UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

January 27, 2022

The Honorable Randy Watson
Commissioner of Education
Kansas State Department of Education
900 S.W. Jackson Street, Suite 102
Topeka, KS 66612-1212

Dear Commissioner Watson:

I am writing in response to the Kansas State Department of Education's (KSDE's) request on June 14, 2021, for a one-year extension of the State's waiver of section 1111(b)(2)(D)(i)(I) of the Elementary and Secondary Education Act of 1965 (ESEA) which stipulates that a State may not assess using an alternate assessment aligned with alternate academic achievement standards (AA-AAAS) more than 1.0 percent of the total number of students in the State who are assessed in the subjects of reading/language arts (R/LA), mathematics, and science.

After reviewing KSDE's waiver request, I am granting, pursuant to my authority under section 8401(b) of the ESEA, for school year 2021-2022, a one-year extension of the State's waiver of section 1111(b)(2)(D)(i)(I) of the ESEA so that the State may assess with an AA-AAAS more than 1.0 percent of the total number of students in the State who are assessed in R/LA, mathematics, and science.

As part of this waiver, KSDE assured that it:

- Will continue to meet all other requirements of section 1111 of the ESEA and implement regulations with respect to all State-determined academic standards and assessments, including reporting student achievement and school performance, disaggregated by subgroups, to parents and the public.
- Had assessed in the 2018-2019 at least 95 percent of all students and 95 percent of all students with disabilities who are enrolled in grades for which an assessment is required. I note that while the State did not assess at least 95 percent of all students and 95 percent of students with disabilities in 2020-2021 due to disruptions caused by the COVID-19 pandemic, it assessed students with disabilities at about the same rate as all students in 2020-2021. Therefore, consistent with information provided in the guidance to States on October 29, 2021,[1] I am also approving a one-year waiver of the requirement in 34 CFR § 200.6(c)(4)(ii)(B) that a State must have assessed at least 95 percent of students in the prior year.
- Will require that a local educational agency (LEA) submit information justifying the need of the LEA to assess more than 1.0 percent of its assessed students in any such subject with an AA-AAAS.

[1] See: https://oese.ed.gov/files/2021/10/Memo-to-States-re-One-Percent-Waiver-Requirements-2021-2022.pdf.

- Will provide appropriate oversight of an LEA that is required to submit such information to the State.
- Will verify that each LEA that is required to submit such information to the State is following all State guidelines in 34 CFR § 200.6(d) – excluding (d)(6) and will address any subgroup disproportionality in the percentage of students taking an AA-AAAS.
- Will implement, consistent with the plan submitted in KSDE's waiver request, system improvements and will monitor future administrations of the AA-AAAS to avoid exceeding the 1.0 percent cap.

I want to remind you of the requirement in 34 CFR § 200.6(c)(3)(iv) that the State must make publicly available the information submitted by an LEA justifying the need of the LEA to assess more than 1.0 percent of its students on the AA-AAAS, provided that such information does not reveal personally identifiable information about an individual student. I also encourage you to make available your State's plan and timeline and your progress to date in reducing the percentage of students taking the AA-AAAS. I would also like to remind you that this waiver does not alleviate any of the State's obligations in meeting all of the requirements found in section 612(a)(16) of the Individuals with Disabilities Education Act (IDEA) which address assessment participation, assessment accommodations, alternate assessments, and reporting for children with disabilities.

Given the workplan submitted by KSDE, I expect to see positive results of this plan in the 2021-2022 school year and beyond. I note that the rate of AA-AAAS participation has declined in your State; and I want to thank you for your continued efforts in achieving this. Future requests for an extension of this waiver will continue to expect both continued progress implementing your plan and progress in reducing the percentage of students taking the AA-AAAS in all tested subjects.

I appreciate the work you are doing to improve your schools and provide a high-quality education for your students. If you have any questions, please contact my staff at ESEA.Assessment@ed.gov.

Sincerely,



Ian Rosenblum
Deputy Assistant Secretary for Policy and Programs
Delegated the Authority to Perform the
Functions and Duties of the Assistant Secretary

cc: Beth Fultz – Assistant Director of Assessments,
Career Standards and Assessment Services

KANSAS
STATE DEPARTMENT OF
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June 14, 2021

The Honorable Frank Brogan
Assistant Secretary for
Elementary and Secondary Education
United States Department of Education
400 Maryland Ave. SW
Washington, D.C. 20202

Dear Assistant Secretary Brogan:

Please find enclosed with this letter Kansas' waiver extension request pursuant to 34 C.F.R. §200.6 (c)(4). The submission of a waiver extension in accordance with 34 C.F.R. §200.6 (c)(4) is warranted for reading/language arts, mathematics, and science for the 2021-2022 school year.

For more information or questions on the attached waiver request for the 2021-2022 school year AA-AAAS 1% participation requirement, please contact Beth Fultz, Assistant Director of Career Standards and Assessment Services for the Kansas State Department of Education at bfultz@ksde.org or 785-296-2325.

