



Richard Woods, Georgia's School Superintendent

"Educating Georgia's Future"

December 12, 2017

The Honorable Betsy DeVos
Secretary of Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Dear Honorable Betsy DeVos:

Pursuant to 34 CFR § 200.6(c)(4), the Georgia Department of Education is requesting a one-year waiver from the alternate assessment 1.0 percent participation cap placed on states under the *Every Student Succeeds Act*. Receiving this one-year waiver will afford Georgia the necessary time to review and revise State guidelines and LEA supports to address the percentage of students who are administered the State's alternate assessment.

In Georgia, we seek to provide students with access to an education that best meets individual needs and exposes students to a level of academic rigor that will promote success in college, career, and life in general. The purpose of Georgia's student assessment program is to measure achievement on state-adopted content standards and inform efforts to improve teaching and learning. The State's alternate assessment exists to provide State and local educators the opportunity to assess the learning of students with the most significant cognitive disabilities who cannot participate in the general statewide assessment program, even with maximum allowable accommodations. The Georgia Department of Education is committed to ensuring that the State's alternate assessment is administered to only those students for whom it is intended.

In the following pages, you will find the State's implementation plan and timeline, as well as other waiver submission requirements. Should you have questions regarding the waiver request, please feel free to contact Allison Timberlake, Interim Deputy Superintendent for Assessment and Accountability, by phone or email at 404-463-6666 or atimberlake@doe.k12.ga.us.

Thank you for your consideration.

Sincerely,

Richard Woods
Georgia's School Superintendent

cc: Georgia's Congressional Delegation

**ESSA ALTERNATE ASSESSMENT 1.0 PERCENT CAP
ONE-YEAR WAIVER REQUEST**

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1.0 GEORGIA'S ALTERNATE ASSESSMENT and WAIVER REQUIREMENTS

Section 1111(b)(2)(D)(i)(I) of the *Every Student Succeeds Act (ESSA)* places a state-level 1.0 percent cap on the number of students who can be assessed using a State's alternate assessment based on alternate achievement standards (AA-AAAS) in each subject area. Assessment participation data from the 2015-2016 school year reveal that Georgia was above the 1.0 percent cap in 2015-2016, having utilized the State's alternate assessment to assess 1.2 percent of students across each of the four content areas. Georgia anticipates that it will be above the cap in 2017-2018 and the State is seeking a one-year waiver from the requirement as detailed in 34 CFR §200.6(c)(3). The State is seeking this waiver for all assessment subjects for the 2017-2018 school year. Receiving the waiver will provide the State the appropriate time to design and implement the necessary guidelines and local educational agency (LEA) supports that can reduce the percentage of students who are administered the alternate assessment.

1.1 The Georgia Alternate Assessment. Under *ESSA* and the *Individuals with Disabilities Education Act (IDEA)* of 2004, states must ensure that all students, including students with significant cognitive disabilities, have access to a general curriculum that encompasses challenging academic standards and are assessed in their progress toward meeting the academic standards. The Georgia Alternate Assessment (GAA) is the State-provided AA-AAS for those students with significant cognitive disabilities who cannot participate in the general statewide assessment program, even with maximum allowable accommodations. The GAA was developed in the spring of 2007 and included a series of committee meetings with special and general education teachers and administrators. This committee assisted in determining the content of the GAA, the types of student work appropriate for inclusion in the portfolio, and the criteria by which the student work is scored.

The GAA is a portfolio of student work that demonstrates progress and achievement on selected skills aligned to the State's curriculum. The GAA is designed to measure the achievement and progress of students with significant cognitive disabilities on the attainment of alternate achievement standards linked to grade-level standards. The GAA has a blueprint that a) provides structure for the portfolio assessment and integrates assessment, curriculum, and instruction; b) provides multiple opportunities for students to demonstrate achievement and evidence of learning; c) supports skills that are likely to transfer to life beyond the classroom; and d) accurately measures student progress over time.

The GaDOE Assessment Division has initiated development of GAA 2.0, a portfolio assessment system that will be operational in 2018-2019. The revision includes the redesign of the current portfolio system, GAA 1.0, and will include structured tasks aligned to Georgia's content standards with appropriate scaffolding based on student need. The revised portfolio assessment will provide a high-quality measure of student achievement of the state-mandated content standards and extended content standards, provide teachers with data and resources to guide remediation and enrichment efforts, and support LEAs in the evaluation of educational programs and long-range strategic planning.

1.2 Waiver Requirements. States are required (34 CFR §200.6(c)(4)i) to submit the alternate assessment waiver at least 90 days prior to the start of the relevant subject testing windows. The GAA is a portfolio-based assessment that does not follow a traditional testing window. However, the data collection window for the assessment occurs in March and the GaDOE is applying this window to meet the 90-day requirement. The remaining waiver requirements are addressed in the sections that follow.

2. STATE-LEVEL DATA

In submitting a waiver request, States are required (34 CFR §200.6(c)(4)ii) to provide the number and percentage of student subgroups defined in section 1111(c)(2)(A), (B), and (D) who were assessed using the AA-AAAS. States are also required to provide data showing that 95 percent of all students and the students with disabilities subgroup, as identified in section 1111(c)(2)(C), were assessed using either Georgia Milestones or the Georgia Alternate Assessment. The GaDOE analyzed assessment participation data from 2016, the most current data available during the writing of the waiver, to meet this requirement.

2.1 Number and Percentage of Students Assessed via the GAA. Table A.2 in Appendix A provides the number and percentage of each student subgroup, as defined in 1111(c)(2)(A), (B), and (D), assessed using the GAA across the four assessment areas (English language arts, mathematics, science, and social studies).

The percentage of students assessed via the GAA was a consistent 1.2 percent across the four content areas. Among the racial and ethnic subgroups, American Indian / Alaskan Native and Asian / Pacific Islander were both below 1.0 percent for all content areas. Hispanic students were at 1.0 percent across the four content areas. White and Multi-racial students were just above the 1.0 percent cap at 1.1 percent across the four content areas. Black students represented the highest racial and ethnic subgroup to be assessed using the GAA at 1.5 percent across the four content areas. English Learners were assessed via the GAA at 0.8 percent across content areas, while students in the Economically Disadvantaged subgroup were at 1.4 percent for mathematics and science and 1.5 percent for English language arts and social studies.

2.2 Ninety-five Percent Participation Requirement. In 2016, Georgia required students in grades 3 through 8 to be assessed annually in English language arts, mathematics, science, and social studies using either the Georgia Milestones assessment or the Georgia Alternate Assessment. High school students were assessed via end-of-course Georgia Milestones in 9th Grade Literature, American Literature, Algebra I or Coordinate Algebra, Geometry or Analytic Geometry, Biology, Physical Science, Economics/Business /Free Enterprise, and U.S. History.

Appendix B provides the number enrolled, number tested, and percentage of enrolled students who were assessed using Milestones and GAA for each of the required end-of-grade and end-of-course subjects. Data are provided for all students and for the students with disabilities subgroup. Participation in the Milestones and GAA was above the 95 percent requirement for all end-of-grade and end-of-course assessments for all students and students with disabilities.

3. ASSURANCES

In fall 2017, the GaDOE will administer its annual GAA Participation Survey. LEAs that anticipate being above 1.0 percent in GAA participation in any subject for which assessments are administered under 34 CFR §200.2(a)(1) are required to provide assurances that the LEA adheres to State guidelines and that disproportionality issues are addressed.

3.1 Participation Guidelines. In Georgia, a student shall participate in the GAA only if all participation criteria have been met and his or her Individualized Education Program (IEP) team determines that the student cannot meaningfully access the general statewide assessments, even with the maximum

appropriate accommodations. IEP teams are required to follow the guidelines, as detailed in A.1 (Appendix A). GAA participation decisions shall not be based on any of the following:

- Disability category or label
- Expectation of poor performance on the Georgia Milestones assessment
- Accommodation requirements to participate in assessment process
- Previous poor performance
- Instructional setting or percent of time receiving special education services
- Attendance issues
- Anticipated emotional distress
- Anticipated disruptive behavior
- Native language or English learner status
- Economically disadvantaged status
- Impact of student scores on accountability system
- Administrator or parent request

In completing the GAA Participation Survey, LEAs are required to provide an assurance that State guidelines have been adhered to by answering affirmatively to the following statement:

“A review of local policies, procedures, and practices has been conducted to ensure they support appropriate identification of students for GAA participation in accordance with State guidelines.”

Any LEAs failing to provide this assurance will receive technical assistance from the GaDOE to ensure adherence to State guidelines.

3.2 Disproportionality. The GAA Participation Survey contains a second assurance item addressing potential disproportionality among student subgroups. LEAs are required to provide assurance that any disproportionality in GAA participation among students in any subgroup under section 1111(c)(2)(A), (B), or (D) of ESSA has been addressed by answering affirmatively to the following statement.

“A review of local GAA participation will occur to ensure the LEA will identify and address, if necessary, any disproportionality in the percentage of students in any subgroup participating in the GAA.”

Any LEAs failing to provide this assurance will receive technical assistance from the GaDOE to ensure any disproportionality issues are being addressed.

4. PLAN and TIMELINE

Georgia has developed a plan to improve State guidelines and provide LEAs the services necessary to ensure State guidelines are followed and disproportionality issues are addressed.

