North Carolina Department of Public Instruction

Public Notice and Comment Period Waiver Request Pursuant to 34 C.F.R. §200.6(c)(4)

Notice is hereby given that the North Carolina Department of Public Instruction (NCDPI) will submit a request for waiver of section 34 C.F.R 200.6(c)(2) as it requires State Education Agencies to adhere to a 1.0 percent cap for the total number of students assessed Statewide in a subject area using an alternate assessment. Specifically, the state anticipates that it will exceed the cap under paragraph (c)(2) with respect to any subject for which assessments are administered under 200.2(a)(1) in any school year, and is requesting, pursuant to 34 C.F.R 200.6(c)(4), that the Secretary waive the cap for the relevant subject for one year.

NOTICE OF PUBLIC COMMENT PERIOD

Any individual or organization may submit written comments on the proposed waiver pursuant to 34 C.F.R. §200.6(c)(4). Written comments shall be accepted through January 21, 2023.

Written comments on the proposed waiver may be submitted to <u>alternateassessment@dpi.nc.gov</u>.

BACKGROUND

The Every Student Succeeds Act (ESSA) empowers states to look more carefully at the participation rate on the alternate assessment aligned to alternate academic achievement standards (AA-AAAS) for students with the most significant cognitive disabilities. Under the Act, the total number of students assessed in a subject using an alternate assessment may not exceed 1.0 percent of the total number of students in the state who are assessed in that subject. If a State anticipates that it will exceed the cap with respect to any subject for which alternate assessments are administered in any school year, the State may request a wavier for the cap for the relevant subject for one year.

The regulation in question, 34 C.F.R. 200.6(c)(2), requires State Education Agencies, such as the NCDPI, to adhere to a 1.0 percent cap for the total number of students assessed Statewide in a subject area using an alternate assessment.

The waiver will include a plan and timeline and will be available to the public for comment.

The requirements for a State Education Agency to seek a waiver are set forth at 34 C.F.R. \$200.6(c)(4) and reproduced below.

WAIVER REQUEST

The waiver requirements are in **bold** lettering below followed by North Carolina's response.

If a State anticipates that it will exceed the cap under paragraph (c)(2) of this section with respect to any subject for which assessments are administered under 200.2(a)(1) in any

school year, the State may request that the Secretary waive the cap for the relevant subject, pursuant to section 8401 of the Act, for one year. Such request must—

(i) Be submitted at least 90 days prior to the start of the State's testing window for the relevant subject;

Furthermore, a State must—

- (i) Not prohibit an LEA from assessing more than 1.0 percent of its assessed students in any subject for which assessments are administered under §200.2(a)(1) with an alternate assessment aligned with alternate academic achievement standards;
- (ii) Require that an 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 such an alternate assessment;
- (iii)Provide appropriate oversight, as determined by the State, of an LEA that is required to submit information to the State; and
- (iv)Make the information submitted by an LEA under paragraph (c)(3)(ii) of this section publicly available, provided that such information does not reveal personally identifiable information about an individual student.

Pursuant to 34 C.F.R. §200.6(c)(4), the North Carolina Department of Public Instruction (NCDPI) requests an extension for the previously granted 1.0 percent participation waiver, in part, from specific statutory and regulatory requirements established under the Elementary and Secondary Education Act (ESEA) as amended by the Every Student Succeeds Act (ESSA). This extension waiver request, if granted, would allow the state to exceed the 1.0 percent cap on students with significant cognitive disabilities who are administered the alternate assessment aligned with alternate academic achievement standards (AA-AAAS) to meet the statewide assessment requirement.

As presented in Table 1, the NCDPI anticipates exceeding the 1.0 percent cap on alternate assessment participation in mathematics and English Language Arts/reading at grades 3–8, mathematics at grade 11, and science at grades 5 and 8 for the 2022–23 school year. The data in Table 1 is the reported data from the 2021–22 school year. As stated in the previous waiver, the NCDPI anticipated that the participation rates would rise from last year's waiver due to the circumstances and impacts related to COVID-19. This is true and reflected in Table 1 for the mathematics at grade 11 participation rate. Since the students who participate in the assessment are in a cohort, the denominator was greatly impacted last school year. The NCDPI anticipates that the 1.6 participation rate percentage will decrease this year to closely mirror the rate from the 2018–19 school year, as seen in Table 2.

Subject and Grade(s)	Numerator	Denominator	Percent
Mathematics Grades 3–8*	7,540	694,896	1.1%
Mathematics Grade 11*	825	52,641	1.6%
ELA/Reading Grade 3–8*	7,568	695,850	1.1%
ELA/Reading Grade 10	1,025	111,822	0.9%
Science Grades 5 & 8*	2,520	235,072	1.1%
Science Grade 11	824	84,565	1.0%

Table 1. North Carolina Anticipated Alternate Assessment Participation for the 2022–23 School Year

* Subject areas that exceed 1.0 percent of test population.

Table 2 below displays the participation rates from the 2018–19, 2019–20, 2020–21, and 2021–22 school years. Testing was waived in the 2019–20 school year, so not all grade 10 students participated in the NCEXTEND1 Alternate Assessment, resulting in a lower number of students being reported in the numerator for mathematics and science at grade 11 in the 2020–21 school year. The grade 10 mathematics and science NCEXTEND1 Alternate Assessment scores are banked and utilized the following year in grade 11 reporting. As anticipated, the participation percentages increased in the areas of mathematics and science for the 2021–22 school year.

When comparing the pre-pandemic participation rates from the 2018–19 school year to the 2021–22 participation rates, the rates for mathematics and ELA/reading at grades 3–8, ELA/reading at grade 10, and science at grades 5 and 8 have returned to pre-pandemic percentage rates. In mathematics at grade 11 there has been a five tenths percentage point increase due to lagging impact from students not testing in the 2019-20 school year. In science at grade 11 there has been a one tenth percentage decrease. Based on the percentages in Table 2, the NCDPI anticipates exceeding the 1.0 percent cap in the 2022–23 school year.

