

## 1.0 Percent Participation Justification Form 2017-18

The *Every Student Succeeds Act (ESSA)* requires each district and charter school to complete and submit a justification when it anticipates exceeding 1.0 percent of students assessed in a subject area with the NCEXTEND1 alternate assessment. Justifications from each district and charter school will be reviewed by the North Carolina Department of Public Instruction (NCDPI), and follow up actions will be determined based on the information found in the justification document. Staff from the Exceptional Children and Accountability Divisions in each district and charter school should collaborate to provide the following information on the justification document. Responses to numbers 1–4 are required; it is optional to include additional information (see page 3). This justification document will be publicly posted. As such, the document **must not contain any personally identifiable information**. If necessary, additional pages may be attached to this form.

1. Enter contact information for the primary district/charter school staff member responsible for overseeing the completion of the justification form.

David M. Sutton, Ed.D., Assistant Superintendent  
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**3-Digit LEA/Charter Code:** 810

**District/Charter Name:** Rutherford County Schools

**Contact Name:** David M. Sutton, Ed.D.

**Contact Title:** Assistant Superintendent

**Contact Phone No.:** 828.288.2200

**Contact E-Mail:** dsutton@rcsnc.org

2. Enter a description of how the district/charter school will assure that Individualized Education Program (IEP) teams are adhering to the eligibility criteria as outlined in the *Testing Students with Disabilities* publication when determining student eligibility for participation in the alternate assessment.

For many consecutive years, Rutherford County Schools has organized and delivered to program specialists and teachers within the Exceptional Children program multiple training sessions and professional development activities that explicitly emphasize specific eligibility criteria as outlined in the *Testing Students with Disabilities* publication. Those sessions have also emphasized consideration of the long-term implications and consequences of disabled students' engagement with the NC Extended Content Standards and participation in the alternate assessment to ensure that IEP teams cautiously weigh those determinations against all available information about students' needs, abilities, and short- and long-term educational goals. Those training sessions were developed based on recommendations provided by the North Carolina Department of Instruction in response to Rutherford County Schools' request for recommendations to appropriately minimize alternate assessment participation. Further, program specialists employed by the school district regularly communicate and closely collaborate with other educators within their schools to monitor placement processes and determinations, routinely assisting IEP team members in their understanding and consideration of criteria governing the appropriate engagement of students with the NC Extended Content Standards and their participation in the alternate assessment. At all times when such a determination is under consideration by an IEP team, parents and guardians are specifically engaged in discussion and decision-making to ensure that they fully appreciate applicable criteria and placement implications, both short-term and long-term.

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3. Enter a description of how any disproportionality among race, gender, or socioeconomic status groups is defined and plans for how that disproportionality will be addressed.

- Description of how any disproportionality among race, gender, or socioeconomic status groups is defined:

Rutherford County Schools is sensitive to the possible implications of apparent disproportionate student participation in the alternate assessment by race, gender, or socioeconomic status. The district's proactive approach, with its heavy emphasis on training and parent engagement, helps to ameliorate this concern. Careful and intentional emphasis on proper placement considerations and determinations for each single student also helps to ensure that disproportionate representation across student demographic subgroups does not reflect systemic bias or suspect assumptions or expectations.

Even against that backdrop, the school district has operationalized a process of checks and balances to identify suspected disproportionality and address related concerns. Specifically, the school district defines suspected group disproportionality as group participation in the alternate assessment at the rate of at least 1.5 times the group's representation within the entire student population. For example, if a group's participation in the alternate assessment is calculated at 15% while the group represents only 5% of the total student population, then the representation ratio of 3.0 – greater than the threshold of 1.5 – would indicate suspected disproportionality.

- Plans for how disproportionality will be addressed:

In the event that a suspected disproportionality is identified under this definition, the school district's Exceptional Children program director individually reviews the IEP of each student within the applicable subgroup to ensure appropriate placement. Concurrent with that review, the director also communicates with appropriate principals and/or program specialists to fully appreciate the circumstances of student placements and fully evaluate their consistency with established criteria.

The director's actions to remediate or address placement concerns emerging from IEP reviews include, but are not limited to, recommending that an IEP team reconvene to further consider the appropriateness of a placement, discussing the placement with a parent or guardian to ensure his or her full appreciation of the short- and long-term implications of the placement, providing targeted training to specific Exceptional Children program personnel, or initiating district-wide re-training of all Exceptional Children program personnel.

4. Enter additional justification of variables not covered but deemed essential to understanding why the district/charter school has a higher rate of alternate assessment participation.

Students with identified disabilities under the Individuals with Disabilities Education Act (IDEA) currently represent more than 17% of the enrolled student population of Rutherford County Schools. The school district works diligently to serve all students with disabilities in the least restrictive environment. In recent years, the school district has experienced significant growth in the number of students demonstrating severe delays in academics, adaptive behavior, and self-care skills. This growth has prompted the creation of eight additional self-contained classrooms over the past two years in order to ensure compliance with class size requirements. Widespread use of methamphetamines by

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parents within the local community in recent years is a leading cause of the growing number of students with significant cognitive delays. Due to ongoing unemployment, school choice, and other factors, the school district's total student enrollment is declining. As a result, the school district's 1% cap continues to decrease even as the number of significantly disabled students continues to increase.

The decision to engage any disabled student with the NC Extended Content Standards and alternate assessment is made only upon careful consideration of applicable placement criteria; the abilities, needs, and long-term educational goals of the student; and, input by all members of the student's IEP team, including the student's parents or guardians. Only those students with the most significant cognitive deficits are considered eligible for such placement, and many of those students present with multiple significant needs that cannot be captured in a single identifying disability category. Arbitrarily denying those students access to the NC Extended Content Standards and alternate assessment in order to artificially impose a 1% local cap is tantamount to denying them access to a free, appropriate public education. The school district will maintain its deliberate focus on appropriate student placement by emphasizing sound the decision-making of IEP teams through general and targeted training and professional development, by consistently applying its definition of suspected disproportionality across appropriate student groups, by identifying and reviewing the IEP team decisions of students within student groups where disproportionality is suspected, and by applying appropriate interventions when specific areas of concern are identified.

## Signatures

Superintendent/Charter School Director	<u>Janet H. Mason</u>	Date	<u>05/01/2018</u>
Exceptional Children Director	<u>Risa Blanton</u>	Date	<u>05/01/2018</u>
LEA/Charter Test Coordinator	<u>John E. McLean</u>	Date	<u>05/01/2018</u>

The completed justification form must be signed by the superintendent/charter school director, exceptional children's director, and testing coordinator. The form must be scanned and emailed to [alternateassessment@dpi.nc.gov](mailto:alternateassessment@dpi.nc.gov) by **May 4, 2018**.

The NCDPI will notify districts/charter schools in writing if further information is needed and will include next steps. For questions, please contact your Exceptional Children Director or Regional Accountability Coordinator.

Note: See page 3 for additional information that can be included but is not required.