4.1 Improving the Implementation of State Guidelines. The GaDOE will examine its definition of students with the most significant cognitive disabilities and revise State participation guidelines, as required by 34 CFR §200.6(c)(4)(iv)(A), to ensure the State has adequately addressed all guidelines included in §200.6(d). The State will also review and update all supporting resources and documentation provided to LEAs to guide the GAA eligibility determination process.

4.2 Support and Oversight of LEA Implementation. In addition to updating State guidelines, the GaDOE will provide oversight, technical assistance, and supports, as required by 34 CFR §200.6(c)(4)(iv)(B), to promote proper implementation of the guidelines among LEAs. This plan includes tiered technical assistance and supports, with the intensity of services provided to each LEA to be determined following an in-depth analysis of GAA participation data by the State.

4.2.1 Universal Technical Assistance and Supports: The GaDOE will provide universal technical assistance and supports to all LEAs. These services will include resources to assist LEA administrators and local IEP team members during the GAA participation determination process. These resources will be closely aligned with State improvements outlined in section 4.1.

Additionally, those LEAs with GAA participation rates above 1.0 percent will be required to submit a corrective action plan to the State. LEAs will include details of how GAA participation policies, practices, and processes will be implemented locally to ensure State guidelines are followed with fidelity. The State will also provide best practices to those LEAs above 1.0 percent for informing local public stakeholders beyond the requirements included in 4.3.1 and 4.3.2.

4.2.2 Targeted Technical Assistance and Supports: The GaDOE will provide additional technical assistance and supports to LEAs above 1.0 percent where targeted needs are identified from LEA corrective action plans and participation data (including disproportionality data). These services will include, but not be limited to, the following improvement targets.

- LEA capacity for gathering and analyzing district and school data pertaining to GAA participation rates
- LEA capacity for gathering and analyzing data on the characteristics of students participating in the GAA
- LEA capacity to provide professional development to IEP team members and other local educators on the nature of the GAA and who should participate
- Capacity of parents of students with disabilities to participate in the IEP decision-making process

4.2.3 Intensive Technical Assistance and Supports: During 2017-2018, the GaDOE will develop a system of intensive LEA-specific, one-on-one technical assistance and supports for those LEAs demonstrating significant needs that cannot be addressed sufficiently through targeted services. These services will begin to be implemented early 2018-2019.

4.2.5 Addressing Disproportionality. The GaDOE will address any disproportionality issues, as required by 34 CFR §200.6(c)(4)(iv)(C). LEA-level relative risk ratios (RRR) will be calculated for all student subgroups included in 1111(c)(2)(A), (B), and (D) of ESSA for all four content areas using the following formulas.

$$\text{Relative Risk Ratio} = \frac{\text{Subgroup Risk}}{\text{Comparison Group Risk}}$$

$$\text{Subgroup Risk} = \frac{\# \text{ students in subgroup assessed via the GAA}}{\# \text{ students in subgroup assessed via Georgia Milestones}}$$

$$\text{Comparison Group Risk} = \frac{\# \text{ students } \textit{not} \text{ in subgroup assessed via the GAA}}{\# \text{ students } \textit{not} \text{ in subgroup assessed via Georgia Milestones}}$$

The GaDOE will determine the need for improvements at the State and LEA levels following a thorough data analysis of these relative risk ratios. Technical assistance and supports will be provided to LEAs as deemed appropriate and based on State-level personnel capacity.

4.3 Reporting. Beginning in 2017-2018, the GaDOE is implementing changes to GAA participation reporting requirements. These changes include the following requirements of the State and LEAs.

4.3.1 LEA reporting to State: Any LEA above 1.0 percent GAA participation will be required (34 CFR §200.6(c)(3)(ii)) to submit information to the GaDOE justifying why greater than 1.0 percent of test takers were assessed via the GAA.

4.3.2 LEA reporting to parents: LEAs and IEP teams will be required (34 CFR §200.6(d)(3)) to ensure that parents of students selected to be assessed using the GAA are informed, consistent with 34 CFR §200.2(e), that the student’s achievement will be measured based on alternate academic achievement standards. Additionally, IEP teams will provide guidance to parents regarding GAA participation and high school graduation.

4.3.3 State reporting to LEAs: The GaDOE will provide annual data reports to LEAs that will identify trends and patterns in GAA participation at the district and school levels, including an identification of characteristics of students participating in the GAA. These reports will be utilized to inform local GAA implementation improvement efforts.

4.3.4 SEA reporting to the public: Under ESSA, the GaDOE will be required to make LEA justifications for exceeding 1.0 percent, as submitted in 4.3.1 above, available to the public so long as doing so does not reveal any personally identifiable student information 34 CFR §200.6(c)(3)(iv).

4.4 Timeline.

	Aug – Sep 2017	Oct – Dec 2017	Jan – Mar 2018	Apr – Jun 2018	Jul – Sep 2018	Oct – Dec 2018
WAIVER SUBMISSION						
Public comment period						
Review of public comments, revision of waiver						
Submission of waiver						
DATA ANALYSIS and REPORTING						
GAA Participation Survey 2017-2018						
GAA assessment collection window (March-April)						
GAA participation data analysis						
GAA Participation Survey 2018-2019						
State GAA Participation Data Reports for LEAs						
State GAA Participation Report for Public						

	Aug – Sep 2017	Oct – Dec 2017	Jan – Mar 2018	Apr – Jun 2018	Jul – Sep 2018	Oct – Dec 2018
TECHNICAL ASSISTANCE and SUPPORTS						
Review and revision of State guidelines and definitions						
Universal						
Targeted						
Intensive						

APPENDIX A: GAA Participation Guidelines and Data

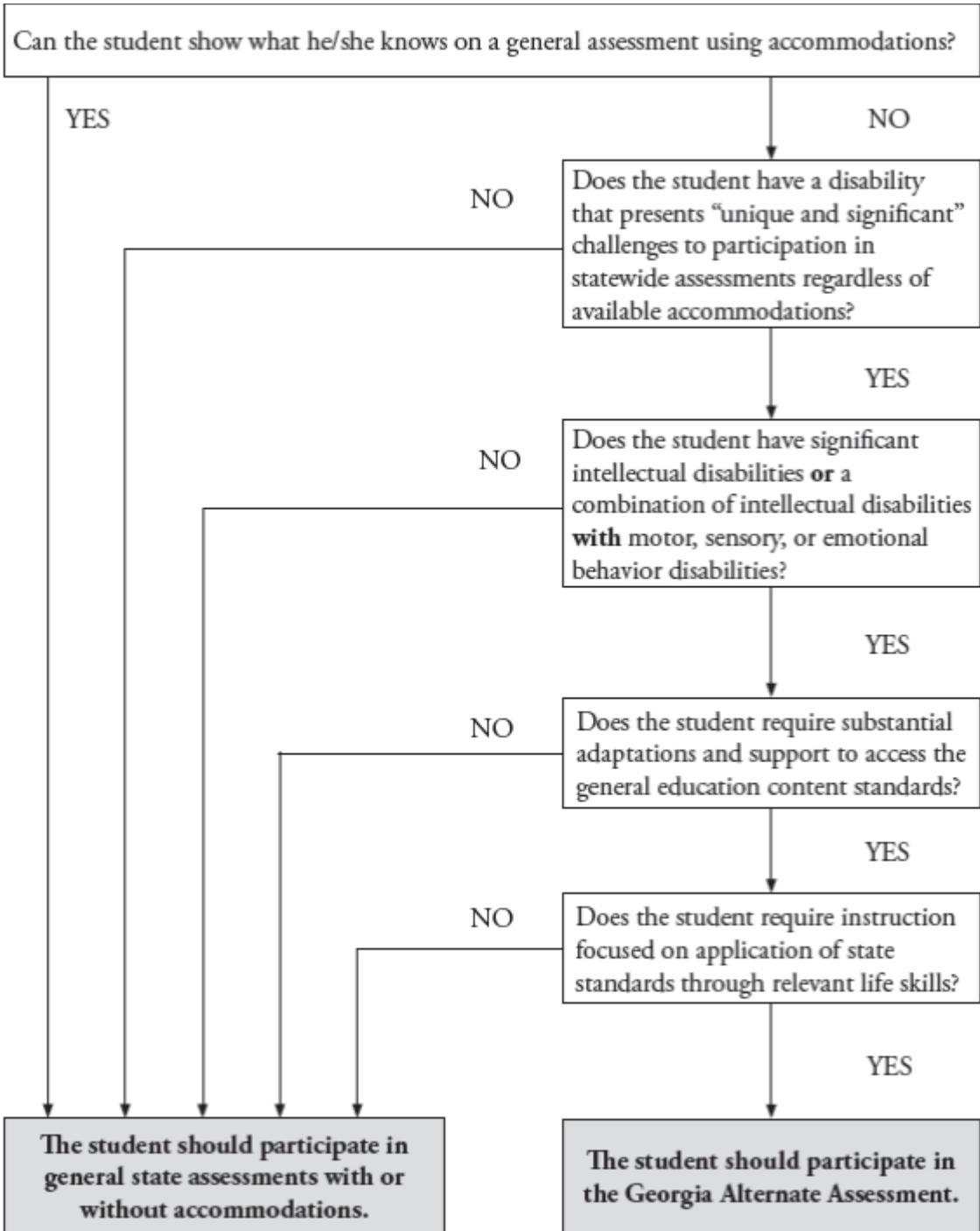
A.1: Georgia Alternate Assessment Participation Guidelines

Factors for Consideration. Each IEP team should consider multiple factors when determining that participation in the GAA is appropriate for a student with significant cognitive disabilities. The following factors should be used as guidance:

- The student is unable to attain grade level achievement standards even with the very best instruction;
- The student participates in the curriculum working toward alternate achievement standards;
- The student is unable to participate in a standard assessment even with accommodations;
- There is documented evidence that the student has a significant cognitive disability, such as where a student scores three or more standard deviations below the mean.