Subject and	Participation Rate Percentages				
Grade(s)	2018–19	2019–20	2020–21	2021–22*	
Mathematics Grades 3–8	1.1%		1.0%	1.1%	
Mathematics Grade 11	1.1%		0.2%	1.6%	
ELA/Reading Grades 3–8	1.1%	Testing Waiwed	1.0%	1.1%	
ELA/Reading Grade 10	0.9%	- Testing Waived	0.8%	0.9%	
Science Grades 5 and 8	1.1%		1.1%	1.1%	
Science Grade 11	1.1%		0.2%	1.0%	

Table 2. North Carolina Statewide Alternate Assessment Participation Rates for the 2018–19, 2019–20, 2020–21, and 2021–22 School Years

*The 2021–22 school year participation rate percentages are used to anticipate exceeding the 1.0 percent for the 2022–23 school year.

(i) Provide State-level data, from the current or previous school year, to show-

(A) The number and percentage of students in each subgroup of students defined in section 1111(c)(2)(A), (B), and (D) of the Act who took the alternate assessment aligned with alternate academic achievement standards;

As required by 34 C.F.R. \$200.6(c)(4), the NCDPI is submitting this waiver ninety days prior to the administration of the AA-AAAS spring 2021 administrations. Also, as required, included in this request is state-level data from the 2021–22 school year that shows the number and percentage of students in each subgroup who participated in the AA-AAAS. In previous years, North Carolina has followed and met the federal participation assessment requirement and measured the achievement of at least ninety-five percent (95%) of all students and ninety-five percent (95%) of students with disabilities subgroup under section 1111(c)(2)(C) of the Act who are enrolled in grades for which the assessment is required under \$200.5(a). As stated in the October 29, 2021, memo from the Office of Elementary and Secondary Education, "The Department recognizes, however, that due to COVID-related testing disruptions, the State may not have met the 95 percent requirements in SY 2020–2021."

Table 3 on the following page, shows a comparison of the 2018-19, 2020-21, and 2021-22 school year participation data, which includes the number and percentage of students in each subgroup of students defined in section 1111(c)(2)(A), (B), and (D) of the Act who took the alternate assessment aligned with alternate academic achievement standards.

Subaroup		umber of Ala nents Admin	8		8				
Subgroup	2018–19	2020–21	2021–22	2018–19	2020–21	2021–22	2018–19	2020–21	2021–22
English Learners	2,337	2,095	2,586	129,526	134,809	157,596	1.8%	1.6%	1.6%
Economically Disadvantaged Students	12,969	8,181	9,565	935,158	690,781	719,250	1.4%	1.2%	1.3%
Students with Disabilities	21,405	16,759	19,839	251,172	221,681	235,838	8.5%	7.6%	8.4%
Hispanic	3,484	3,042	3,716	370,722	354,594	379,417	0.9%	0.9%	1.0%
Asian	615	553	736	68,340	65,106	73,175	0.9%	0.8%	1.0%
Black	7,454	5,691	7,001	502,266	437,831	466,916	1.5%	1.3%	1.5%
White	8,894	6,694	7,513	946,540	822,998	834,116	0.9%	0.8%	0.9%
Native American	245	206	241	22,695	19,992	19,522	1.1%	1.0%	1.2%
Multiple Ethnicities	985	846	1,051	89,287	88,517	98,964	1.1%	1.0%	1.1%

Table 3. North Carolina Alternate Assessment 2018–19, 2020–21, and 2021–22 School Year Participation by Subgroup

(B) The State has measured the achievement of at least 95 percent of all students and 95 percent of students in the children with disabilities subgroup under section 1111(c)(2)(C) of the Act who are enrolled in grades for which the assessment is required under §200.5(a);

North Carolina requires all students enrolled in a public school to be assessed using the general assessment under standard conditions, the general assessment with accommodations, or the alternate assessment aligned with alternate academic achievement standards with or without accommodations. The only exception to participation is for medical exceptions approved by the NCDPI medical exception committee. As previously stated, North Carolina in the 2018–19 school year, met the ninety-five percent (95%) participation rate requirement of all students and the subgroup of students with disabilities under section 1111(c)(2)(C) of the Act who are enrolled in grades for which the assessment is required under §200.5(a). For the 2019–20 school year, the NCDPI Office of Accountability and Testing submitted a request to the United States Department of Education (USED) seeking approval to waive federal testing and accountability requirements and the waiver request was approved. As a subsequent result of the waiver approval, the NCDPI rescinded the 1.0 Percent Participation extension waiver that had been submitted to the USED for the 2019–20 school year. Also, as a result of the approved federal testing and accountability waiver, state testing did not occur in North Carolina schools at the end of the 2019–20 school year, and therefore, the NCDPI did not have test data to share with the USED. Due to COVID-related circumstances during the 2020-21 school year, the NCDPI experienced an influx of medical exceptions coupled with a lower rate of test participation across the state.

As shown in Table 4, data from all required assessments in the 2018–19 school year shows testing greater than ninety-five percent (95%) of all students and within the students with disabilities subgroup. While the 2020–21 school year does not show greater than ninety-five percent (95%) in all areas, the percentages are at or above ninety-three percent (93%) for all students and at or above eighty-nine percent (89%) for the students with disabilities subgroup. In the 2021–22 school year, the participate rates for all students and students with disabilities was at or above ninety-five percent (95%) for each subject and grade assessment.

Subject and Grade(s)	Student Group	2018–19 Percent Participation	2020–21 Percent Participation	2021–22 Percent Participation
Mathematics	All Students	>95%	93%	>95%
Grades 3–8	Students with Disabilities	>95%	91%	>95%
Mathematics	All Students	>95%	>95%	>95%
Grade 11	Students with Disabilities	>95%	>95%	95%
ELA/Reading	All Students	>95%	93%	>95%
Grades 3–8	Students with Disabilities	>95%	91%	>95%
ELA/Reading	All Students	>95%	93%	>95%
Grade 10	Students with Disabilities	>95%	89%	95%
Science	All Students	>95%	93%	>95%
Grades 5 and 8	Students with Disabilities	>95%	90%	>95%
Science Grade 11	All Students	>95%	>95%	>95%
	Students with Disabilities	>95%	95%	95%

Table 4. North Carolina Statewide General Assessment Participation Rates for the 2018–19, 2020–21, and 2021–22 School Years