Sincerely,

Beth Fultz

Beth Fultz

Assistant Director of Assessments

Career Standards and Assessment Services

Kansas Department of Education

Kansas State Department of Education AA-AAAS 1% Threshold Waiver Extension Request Pursuant to 34 C.F.R §200.6(c)(4) June 2021 (with updated data December 2021)

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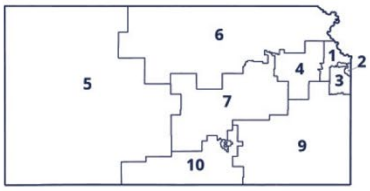


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COMMISSIONER OF EDUCATION



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Division of Learning Services



Dr. Brad Neuenswander

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JAN. 2021

KSDE AA-AAAS 1% Threshold Waiver Extension Request

Table of Contents

Introduction 4

One Percent Waiver Extension Request Requirement 4

State testing window 5

State-level data on participation 5

State-Level Data showing 95% participation overall and for students with disabilities subgroup 6

State Assurance 6

Plan and timeline 7

Plan and timeline for improving the implementation of participation guidelines (and possibly revising definition of *students with the most significant cognitive disabilities*) 7

Plan and timeline for taking steps to support and provide appropriate oversight to districts anticipated to exceed 1.0 percent 9

Plan and timeline for addressing any disproportionality in percentage of students taking the AA-AAAS 11

Substantial progress 12

Public Comment 13

Alternate Assessment Data for 2020-2021 14

Alternate Assessment Data for 2018-2019 21

Introduction

Pursuant to 34 C.F.R. 200.6(c)(4), the Kansas State Department of Education (KSDE) is seeking a waiver extension of 34 C.F.R. 200.6(c)(2) for the 2021-2022 school year from the Secretary for the United States Department of Education. This regulation limits the total number of students assessed in a subject area using an alternate assessment to no more than 1.0 percent of the total number of students assessed in the state.

KSDE has adopted alternate academic achievement standards for students with the most significant cognitive disabilities and measures the achievement of those standards with an alternate assessment aligned with alternate academic achievement standards (AA-AAAS). Federal regulation 34 C.F.R. 200.6(c)(2) requires that, for each subject for which assessments are administered, the total number of students assessed in that subject using an AA-AAAS may not exceed 1.0 percent of the total number of students in the State who are assessed in that subject.

One Percent Waiver Extension Request Requirement

Requirements for submitting a request to extend a waiver for an additional year are included in 200.6(c)(4)(v). Specifically, the state is to meet the requirements of 200.6(c)(4)(i)-(iv), as well as, show substantial progress toward the achievement of each component of the previous year's plan and timeline. The KSDE received notification on August 7, 2020 that the United States Department of Education had granted Kansas a waiver of section 111(b)(2)(D)(i)(I) of the ESEA, allowing the State to assess more than 1.0 percent of the total number of students assessed in reading/language arts, mathematics, and science on the AA-AAAS for 2020-2021.

State testing window

KSDE is submitting a waiver extension request to the U.S. Department of Education at least 90 days prior to the start of Kansas' instructionally embedded testing window for its alternate assessment in reading/language arts, math and science as we anticipate the possibility of being over 1.0 percent. Kansas participates in the Dynamic Learning Maps (DLM) instructionally embedded assessment. Reading/language arts and mathematics assessments consist of two instructionally embedded test windows. Kansas' instructionally embedded assessment for reading/language arts and mathematics has a fall test window (September 13, 2021 – December 17, 2021) and a spring test window (February 7, 2022 – May 6, 2022). The science assessment is a summative assessment administered during the spring test window (February 7, 2022 – May 6, 2022).

State-level data on participation

The Kansas State Department of Education requested waivers of accountability, school identification, and related reporting requirements under the Elementary and Secondary Education Act of 1965 (ESEA): Title I, Sections 1111(c)(4) and (d)(2)(C)-(D), and 1111(h) related to accountability, school identification and reporting from the 2020-2021 school year. This includes the requirements that a State measure progress toward long-term goals and measurements of interim progress; meaningfully differentiate, on an annual basis, all public schools, including by adjusting the Academic Achievement indicator based on a participation rate below 95 percent for the 2020- 2021 school year. Kansas still required all districts to test all in-person students on the annual state assessment in Spring of 2021. We also expected the LEAs to continue their local assessments and use all of these data sources to help drive instruction in closing student learning gaps. The KSDE will continue to collect state assessment participation and results data and report what information we have available on our public reporting site.

State-Level Data showing 95% participation overall and for students with disabilities subgroup

Kansas expects all students enrolled in public K-12 schools take assessments with accommodations, without accommodations, or with an alternate assessment in Grades 3-8 and high school. Kansas follows the federal participation requirement and, to date has met or exceeded the federal guidelines set at 95%. The KSDE received an accountability and assessment waiver for the 2019-2020 assessments. The KSDE requested an accountability waiver for the 2020-2021 school year. Due to the state assessment window still being open when the wavier extension needed to be out for public comment, no participation data is included at this time. The KSDE will submit participation data once it is available.

State Assurance

By submitting this request, the Kansas State Department of Education assures that it has verified that each LEA that the state anticipated would assess more than 1.0 percent of its assessed students in a subject using the AA-AAAS followed the state's participation guidelines; and addressed any disproportionality in the students taking the AA-AAAS. Due to assessments being canceled during the 2019-2020 school year, LEAs only completed assurances during the 2020-2021 school year. No justifications were completed due to having no assessment data to report. The KSDE collected assurances from 142 districts that anticipated testing over 1.0 percent of their students on the DLM during the 2020-2021 school year. Justifications and assurances are posted at http://www.ksde.org/Default.aspx?tabid=567.