Who Should Participate in the GAA? Answers to the following questions and the accompanying flowchart on the following pages will assist educators with determining whether a student should participate in the GAA. Where all students are being assessed, students with disabilities in kindergarten, grades 3–8, and 11 must either participate in the regular assessment or the GAA. If there is a local test administered to all students, then local systems may use the GAA or their own alternate assessment. Should a local system elect to use the GAA as an alternate for a locally mandated assessment, the local system is responsible for scoring and reporting. The state will only score and report for state-mandated grades (K, 3–8, and 11).

1. Can the student show what he/she knows on a general assessment using accommodations?
 - If the answer is “yes”, then the student should participate in general assessments with or without accommodations.
 - If the answer is “no”, then answer the next question.
2. Does the student have a disability that presents “unique and significant” challenges to participation in statewide assessments regardless of available accommodations? If the answer is “no”, then the student should participate in general assessments with or without accommodations. If the answer is “yes” then answer the next question.
3. Does the student have significant intellectual disabilities or a combination of intellectual disabilities with motor, sensory or emotional behavior disabilities?
 - If the answer is “no”, then the student should participate in general assessments with or without accommodations.
 - If the answer is “yes”, then answer the next question.
4. Does the student require substantial adaptations and support to access the general education curriculum?
 - If the answer is “no”, then the student should participate in general assessments with or without accommodations.
 - If the answer is “yes”, then answer the next question.
5. Does the student require instruction focused on application of state standards through relevant life skills?
 - If the answer is “no”, then the student should participate in general assessments with or without accommodations.
 - If the answer is “yes”, then the student should participate in the GAA.



A.2: Count and Percentage of Students Assessed via the Georgia Alternate Assessment (2016)

		ELA	Math	Science	Social Studies
All Students	Count	11,316	11,316	11,313	11,316
	Percent	1.2	1.2	1.2	1.2
American Indian / Alaskan Native	Count	16	16	16	16
	Percent	0.9	0.9	0.9	0.9
Asian / Pacific Islander	Count	306	306	306	306
	Percent	0.8	0.8	0.9	0.8
Black	Count	5,154	5,154	5,152	5,154
	Percent	1.5	1.5	1.5	1.5
Hispanic	Count	1,392	1,392	1,392	1,392
	Percent	1.0	1.0	1.0	1.0
Multi-racial	Count	332	332	332	332
	Percent	1.1	1.1	1.1	1.1
White	Count	4,116	4,116	4,116	4,116
	Percent	1.1	1.1	1.1	1.1
Economically Disadvantaged	Count	8,639	8,639	8,637	8,639
	Percent	1.5	1.4	1.4	1.5
English Learners	Count	576	576	576	576
	Percent	0.8	0.8	0.8	0.8

Table A.1 provides counts and percentages of students who took the GAA by assessment area and student subgroup. Statewide, 1.2 percent of students were assessed using the GAA. Three subgroups, American Indian / Alaskan Native, Asian / Pacific Islander, and English Learners, participated in the GAA at rates lower than the 1.0 percent cap. Two groups, Black and Economically Disadvantaged, participated in the GAA at rates much higher than the 1.0 percent cap.

A.3: Count and Percentage of LEAs Exceeding 1.0 Percent Participation by Student Subgroups (2016)

		ELA	Math	Science	Social Studies
All Students	Count	143	141	143	143
	Percent	70.1	69.1	70.1	70.1
American Indian / Alaskan Native	Count	10	10	10	10
	Percent	4.9	4.9	4.9	4.9
Asian / Pacific Islander	Count	36	36	35	36
	Percent	17.6	17.6	17.2	17.6
Black	Count	150	148	147	150
	Percent	73.5	72.5	72.1	73.5
Hispanic	Count	80	79	80	80
	Percent	39.2	38.7	39.2	39.2
Multi-racial	Count	72	73	72	73
	Percent	35.3	35.8	35.3	35.8
White	Count	110	113	111	112
	Percent	53.9	55.4	54.4	54.9
Economically Disadvantaged	Count	159	157	157	159
	Percent	77.9	77.0	77.0	77.9
English Learners	Count	54	54	54	54
	Percent	26.5	26.5	26.5	26.5

Table A.2 provides the count and percentage of LEAs in Georgia that assessed more than 1.0 percent of students using the GAA. The number of LEAs in Georgia totaled 202 in 2016. However, the calculations contained within this waiver treated each of the three State Schools (Atlanta Area School for the Deaf, Georgia Academy for the Blind, and Georgia School for the Deaf) as separate LEAs for a total count of 204. These LEA counts do not control for high levels of variation in the sizes of subgroup populations across districts. For example, only ten LEAs had an American Indian and Alaskan Native subgroup population that was equal to or greater than 1.0 percent in 2016 and none of those LEAs were included in the count of ten LEAs above that assessed more than 1.0 percent of American Indian and Alaskan Native students with the GAA.

APPENDIX B: Ninety-five Percent Assessment Participation Requirement

B.1: Participation Rates for Elementary and Middle School GAA (2016)

		Georgia Alternate Assessments and Georgia Milestones Assessments						
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Total
English Language Arts								
All	# Enrolled	136,739	133,420	131,046	129,667	128,927	130,173	789,972
	# Tested	136,301	133,004	130,679	129,238	128,439	129,709	787,370
	% Tested	99.7	99.7	99.7	99.7	99.6	99.6	99.7
SWD	# Enrolled	19,935	20,494	20,331	18,925	17,830	17,381	114,896
	# Tested	19,818	20,390	20,243	18,814	17,706	17,272	114,243
	% Tested	99.4	99.5	99.6	99.4	99.3	99.4	99.4
Mathematics								
All	# Enrolled	136,728	133,414	131,040	129,655	128,917	130,083	789,837
	# Tested	136,388	133,093	130,793	129,242	128,435	129,575	787,526
	% Tested	99.8	99.8	99.8	99.7	99.6	99.6	99.7
SWD	# Enrolled	19,932	20,492	20,328	18,921	17,826	17,372	114,871
	# Tested	19,812	20,372	20,234	18,793	17,680	17,248	114,139
	% Tested	99.4	99.4	99.5	99.3	99.2	99.3	99.4
Science								
All	# Enrolled	136,724	133,399	131,028	129,643	128,903	129,822	789,519
	# Tested	136,268	132,984	130,679	129,082	128,265	129,001	786,279
	% Tested	99.7	99.7	99.7	99.6	99.5	99.4	99.6
SWD	# Enrolled	19,931	20,489	20,322	18,919	17,822	17,306	114,789
	# Tested	19,776	20,350	20,210	18,757	17,645	17,070	113,808
	% Tested	99.2	99.3	99.4	99.1	99.0	98.6	99.1
Social Studies								
All	# Enrolled	136,718	133,394	131,020	129,639	128,894	130,131	789,796
	# Tested	135,949	132,683	130,356	128,847	127,948	129,187	784,970
	% Tested	99.4	99.5	99.5	99.4	99.3	99.3	99.4
SWD	# Enrolled	19,930	20,489	20,321	18,919	17,820	17,372	114,851
	# Tested	19,737	20,301	20,168	18,714	17,589	17,153	113,662
	% Tested	99.0	99.1	99.2	98.9	98.7	98.7	99.0

B.2: Participation Rates for High School End-of-Course Assessments (2016)

		Georgia Alternate Assessments and Georgia Milestones Assessments							
		9th Grade Literature	American Literature	Algebra I / Coordinate Algebra	Geometry / Analytic Geometry	Biology	Physical Science	U.S. History	Economics
All	# Enrolled	137,691	120,450	133,776	139,517	135,750	93,717	119,335	110,204
	# Tested	135,727	118,751	130,991	137,030	132,905	92,206	117,553	109,465
	% Tested	98.6	98.6	97.9	98.2	97.9	98.4	98.5	99.3
SWD	# Enrolled	15,938	12,159	13,483	14,492	15,609	10,273	11,021	9,322
	# Tested	15,436	11,875	12,837	13,975	15,061	9,932	10,667	9,056
	% Tested	96.9	97.7	95.2	96.4	96.5	96.7	96.8	97.1

APPENDIX C: Public Notice

C.1: Public Notice Document

Public Notice on ESSA Alternate Assessment Waiver

The Georgia Department of Education (GaDOE) Assessment and Accountability Office is seeking comments on the following waiver request for the *Elementary and Secondary Education Act* (ESEA), as amended by the *Every Student Succeeds Act* (ESSA), which will be submitted to the U.S. Department of Education (US ED). Comments and questions should be submitted to Melissa Fincher, Deputy Superintendent for Assessment and Accountability, at mfincher@doe.k12.ga.us **no later than Wednesday, September 20, 2017.**

The ESSA includes a new statewide 1.0 percent participation cap in alternate assessments based on alternate achievement standards (AA-AAS) for each content area (1111(b)(2)(D)(i)(I)). However, a State has the option of requesting a one-year waiver from the requirement if the State believes it will not meet the cap. The year-long waiver is intended to give state education agencies time to implement policies and supports to districts to allow the State to not exceed the cap.