(ii) Include assurances from the State that it has verified that each LEA that the State anticipates will assess more than 1.0 percent of is assessed students in any subject for which assessments are administered under §200.2(a)(1) in that school year using an alternate assessment aligned with alternate academic achievement standards—

(A) Followed each of the State's guidelines under paragraph (d) of this section, except paragraph (d)(6); and

The NCDPI verifies that each public school unit anticipated to assess more than 1.0 percent of its students in any subject using the alternate assessment followed the State's guidelines for participation in the AA-AAAs. The NCDPI examines and updates the alternate assessment eligibility criteria annually and provides training to all public school unit Exceptional Children (EC) and Accountability personnel involved with determining if a student has a significant cognitive disability. The NCDPI created an Alternate Assessment Frequently Asked Questions document to support public school units and the public in understanding this determination process. This document is updated regularly with new information as needed. An Individualized Education Program (IEP) Team Decision-Making and Consideration Process Tool was developed and implemented beginning in the 2018–19 school year and beyond. This tool is for IEP teams to use when considering the appropriate educational program and related assessments for students who may have a significant

cognitive disability. For the 2023–24 school year, the NCDPI Office of Exceptional Children are going to add some assurances in the state-wide IEP system, Every Child Accountability and Tracking System (ECATS). At that time, the Office of EC is also going to update the Individualized Education Program (IEP) Team Decision-Making and Consideration Process Tool.

The Office of Exceptional Children completed and posted a webinar to the state's website that included information about students who may be appropriate for the alternate assessment. In addition, the Office of Exceptional Children has provided guidance and information to Exceptional Children Directors at the Directors' Advisory Council, the Regional Directors Meeting, and the 71st Exceptional Children Conference Institute (2022).

North Carolina will continue to conduct course enrollment cross checks to ensure that every student enrolled in courses using the Extended Content Standards is assessed using the alternate assessment, which is based on those standards. The cross enrollment cross checks will be conducted using course codes that are specific to class enrollment and school level. (Courses that use the Extended Content Standards, have an "A" as the fifth digit of the course code. The letter in the sixth digit space denotes whether it is an elementary, middle, or high school course code.) Findings from the Course Enrollment Cross Checks are designed to prompt appropriate guidance, support, and continued monitoring of specific public school units as needed.

In the 2019–20 school year the Office of Exceptional Children collaborated with the Office of Accountability and Testing to implement concentrated monitoring to include reviewing public school units (with an n-size greater than fifteen) who identify students with atypical eligibility categories and rates higher than two percent. These targeted monitoring efforts have continued through the 2020–21 and 2021–22 school years.

(B) Will address any disproportionality in the percentage of students in any subgroup under section 111(c)(2)(A), (B), or (D) of the Act taking an alternate assessment aligned with alternate academic achievement standards;

The NCDPI Offices of EC and Accountability and Testing will continue to address disproportionality in the percentage of students participating in the alternate assessment aligned with alternate academic achievement standards by requiring a justification from each district and charter school that exceeds the 1.0 percent cap. Public school units were encouraged to analyze their data for disproportionality to include, but not limited to, internal audits and compliance checks to ensure students taking the NCEXTEND1 Alternate Assessment meet the eligibility criteria. The NCDPI will continue to provide professional development opportunities through face-to-face and webinar format to present current data as well as updated training on the eligibility criteria. In addition, the NCDPI will provide technical assistance as needed to individual districts and charter schools where disproportionality is present. The NCDPI required and will continue to require public school units that exceed the 1.0 percent cap for the total student population assessed in a subject area using an alternate assessment, to complete the disproportionality excel worksheet to assist in identifying subgroup and subject areas of concern. Staff members tasked with deciphering the disproportionality data are provided guiding questions to help pinpoint concerns and develop hypotheses. Public school units are expected to submit the worksheets along with an action plan that address how the areas of concern will potentially be rectified in future years.

(iii) Include a plan and timeline by which —

(A) The State will improve the implementation of its guidelines under paragraph (d) of this section, including by reviewing and, if necessary, revising its definition under paragraph (d)(1), so that the State meets the cap in paragraph (c)(2) of this section in each subject for which assessments are administered under § 200.2(a)(1) in further school years;

Special educators are trained on the use of the IEP Team Decision-Making and Consideration Process Tool to effectively facilitate IEP team meetings in which decisions about alternate academic achievement standards and alternate assessments may be considered. This tool guides teams through the acceptable data sources and the questions that should be answered when considering if a student has a significant cognitive disability and is eligible for the instruction and assessment based on alternate academic achievement standards. The Alternate Assessment Eligibility Criteria is reviewed annually using the latest scholarly research, state partnerships, and district and school level input. This annual review and revision process will remain active as North Carolina continues to provide schools the tools they need to appropriately determine the educational plan for students with the most significant cognitive disabilities.

In October 2020, the Office of EC developed and disseminated a Canvas course to professionals in the field titled, *North Carolina Extended Content Standards*. Module 1 of the course provides an in depth focus on legislation, definitions, and IEP team decisions, including a video, review, and quick assessment of the IEP Team Decision-Making and Consideration Process Tool. The Canvas course is updated by the Office of Exceptional Children annually to incorporate any updated information and additional guidance.

In the 2021–22 school year, the Office of EC created a video for school-based administrators. The video titled, *Administration Support Video for the ECS Classroom*, elaborates on the following topics:

- ESSA requirements,
- who should be instructed using the Extended Content Standards,
- the IEP Team Decision-Making and Consideration Process Tool,
- a resource titled, *Using the Least Dangerous Assumption in Educational Decisions*, from the TIES Center,
- district and teacher matrix identifying needs in professional learning opportunities,
- identifying communication needs for students, and
- analyzing core instructional time in the ECS classroom.

The video was sent out via the quarterly EC Director's Meeting, the EC Director's Weekly Memo, and the significant cognitive disabilities Listserv in August 2021. This video continues to be relevant and is used to assist administrators with understanding who should be instructed on the *Extended Content Standards* and participate in the NCEXTEND1 Alternate Assessment.

Beginning in the 2019–20 school year, the Office of Exceptional Children collaborated with the Office of Accountability and Testing to implement the following:

- 1. Targeted assistance to identified public school units.
- 2. A webinar with Testing Coordinators and EC Directors in public school units.

