

February 6, 2018

Mr. Jason Botel
Acting Assistant Secretary
Office of Elementary and Secondary Education
United States Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Acting Assistant Secretary Botel:

On behalf of the Missouri Department of Elementary and Secondary Education (DESE), I am writing in accordance with 34 CFR 200.6(c)(4) and section 8401 of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA) to request a waiver from the following:

- Section 1111(b)(2)(D)(i)(I), which requires that, for each subject, the total number of students assessed in the subject using the alternate assessments does not exceed one percent of the total number of all students in the State who are assessed in each subject.

After reviewing Missouri's trend data related to the administration of the Missouri Assessment Program (MAP)-Alternate (MAP-A), DESE anticipates we will exceed the one percent threshold of students assessed on the MAP-A during the 2017-18 assessment cycle. Table 1 below provides a detailed account of assessments taken during the 2016-17 assessment window.

Table 1: Participation in 2016-17 Alternate Assessment by Content Area

Content	Number Participating in MAP-A Assessment	Number Participating in Statewide Assessment	Percent Participating in MAP-A
English Language Arts (grades 3-8, English II and MAP-A)	6,113	478,343	1.278%
Mathematics (grades 3-8, Algebra I and MAP-A)	6,107	480,509	1.271%
Science	2,534	136,644	1.854%

Mr. Jason Botel
February 6, 2018
Page 2

Estimated data for 2017-18 indicates that for English Language Arts (ELA) and Mathematics combined, Missouri will exceed the cap by three one-hundredths of one percent.

DESE sought public comment on its request for a waiver on the percentage of students who are participating in the MAP-A. DESE posted a notice related to this waiver on December 1, 2017, and the same information was shared on the following listservs: Federal Programs, Special Education and Assessment Coordinators. This notice was posted until December 11, 2017. The Department received ten comments in support of the waiver request. The comments are included as Attachment A.

Participation on state assessments remains a primary component of DESE's accountability system. All local educational agencies (LEAs), schools and subgroups are required to assess at least 95 percent of their students on assessments required by the MAP. This includes students assessed on the MAP-A. Any school with less than a 95 percent participation rate in ELA or Mathematics will automatically fail to earn points for academic achievement in the state's system of federal and state accountability. For the 2016-17 school year, the participation rate for students with disabilities was 99.7 percent. The participation rate for all students is 99.5 percent.

Missouri administers statewide assessments in the following areas:

- English Language Arts (including End-of-Course for English II)
- Mathematics (including End-of-Course for Algebra I)
- Science (including End-of-Course for Biology)

In order to determine the need for a waiver of the 1 percent cap on participation in the MAP-A, DESE calculated an estimate of statewide MAP-A participation based on October student enrollment. This estimate did indicate a likelihood of exceeding the 1 percent cap. Further, DESE determined that 182 LEAs may exceed that cap during the 2017-18 test administration. DESE will contact, via letter, LEAs projected to exceed the cap by more than .5 percent. DESE plans to meet with LEAs projected to exceed the cap by more than ten students. DESE may visit other LEAs if the data indicates the need. DESE will require LEAs exceeding the cap to submit justification for the excess.

In addition, DESE conducted a webinar for assessment coordinators and special education administrators in March 2017. The webinar: [The MAP-A: Making Appropriate Eligibility Determinations](#) is designed to assist assessment coordinators and special education administrators in making appropriate determinations about who should be assessed using the alternate assessment. DESE has made the following resources available:

- [Alternate Assessment Flow Chart](#)
- [Alternate Assessment Checklist](#)
- [Alternate Assessment Decision-Making Guidance](#)

Compliance Consultants located in each of the Regional Professional Development Centers (RPDCs) will work with school districts and charter schools to assist in eligibility determinations. Improvement Consultants will concentrate their efforts on best practices for and general questions about the use of the Dynamic Learning MAP (DLM) system.

To determine if a disproportionality of students participating in Missouri's statewide assessment exists, DESE utilizes a risk ratio method to evaluate the participation of students taking the MAP-A for each of the following:

1. Racial/Ethnic Groups
 - a. American Indian or Alaska Native
 - b. Asian/Pacific Islander
 - c. Black (not Hispanic)
 - d. Hispanic
 - e. White (not Hispanic)
 - f. Multiracial
2. Gender
 - a. Male
 - b. Female
3. Socio-Economic Status (as determined by Free and Reduced-Price Lunch status)
4. English Learners

To determine a risk ratio for each subgroup indicated above, DESE has examined the data in comparison to students not in the subgroup. The analysis of this data will allow DESE to focus on reducing the percentage of students participating in the MAP-A for individual subgroups.