The KSDE will provide LEAs data on disability categories taking the DLM, risk ratio data by subgroup (disproportionality), and percentage of students performing at target or advanced. This data will be provided by subject. Districts will be requested to use this data to complete their 2020-2021 alternate assessment justifications in December 2021. If a LEA has a risk ratio of greater than 3.0, they will be required to explain how they will address the disproportionality.

Assurances are included in the justifications. LEAs that anticipate testing over 1.0 percent of their students on the DLM for the 2021-2022 school year are required to complete DLM assurances.

The LEA must submit assurances for each of the following five items:

1. Individualized Education Program (IEP) teams have correctly identified students with the Most Significant Cognitive Disability. http://www.ksde.org/Default.aspx?tabid=887.
2. The district has measured the achievement of, at least 95% of all students, including students with disabilities in tested grades.
3. Students who will be participating in an alternate assessment receive instruction aligned to the alternate academic achievement standards, the Essential Elements. https://dynamiclearningmaps.org/erp_ie/ks-ela https://dynamiclearningmaps.org/sci_resources
4. Parents are informed of their child's participation in an alternate assessment and the implications of participating.
5. The district addressed any disproportionality in the percentage of students in any subgroup taking the alternate assessment.

Outlined below is a summary of the State Plan and Timeline activities included in the 2020 KSDE waiver extension request with a description of how each activity was completed.

Plan and timeline

Plan and timeline for improving the implementation of participation guidelines (and possibly revising definition of *students with the most significant cognitive disabilities*)

The goal of this waiver component is to ensure each student eligible to take a Kansas State Assessment, is administered the appropriate form of the assessment. The KSDEs plan and waiver request outlined several key strategies and action steps toward reaching this goal: revising the state's participation guidelines to emphasize distinct criterion; revising the state-adopted definition of students with the most significant cognitive disabilities in the state; providing training, tools, and technical assistance to improve the implementation of the state's participation guidelines; and leveraging the concept of least dangerous assumption with the field.

The KSDE updated the *DLM participation guidelines*, *Kansas Alternate Assessment Flow Chart*, and *Rubric for Determining Participation on the Kansas Alternate Assessment (DLM)*. The KSDE also created *IEP Team Resource: Making Decisions about Participation in the Alternate*

Assessment based on the *NCEO Tool 10 IEP Team Resources: Making Decisions about Participation in the Alternate Assessment*. Beginning with the 2021-2022 school year, the *DLM participation guidelines* will have *five* criteria that all have to be "yes" for a student to participate in the DLM. The criteria for parent/legal education decision-maker notification were added. The *Alternate Assessment Notification* fact sheet was also created in winter 2021and shared with the field to assist IEP teams in communicating clearly the necessary information with parents and legal decision-makers. The language for criteria one and two on the *DLM participation guidelines* emphasizes using assessment data to support a most significant cognitive disability and significant deficits in adaptive behavior. A column was added for the IEP team to include supporting evidence for each criterion. These documents are located at http://www.ksde.org/Default.aspx?tabid=887.

DLM Participation Guidelines criteria

1. The student has a most significant cognitive disability (intellectual disability).
2. The student has significant deficits in adaptive behavior.
3. The student is primarily being instructed (or taught) using the Dynamic Learning Maps Essential Elements as content standards.
4. The student requires extensive direct individualized instruction and substantial supports to achieve measurable gains in all grade-and age-appropriate curriculum.
5. Parent/legal education decision-maker notification.

The KSDE shared the updated participation guidelines through the following activities:

- April 9, 2021 – Directors Webinar
- April 15, 2021 – DLM webinar
- May 5, 2021 – Curriculum, Instruction, and Assessment Leaders meeting
- Upcoming – July KSDE Leadership Conference

The KSDE consultants presented a breakout session at the 2020 KSDE Leadership Conference titled: Assessments and Accommodations. The updated resources and PowerPoint presentation were shared on directors, superintendents, principals, curriculum leaders, and test coordinators listservs on August 6th.

The KSDE staff participated in the CCSSO-SCASS and meetings sponsored by the Department to inform state-level policies, practices, and procedures in relation to the state-level 1.0 percent requirement and identifying enhancements or additions to the technical assistance and tools provided to LEAs in the state. Staff attended all CCSSO-ASES meetings during the 2020-2021school year. Staff has participated in the biweekly 1% CoP calls and the PLGs hosted by NCEO and the TIES Center.

The KSDE consultants provided technical support and training to teachers and administrators throughout the school year.

- Six DLM webinars - August 27, 2020; September 17, 2020; October 15, 2020; December 3, 2020; February 4, 2021; and April 15,2021. The webinar recordings and materials are available at http://www.ksde.org/Default.aspx?tabid=887e
- Seven Directors Webinars addressing DLM and accommodations – August 14, 2020; September 25, 2020; October 30, 2020- accommodations; December 11, 2020; January 18, 2021 – accommodations; February 19, 2021; and April 9,2021
- Five District Test Coordinators virtual calls addressing DLM and accommodations– October 6, 2020; November 3, 2020; December 1, 2020; March 2, 2021; and April 4, 2021
- Four districts/special educational cooperatives reached out for additional training/support that was provided through Zoom webinars.