- 3. Targeted monitoring of some public school units through the Policy, Monitoring, and Audit section within the Office of EC.
- 4. Desk reviews for the additional public school units identified.

During the 2021–22 school year, the NCDPI conducted targeted monitoring for public school units that fell within the following three groups:

- over 1.6% with more than 15 students,
- between 1.3% and 1.6% with more than 10 students, or
- between 1.1% and 1.2% with more than 10 students.

There was a total of fifty-nine public school units monitored with a total of 852 student records reviewed. Of the fifty-nine public school units, forty-six received reports with corrective actions due to deficiencies in practices or procedures to appropriately support IEP Teams in determining participation in alternate assessments, while other reports may have recommendations. All corrective action must be completed as soon as possible within the timelines specified, not to exceed one year from the date of the report. Corrective actions include, but are not limited to, the following:

- develop and implement a local improvement plan to provide coaching, training specific to the items determined noncompliant, and ongoing monitoring of the participation in the alternate assessment in IEPs; and
- Conduct a local record review of IEPs developed after the improvement plan has been implemented to be subsequently verified correct by the Office of Exceptional Children.

For the 2022–23 school year, the NCDPI will provide technical assistance to the forty-six public school units who required corrective action from the 2021–22 targeted monitoring. Due to the number of public school units with corrective action and in order to provide adequate oversight and support, the NCDPI will not conduct this targeted monitoring activity with new PSUs until the current corrective action timelines for the first cohort are met.

To ensure students identified as having a significant cognitive disability are participating on the *North Carolina Extended Content Standards* and participating on the NCEXTEND1 Alternate Assessment, the NCDPI will cross check students who received a diploma and participated on the alternate assessment last year. In North Carolina, students who participate on the *North Carolina Extended Content Standards* and take the NCEXTEND1 Alternate Assessment do not receive a high school diploma, rather a certificate of completion. This information will assist the NCDPI with identifying public school units who may need to review their local policies and procedures for proper identification, placement, and course of study and assessment alignment. Any public school unit who shows discrepancies in the identified area, will be added to the targeted monitoring process.

(B) The State will take additional steps to support and provide appropriate oversight to each LEA that the State anticipates will assess more than 1.0 percent of its assessed students in a given subject in a school year using an alternate assessment aligned with alternate academic achievement standards to ensure that only students with the most significant cognitive disabilities take an alternate assessment aligned with alternate academic achievement standards. The State must describe how it will monitor and regularly evaluate each such LEA to ensure that the LEA provides sufficient training such that school staff

who participate as members of an IEP team or other placement team understand and implement the guidelines established by the State under paragraph (d) of this section so that all students are appropriately assessed;

The NCDPI provides comprehensive training annually for all staff involved with identifying students as having a significant cognitive disability. This training includes the eligibility criteria defined by the state, as well as information about the impact the decision to identify a student with a significant cognitive disability has on a student's graduation and post-secondary opportunities.

The NCDPI will make informational resources available to parents of students with disabilities so parents can contribute to the IEP decision making process regarding the assessment in which their child participates. Parent resources include, but are not limited to, post-secondary and transition planning for students with significant cognitive disabilities, implications for selecting the alternate content standards, and supplemental aids and supports that may be available to support participation in the general assessment.

(C) The State will address any disproportionality in the percentage of students taking an alternate assessment aligned with alternate academic achievement standards as identified through the data provided in accordance with paragraph (c)(4)(iv) of this section.

The *Justification Process* (attached) requires each public school unit that anticipates exceeding 1.0 percent participation on the AA-AAAS to address disproportionality found in a data analysis. After the 2022–23 school year testing window, the NCDPI will analyze participation data in each subject for the alternate assessment aligned to alternate academic achievement standards to determine the anticipated participation rates for the 2023–24 school year.

(iv) If a State is requesting to extend a wavier for an additional year, meet the requirements in paragraph (c)(4)(i) through (iv) of this section and demonstrate substantial progress towards achieving each component of the prior year's plan and timeline required under paragraph (c)(4)(iv) of this section.

The NCDPI analyzed participation data from the 2021–22 school year in each subject for the alternate assessment aligned to alternate academic achievement standards to determine the participation rates for the 2022–23 school year. The NCDPI will utilize the participation data results to provide evidence that North Carolina exceeded the 1.0 percent participation cap in the alternate assessment, a report will be created to document progress made on the waiver request and a plan and timeline will be developed for future action.

Timeline

December 22, 2022—Waiver submitted for public comment December 22, 2022—January 21, 2023—Written public comments accepted January 23, 2023—January 27, 2023—Incorporate public comments February 1, 2023—Waiver submitted to the United States Secretary of Education Table 5 outlines North Carolina's evidence of progress for the 2021–22 school year. Appendix E outlines the evidence of progress for the 2020–21 school year. Appendix F outlines the evidence of progress for the 2018–19 and 2019–20 school years. Appendix G outlines the evidence of progress for the 2017–18 school year.

2021–22 School Years Evidence Towards Progress

Plans for the 2021–22 School Year:	Evidence and Dates of Implementation for the 2022–23 School Year:
1. IEP Team Decision-Making and Consideration Process Tool	 On-going Posted on webpage* Reviewed in Regional Meetings as well as within the posted NCEXTEND1 webinar* EC created a video on how to use the IEP Team Decision-Making and Consideration Process Tool to include: EC directors, teachers, and support staff
2. Alternate Assessment Criteria is reviewed using the latest scholarly research, state partnerships, district and school level input, as well as stakeholder feedback.	 Reviewed annually with EC and Accountability Staff* Office of Exceptional Children and Office of Accountability and Testing Collaborative Meeting Dates: July 19, 2022* October 10, 2022* January 25, 2023* April 19, 2023
 3. Informational resources available to parents of students with disabilities so parents can contribute to the IEP decision making process. Parent resources for post-secondary transition planning for students, implications, and supplemental aids. 	 The Office of EC has a working relationship with the Exceptional Children's Assistance Center (ECAC). This is a training and information center that provides free information and assistance with educational issues to parents of children with disabilities. They offer a lending library, newsletter, and a Parent Info Line answered by parents. Parent friendly informational charts, manuals, and handbooks available online: IEP Team Decision-Making and Consideration Process Tool* NC Policies Governing Services for Children with Disabilities—Amended March 2021* Parents Rights and Responsibilities in Special Education: NC Notice of Procedural Safeguards—July 2016* Other parent resources are available on the Exceptional Children's website under Parent Resources. A parent liaison is on staff to assist with communicating information and resources to parents and guardians.