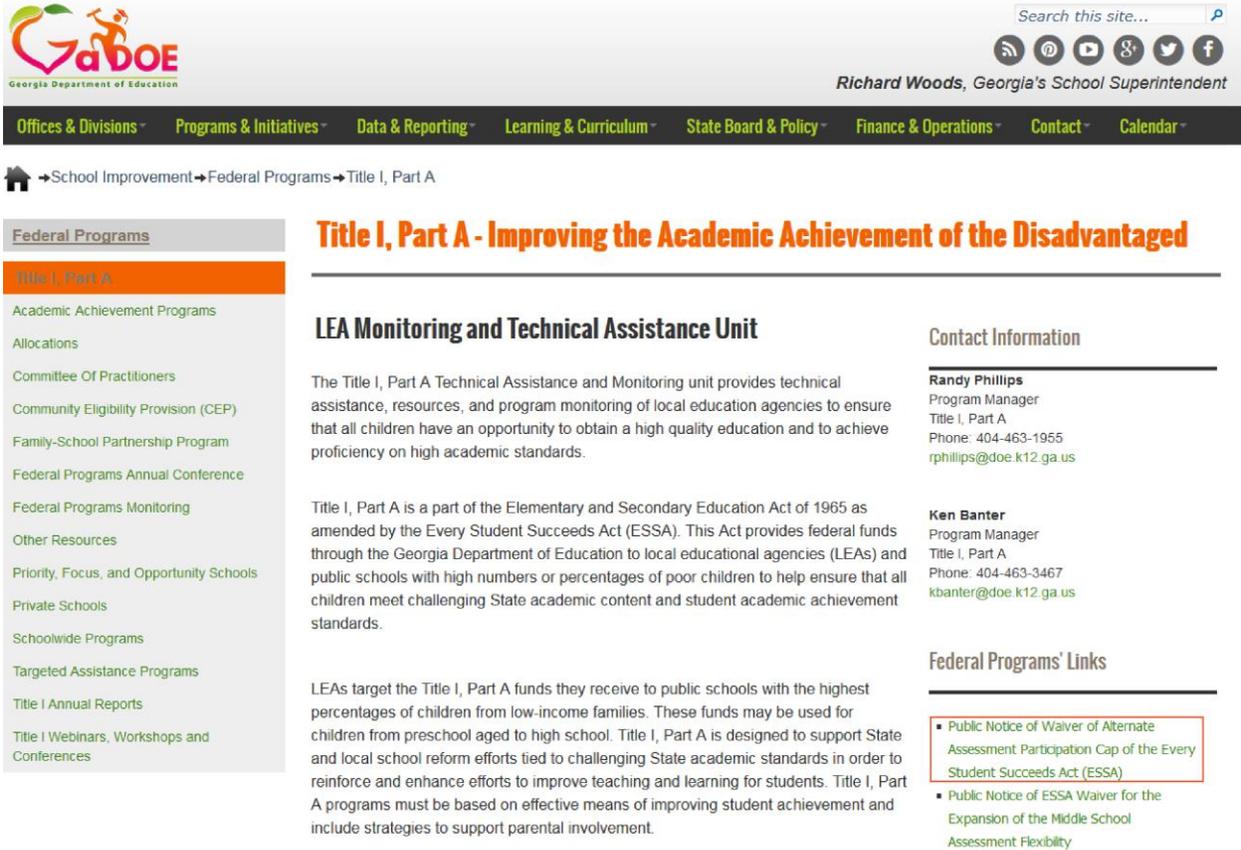
The GaDOE is anticipating that Georgia will be above the 1.0 percent cap in at least one content area in 2017. In 2016, Georgia's elementary and middle schools assessed 1.3 percent of tested students using the Georgia Alternate Assessment (GAA) in each of the four content areas (English language arts, mathematics, science, and social studies). That same year, the GAA was used for 1.1 percent of high school students tested in English language arts and 1.1 percent of high school students tested in social studies. Mathematics and science were at or below the cap, at 0.9 percent and 1.0 percent respectively.

The waiver submission will include the following information, as outlined in 34 CFR § 200.6(c)(4)ii-v:

- State-level data analysis a) showing the number and percentage of students in each subgroup who took the GAA, and b) validating the State has measured the achievement of at least 95 percent of all students and at least 95 percent of students with disabilities;
- assurances from the State that each local education agency (LEA) anticipated to exceed the 1.0 percent cap a) followed State guidelines under paragraph 200.6(d) - excluding (d)(6), and b) will address any disproportionality in the percentage of student subgroups under section 1111(c)(2)(A), (B), or (D) being administered the GAA; and
- a plan and timeline by which a) the State will improve its guidelines under § 200.6(d), b) the State will take additional steps to support and provide appropriate oversight to each LEA that the State anticipates will use the GAA to assess more than 1.0 percent of its students in a content area, and c) the State will address any disproportionality in the percentage of students taking the GAA.

Prior to submitting this ESSA waiver request, the GaDOE is providing public notice to all interested parties across Georgia. The GaDOE is providing such notification by posting a public notice on its website of the intent to request a waiver of the alternate assessment based on alternate achievement standards 1.0 percent cap. In addition, the GaDOE has emailed information pertaining to the waiver to all district superintendents, Title I directors, assessment directors, special education directors, members of Parent to Parent of Georgia, and the State Advisory Panel for Special Education. Copies of all comments that GaDOE may receive from stakeholders in response to this notice will be attached to the waiver request sent to US ED.

C.2: Public Notice - Website Location



The screenshot shows the Georgia Department of Education (GaDOE) website. At the top left is the GaDOE logo. To the right is a search bar and social media icons for RSS, Pinterest, YouTube, Google+, Twitter, and Facebook. Below this is a navigation bar with links for Offices & Divisions, Programs & Initiatives, Data & Reporting, Learning & Curriculum, State Board & Policy, Finance & Operations, Contact, and Calendar. A breadcrumb trail reads: Home → School Improvement → Federal Programs → Title I, Part A.

The main content area features a sidebar on the left with a menu for Federal Programs, where Title I, Part A is selected. The main heading is "Title I, Part A - Improving the Academic Achievement of the Disadvantaged". Below this is the "LEA Monitoring and Technical Assistance Unit" section, which includes a description of the unit's role and a paragraph about LEA targets. To the right is a "Contact Information" section listing Randy Phillips and Ken Banter. At the bottom right is a "Federal Programs' Links" section with two bullet points, one of which is highlighted with a red box.

Federal Programs

- Title I, Part A
- Academic Achievement Programs
- Allocations
- Committee Of Practitioners
- Community Eligibility Provision (CEP)
- Family-School Partnership Program
- Federal Programs Annual Conference
- Federal Programs Monitoring
- Other Resources
- Priority, Focus, and Opportunity Schools
- Private Schools
- Schoolwide Programs
- Targeted Assistance Programs
- Title I Annual Reports
- Title I Webinars, Workshops and Conferences

Title I, Part A - Improving the Academic Achievement of the Disadvantaged

LEA Monitoring and Technical Assistance Unit

The Title I, Part A Technical Assistance and Monitoring unit provides technical assistance, resources, and program monitoring of local education agencies to ensure that all children have an opportunity to obtain a high quality education and to achieve proficiency on high academic standards.

Title I, Part A is a part of the Elementary and Secondary Education Act of 1965 as amended by the Every Student Succeeds Act (ESSA). This Act provides federal funds through the Georgia Department of Education to local educational agencies (LEAs) and public schools with high numbers or percentages of poor children to help ensure that all children meet challenging State academic content and student academic achievement standards.

LEAs target the Title I, Part A funds they receive to public schools with the highest percentages of children from low-income families. These funds may be used for children from preschool aged to high school. Title I, Part A is designed to support State and local school reform efforts tied to challenging State academic standards in order to reinforce and enhance efforts to improve teaching and learning for students. Title I, Part A programs must be based on effective means of improving student achievement and include strategies to support parental involvement.

Contact Information

Randy Phillips
Program Manager
Title I, Part A
Phone: 404-463-1955
rphillips@doe.k12.ga.us

Ken Banter
Program Manager
Title I, Part A
Phone: 404-463-3467
kbanter@doe.k12.ga.us

Federal Programs' Links

- Public Notice of Waiver of Alternate Assessment Participation Cap of the Every Student Succeeds Act (ESSA)
- Public Notice of ESSA Waiver for the Expansion of the Middle School Assessment Flexibility

C.3: Public Notice – Email to Superintendents

From: Melissa Fincher
Sent: Wednesday, August 23, 2017 12:49 PM
To: K12 Superintendents; K12 Charter School Superintendents
Cc: Richard Woods; Matt Jones; Meghan Frick; Deborah Gay; Allison Timberlake; Zelphine SmithDixon
Subject: Georgia ESSA Waiver Request for 1% Participation Cap for GAA
Attachments: Alternate Assessment Cap Waiver Public Notice - 2017.08.22.pdf

Superintendents,

The Georgia Department of Education (GaDOE) will be seeking a waiver from the U.S. Department of Education (US ED) regarding the 1.0 percent participation cap put in place under the *Every Student Succeeds Act* (ESSA). With the implementation of ESSA, states are limited to a 1.0 percent cap on *participation* of students in alternate assessments based on alternate achievement standards. Such assessments are designed specifically for students with the most significant cognitive disabilities; in our state, this is the Georgia Alternate Assessment (GAA).