Plan and timeline for taking steps to support and provide appropriate oversight to districts anticipated to exceed 1.0 percent

The KSDE took additional steps to support and provide appropriate oversight to LEAs that tested more than 1.0 percent of students with AA-AAAS, had a high number/percentage of red flags, and/or increasing trend in the number/percentage of students taking the AA-AAAS over the previous 3 years to ensure only students with a most significant cognitive disability take the AA-AAAS.

The KSDE implemented a tiered system of technical support for the 1.0 percent in October 2020. Ten districts were assigned targeted technical assistance and nine districts were assigned intensive technical assistance. All districts have access to universal supports. Each assigned district had a 1.0 percent technical assistance lead from KSDE. Due to restrictions from COVID 19, all training and supports were provided through Zoom. These districts were provided a checklist listing the required steps for targeted technical assistance or intensive technical assistance. Six of the nineteen districts requested more flexibility to allow them to finish part of the requirements in the fall. The KSDE will be identifying additional districts for targeted and intensive technical assistance in the fall of 2021.

The three levels of technical support are listed below.

- Universal – online training and tools are available (recorded DLM training module, student information sheets); justifications and assurances are required; individual recommendations are provided to LEA on request
- Targeted Technical Assistance – appropriate local staff are required to watch the DLM training module; review of what the district's data shows; Student Information Sheets completed and submitted to KSDE to be used as part of the district data dive; development of a plan to assist the district in identifying the correct students for the DLM; possible DLM test observations completed by KSDE staff – canceled due to COVID 19; justifications and assurances are required
- Intensive Technical Assistance – appropriate local staff required to watch the DLM training module; review of what the district's data shows; Student Information Sheets completed and submitted to KSDE to be used as part of the district data dive; development of a plan to assist the district in identifying the correct students for the DLM; onsite folder review by KSDE staff during DLM test observations- cancelled due to COVID 19; justifications and assurances are required

The KSDE sent a letter to LEAs on January 7, 2020, advising them to review their 2018-2019 DLM participation data available in the KSDE Authenticated Application- Kansas Integrated Accountability System (KIAS). If the percentage of students taking the DLM exceeded 1.0 percent in any subject area, the LEA completed assurances for the 2020-2021 school year. No justifications were completed due to no new assessment data for the 2019-2020 school year. In December 2021, the KSDE will send a letter to LEAs advising them to review their 2020-2021 DLM participation data on KIAS and complete justifications and assurances if they tested over 1.0 percent of students on the DLM in any subject.

The KSDE provides districts with data displays located within the KIAS. For each subject, districts are provided the percentage of students who took the DLM, the number of students in each disability category that took the DLM, the percentage of students that performed at target or advanced, and subgroup data that includes risk ratios for disproportionality. Districts are encouraged to use this data to complete the DLM justification. Districts are also asked if their LEA needs further guidance in one of several areas.

The KSDE staff will assess each district's justification and respond, as necessary via email or phone call. KSDE makes these justifications publicly available, provided that such information doesn't reveal personally identifiable information about an individual student

as is required by 34 CFR 200.6(c)(3)(ii) and (iv). Previous years' justifications and assurances are publicly available online at http://www.ksde.org/Default.aspx?tabid=567.

The KSDE created a customized data display template similar to the one developed during the NCEO Peer Learning Group meetings. The data provides KSDE with three years of data on AA-AAAS for each district in Kansas. The KSDE uses this data to flag districts that may be using practices that result in students taking an inappropriate form of Kansas State assessment in reading/language arts and/or mathematics.

The KSDE staff analyzes variables from the DLM First Contact Survey and score report information for students who take the DLM. Identified variables included disability categories that are not usually associated with students with a most significant cognitive disability (SLP, SLD, and ED), instructional setting, reading levels with comprehension, writing skills, computation skills, and performance level on the assessments. Superintendents, special education directors, and district test coordinators were emailed a letter last spring indicating the number of students that were identified with potential red flags based on the DLM First Contact Survey. The assessment performance level was not available for the 2019-2020 school year. Specific student information was then shared on request over the phone and through encrypted email.

KSDE staff utilized this data analysis to:

1. Make personal contact with LEAs whose data reflect a significant number of variables that showed potential red flags.
2. Verify that LEAs are using the most up-to-date DLM participation guidelines, Least Dangerous Assumption, and maximizing available accommodations for the general assessment. Additional training was provided to staff in LEAs upon request.
3. Provide technical support to 10 districts who were assigned targeted technical support and 9 districts who were assigned intensive technical support due to exceeding the 1.0 percent threshold, having high rates of potential red flags, and having a 3-year trend that was increasing.
4. The KSDE plans to complete DLM test observations in both the fall and spring test window in districts identified for technical assistance.

The KSDE will continue to analyze these variables and share them with districts.

Plan and timeline for addressing any disproportionality in percentage of students taking the AA-AAAS

The KSDE examined the data on subgroup participation, as reported in ESSA, on the alternate assessment, to identify and address any disproportionality in the students taking the AA-AAAS. The KSDE analyzed state risk ratio data by subgroup for each subject area for the alternate assessment for 2018-2019. The 2018-2019 state-level data did not reflect any subgroup with a risk ratio greater than 3.0 for any subject. This analysis did not take place for 2019-2020 due to no assessment data being available. The KSDE will continue examining this data for the 2020-2021 school year once it is available.