 March 2020 - Decision-Making Consideration Process Tool Webinar* This webinar was presented by the consultant for students with significant cognitive disabilities (Office of EC) as well as the consultant for testing students with disabilities (Office of Accountability and Testing). This webinar was focused around how to implement the use of the flow chart within IEP meetings as well as addressing any concerns or questions from the field. Amarch 15, 2022 - 1.0 Percent Justification Form 2021-22 Training Video* This video was presented by the consultant for students with significant cognitive disabilities (Office of EC) as well as the consultant for testing students with disabilities (Office of Accountability and Testing). This video elaborated on the one percent participation justification form. This video was designed to go through each question of the form to assist test coordinators and EC directors with how to respond to each of the questions using their public school unit information. In addition, we reviewed ways to analyze your one percent participation data and how to appropriately complete the new disproportionality excel worksheet and answer the related questions based on the public school unit's data. August 2022 - Webinar for EC Directors* During this webinar, EC directors were informed and provided with information on the targeted monitoring process to assist with appropriate identification and placement of students participating on the Extended Content Standards and the NCEXTEND1 Alternate Assessments. January—June 2023 Provide technical assistance from the targeted monitoring process for public school unit will have completed corrective actions outlined in their report by June 2023. 	Plans for the 2021–22 School Year:	Evidence and Dates of Implementation for the 2022–23 School Year:
	 professionals involved with identifying students as having a significant cognitive disability. Encompasses eligibility criteria, identification and impact on graduation/post-secondary outcomes, additional monitoring, support, and 	 This webinar was presented by the consultant for students with significant cognitive disabilities (Office of EC) as well as the consultant for testing students with disabilities (Office of Accountability and Testing). This webinar was focused around how to implement the use of the flow chart within IEP meetings as well as addressing any concerns or questions from the field. March 15, 2022 - 1.0 Percent Justification Form 2021-22 Training Video* This video was presented by the consultant for students with significant cognitive disabilities (Office of EC) as well as the consultant for testing students with disabilities (Office of Accountability and Testing). This video elaborated on the one percent participation justification form. This video was designed to go through each question of the form to assist test coordinators and EC directors with how to respond to each of the questions using their public school unit information. In addition, we reviewed ways to analyze your one percent participation data and how to appropriately complete the new disproportionality excel worksheet and answer the related questions based on the public school unit's data. August 2022 - Webinar for EC Directors* During this webinar, EC directors were informed and provided with information on the targeted monitoring process to assist with appropriate identification and placement of students participating on the Extended Content Standards and the NCEXTEND1 Alternate Assessments. January—June 2023 Provide technical assistance from the targeted monitoring process for public school units identified as having corrective actions.

Appendix A: Overall Rates of	f Assessment Partici	nation for 2018-19	2020-21 and 2021_22
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Group	All Students Grades 3-8 and High School R/LA 2018-19	Students with Disabilities Grades 3-8 and High School R/LA 2018-19	All Students Grades 3-8 and High School R/LA 2020-21	Students with Disabilities Grades 3-8 and High School R/LA 2020-21	All Students Grades 3-8 and High School R/LA 2021-22	Students with Disabilities Grades 3-8 and High School R/LA 2021-22
Students Assessed	837,558	106,119	772,203	95,973	695,850	89,828
Students Enrolled	841,684	107,203	827,093	105,487	702,184	91,458
Assessment Participation Rate	>95% grades 3–8 and 10	>95% grades 3–8 and 10	93% grades 3–8 and 10	91% grades 3–8 89% grade 10	>95% grades 3–8 and 10	>95% grades 3–8 95% grade 10
Group	All Students Grades 3-8 and High School Math 2018-19	Students with Disabilities Grades 3-8 and High School Math 2018-19	All Students Grades 3-8 and High School Math 2020-21	Students with Disabilities Grades 3-8 and High School Math 2020-21	All Students Grades 3-8 and High School Math 2021-22	Students with Disabilities Grades 3-8 and High School Math 2021-22
Students Assessed	828,022	104,152	759,313	94,964	694,882	89,725
Students Enrolled	832,630	105,191	807,966	103,366	702,013	91,460
Assessment Participation Rate	>95% grades 3–8 and 11	>95% grades 3–8 and 11	93% grades 3–8 >95% grade 11	91% grades 3–8 >95% grade 11	>95% grades 3–8 and 11	>95% grades 3–8 95% grade 11
Group	All Students Grades 3-8 and High School Science 2018-19	Students with Disabilities Grades 3-8 and High School Science 2018-19	All Students Grades 3-8 and High School Science 2020-21	Students with Disabilities Grades 3-8 and High School Science 2020-21	All Students Grades 3-8 and High School Science 2021-22	Students with Disabilities Grades 3-8 and High School Science 2021-22
Students Assessed	346,284	41,380	322,323	38,966	235,072	29,833
Students Enrolled	349,207	42,080	342,558	42,599	237,929	30,542
Assessment Participation Rate	>95% grades 3–8 and 11	>95% grades 3–8 and 11	93% grades 5 and 8 >95% grade 11	90% grades 5 and 8 95% grade 11	>95% grades 3–8 and 11	>95% grades 3–8 95% grade 11

Appendix B: Reading Assessment Participation Rates by Subgroup for 2018-19, 2020-21, and 2021–22