Under No Child Left Behind, states and districts did not have a *participation* cap; rather, the use of student scores at proficient or above in the accountability system was capped at 1.0 percent. ESSA stipulates that states may not exceed 1.0 percent of students *participating* in the alternate assessment based on alternate achievement standards. Note that this requirement is at the state level.

Prior to submitting the waiver, the GaDOE is seeking comments from local education agencies (LEAs) and the public.

In submitting the waiver for the 1.0 percent participation cap, the GaDOE is requesting that US ED allow the State a year to develop and implement guidelines and guidance to support LEAs in ensuring the appropriate use and administration of the GAA. During the one-year waiver period, if granted, the GaDOE's offices of Special Education and Assessment and Accountability will work collaboratively, along with districts, teachers, and parents, to ensure LEAs are provided the necessary support and technical assistance to ensure appropriate assessment decisions.

Additional waiver details are available in the public notice of the intent to apply for a waiver (attached and posted at <http://www.gadoe.org/School-Improvement/Federal-Programs/title-i/Pages/Disadvantaged-Children.aspx>, under the heading 'Federal Programs' Links').

If you have any comments or questions pertaining to this waiver, please send them to me by September 20, 2017.

As always, thank you.

Melissa Fincher, Ph.D.
Deputy Superintendent for Assessment & Accountability
Georgia Department of Education
1554 Twin Towers East
205 Jesse Hill Jr. Drive SE
Atlanta, GA 30334
404-651-9405
mfincher@doe.k12.ga.us
<http://www.gadoe.org>

"Educating Georgia's Future"

C.4: Public Notice – Email to Assessment Directors

From: Melissa Fincher
Sent: Wednesday, August 23, 2017 12:51 PM
To: K12 Assessment Directors <k12assessment@list.doe.k12.ga.us>
Cc: Richard Woods <rwoods@doe.k12.ga.us>; Matt Jones <mattjones@doe.k12.ga.us>; Meghan Frick <mfrick@doe.k12.ga.us>; Deborah Gay <DGay@doe.k12.ga.us>; Allison Timberlake <ATimberlake@doe.k12.ga.us>; Zephine SmithDixon <ZSmith@doe.k12.ga.us>; Sandra Greene <sgreene@doe.k12.ga.us>
Subject: Georgia ESSA Waiver Request for 1% Participation Cap for GAA
Importance: High

Assessment Directors,

The Georgia Department of Education (GaDOE) will be seeking a waiver from the U.S. Department of Education (US ED) regarding the 1.0 percent participation cap put in place under the *Every Student Succeeds Act* (ESSA). With the implementation of ESSA, states are limited to a 1.0 percent cap on *participation* of students in alternate assessments based on alternate achievement standards. Such assessments are designed specifically for students with the most significant cognitive disabilities; in our state, this is the Georgia Alternate Assessment (GAA).

Under No Child Left Behind, states and districts did not have a *participation* cap; rather, the use of student scores at proficient or above in the accountability system was capped at 1.0 percent. ESSA stipulates that states may not exceed 1.0 percent of students *participating* in the alternate assessment based on alternate achievement standards. Note that this requirement is at the state level.

Prior to submitting the waiver, the GaDOE is seeking comments from local education agencies (LEAs) and the public.

In submitting the waiver for the 1.0 percent participation cap, the GaDOE is requesting that US ED allow the State a year to develop and implement guidelines and guidance to support LEAs in ensuring the appropriate use and administration of the GAA. During the one-year waiver period, if granted, the GaDOE's offices of Special Education and Assessment and Accountability will work collaboratively, along with districts, teachers, and parents, to ensure LEAs are provided the necessary support and technical assistance to ensure appropriate assessment decisions.

Additional waiver details are available in the public notice of the intent to apply for a waiver (attached and posted at <http://www.gadoe.org/School-Improvement/Federal-Programs/title-i/Pages/Disadvantaged-Children.aspx>, under the heading 'Federal Programs' Links').

If you have any comments or questions pertaining to this waiver, please send them to me by September 20, 2017.

As always, thank you.

Melissa Fincher, Ph.D.
Deputy Superintendent for Assessment & Accountability
Georgia Department of Education
1554 Twin Towers East
205 Jesse Hill Jr. Drive SE
Atlanta, GA 30334
404-651-9405
mfincher@doe.k12.ga.us
<http://www.gadoe.org>

"Educating Georgia's Future"

C.5: Public Notice – Email to Special Education Directors

From: Melissa Fincher
Sent: Wednesday, August 23, 2017 12:52 PM
To: K12 Special Education Directors <k12specialeducation@list.doe.k12.ga.us>
Cc: Richard Woods <rwoods@doe.k12.ga.us>; Matt Jones <mattjones@doe.k12.ga.us>; Meghan Frick <mfrick@doe.k12.ga.us>; Deborah Gay <DGay@doe.k12.ga.us>; Sandra Greene <sgreene@doe.k12.ga.us>; Allison Timberlake <ATimberlake@doe.k12.ga.us>; Zelphine SmithDixon <ZSmith@doe.k12.ga.us>
Subject: Georgia ESSA Waiver Request for 1% Participation Cap for GAA

Special Education Directors,

The Georgia Department of Education (GaDOE) will be seeking a waiver from the U.S. Department of Education (US ED) regarding the 1.0 percent participation cap put in place under the *Every Student Succeeds Act* (ESSA). With the implementation of ESSA, states are limited to a 1.0 percent cap on *participation* of students in alternate assessments based on alternate achievement standards. Such assessments are designed specifically for students with the most significant cognitive disabilities; in our state, this is the Georgia Alternate Assessment (GAA).

Under No Child Left Behind, states and districts did not have a *participation* cap; rather, the use of student scores at proficient or above in the accountability system was capped at 1.0 percent. ESSA stipulates that states may not exceed 1.0 percent of students *participating* in the alternate assessment based on alternate achievement standards. Note that this requirement is at the state level.

Prior to submitting the waiver, the GaDOE is seeking comments from local education agencies (LEAs) and the public.

In submitting the waiver for the 1.0 percent participation cap, the GaDOE is requesting that US ED allow the State a year to develop and implement guidelines and guidance to support LEAs in ensuring the appropriate use and administration of the GAA. During the one-year waiver period, if granted, the GaDOE's offices of Special Education and Assessment and Accountability will work collaboratively, along with districts, teachers, and parents, to ensure LEAs are provided the necessary support and technical assistance to ensure appropriate assessment decisions.

Additional waiver details are available in the public notice of the intent to apply for a waiver (attached and posted at <http://www.gadoe.org/School-Improvement/Federal-Programs/title-i/Pages/Disadvantaged-Children.aspx>, under the heading 'Federal Programs' Links').

If you have any comments or questions pertaining to this waiver, please send them to me by September 20, 2017.

As always, thank you.

Melissa Fincher, Ph.D.
Deputy Superintendent for Assessment & Accountability
Georgia Department of Education
1554 Twin Towers East
205 Jesse Hill Jr. Drive SE
Atlanta, GA 30334
404-651-9405
mfincher@doe.k12.ga.us
<http://www.gadoe.org>

"Educating Georgia's Future"

C.6: Public Notice – Email to Title I Directors

From: Melissa Fincher
Sent: Wednesday, August 23, 2017 12:53 PM
To: K12 Title I Directors
Cc: Richard Woods; Matt Jones; Meghan Frick; Deborah Gay; Craig Geers; John Wight; Sandra Greene; Allison Timberlake; Zephine SmithDixon
Subject: Georgia ESSA Waiver Request for 1% Participation Cap for GAA
Attachments: Alternate Assessment Cap Waiver Public Notice - 2017.08.22.pdf

Title I Directors,

The Georgia Department of Education (GaDOE) will be seeking a waiver from the U.S. Department of Education (US ED) regarding the 1.0 percent participation cap put in place under the *Every Student Succeeds Act* (ESSA). With the implementation of ESSA, states are limited to a 1.0 percent cap on *participation* of students in alternate assessments based on alternate achievement standards. Such assessments are designed specifically for students with the most significant cognitive disabilities; in our state, this is the Georgia Alternate Assessment (GAA).

Under No Child Left Behind, states and districts did not have a *participation* cap; rather, the use of student scores at proficient or above in the accountability system was capped at 1.0 percent. ESSA stipulates that states may not exceed 1.0 percent of students *participating* in the alternate assessment based on alternate achievement standards. Note that this requirement is at the state level.

Prior to submitting the waiver, the GaDOE is seeking comments from local education agencies (LEAs) and the public.

In submitting the waiver for the 1.0 percent participation cap, the GaDOE is requesting that US ED allow the State a year to develop and implement guidelines and guidance to support LEAs in ensuring the appropriate use and administration of the GAA. During the one-year waiver period, if granted, the GaDOE's offices of Special Education and Assessment and Accountability will work collaboratively, along with districts, teachers, and parents, to ensure LEAs are provided the necessary support and technical assistance to ensure appropriate assessment decisions.

