEMORANDUM**

**DATE:** August 31, 2023

**TO:** Intermediate School District Special Education Directors  
Local School District Special Education Directors  
Public School Academy Directors

**FROM:** Teri L. Rink, Ed.S., Director   
Office of Special Education

Andrew J. Middlestead, Director   
Office of Educational Assessment and Accountability

**SUBJECT:** Clarification on Guidelines for Participation in MI-Access

The Michigan Department of Education (MDE) Office of Special Education (OSE) and the Office of Education Achievement and Accountability (OEAA) are issuing a joint memo to provide clarification for individualized education program (IEP) Teams regarding guidelines for participation in MI-Access, Michigan's statewide alternate assessment.

Under the Every Student Succeeds Act (ESSA), states may not have more than 1% of students with disabilities participate in the statewide alternate assessment. When a state exceeds the 1% participation rate, the state is required to develop a plan to ensure IEP Teams are making appropriate assessment selections and thereby reducing the participation rate. The plan then becomes part of a waiver application the state must complete to exceed the 1% participation rate cap.

Under the ESSA, MDE is charged with ensuring only students with the most significant cognitive disabilities are assessed using the statewide alternate assessment. Michigan has exceeded the 1% cap for five years, and as a result has developed a plan as part of each waiver request. The annual plans have resulted in a decrease of 3,700 students with disabilities who are participating in the statewide alternate assessment because the IEP Team determined they did not meet the definition of a student with the most significant cognitive disability and therefore were not appropriate to participate in the alternate assessment. In order to continue this very important and impactful work to reduce participation rates, intermediate school districts (ISDs) and local districts, which include public school academies (PSA), must continue to ensure IEP Teams are making appropriate statewide assessment selections for students with disabilities. *This means students assigned to participate in the statewide alternate assessment must meet all components of the*

**STATE BOARD OF EDUCATION**

PAMELA PUGH – PRESIDENT • ELLEN COGEN LIPTON / TIFFANY D. TILLEY – CO-VICE PRESIDENTS  
JUDITH PRITCHETT – SECRETARY • MARSHALL BULLOCK II – TREASURER  
MITCHELL ROBINSON – NASBE DELEGATE • TOM MCMILLIN • NIKKI SNYDER

*definition of a student with the most significant cognitive disabilities and are held to the highest level of expectations possible for that student, including in the academic domain.*

MI-Access is Michigan's statewide alternate assessment system that is designed specifically for students with the most significant cognitive disabilities, and whose IEP Teams have determined [General Assessments](#), even with accommodations, are not appropriate. MI-Access is based on Michigan's [alternate content](#) expectations for English language arts, mathematics, science, and social studies. Only students whose primary instruction is based on the alternate content expectations and who meet the definition of a student with the most significant cognitive disabilities may take MI-Access. **Please note MI-Access is not designed for students with mild or moderate disabilities, and students must meet all criteria of Michigan's definition of students with the most significant cognitive disabilities.**

It is the responsibility of each IEP Team to determine which assessment is appropriate for each student with a disability to take, based on the student's unique needs and using the guidelines in the [Should My Student Take the Alternate Assessment](#). The guidelines detail factors to be used in consideration for determining participation in MI-Access. When any level of MI-Access is determined to be appropriate and selected as the state level assessment for a student, the ISD or district must provide the parents/guardians of the student: 1) information regarding academic achievement standards on which their performance will be measured and 2) how participation in the alternate assessment may delay or otherwise affect (or prevent) the student from completing requirements for a regular high school diploma.

As part of the annual plan included in the waiver request to exceed the 1% cap, and in effort to continuously build awareness of the requirement and ensure appropriate assessment selection, MDE provided feedback, including additional suggestions for improvement within the 1% justification form activity for the 2022-23 academic year. Additionally, the same information and suggestions for improvement were presented at the Understanding State Assessments for Students with IEPs at Michigan Association of Administrators of Special Education (MAASE) Summer Institute in August 2023. Specifically, the information detailed suggested cut scores to help IEP Teams determine if a student meets the definition of a student with the most significant cognitive disability. In addition, the inclusion criteria suggested psychometrically valid measurements for cognitive and adaptive functioning should be updated every three years. While it is important for IEP Teams to use the most current data on students to make programming decisions, the use of cut scores to determine whether it is appropriate for the student to participate in the general assessment (M-STEP) or the MI-Access, **is not a requirement**, nor is the suggested frequency of cognitive and adaptive behavior measurements.

The requirement for participation in the MI-Access has been, and continues to be, a student must meet the definition of a student with the most significant cognitive disabilities, including **all three** areas of the definition: significant impairment on intellectual functioning, impairment of adaptive behavior, and impact in and out of the classroom and across multiple life domains.

For questions, please contact Chantel Mozden in the Office of Special Education at (517) 241-6299 or via email [MozdenC@Michigan.gov](mailto:MozdenC@Michigan.gov) or John Jaquith in the office of Educational Assessment and Accountability at 517-335-1987 or via email at [JaquithJ1@Michigan.gov](mailto:JaquithJ1@Michigan.gov).

cc: Michigan Education Alliance  
Confederation of Michigan Tribal Education Departments