Group	Total Number of Students in Grades 3-8 and High School R/LA 2018-19	Number of Students Taking State AA-AAAS Grades 3-8 and High School R/LA 2018-19	Percent of Students Taking State AA-AAAS Grades 3-8 and High School R/LA 2018-19
All Students	841,684	8,947	1.1%
English Learners	95,391	1,022	1.1%
Economically Disadvantaged	397,971	5,379	1.4%
Students with Disabilities	107203	8815	8.2%
Hispanic	157,384	1,448	0.9%
Asian	28,971	267	0.9%
Black	211,681	3,099	1.5%
White	395,067	3,608	0.9%
Native American	9,536	108	1.1%
Multiple Ethnicities	37,864	405	1.1%
Group	Total Number of Students in Grades 3-8 and High School R/LA 2020-21	Number of Students Taking State AA-AAAS Grades 3-8 and High School R/LA 2020-21	Percent of Students Taking State AA-AAAS Grades 3-8 and High School R/LA 2020-21
All Students	820,803	7,649	0.9%
English Learners	90,287	953	1.1%
Economically Disadvantaged	325,802	3,671	1.1%
Students with Disabilities	104,807	7,508	7.2%
Hispanic	163,150	1,371	0.8%
Asian	30,641	235	0.8%
Black	207,739	2,553	1.2%
White	368,256	3,000	0.8%
Native American	8,900	96	1.1%
Multiple Ethnicities	40,952	379	0.9%
Group	Total Number of Students in Grades 3-8 and High School R/LA 2021-22	Number of Students Taking State AA-AAAS Grades 3-8 and High School R/LA 2021-22	Percent of Students Taking State AA-AAAS Grades 3-8 and High School R/LA 2021-22
All Students	817,990	8,593	1.1%
English Learners	97,907	1,119	1.1%
Economically Disadvantaged	318,102	4,124	1.3%
Students with Disabilities	104,679	8,388	8.0%
Hispanic	166,468	1,561	0.9%
Asian	32,249	316	1.0%
Black	205,770	3,007	1.5%
White	360,168	3,135	0.9%
Native American	8,545	101	1.2%
Multiple Ethnicities	43,580	453	1.0%

Appendix C: Math Assessment Participation Rates by Subgroup for 2018-19, 2020-21, and 2021–22

Group	Total Number of Students in Grades 3-8 and High School Math 2018-19	Number of Students Taking State AA-AAAS Grades 3-8 and High School Math 2018-19	Percent of Students Taking State AA-AAAS Grades 3-8 and High School Math 2018-19
All Students	832,630	9,019	1.1%
English Learners	94,385	1,005	1.1%
Economically Disadvantaged	390,845	5,410	1.4%
Students with Disabilities	105,191	8,894	8.5%
Hispanic	154,940	1,467	0.9%
Asian	28,694	263	0.9%
Black	209,387	3,089	1.5%
White	391,758	3,674	0.9%
Native American	9,431	101	1.1%
Multiple Ethnicities	37,237	412	1.1%
Group	Total Number of Students in Grades 3-8 and High School Math 2020-21	Number of Students Taking State AA-AAAS Grades 3-8 and High School	Percent of Students Taking State AA-AAAS Grades 3-8 and High School
	701.442	Math 2020-21	Math 2020-21
All Students	791,442	6,927	0.9%
English Learners	88,881	886	1.0%
Economically Disadvantaged	314,918	3,371	1.1%
Students with Disabilities	100,537	6,796	6.8%
Hispanic	157,101	1,253	0.8%
Asian	29,002	229	0.8%
Black	201,064	2,322	1.2%
White	354,664	2,677	0.8%
Native American	8,663	84	1.0%
Multiple Ethnicities Group	39,829 Total Number of Students in Grades 3-8 and High School Math 2021-22	348 Number of Students Taking State AA-AAAS Grades 3-8 and High School	0.9% Percent of Students Taking State AA-AAAS Grades 3-8 and High School
		Math 2021-22	Math 2021-22
All Students	762,339	8,365	1.1%
English Learners	93,824	1,102	1.2%
Economically Disadvantaged	296,064	3,982	1.3%
Students with Disabilities	96,890	8,169	8.4%
Hispanic	154,154	1,533	1.0%
Asian	30,347	310	1.0%
Black	189,776	2,900	1.5%
White	338,321	3,069	0.9%
Native American	7,927	104	1.3%
Multiple Ethnicities	40,683	432	1.1%

Appendix D: Science Assessment Participation Rates by Subgroup for 2018-19, 2020-21, and 2021–22

Group	Total Number of Students in Grades 3-8 and High School Science 2018-19	Number of Students Taking State AA-AAAS Grades 3-8 and High School Science 2018-19	Percent of Students Taking State AA-AAAS Grades 3-8 and High School Science 2018-19
All Students	349,207	3,740	1.1%
English Learners	31,684	373	1.2%
Economically Disadvantaged	155,360	2,180	1.4%
Students with Disabilities	42,080	3,696	8.8%
Hispanic	62,434	569	0.9%
Asian	11,571	85	0.7%
Black	87,089	1,266	1.5%
White	168,669	1,612	1.0%
Native American	3,880	36	0.9%
Multiple Ethnicities	15,098	168	1.1%
Group	Total Number of Students in Grades 3-8 and High School Science 2020-21	Number of Students Taking State AA-AAAS Grades 3-8 and High School Science 2020-21	Percent of Students Taking State AA-AAAS Grades 3-8 and High School Science 2020-21
All Students	309,999	2,492	0.8%
English Learners	27,648	304	1.1%
Economically Disadvantaged	115,080	1,174	1.0%
Students with Disabilities	38,277	2,455	6.4%
Hispanic	59,816	418	0.7%
Asian	11,682	89	0.8%
Black	76,387	816	1.1%
White	143,342	1,017	0.7%
Native American	3,430	26	0.8%
Multiple Ethnicities	14,927	119	0.8%
Group	Total Number of Students in Grades 3-8 and High School Science 2021-22	Number of Students Taking State AA-AAAS Grades 3-8 and High School Science 2021-22	Percent of Students Taking State AA-AAAS Grades 3-8 and High School Science 2021-22
All Students	329,998	3,344	1.0%
English Learners	36,388	417	1.1%
Economically Disadvantaged	120,606	1,459	1.2%
Students with Disabilities	40,949	3,282	8.0%
Hispanic	66,427	622	0.9%
Asian	11,883	110	0.9%
Black	82,923	1,094	1.3%
White	148,014	1,309	0.9%
Native American	3,409	36	1.1%
Multiple Ethnicities	16,859	166	1.0%