Additional waiver details are available in the public notice of the intent to apply for a waiver (attached and posted at <http://www.gadoe.org/School-Improvement/Federal-Programs/title-i/Pages/Disadvantaged-Children.aspx>, under the heading 'Federal Programs' Links').

If you have any comments or questions pertaining to this waiver, please send them to me by September 20, 2017.

As always, thank you.

Melissa Fincher, Ph.D.
Deputy Superintendent for Assessment & Accountability
Georgia Department of Education
1554 Twin Towers East
205 Jesse Hill Jr. Drive SE
Atlanta, GA 30334
404-651-9405
mfincher@doe.k12.ga.us
<http://www.gadoe.org>

"Educating Georgia's Future"

C.7: Public Notice – State Advisory Panel

From: Zephine SmithDixon

Sent: Wednesday, August 23, 2017 1:12 PM

To: Alicia Gant <[REDACTED]@aliciagantlaw.com>; Amy Peterson <[REDACTED]@gmail.com>; Ann Ladd (aladd@doe.k12.ga.us) <aladd@doe.k12.ga.us>; Anne Ladd <aldadd@doe.k12.ga.us>; Beth Burns <[REDACTED]@bellsouth.net>; Carmen Callaway <Carmen.Callaway@dhs.ga.gov>; Christina Brown <christina.brown@djj.state.ga.us>; Deanna Cross <dcross@dcboe.com>; Ganesh Nayak <[REDACTED]@gmail.com>; Gloria Glass <[REDACTED]@hotmail.com>; Jacqueline Angel Little <[REDACTED]@aol.com>; Jevondolyn Redmond <[REDACTED]@yahoo.com>; Joya Carter-Hicks <jcarterh@kennesaw.edu>; Julia Rusert <[REDACTED]@gmail.com>; Juliet Hardeman <[REDACTED]@comcast.net>; Juree Hall (juree.hall@fultoncountyga.gov) <juree.hall@fultoncountyga.gov>; Kimberleigh Beard <[REDACTED]@gmail.com>; Kristi Cox <[REDACTED]@yahoo.com>; Lauri Smith <laurie@p2pga.org>; Lauri Tuten <lauri.tuten@gvs.ga.gov>; Leslie Lipson <llipson@thegao.org>; Melinda Dennis <Melinda.Dennis@gdc.ga.gov>; Michelle Olympiadis <[REDACTED]@gmail.com>; Mike Newton <mnewton@japser.k12.ga.us>; Morgan Felts <Morgan.felts@scsc.georgia.gov>; Pam Hunter Dempsey <[REDACTED]@hotmail.com>; Paul West <pawest@forsyth.k12.ga.us>; Sally Cannon <Sally.cannon@dph.ga.gov>; Stacey Benson <sbenson@pioneerresa.org>; Susan Moody <[REDACTED]@ymail.com>; Yaasmeen Nyjah <[REDACTED]@gmail.com>

Subject: Georgia ESSA Waiver Request for 1% Participation Cap for GAA

State Advisory Panel,

Please note the information below.

The Georgia Department of Education (GaDOE) will be seeking a waiver from the U.S. Department of Education (US ED) regarding the 1.0 percent participation cap put in place under the *Every Student Succeeds Act* (ESSA). With the implementation of ESSA, states are limited to a 1.0 percent cap on *participation* of students in alternate assessments based on alternate achievement standards. Such assessments are designed specifically for students with the most significant cognitive disabilities; in our state, this is the Georgia Alternate Assessment (GAA).

Under No Child Left Behind, states and districts did not have a *participation* cap; rather, the use of student scores at proficient or above in the accountability system was capped at 1.0 percent. ESSA stipulates that states may not exceed 1.0 percent of students *participating* in the alternate assessment based on alternate achievement standards. Note that this requirement is at the state level.

Prior to submitting the waiver, the GaDOE is seeking comments from local education agencies (LEAs) and the public.

In submitting the waiver for the 1.0 percent participation cap, the GaDOE is requesting that US ED allow the State a year to develop and implement guidelines and guidance to support LEAs in ensuring the appropriate use and administration of the GAA. During the one-year waiver period, if granted, the GaDOE's offices of Special Education and Assessment and

Accountability will work collaboratively, along with districts, teachers, and parents, to ensure LEAs are provided the necessary support and technical assistance to ensure appropriate assessment decisions.

Additional waiver details are available in the public notice of the intent to apply for a waiver (attached and posted at <http://www.gadoe.org/School-Improvement/Federal-Programs/title-i/Pages/Disadvantaged-Children.aspx>, under the heading 'Federal Programs' Links').

If you have any comments or questions pertaining to this waiver, please send them to me by September 20, 2017.

Accountability will work collaboratively, along with districts, teachers, and parents, to ensure LEAs are provided the necessary support and technical assistance to ensure appropriate assessment decisions.

Additional waiver details are available in the public notice of the intent to apply for a waiver (attached and posted at <http://www.gadoe.org/School-Improvement/Federal-Programs/title-i/Pages/Disadvantaged-Children.aspx>, under the heading 'Federal Programs' Links').

If you have any comments or questions pertaining to this waiver, please send them to me by September 20, 2017.

As always, thank you.

Melissa Fincher, Ph.D.
Deputy Superintendent for Assessment & Accountability
Georgia Department of Education
1554 Twin Towers East
205 Jesse Hill Jr. Drive SE
Atlanta, GA 30334
404-651-9405
mfincher@doe.k12.ga.us
<http://www.gadoe.org>

"Educating Georgia's Future"



State Advisory Panel For Special Education

Twin Towers East • Suite 1870 Atlanta, GA 30334

Kimberleigh Beard, Chair
[REDACTED]@gmail.com

Paul West
pawest@forsyth.k12.ga.us

State Advisory Panel Meeting Agenda August 24-25, 2017 Macon Marriott (Macon, Georgia)

Thursday, August 24, 2017

Time		Final Decision(s)
9:30 am – 10:00 am	Welcome/Opening Kimberleigh Beard, Chair Paul West, Vice Chair	
10:00 am – 11:30 am	Disproportionality Regulations (Carol Seay)	
11:30 am – 12:00 pm	Dispute Resolution Data	
12:00 pm – 1:00 pm	LUNCH (PROVIDED)	
1:00 pm – 2:30 pm	APR Data Indicators (4b, 9, 10, 11, 12, and 13) Significant Disproportionality (Identification, Placement, and Discipline)	
2:30 pm – 3:00 pm	SAP Priority Setting for FY18	
3:00 pm – 3:30 pm	BREAK/CHECK-IN	
3:30 pm – 5:00 pm	SAP Priority Setting for FY18 GaDOE Updates (Zelphine Smith-Dixon)	
5:00 pm – 6:00 pm	Public Comment(s)	
6:00 pm	DINNER (PROVIDED)	

Friday, August 25, 2017 – Macon Marriott

7:30 am – 8:30 am	BREAKFAST (PROVIDED)	
8:30 am – 10:30 am	Follow Up with the SAP By-Laws Next Steps	
10:30 am – 10:45 am	BREAK	
10:45 am– 12:00 pm	Wrap Up	Kimberleigh Beard, Chair Paul West, Co-Chair

Please note that the times listed above are approximate and may change except the public comment period. Every effort is made to begin the public comment at the appointed time. Pursuant to Panel Policies and Procedures, a full 30 minutes is always allowed even if the start has been delayed. Comment time is limited 5 minutes per speaker so that all have a chance to be heard. For individuals desiring to make comment via telephone conference call, comment time needs to be scheduled with the SAP Chair a minimum of 3 business days prior to the meeting.

Complete	To Do

Special Education State Advisory Panel

State Director's Updates

August 24-25, 2017

- FY18 Priorities: Based on data, the Division will prioritize the following areas for technical assistance and awareness:
 - Eligibility Determination Process (e.g., access to the general curriculum, child find, evaluation, eligibility)
 - Individualized Education Program (IEP) Development and Implementation
 - Parental Procedural Safeguards and Engagement
 - Georgia will continue to develop a continuum of supports for family engagement. The Facilitated IEP Project has increased to 20 districts.
 - Developed a Back to School Teacher Video to close the gap and improve awareness.
 - State Personnel Development Grant: Georgia receives a new State Personnel Development Grant (SPDG) funded at \$1,397,294.00 for the next five years. The primary focus of this grant will be the development of an infrastructure for Multi-tiered System of Support.
 - Georgia has been approved for a no cost extension for the SPDG that ended last school year. This opportunity will support the Student Success work, as well.
 - Positive Behavioral Interventions and Supports (PBIS): The State's implementation of the PBIS framework has moved to another level. Additional state funding has supported fulltime climate specialists in each RESA region and additional staff members at the state level. The Department has partnered with Department for Early Care and Learning to jointly fund a new preschool PBIS position.
 - Public Comment for the 1% Assessment Waiver: This week, Dr. Melissa Fincher notified stakeholders of the public comment period because the State plans to submit a waiver for the 1% assessment. Beginning FY18, Every Student Succeeds Act focuses on the percent of students who participate in the 1% assessment, which is different than the percent of students who count for proficiency.
 - Georgia Vocation Rehabilitation Act (GVRA): The Department continues its partnership with GVRA around implementation of WIOA.
 - GNETS: The Department is developing guidance for implementation of the new GNETS Rule and offering regional train-the-trainer sessions for functional behavioral assessments and behavior intervention plans.
 - Cross Functional Monitoring Process: The Division for Special Education has revised its monitoring procedures. Multiple federal programs monitor local districts-to include special education. This year, the process will address fiscal, compliance, and results.
 - ESSA Plan: The State has developed the ESSA Plan and will submit in September.
 - Disproportionality Regulations: The Office of Special Education Programs (OSEP) released new disproportionality regulations, and states must develop new procedures and practices, as needed, for the December 2018 notifications. SAP is a required stakeholder for feedback.
- What's next?***
- Zebra Cakes with Zell: Coming soon in a region near you! Let's engage with families, teachers, leaders, students, etc. and redefine "partnering for success"
 - FY17 State Data for Results Indicators at the next SAP Meeting (if available)

C.8: Public Notice – Family-School Partnership Program Facebook Notification



The image shows a Facebook post from the "Georgia Department of Education Family-School Partnership Program". The post includes a logo for the program, the text "Published by Buffer [?] · September 18 at 7:00pm · 🌐", and the main message: "By 9/20 (Thursday) Public Comment on Cap for Participation in GA's Alternate Assessments". Below the text is a link to "buff.ly" with "GADOE.ORG" underneath. The post shows "145 people reached" and a "Boost Post" button. At the bottom, there are icons for "Like", "Comment", and "Share", along with a small profile picture icon.