The risk ratio compares the risk of participating in the alternate assessment for each subgroup to the risk for students not in that subgroup. The risk analysis thereby identifies subgroups that are more likely than others not in the subgroup to participate in the alternate assessment. A risk ratio of 1.0 for a subgroup means there is no disproportionality and the rate of participation of the subgroup is equal to the rate of participation for students not in the subgroup. The higher the risk ratio, the greater the chance that students in the subgroup will participate in the alternate assessment as compared to students not in the subgroup.

The risk ratios are calculated as follows:

- The risk of participating in the alternate assessment by students in the subgroup:
The number of students in the subgroup who participated in the alternate assessment, divided by the number of students in the subgroup who participated in statewide assessments, multiplied by 100.
- The risk of participating in the alternate assessment by all other students (comparison group):
The number of students in the comparison group who participated in the alternate assessment, divided by the number of students in the comparison group who participated in statewide assessments, multiplied by 100.
- The risk ratio for the subgroup:
The risk ratio of subgroup (A), divided by the risk of the comparison group (B).

For the Special Education State Performance Plan Indicators 9 and 10, disproportionality in identification rates is considered to exist if the risk ratio for a racial/ethnic subgroup exceeds 2.5. As shown in the following table, the subgroup analysis of alternate assessment participation indicates the highest risk ratio at the state level was for male students at 1.84, followed by lower socio-economic status students at 1.64.

Mr. Jason Botel
February 6, 2018
Page 4

Since these risk ratios are substantially below the 2.5 threshold used for Indicators 9 and 10, there does not appear to be disproportionate identification for participation in the alternate assessment.

	Risk Ratio
Racial/Ethnic Groups	
American Indian or Alaska Native	1.51
Asian/Pacific Islander	1.03
Black (not Hispanic)	1.43
Hispanic	0.86
White (not Hispanic)	0.83
Multiracial	0.77
Gender	
Female	0.54
Male	1.84
Socio-Economic Status	
Free/Reduced-Price Lunch	1.64
Not Free/Reduced-Price Lunch	0.61
English Learners	
LEP Student	0.55
Not LEP Student	1.82

DESE believes that its plan will reduce the percentage of students participating in the alternate assessment to the one percent cap required through ESSA by:

- Increasing communication with school districts and charter schools about the eligibility of students taking the MAP-A;
- Identifying school districts and charter schools with more than one percent of their students taking the MAP-A; and
- Utilizing the Improvement Consultants and Compliance Consultants to ensure that school districts and charter schools understand the requirements for eligibility of students to take the MAP-A.

If you have any questions about this waiver, please contact Mary Corey, Coordinator of Data in our Office of Special Education, at mary.corey@dese.mo.gov or at (573) 751-8165.

Sincerely,



Roger Dorson
Interim Commissioner of Education

Attachment

Attachment

A

Rush, Brenda

From: Pete Nasir <nasir@wmr1.k12.mo.us>
Sent: Friday, December 01, 2017 2:43 PM
To: DESE.ESSA
Subject: Waiver from 1% Participation Rate for Students Taking the MAP-A Assessment

The 1% rate is an unrealistic limit that hinders schools from being able to adequately serve many of our most needy students. This limit should not only be waived but done away with completely. With this in mind we enthusiastically support the waiver request and will be very grateful if it is granted.

thank you,

Pete Nasir

Superintendent
Wellsville-Middletown R-1
573-684-2428 (office)
573-684-2018 (Fax)
nasir@wmr1.k12.mo.us

Rush, Brenda

From: Cynthia Sypkens <sypkens@hamilton.k12.mo.us>
Sent: Sunday, December 03, 2017 2:40 PM
To: DESE.ESSA
Subject: Map-A

To Whom it may concern,

My name is Cynthia Sypkens and I am a special education teacher in the Hamilton R-II school district. I am responding to the 1% limit on students with cognitive disabilities being given the MAP-A assessment.

I currently have 2 students taking the MAP-A within the 1% window but we/I have 4 more students in the program (grades 3-5) who are not able to work at a level that would allow them to demonstrate knowledge of grade level concepts. They are in small group instruction at a skill level significantly below their grade level peers, The standard MAP will be useless as an assessment tool to show their learning. These students have potential but learn at a different rate and in need to demonstrate their knowledge in a different way than the standard group pencil and paper form of assessment (computerized but in a group setting) These students would be better able to show their abilities on the MAP-A because of the lower linkage levels designed for their specific learning needs. Please consider the future of these students and not only their potential but also their confidence and self-esteem.

Thank you for your time and consideration on this matter I am looking forward to your response.

If you need further information please feel free to contact me.