Appendix E: 2020–21 School Years Evidence Towards Progress

Plans for the 2020–21 School Year:	Evidence and Dates of Implementation for the 2021–22 School Year:
1. IEP Team Decision-Making and Consideration Process Tool	 On-going Posted on webpage* Reviewed in Regional Meetings as well as within the posted NCEXTEND1 webinar* EC created a video on how to use the IEP Team Decision-Making and Consideration Process Tool to include: EC directors, teachers, and support staff
2. Alternate Assessment Criteria is reviewed using the latest scholarly research, state partnerships, district and school level input, as well as stakeholder feedback.	 Reviewed annually with EC and Accountability Staff* Office of Exceptional Children and Office of Accountability and Testing Collaborative Meeting Dates: August 12, 2021* November 22, 2021* January 24, 2022* April 8, 2022*
 3. Informational resources available to parents of students with disabilities so parents can contribute to the IEP decision making process. Parent resources for post-secondary transition planning for students, implications, and supplemental aids. 	The Office of EC has a working relationship with the Exceptional Children's Assistance Center (ECAC). This is a training and information center that provides free information and assistance with educational issues to parents of children with disabilities. They offer a lending library, newsletter, and a Parent Info Line answered by parents. Parent friendly informational charts, manuals, and handbooks available online: - IEP Team Decision-Making and Consideration Process Tool* - NC Policies Governing Services for Children with Disabilities—Amended March 2021* - Parents Rights and Responsibilities in Special Education: NC Notice of Procedural Safeguards—July 2016* Other parent resources are available on the Exceptional Children's website under Parent Resources. A parent liaison is on staff to assist with communicating information and resources to parents and guardians.

Appendix E (continued)

Plans for the 2020–21 School Year:	Evidence and Dates of Implementation for the 2021–22 School Year:
 Explicit training annually for all professionals involved with identifying students as having a significant cognitive disability. Encompasses eligibility criteria, identification and impact on graduation/post-secondary outcomes, additional monitoring, support, and technical assistance. 	 March 2020 - Decision-Making Consideration Process Tool Webinar* This webinar was presented by the consultant for students with significant cognitive disabilities (Office of EC) as well as the consultant for testing students with disabilities (Office of Accountability and Testing). This webinar was focused around how to implement the use of the flow chart within IEP meetings as well as addressing any concerns or questions from the field.
	 April 13, 2021 – 1.0 Percent Participation Video* This video was presented by the consultant for students with significant cognitive disabilities (Office of EC) as well as the consultant for testing students with disabilities (Office of Accountability and Testing). This video elaborated on the one percent participation information provided under the Every Student Succeeds Act (ESSA), North Carolina's definition of a significant cognitive disability, the decision-making flow chart, and eligibility requirements for student participation on the NCEXTEND1 alternate assessments. In addition to those topics, we reviewed ways to analyze your one percent participation data and the one percent justification form for the 2020–21 school year.
	 August 2021 - Administration Support Video for the ECS Classroom Training Video* The Office of EC created a video for school-based administrators. The video titled, Administration Support Video for the ECS Classroom, elaborates on the following topics: ESSA requirements, who should be instructed using the Extended Content Standards, the IEP Team Decision-Making and Consideration Process Tool, a resource titled, Using the Least Dangerous Assumption in Educational Decisions, from the TIES Center, district and teacher matrix identifying needs in professional learning opportunities, identifying communication needs for students, and analyzing core instructional time in the ECS classroom.
	 October 2021* Identification of public school units exceeding 1.6% or above with a "n" size of 15 or greater.
	 January—June 2022* Coordinate targeted monitoring of some public school units with the Policy, Monitoring and Audit section of the Office of EC. Coordinate and conduct desk reviews for the additional public school units.
	 July 2022—June 2023 Completed targeted monitoring with 59 public school units A total of 852 records were reviewed 46 out of 59 public school units have corrective actions and other public school units received recommended actions

Appendix F: 2018–19 and 2019–20 School Years Evidence Towards Progress

	Plans for the 2018–19 and 2019– 20 School Years:	Evidence and Dates of Implementation for the 2019–20 and 2020–21 School Years:
5	5. IEP Team Decision-Making and Consideration Process Tool	 On-going Posted on webpage* Reviewed in Regional Meetings as well as within the posted NCEXTEND1 webinar* EC will conduct a webinar on how to use the IEP Team Decision-Making and Consideration Process Tool to include: EC directors, teachers, and support staff
6	. Alternate Assessment Criteria is reviewed using the latest scholarly research, state partnerships, district and school level input, as well as stakeholder feedback.	 Reviewed annually with EC and Accountability Staff* Office of Exceptional Children and Office of Accountability and Testing Collaborative Meeting Dates: October 11, 2019* January 24, 2020* April 8, 2020* July 8, 2020* October 23, 2020* January 27, 2021* April 14, 2021
	Informational resources available to parents of students with disabilities so parents can contribute to the IEP decision making process. Parent resources for post-secondary ransition planning for students, implications, and supplemental aids.	 The Office of EC has a working relationship with the Exceptional Children's Assistance Center (ECAC). This is a training and information center that provides free information and assistance with educational issues to parents of children with disabilities. They offer a lending library, newsletter, and a Parent Info Line answered by parents. Parent friendly informational charts, manuals, and handbooks available online: IEP Team Decision-Making and Consideration Process Tool* NC Policies Governing Services for Children with Disabilities—Amended August 2020* Parents Rights and Responsibilities in Special Education: NC Notice of Procedural Safeguards—July 2016* Other parent resources are available on the Exceptional Children's website under Parent Resources. A parent liaison is on staff to assist with communicating information and resources to parents and guardians.