C.9: Public Notice – Family-School Partnership Program Twitter Notification



The image is a screenshot of a Twitter post. At the top left is the profile picture of GaDOE Partnerships, which features the Georgia Department of Education logo and the text "FAMILY-SCHOOL PARTNERSHIP". To the right of the profile picture is the name "GaDOE Partnerships" and the handle "@GaDOEPartners". A dropdown arrow is visible to the right of the handle. The main text of the tweet reads: "By 9/20 (Thursday) Public Comment on Cap for Participation in GA's Alternate Assessments" followed by a blue link "buff.ly/2jFwEdc". Below the text is the timestamp "7:00 PM - 18 Sep 2017". Underneath the timestamp, it says "2 Retweets" and shows two profile pictures of users who retweeted. At the bottom of the tweet are icons for replies, retweets (with a "2" next to it), likes, and a share icon. Below the tweet is a light blue reply box with the GaDOE logo on the left and the text "Tweet your reply" inside a rounded rectangle.

APPENDIX D: Public Comments and GaDOE Responses

LEAs and the public received reasonable opportunity to provide feedback prior to the submission of this waiver request. Public comment was open for 30 days, from August 23rd to September 20th, consistent with Georgia State Board of Education rules. Public notice of the intent to submit a waiver was posted to the GaDOE website (see C.2 in Appendix C). Emails were sent from the GaDOE's Deputy Superintendent of Assessment and Accountability to LEA superintendents (C.3), assessment directors (C.4), special education directors (C.5), and Title I directors (C.6). Additionally, notice was sent to members of the State Superintendent's Parent Advisory Council and parent groups (C.7).

The GaDOE received five responses during the public comment period. Two of the responses were in favor of the State submitting the waiver request. Three responses focused on the challenges facing LEAs and schools in meeting a 1.0 percent cap. Since the 1.0 percent cap applies to the State and not LEAs or schools, these concerns do not need to be addressed within the waiver.

From: Smith, William (District and School Improvement) <SmithWi2@BOE.Richmond.k12.ga.us>
Sent: Tuesday, September 05, 2017 3:41 PM
To: Melissa Fincher
Cc: Pringle, Angela; Alexander, Debbie; Stripling, Kim; Newsome, Talithia
Subject: Georgia ESSA Waiver Request for 1% Participation Cap for GAA/ Feedback
Attachments: 1.0 Percent Cap ESSA Waiver Feedback.pdf

Importance: High

Dr. Fincher,

Attached you will find feedback from the Richmond County School System pertinent to the ESSA Waiver Request for the 1.0 percent participation cap for the GAA. We appreciate this opportunity to provide feedback.

Please let us know if there is anything else you are in need of.

William P. Smith

William P. Smith
System and School Effectiveness
Federal and State Accountability
Federal Priority and Focus Schools (ESEA)
Richmond County School System

Phone: (706) 826-1000, Ext. 5707
Fax: (706) 826-4613

864 Broad Street
Augusta, GA 30901

Email: SmithWi2@BOE.Richmond.k12.ga.us

**Richmond County School System
ESSA Waiver Request for 1.0 Percent Participation Cap
Georgia Alternative Assessment**

**Department of Special Education
Department of Accountability**

Rationale: Response to Georgia ESSA Waiver Request for 1% Participation Cap for GAA

The Richmond County School System supports the Georgia Department of Education's ESSA waiver request from the 1.0 percent participation cap for the Georgia Alternative Assessment. These assessments are designed for students with the most significant cognitive disabilities including moderate, severe, and profound disabilities. Unlike No Child Left Behind, ESSA, at the state level, stipulates that states may not exceed the 1.0 percent participation on an alternative assessment. It is in the best interest that US ED allow the Georgia Department of Education a year to develop and implement guidelines and guidance to support all districts in insuring appropriate use and administration of the GAA.

Along with the 1.0 percent participation cap waiver request, the Richmond County School System would like to ask the Georgia Department of Education to research additional options to place in this waiver that could help meet the needs of a variety of students with disabilities. Currently, students who fall outside of the typical requirements to meet the Georgia Alternative Assessment are required to test on grade level Georgia Milestones. These students are required to take the Milestones even though they are multiple grade levels off due to their disability. Students who do not qualify for the Georgia Alternative Assessment could test under something similar to the Alternative Assessment that the state has used before. Special education students who do not qualify as having significant cognitive disabilities but yet are several grade levels behind due to their disabilities, would benefit from an alternative assessment like test to accurately measure their understanding of standards based concepts and give teachers and administrators a realistic look into the abilities of these students to build upon for future learning.

From: Brian Butera [mailto:butera.brian@mail.fcboe.org]
Sent: Monday, August 28, 2017 11:25 AM
To: Melissa Fincher <MFincher@doe.k12.ga.us>
Subject: Re: Georgia ESSA Waiver Request for 1% Participation Cap for GAA

Dr. Fincher,
I am in support of Georgia seeking the waiver to the 1% cap for those assessed under GAA.

BB

On Wed, Aug 23, 2017 at 12:50 PM, Melissa Fincher <MFincher@doe.k12.ga.us> wrote:

Assessment Directors,

The Georgia Department of Education (GaDOE) will be seeking a waiver from the U.S. Department of Education (US ED) regarding the 1.0 percent participation cap put in place under the *Every Student Succeeds Act* (ESSA). With the implementation of ESSA, states are limited to a 1.0 percent cap on *participation* of students in alternate assessments based on alternate achievement standards. Such assessments are designed specifically for students with the most significant cognitive disabilities; in our state, this is the Georgia Alternate Assessment (GAA).

Under No Child Left Behind, states and districts did not have a *participation* cap; rather, the use of student scores at proficient or above in the accountability system was capped at 1.0 percent. ESSA stipulates that states may not exceed 1.0 percent of students participating in the alternate assessment based on alternate achievement standards. Note that this requirement is at the state level.

Prior to submitting the waiver, the GaDOE is seeking comments from local education agencies (LEAs) and the public. In submitting the waiver for the 1.0 percent participation cap, the GaDOE is requesting that US ED allow the State a year to develop and implement guidelines and guidance to support LEAs in ensuring the appropriate use and administration of the GAA. During the one-year waiver period, if granted, the GaDOE's offices of Special Education and Assessment and Accountability will work collaboratively, along with districts, teachers, and parents, to ensure LEAs are provided the necessary support and technical assistance to ensure appropriate assessment decisions.

Additional waiver details are available in the public notice of the intent to apply for a waiver (attached and posted at <http://www.gadoe.org/School-Improvement/Federal-Programs/title-i/Pages/Disadvantaged-Children.aspx>, under the heading 'Federal Programs' Links').

If you have any comments or questions pertaining to this waiver, please send them to me by September 20, 2017.

As always, thank you.

Melissa Fincher, Ph.D.

Deputy Superintendent for Assessment & Accountability

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Brian K. Butera
Fayette County School System
Coordinator of Assessment and Accountability
770-460-3990, ext. 114



From: Kelly King <kking@madison.k12.ga.us>
Sent: Tuesday, August 29, 2017 9:29 AM
To: Melissa Fincher
Subject: Re: Georgia ESSA Waiver Request for 1% Participation Cap for GAA

Good morning,

While I don't think the ability to administer the GAA as an alternate assessment should be abused, setting a 1% cap unfairly limits the ability of IEP teams to determine what is reasonable and appropriate for each student. In addition, a 1% cap unfairly handicaps smaller districts who arbitrarily may have a larger proportion of students with severe cognitive deficits during a specific academic year or for a period of time. The ability to administer the GAA should be based on clear, specific guidelines regarding who does or does not qualify for the assessment rather than some arbitrary 1% cap.