The KSDE provides data to districts on subgroup participation, as reported in ESSA, on the alternate assessment through the KIAS which is used for completing alternate assessment justifications. The KSDE ensures that all districts with a risk ratio greater than 3.0 communicate how they would address the disproportionality in the DLM alternate assessment justifications. Data from 2018-2019 showed that 97 out of 146 districts had a risk ratio greater than 3.0 in at least one subgroup for at least one subject. Some of these districts indicated that they felt small n-size was the reason they were identified. KSDE will be moving to a three-year rolling average when calculating the risk ratio to help eliminate those districts identified due to small n-size. The 2020-2021 data will be based on a two-year rolling average.

Substantial progress

The KSDE communicated the progress that was made on the plan and timeline for improving the implementation of participation guidelines and definition of *students with the most significant cognitive disabilities*; for taking steps to support and provide appropriate oversight to districts anticipated to exceed 1.0 percent, and for addressing any disproportionality in the percentage of students taking the AA-AAAS.

Due to Kansas having a fall instructionally embedded test window for the DLM, the waiver extension request is due before the KSDE will receive assessment data for 2020-2021. The assessment window for the general assessment was still open when the waiver extension went out for public comment. The KSDE does not have assessment data to show substantial progress in the number of students that were tested on the AA-AAAS. However, the data below shows that Kansas has made substantial progress in lowering the percentage of students enrolled on the AA-AAAS. When compared to the enrollment numbers shared for 2019-2020, enrollment data shows a decrease of 150 students enrolled in ELA and 154 students in math. There was an increase of 18 students enrolled in science on the DLM for the 2020-2021 school year. The total enrollment for science also increased. When calculating the percentage of students enrolled on the DLM for the 2020-2021 school year, the percentage of students enrolled in the DLM is 1.0% for ELA, math,

and science. These percentages do not represent actual participation due to the spring assessments still being open when the waiver extension was submitted for public comment. It does appear that participation is down compared to prior school years due to students who are in remote instruction due to COVID 19. Kansas does not have a remote testing option for any of the state assessments.

Kansas may end up under the 1.0 percent threshold, but decided to submit the waiver extension since the 2020-2021 assessment data for calculating the 1.0 percent is not available at this time. We are also unsure of the exact impact that COVID 19 will have on the 2021-2022 assessment data at this time.

Public Comment

The KSDE sought stakeholder input on this waiver extension request from multiple stakeholder groups including: Special Education Advisory Council (SEAC); ESEA stakeholder group; local district administrators in special education and title services; parents and families through dissemination by the state's Parent Training and Information Center, Families Together, Inc.; and from the general public through the KSDE SETS website. Stakeholders were able to provide input from May 7, 2021 until June 10, 2021.

Through these opportunities, the KSDE received input from two stakeholders. The first feedback was in support of the waiver extension. The second feedback was not in support of the waiver extension. The individual stressed the importance of having high expectations for students with disabilities. The KSDE plan does place an emphasis on looking at the data and using the least dangerous assumption.

The KSDE sincerely appreciates the opportunity to improve the state system supporting AA-AAAS implementation. The KSDE will submit the 2020-2021 state-level participation data and subgroup data to the Department once it has been approved by the state board in October 2021. For more information or questions, please contact Beth Fultz, bfultz@ksde.org Assistant Director of Career Standards and Assessment Services, Division of Learning Services, Kansas State Department of Education.

Alternate Assessment Data for 2020-2021

Table 1: Alternate Assessment Participation Rates for 2020-2021 for Reading/Language arts

Student Sub-Group	# Students Participating in Regular Assessment	# Students Participating in Alternate Assessment	Total # Students Assessed	Percentage Participating in Alternate Assessment
All Students	223114	2061	241219	0.85
Free and Reduced Lunch	90512	1045	98455	1.06
Students with Disabilities	28410	2061	33510	6.15
English Learner Students	18063	93	19428	0.48
African-American Students	13989	167	16467	1.01
Hispanic	45881	436	50195	0.87
White	142373	1260	151378	0.83
Asian	6194	66	6836	0.97
American Indian or Alaska Native	1594	14	1759	0.8
Multi-Racial	12610	114	14073	0.81
Migrant	1169	8	1220	0.66
Females	109384	713	118179	0.6
Males	113730	1348	123040	1.1
Self-Paid Lunch only	132602	1016	142764	0.71
Free Lunch only	72570	876	79299	1.1
Reduced Lunch only	17942	169	19156	0.88
Native Hawaiian or Pacific Islander	473	4	511	0.78
Homeless	2151	10	2341	0.43
English Learner with Disabilities	2691	93	3005	3.09
Non-English Learner Students	205051	1968	221791	0.89
Military Connected Students	5871	39	6124	0.64
Foster Care	2181	68	2447	2.78