Appendix F (continued)

Plans for the 2018–19 and 2019–20 School Years:	Evidence and Dates of Implementation for the 2019–20 and 2020–21 School Years:
	December 4–5, 2019 —EC Regional Meetings (Regions 3 and 4) * This training was provided by the Office of Exceptional Children. The consultant for students with significant cognitive disabilities is available to present relevant information to EC Directors in different regions within the state. North Carolina utilizes the train-the-trainer model both in the Offices of Accountability and Testing and Exceptional Children. The information included in the presentations are as follows: the eligibility criteria and requirements for students with significant cognitive disabilities, impact on student outcomes, IEP goal writing, and progress monitoring.
8. Explicit training annually for all professionals involved with identifying students as having a significant cognitive disability.	 January 23, 2020 - New EC Director's Conference* The information included within this presentation addresses all the components from initial eligibility to graduation requirements for students with significant cognitive disabilities. January 2020* Identification of LEAs with the subgroup of atypical eligibility categories.
- Encompasses eligibility criteria, identification and impact on graduation/post-secondary outcomes, additional monitoring, support, and technical assistance.	 <i>February 2020*</i> Collaborate with Accountability Services on conducting a webinar with testing coordinators, EC directors in those specific LEAs and charter schools.
	 March 2020 – Decision-Making Consideration Process Tool Webinar This webinar will be presented by the consultant for students with significant cognitive disabilities (Office of EC) as well as the consultant for testing students with disabilities (Office of Accountability and Testing). This webinar will be focused around how to implement the use of the flow chart within IEP meetings as well as addressing any concerns or questions from the field.
	 March—May 2020 Coordinate targeted monitoring of some LEAs with the Policy, Monitoring and Audit section of the Office of EC in the 2019–20 monitoring cycle. Coordinate and conduct desk reviews for the additional LEAs and charter schools.

Appendix G: 2017–18 School Year Evidence Towards Progress

P	lan for the 2017–18 School Year:	Evidence and Dates of Implementation for the 2018–19 School Year:
1.	IEP Team Decision-Making and Consideration Process Tool Alternate Assessment Criteria is reviewed using the latest scholarly research, state partnerships, district and school level input, as well as stakeholder feedback.	 On-going Posted on webpage—November 2018* Reviewed in Regional Meetings as well as within the posted NCEXTEND1 webinar* March 4-7, 2019—March Institute* Cooperative Planning Consortium – Stakeholder Group (EC Directors, EC Teachers, Disability Rights individuals, Parents, and NCDPI Staff)* Reviewed annually with EC and Accountability Staff* Offices of Exceptional Children and Accountability and Testing Collaborative Meeting Dates: July 13, 2018* December 3, 2018* March 11, 2019* May 13, 2019*
3.	Informational resources available to parents of students with disabilities so parents can contribute to the IEP decision making process. - Parent resources for post- secondary transition planning for students, implications, and supplemental aids.	The Office of EC has a working relationship with the Exceptional Children's Assistance Center (ECAC). This is a training and information center that provides free information and assistance with educational issues to parents of children with disabilities. They offer a lending library, newsletter, and a Parent Info Line answered by parents. Parent friendly informational charts, manuals, and handbooks available online: - IEP Team Decision-Making and Consideration Process Tool* - NC Policies Governing Services for Children with Disabilities—Amended March 2018* - Parents Rights and Responsibilities in Special Education: NC Notice of Procedural Safeguards—July 2016* Other parent resources are available on the Exceptional Children's website under Parent Resources

Appendix G (continued)

Plan for the 2017–18 School Year:	Evidence and Dates of Implementation for the 2018–19 School Year:
 Plan for the 2017–18 School Year: 4. Explicit training annually for all professionals involved with identifying students as having a significant cognitive disability. Encompasses eligibility criteria, identification and impact on graduation/post-secondary outcomes, additional monitoring, support, and technical assistance. 	 September 19, 2018—NCEXTEND1 Webinar* This webinar encompassed information on the one percent population as related to ESSA, the justification form, what constitutes a significant cognitive disability, eligibility requirements, who makes the determination, course codes, guidance documents and review of 2016–17 data. October 2, 2018—Test Coordinators' Meeting* 1.0 Percent Participation as It Relates to LEAs, Charter Schools, and the State This session was designed to provide more clarity regarding the 1.0 Percent Participation on the Alternate Assessment and requirements of school districts and charter schools in terms of the law. Test Coordinators received information on the changes to the ESSA and its impact on the state. Other important information included: eligibility requirements for students who participate in the NCEXTEND1 Alternate Assessment, the appropriateness of this assessment for students with disabilities, the impact on student learning as it relates to different learning pathways, and information about the justification form that is submitted for LEAs and charter schools that exceed the 1.0 percent participation rate. December 4-7, 2019—EC Regional Meetings (Regions 1, 2, 3 and 4) *, February 12–13, 2019—EC Regional Meetings (Regions 7 and 8)*, and May 16-17, 2019—EC Regional Meetings (Regions 1, 2, 3 and 4) *, February 12–13, 2019—EC Regional Meetings (Regions 7 and 8)*, and May 16-17, 2019—EC Regional Meetings (Regions 1 and 6)* This training was provided by the Office of Exceptional Children. The consultant for students with significant cognitive disabilities, NCEXTEND1 data from the 2017–18 school year, impact on student outcomes, IEP goal writing, and progress monitoring. January 9, 2019 and January 17, 2019 - New EC Director's Conference* This presentation was presented multiple times to
	 the Extended Content Standards, instructional and assessment alignment, eligibility requirements and considerations, the review of 2017–18 NCEXTEND1 data, documentation of justification in the IEP, and the new one percent participation justification form. <i>March 18, 2019 - Connecting Communities of Education Stakeholders Conference (CCES)*</i> This session was designed to provide additional clarifying information regarding the 1.0 percent participation on the NCEXTEND1 Alternate Assessment. Data was presented and reviewed from the 2017–18 school year to look at trends, areas of concern, and areas of strength within North Carolina. Information will be provided on the changes to the ESSA and its impact on the state. Other important information included: eligibility requirements for students who participate in the NCEXTEND1 Alternate Assessment, the appropriateness of this assessment for students with disabilities, the impact on student learning as it relates to different learning pathways, and information about the justification form that is submitted for LEAs and charter schools that exceed the 1.0 percent. <i>April 8, 2019 – 1.0 Percent Participation Webinar*</i> This webinar was presented by the consultant for students with significant cognitive disabilities (Office of EC) as well as
*Evidence of completed tasks.	the consultant for testing students with disabilities (Office of Accountability and Testing). This webinar included the following information: eligibility criteria for students with significant cognitive disabilities, data from the 2017–18 school year, resources for IEP teams, and an overview of the new 1.0 percent justification form