

## 1.0 Percent Participation Justification Form 2018–19

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 (i.e., English Language Arts/Reading, Mathematics, and/or Science) 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 Sections 1–4 and the designated signatures are required; it is optional to include additional information (see page 5). 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.

### Section 1: Contact Information

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

<b>3-Digit LEA/Charter Code:</b> 810
<b>Contact Name:</b> David M. Sutton, Ed.D.
<b>Contact Phone No.:</b> 828.288.2200
<b>District/Charter Name:</b> Rutherford County Schools
<b>Contact Title:</b> Assistant Superintendent
<b>Contact E-Mail:</b> dsutton@rcsnc.org

### Section 2: Analyzing Contributing Factors

Did the Individualized Education Program (IEP) teams utilize the alternate assessment [eligibility criteria](#) and the [North Carolina Alternate Assessment Decision Making Flow Chart](#) to make alternate assessment participation decisions?

☒ Yes                      ☐ No

Indicate how all members of the IEP teams have been informed or trained on the alternate assessment eligibility criteria and the North Carolina Alternate Assessment Decision Making Flow Chart. Check all that apply.

Training Method	School Administration	Special Education Staff	Parents	Related Service Staff
Face-to-face training	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Online training	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Given copy of guidance documents	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No training provided	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other, please explain below	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## 1.0 Percent Participation Justification Form 2018–19

Other, please explain below:

As appropriate on a case-by-case basis given student needs and related deliberations, information about the NC Extended Content Standards, eligibility criteria for participation in the alternate assessment, and related details about the short- and long-term implications of those considerations are provided to, and discussed with, parents during IEP team meetings.

Does the district or charter school identify students to participate in the alternate assessment that do not traditionally participate (i.e., Speech and Language Impairment, Specific Learning Disability, etc.)? If yes, please explain how the district determined these students meet the criteria for participation in the alternate assessment.

☐ Yes

☒ No

Explain below:

Click or tap here to enter text.

Does the district or charter school provide a targeted program that may contribute to a higher enrollment of students with significant cognitive disabilities?

☐ Yes

☒ No

Explain below:

Click or tap here to enter text.



## 1.0 Percent Participation Justification Form 2018–19

Does the district or charter school have a small overall student population that increased the likelihood of exceeding the 1.0 percent threshold?

☐ Yes

☒ No

Explain below:

Rutherford County Schools 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 or deficits in cognitive ability, adaptive behavior, and self-care skills. This growth, likely attributable to high rates of methamphetamine use recorded within the last decade, has prompted the creation of eight additional self-contained classrooms over the past two years in order to ensure compliance with class size requirements. 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. Due to persistently high local unemployment, school choice, and other factors affecting student and family attrition, the school district's total student enrollment is declining. As a result, the school district's 1% cap continues to decrease in size even as the number of significantly disabled students continues to increase within the Exceptional Children program.

### Section 3: Assurances

Does the district or charter school have a process in place to monitor alternate assessment participation?

☒ Yes

☐ No

Explain below:

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.

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



## 1.0 Percent Participation Justification Form 2018–19

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 the sound 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.

Does the district or charter school have a process in place to identify and address disproportionality in alternate assessment participation (specifically, among race, gender, or socioeconomic status groups)?

☒ Yes

☐ No

Explain below:

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.

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.


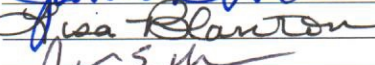
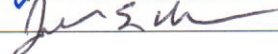
## 1.0 Percent Participation Justification Form 2018–19

### Section 4: Resources and Technical Assistance

What resources and technical assistance does the district or charter school need from the North Carolina Department of Public Instruction to ensure that students are being assessed using the appropriate assessment?

Click or tap here to enter text.

### Signatures

Superintendent/Charter School Director		Date	<u>3-29-19</u>
Exceptional Children Director/Coordinator		Date	<u>3-29-19</u>
LEA/Charter School Test Coordinator		Date	<u>3-29-19</u>

The completed justification form must be signed by the superintendent/charter school director, exceptional children's director/coordinator, and LEA/charter school testing coordinator. The form must be scanned and emailed to [alternateassessment@dpi.nc.gov](mailto:alternateassessment@dpi.nc.gov) by May 3, 2019.

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 5 for additional information that can be included but is not required.