Table 2: Alternate Assessment Participation Rates for 2020-2021 for mathematics

Student Sub-Group	# Students Participating in Regular Assessment	# Students Participating in Alternate Assessment	Total # Students Assessed	Percentage Participating in Alternate Assessment
All Students	227389	2057	245916	0.84
Free and Reduced Lunch	93399	1042	101638	1.03
Students with Disabilities	32487	2057	37825	5.44
English Learner Students	18746	94	20162	0.47
African-American Students	14346	166	16932	0.98
Hispanic	46856	435	51315	0.85
White	144919	1259	154071	0.82
Asian	6233	66	6887	0.96
American Indian or Alaska Native	1642	14	1805	0.78
Multi-Racial	12912	113	14385	0.79
Migrant	1179	8	1230	0.65
Females	111019	714	119991	0.6
Males	116370	1343	125925	1.07
Self-Paid Lunch only	133990	1015	144278	0.7
Free Lunch only	75019	874	82014	1.07
Reduced Lunch only	18380	168	19624	0.86
Native Hawaiian or Pacific Islander	481	4	521	0.77
Homeless	2214	10	2419	0.41
English Learner with Disabilities	3305	94	3652	2.57
Non-English Learner Students	208643	1963	225754	0.87
Military Connected Students	5975	39	6231	0.63
Foster Care	2283	69	2558	2.7

Table 3: Alternate Assessment Participation Rates for 2020-2021 for science

Student Sub-Group	# Students Participating in Regular Assessment	# Students Participating in Alternate Assessment	Total # Students Assessed	Percentage Participating in Alternate Assessment
All Students	94902	812	105491	0.77
Free and Reduced Lunch	36711	398	41061	0.97
Students with Disabilities	12383	812	14935	5.44
English Learner Students	6859	29	7683	0.38
African-American Students	5663	75	7099	1.06
Hispanic	18985	143	21551	0.66
White	61587	520	66858	0.78
Asian	2628	21	3041	0.69
American Indian or Alaska Native	699	5	787	0.64
Multi-Racial	5143	45	5933	0.76
Migrant	393	2	417	0.48
Females	45896	302	51219	0.59
Males	49006	510	54272	0.94
Self-Paid Lunch only	58191	414	64430	0.64
Free Lunch only	29167	334	32838	1.02
Reduced Lunch only	7544	64	8223	0.78
Native Hawaiian or Pacific Islander	197	3	222	1.35
Homeless	843	1	957	0.1
English Learner with Disabilities	1189	29	1375	2.11
Non-English Learner Students	88043	783	97808	0.8
Military Connected Students	2297	10	2451	0.41
Foster Care	953	26	1105	2.35

Table 4: Participation Rate of All Students and Students with Disabilities (Grades 3-8 and High School) 2020-2021

Content area	Students tested	Students required to test	Percent achievement measured for all students	Students with disabilities tested	Students with disabilities required to test	Percent achievement measured for students with disabilities
Reading	225177	241219	93.35	30472	33510	90.93
Math	229446	245916	93.3	34544	37825	91.33
Science	95714	105491	90.73	13195	14935	88.35

KSDE requests a waiver to the 95 percent participation rate requirement found in 34 CFR 200.6(c)(4)(ii)(B) due to COVID-related testing disruptions. The 2018-2019 participation rate of all students and students with disabilities is provided below.

Participation Rate of All Students and Students with Disabilities (Grades 3-8 and High School) 2018-2019

Content area	Students tested	Students required to test	Percent achievement measured for all students	Students with disabilities tested	Students with disabilities required to test	Percent achievement measured for students with disabilities
Reading	250146	252227	99.17%	35159	35924	97.98%
Math	249699	251917	99.12%	35103	35883	97.83%
Science	104442	105848	98.67%	13635	14074	96.88%

Table 5: Alternate Assessment Risk Ratio for 2020-2021 for Reading/Language arts

Target group	Comparison Group	Percentage of Target Group Participating in Alternate Assessment	Percent of comparison group participating in alternate assessment	Risk Ratio
African-American Students	All other races	1.01	0.84	1.2
Hispanic	All other races	0.87	0.85	1.02
White	All other races	0.83	0.89	0.93
Asian	All other races	0.97	0.85	1.13
American Indian or Alaska Native	All other races	0.8	0.85	0.93
Multi-Racial	All other races	0.81	0.86	0.95
Migrant	All other races	0.66	0.86	0.77
Females	All females	0.6	1.1	0.55
Males	All males	1.1	0.6	1.82
Self-Paid Lunch only	All non- self-paid	0.71	1.06	0.67
Free Lunch only	All non-free lunch	1.1	0.73	1.51
Reduced Lunch only	All non- reduced lunch	0.88	0.85	1.04
Native Hawaiian or Pacific Islander	All other races	0.78	0.85	0.92
Homeless	All non-homeless	0.43	0.86	0.5
English Learner with Disabilities	All non-English Learners	3.09	0.83	3.75
Non-English Learner Students	All English Learners	0.89	0.48	1.85
Military Connected Students	All non-military connected	1.01	0.84	1.2
Foster Care	All non-foster care	0.87	0.85	1.02

Table 6: Alternate Assessment Risk Ratio for 2020-2021 for mathematics

Target group	Comparison Group	Percentage of Target Group Participating in Alternate Assessment	Percent of comparison group participating in alternate assessment	Risk Ratio
African-American Students	All other races	0.98	0.83	1.19
Hispanic	All other races	0.85	0.83	1.02
White	All other races	0.82	0.87	0.94
Asian	All other races	0.96	0.83	1.15
American Indian or Alaska Native	All other races	0.78	0.84	0.93
Multi-Racial	All other races	0.79	0.84	0.94
Migrant	All other races	0.65	0.84	0.78
Females	All females	0.6	1.07	0.56
Males	All males	1.07	0.6	1.79
Self-Paid Lunch only	All non- self-paid	0.7	1.03	0.69
Free Lunch only	All non-free lunch	1.07	0.72	1.48
Reduced Lunch only	All non- reduced lunch	0.86	0.83	1.03
Native Hawaiian or Pacific Islander	All other races	0.77	0.84	0.92
Homeless	All non-homeless	0.41	0.84	0.49
English Learner with Disabilities	All non-English Learners	2.57	0.81	3.18
Non-English Learner Students	All English Learners	0.87	0.47	1.87
Military Connected Students	All non-military connected	0.63	0.84	0.74
Foster Care	All non-foster care	2.7	0.82	3.3