Thank-you for listening to our views on the subject,

Dr. Kelly King

Dr. Kelly King
Madison County School System
Special Education Director
706-795-0120 Ext. 1467

From: Vickie Reed <VReed@brooks.k12.ga.us>
Sent: Tuesday, August 29, 2017 1:50 PM
To: Melissa Fincher
Subject: RE: Georgia ESSA Waiver Request for 1% Participation Cap for GAA

Melissa,

Since the elimination of the modified CRCT assessment, the gap between the Milestones and the GAA has become extreme. The 1% cap not only makes it extremely difficult for schools to conduct a valid assessment but also puts undue burden on schools as they try to provide reasonable accommodations to students taking Milestones that are not able to reasonably attempt or complete the assessment. Further, putting a 1% cap on the number of students taking the GAA is a barrier to providing an accurate assessment of the progress of the school system. IDEA is designed with the thought that each child should get the support and assessments that the individual child needs to make progress and measure accurately that progress. Few systems can meet that 1% cap. Even with the 1% cap waivers, often systems do not meet those requirements. With the rise in the Autistic population, it is harder than ever to meet the cap and provide appropriate measures of performance for our students.

The GAA itself is not the answer for the type of assessment our students need to measure progress. It is rated on teacher ability to follow directions as well as the student's achievement. It is too easily manipulated by teachers to show progress and although there is inter-rater reliability, it certainly does not have the protections at the teacher level to yield a result that truly shows student progress. The progress monitoring of the IEP goals as well as our formative assessments are certainly more of an indicator of academic achievement for our more disabled population. The GAA is also an exercise in teacher persistence and takes away from instructional time and IDEA budget. For teachers to have the time to assemble the assessment, participate in peer reviews as well as the checks at the school and central administrative level takes substitute money, time away from the classroom and administrative time.

Thank you for requesting feedback and allowing me to provide input on this assessment.

Vickie Reed, Ed.D
Superintendent
Brooks County School System
Ph: 229-263-7531

“Pledge 2 inspire and educate every student”

From: Yanzetich, Mindy <myanzetich@liberty.k12.ga.us>
Sent: Wednesday, September 20, 2017 4:13 PM
To: Melissa Fincher
Subject: Re: Georgia ESSA Waiver Request for 1% Participation Cap for GAA

Dr. Fincher,
Liberty County's practice has been to use the guidance given in the GAA manual to assist IEP teams on making this decision. Despite these efforts, we have always required a waiver for the state participation cap.

A specific reason for the overage is that Fort Stewart is located within the Liberty County area. Ft. Stewart is a primary Exceptional Family Members Program site. This means that we have a large population of significantly disabled students in our district.

The one year waiver will not assist with this in the long run but I wanted to get our comments to you. Thanks! Mindy Yanzetich

On Wed, Aug 23, 2017 at 12:52 PM, Melissa Fincher <MFincher@doe.k12.ga.us> wrote:

Special Education Directors,

The Georgia Department of Education (GaDOE) will be seeking a waiver from the U.S. Department of Education (US ED) regarding the 1.0 percent participation cap put in place under the *Every Student Succeeds Act* (ESSA). With the implementation of ESSA, states are limited to a 1.0 percent cap on *participation* of students in alternate assessments based on alternate achievement standards. Such assessments are designed specifically for students with the most significant cognitive disabilities; in our state, this is the Georgia Alternate Assessment (GAA).

Under No Child Left Behind, states and districts did not have a *participation* cap; rather, the use of student scores at proficient or above in the accountability system was capped at 1.0 percent. ESSA stipulates that states may not exceed 1.0 percent of students *participating* in the alternate assessment based on alternate achievement standards. Note that this requirement is at the state level.

Prior to submitting the waiver, the GaDOE is seeking comments from local education agencies (LEAs) and the public.

In submitting the waiver for the 1.0 percent participation cap, the GaDOE is requesting that US ED allow the State a year to develop and implement guidelines and guidance to support LEAs in ensuring the appropriate use and administration of the GAA. During the one-year waiver period, if granted, the GaDOE's offices of Special Education and Assessment and Accountability will work collaboratively, along with districts, teachers, and parents, to ensure LEAs are provided the necessary support and technical assistance to ensure appropriate assessment decisions.

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If you have any comments or questions pertaining to this waiver, please send them to me by September 20, 2017.

As always, thank you.

Melissa Fincher, Ph.D.

Deputy Superintendent for Assessment & Accountability

Georgia Department of Education

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Mindy Yanzetich

Executive Director-DEL

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ADDENDUM

A.2: Count and Percentage of Students Assessed via the Georgia Alternate Assessment (2017)

		ELA	Math	Science	Social Studies
All Students	Count	11,961	11,961	5,119	5,119
	Percent	1.3	1.3	1.4	1.3
American Indian / Alaskan Native	Count	19	19	11	11
	Percent	1.1	1.1	1.5	1.6
Asian / Pacific Islander	Count	338	338	127	127
	Percent	0.9	0.9	0.9	0.8
Black	Count	5,526	5,526	2,367	2,367
	Percent	1.6	1.6	1.7	1.7
Hispanic	Count	1,512	1,512	609	609
	Percent	1.1	1.1	1.1	1.1
Multi-racial	Count	353	353	143	143
	Percent	1.1	1.1	1.1	1.1
White	Count	4,213	4,213	1,862	1,862
	Percent	1.1	1.2	1.3	1.2
Economically Disadvantaged	Count	9,168	9,168	3,856	3,856
	Percent	1.5	1.5	1.6	1.6
English Learners	Count	701	701	226	226
	Percent	1.0	0.9	0.9	1.0

A.3: Count and Percentage of LEAs Exceeding 1.0 Percent Participation by Student Subgroups (2017)

		ELA	Math	Science	Social Studies
All Students	Count	149	149	145	147
	Percent	72.0	72.0	70.0	71.0
American Indian / Alaskan Native	Count	14	14	11	11
	Percent	6.8	6.8	5.3	5.3
Asian / Pacific Islander	Count	42	42	27	26
	Percent	20.3	20.3	13.0	14.4
Black	Count	154	154	144	140
	Percent	74.4	74.4	69.6	67.6
Hispanic	Count	92	87	68	68
	Percent	44.4	42.0	32.9	32.9
Multi-racial	Count	69	69	48	30
	Percent	33.3	33.3	23.2	14.5
White	Count	114	116	111	108
	Percent	55.1	56.0	53.6	52.2
Economically Disadvantaged	Count	161	162	154	150
	Percent	77.8	78.3	74.4	72.5
English Learners	Count	64	63	48	49
	Percent	30.9	30.4	23.2	23.7

B.1: Participation Rates for Elementary and Middle School GAA and Georgia Milestones (2017)

		Georgia Alternate Assessments and Georgia Milestones Assessments						
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Total
English Language Arts								
All	# Enrolled	137,560	137,263	134,647	131,042	130,713	129,423	800,648
	# Tested	137,075	136,763	134,223	130,553	130,163	128,936	797,713
	% Tested	99.6	99.6	99.7	99.6	99.6	99.6	99.6
SWD	# Enrolled	20,369	21,207	21,335	19,641	18,577	17,294	118,423
	# Tested	20,214	21,082	21,228	19,518	18,473	17,190	117,705
	% Tested	99.2	99.4	99.5	99.4	99.4	99.4	99.4
Mathematics								
All	# Enrolled	137,555	137,255	134,646	131,039	130,704	129,491	800,690
	# Tested	137,097	136,830	134,321	130,508	130,160	128,753	797,669
	% Tested	99.7	99.7	99.8	99.6	99.6	99.4	99.6
SWD	# Enrolled	20,370	21,207	21,334	19,640	18,574	17,295	118,420
	# Tested	20,200	21,067	21,223	19,495	18,434	17,161	117,580
	% Tested	99.2	99.3	99.5	99.3	99.2	99.2	99.3
Science								
All	# Enrolled	NA	NA	134,630	NA	NA	129,555	264,259
	# Tested	NA	NA	134,114	NA	NA	128,613	262,797
	% Tested	NA	NA	99.6	NA	NA	99.3	99.4
SWD	# Enrolled	NA	NA	21,330	NA	NA	17,294	38,624
	# Tested	NA	NA	21,176	NA	NA	17,081	38,257
	% Tested	NA	NA	99.3	NA	NA	98.8	99.0
Social Studies								
All	# Enrolled	NA	NA	134,619	NA	NA	129,391	264,010
	# Tested	NA	NA	133,803	NA	NA	128,306	262,109
	% Tested	NA	NA	99.4	NA	NA	99.2	99.3
SWD	# Enrolled	NA	NA	21,329	NA	NA	17,281	38,610
	# Tested	NA	NA	21,140	NA	NA	17,046	38,186
	% Tested	NA	NA	99.1	NA	NA	98.6	98.9

B.2: Participation Rates for High School GAA and Georgia Milestones (2017)

		Georgia Alternate Assessments and Georgia Milestones Assessments							
		9th Grade Literature	American Literature	Algebra I / Coordinate Algebra	Geometry / Analytic Geometry	Biology	Physical Science	U.S. History	Economics
All	# Enrolled	137,771	122,559	138,285	128,589	131,602	96,432	119,248	108,154
	# Tested	136,536	121,595	136,480	126,900	129,752	95,304	118,174	107,761
	% Tested	99.1	99.2	98.7	98.7	98.6	98.8	99.1	99.6
SWD	# Enrolled	17,746	11,341	17,599	11,279	16,013	10,777	12,622	9,518
	# Tested	17,435	11,127	17,143	10,939	15,599	10,515	12,365	9,407
	% Tested	98.2	98.1	97.4	96.9	97.4	97.6	98.0	98.8