Table 7: Alternate Assessment Risk Ratio for 2020-2021 for science

Target group	Comparison Group	Percentage of Target Group Participating in Alternate Assessment	Percent of comparison group participating in alternate assessment	Risk Ratio
African-American Students	All other races	1.06	0.75	1.41
Hispanic	All other races	0.66	0.8	0.83
White	All other races	0.78	0.76	1.03
Asian	All other races	0.69	0.77	0.89
American Indian or Alaska Native	All other races	0.64	0.77	0.82
Multi-Racial	All other races	0.76	0.77	0.98
Migrant	All other races	0.48	0.77	0.62
Females	All females	0.59	0.94	0.63
Males	All males	0.94	0.59	1.59
Self-Paid Lunch only	All non- self-paid	0.64	0.97	0.66
Free Lunch only	All non-free lunch	1.02	0.66	1.55
Reduced Lunch only	All non- reduced lunch	0.78	0.77	1.01
Native Hawaiian or Pacific Islander	All other races	1.35	0.77	1.76
Homeless	All non-homeless	0.1	0.78	0.13
English Learner with Disabilities	All non-English Learners	2.11	0.75	2.8
Non-English Learner Students	All English Learners	0.8	0.38	2.12
Military Connected Students	All non-military connected	0.41	0.78	0.52
Foster Care	All non-foster care	2.35	0.75	3.12

Alternate Assessment Data for 2018-2019

Table 8: Alternate Assessment Participation Rates for 2018-2019 for Reading/Language arts

Student Sub-Group	# Students Participating in Regular Assessment	# Students Participating in Alternate Assessment	Total # Students Assessed	Percentage Participating in Alternate Assessment
All Students	247,269	2877	250,146	1.15%
American Indian or Alaska Native	1988	23	2,011	1.14%
Asian	6933	83	7,016	1.18%
Native Hawaiian or Pacific Islander	490	7	497	1.41%
African-American Students	17105	297	17,402	1.71%
White	157092	1738	158,830	1.09%
Multi-Racial	13357	178	13,535	1.32%
Hispanic	50304	551	50,855	1.08%
Free and Reduced Lunch	116570	1676	118,246	1.42%
Free Lunch only	93086	1392	94,478	1.47%
Reduced Lunch only	23484	284	23,768	1.19%
Self-Paid Lunch only	130699	1201	131,900	0.91%
Migrant	1427	14	1,441	0.97%
English Learner Students	22628	131	22,759	0.58%
English Learner with Disabilities	3399	129	3,528	3.66%
Non-English Learner Students	243,870	2,748	246,618	1.11%
Male	126124	1840	127,964	1.44%
Females	121145	1037	122,182	0.85%
Military Connected Students	4933	40	4,973	0.80%
Homeless	2527	20	2,547	0.79%
Foster Care	2361	68	2,429	2.80%

Table 9: Alternate Assessment Participation Rates for 2018-2019 for mathematics

Student Sub-Group	# Students Participating in Regular Assessment	# Students Participating in Alternate Assessment	Total # Students Assessed	Percentage Participating in Alternate Assessment
All Students	246,823	2876	249,699	1.15%
American Indian or Alaska Native	1984	23	2,007	1.15%
Asian	6922	83	7,005	1.18%
Native Hawaiian or Pacific Islander	486	7	493	1.42%
African-American Students	17029	298	17,327	1.72%
White	156913	1737	158,650	1.09%
Multi-Racial	13303	178	13,481	1.32%
Hispanic	50186	550	50,736	1.08%
Free and Reduced Lunch	116146	1676	117,822	1.42%
Free Lunch only	92694	1392	94,086	1.48%
Reduced Lunch only	23452	284	23,736	1.20%
Self-Paid Lunch only	130677	1200	131,877	0.91%
Migrant	1425	14	1,439	0.97%
English Learner Students	22445	134	22,579	0.59%
English Learner with Disabilities	3372	132	3,504	3.77%
Non-English Learner Students	224,378	2,742	227,120	1.21%
Male	125867	1838	127,705	1.44%
Females	120956	1038	121,994	0.85%
Military Connected Students	4922	40	4,962	0.81%
Homeless	2504	20	2,524	0.79%
Foster Care	2335	69	2,404	2.87%

Table 10: Alternate Assessment Participation Rates for 2018-2019 for science

Student Sub-Group	# Students Participating in Regular Assessment	# Students Participating in Alternate Assessment	Total # Students Assessed	Percentage Participating in Alternate Assessment
All Students	103,324	1118	104,442	1.07%
American Indian or Alaska Native	877	3	880	0.34%
Asian	2907	42	2,949	1.42%
Native Hawaiian or Pacific Islander	171	1	172	0.58%
African-American Students	7078	118	7,196	1.64%
White	66294	665	66,959	0.99%
Multi-Racial	5498	68	5,566	1.22%
Hispanic	20499	221	20,720	1.07%
Free and Reduced Lunch	45933	613	46,546	1.32%
Free Lunch only	36326	512	36,838	1.39%
Reduced Lunch only	9607	101	9,708	1.04%
Self-Paid Lunch only	57391	505	57,896	0.87%
Migrant	570	5	575	0.87%
English Learner Students	8599	41	8,640	0.47%
English Learner with Disabilities	1244	41	1,285	3.19%
Non-English Learner Students	94,725	1,077	95,802	1.12%
Male	52536	697	53,233	1.31%
Females	50788	421	51,209	0.82%
Military Connected Students	1865	14	1,879	0.75%
Homeless	903	5	908	0.55%
Foster Care	902	28	930	3.01%

Table 11: Participation Rate of All Students and Students with Disabilities (Grades 3-8 and High School) 2018-2019

Content area	Students tested	Students required to test	Percent achievement measured for all students	Students with disabilities tested	Students with disabilities required to test	Percent achievement measured for students with disabilities
Reading	250146	252227	99.17%	35159	35924	97.98%
Math	249699	251917	99.12%	35103	35883	97.83%
Science	104442	105848	98.67%	13635	14074	96.88%

Table 12: Alternate Assessment Risk Ratio for 2018-2019 for Reading/Language arts

Target group	Comparison Group	Percentage of Target Group Participating in Alternate Assessment	Percent of comparison group participating in alternate assessment	Risk Ratio
American Indian or Alaska Natives	All other races	1.14%	1.16%	0.9829
Asians	All other races	1.18%	1.16%	1.0176
Native Hawaiian or Pacific Islanders	All other races	1.41%	1.16%	1.2111
African-American Students	All other races	1.71%	1.12%	1.5226
Whites	All other races	1.09%	1.26%	0.8663
Multi-Racial	All other races	1.32%	1.15%	1.1398
Hispanics	All other races	1.08%	1.18%	0.9175
Free and Reduced Lunch	All self-paid lunch	1.42%	0.91%	1.5566
Migrants	All non - migrants	0.97%	1.16%	0.8343
English Learner Students	All non-English Learners	0.58%	1.11%	0.5166
Non-English Learner Students	All English Learners	1.11%	0.58%	1.9359
Males	All females	1.44%	0.85%	1.6942
Females	All males	0.85%	1.44%	0.5903
Military Connected Students	All non-military connected students	0.80%	1.17%	0.6871
Homeless	All non-homeless	0.79%	1.17%	0.6727
Foster Care	All non- foster care	2.80%	1.15%	2.4408

Table 13: Alternate Assessment Risk Ratio for 2018-2019 for mathematics

Target group	Comparison Group	Percentage of Target Group Participating in Alternate Assessment	Percent of comparison group participating in alternate assessment	Risk Ratio
American Indian or Alaska Native	All other races	1.15%	1.17%	0.9835
Asian	All other races	1.18%	1.16%	1.0177
Native Hawaiian or Pacific Islander	All other races	1.42%	1.16%	1.2191
African-American Students	All other races	1.72%	1.12%	1.5330
White	All other races	1.09%	1.27%	0.8643
Multi-Racial	All other races	1.32%	1.16%	1.1428
Hispanic	All other races	1.08%	1.18%	0.9164
Free and Reduced Lunch	All self-paid lunch	1.42%	0.91%	1.5633
Migrant	All non - migrants	0.97%	1.17%	0.8342
English Learner Students	All non-English Learners	0.59%	1.21%	0.4916
Non-English Learner Students	All English Learners	1.21%	0.59%	2.0343
Male	All females	1.44%	0.85%	1.6915
Females	All males	0.85%	1.44%	0.5912
Military Connected Students	All non-military connected students	0.81%	1.17%	0.6876
Homeless	All non-homeless	0.79%	1.17%	0.6779
Foster Care	All non- foster care	2.87%	1.15%	2.4999

Table 14: Alternate Assessment Risk Ratio for 2018-2019 for science

Target group	Comparison Group	Percentage of Target Group Participating in Alternate Assessment	Percent of comparison group participating in alternate assessment	Risk Ratio
American Indian or Alaska Native	All other races	0.34%	1.09%	0.3132
Asian	All other races	1.42%	1.07%	1.3291
Native Hawaiian or Pacific Islander	All other races	0.58%	1.08%	0.5369
African-American Students	All other races	1.64%	1.04%	1.5782
White	All other races	0.99%	1.22%	0.8118
Multi-Racial	All other races	1.22%	1.07%	1.1382
Hispanic	All other races	1.07%	1.08%	0.9849
Free and Reduced Lunch	All self-paid lunch	1.32%	0.87%	1.5099
Migrant	All non - migrants	0.87%	1.08%	0.8028
English Learner Students	All non-English Learners	0.47%	1.12%	0.4221
Non-English Learner Students	All English Learners	1.12%	0.47%	2.3690
Male	All females	1.31%	0.82%	1.5926
Females	All males	0.82%	1.31%	0.6279
Military Connected Students	All non-military connected students	0.75%	1.09%	0.6847
Homeless	All non-homeless	0.55%	1.09%	0.5067
Foster Care	All non- foster care	3.01%	1.06%	2.8291

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