Sincerely,

Cynthia Sypkens
Special Education Teacher
Hamilton R-II School District
sypkens@hamilton.k12.mo.us

Rush, Brenda

From: Tanya Tupper <tanyatupper@joplinschools.org>
Sent: Monday, December 04, 2017 11:44 AM
To: DESE.ESSA

Dynamic Learning Maps is a great test. I love that I can print information regarding a students progress for myself and parents. I can show them what level the student is on and what skills they need to gain to be at the appropriate level. The problem with Map-A is how we make students eligible. In my opinion the test is great for those students that fall between the IQ of 50 and 70. Most of my students are between the IQ level of 54 and 71, being tested on a non-verbal IQ test. I have had to move those students to the regular Map test, which in my opinion is unfair. I am in a self-contained classroom working on life skills, number sense (understanding place values, adding, subtracting), working on comprehension questions from stories we have read and copying sentences correctly. I think the guidelines need to be looked at.

Rush, Brenda

From: tdorton@couch.k12.mo.us
Sent: Monday, December 04, 2017 2:01 PM
To: DESE.ESSA
Subject: 1% Waiver request

To Whom It May Concern:

Please grant the 1% waiver request for MAP-A students in the State of Missouri. The Couch R-I School District testing population is 93.

One-percent does not allow this district to have one MAP-A student.

If you have any questions, please feel free to contact me.

Tammy Dorton

Special Education Director/Teacher

Couch R-I

Myrtle, Missouri

417-938-4212

Rush, Brenda

From: Rinear, Christy <rinear@stoutlandschools.com>
Sent: Monday, December 04, 2017 2:02 PM
To: DESE.ESSA
Subject: MAP-A waiver of 1%

Good afternoon,

I believe the 1% is too low. Yes, there may be schools out here trying to boost scores by the MAP-A, but you can't set a specific number to who will qualify. A school district does not determine who qualifies with a cognitive impairment. If the student qualifies with an impairment then it is the team deciding if the answer is yes to the predetermination checklist. The determination is not made by just 1 person. So, there should be another way to keep schools honest than using the 1% rate.

--

Christy Rinear
Stoutland Schools Special Education Coordinator
Stoutland Schools Financial Programs Coordinator
417-286-3711
Fax: 417-286-3981
rinear@stoutlandschools.com

Rush, Brenda

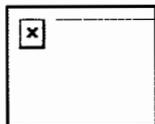
From: Short, Kim <kshort@kennett.k12.mo.us>
Sent: Monday, December 04, 2017 2:16 PM
To: DESE.ESSA
Subject: Waiver

I am in favor of the waiver from 1% participation rate for MAP-A students. Our district generally exceeds the 1% participation rate even though we follow the MAP-A eligibility criteria guidelines. We strive to do what is best for our students and when they meet the guidelines it is frustrating when we exceed the participating rate.

Thank you in advance for your understanding of this situation.

Kim Short
Kimberly J. Short, Ed.S.
Director of Special Services
Director of Preschool & P.A.T.

205 Wiggs
Kennett, MO 63857
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Rush, Brenda

From: Charla Hayes <chayes@shs.k12.mo.us>
Sent: Monday, December 04, 2017 2:18 PM
To: DESE.ESSA
Subject: Waiver MAP-A Assessment

I agree with the need for the state waiver. Participation in MAP-A assessment is an IEP team decision based on individual student needs. Participation rates should not be mandated across the local or state special education population without consideration of each student's individual needs.

Charla Hayes
Senath-Hornersville School
Sent from my iPhone

Rush, Brenda

From: Tamara Bretz <bretz.tamara@gapps.kingston.k12.mo.us>
Sent: Monday, December 04, 2017 4:32 PM
To: DESE.ESSA
Subject: MAP A Waiver

If this means that all students that meet eligibility be allowed to take the MAP-A assessment then I am on board. Our district and more importantly our students, would benefit from the waiver if this is the case. We have a number of students that would be allowed to participate in the MAP-A assessment, and would appreciate that our district would not be penalized for allowing them to. It is unfair to the students of Missouri that truly qualify for the MAP-A assessment to be penalized or forced to take the MAP because we would exceed the 1% allowed. These students deserve better.

Respectfully,
Tamara Bretz

From: Tonya Woods
To: [DESE.ESSA](#)
Subject: 1% Participation Waiver
Date: Wednesday, December 06, 2017 8:53:55 AM

The 1% participation rule for accountability purposes is unrealistic for rural schools such as ours with fewer than 100 students receiving special services, which would allow for only 1 MAP-A student if any at all were to be included in the testing population. Some of our students have disabilities that are severe enough to nearly qualify them for admission to the Missouri State School for the Severely Handicapped. In addition, there are agencies within our small community, contracted through the Missouri Department of Mental Health, which provide assisted living support to student-aged clients with developmental, mental, and intellectual disabilities, which has both increased our special education population and, in some cases, the number of students who qualify for the MAP-A assessment. Our small special needs testing population includes severely low functioning students with disabilities whose primary educational goals are centered around functional living and academic skills which will allow them to function on a basic level within a supported living system or within the family home once they graduate high school. Our assessment options are either; not test this population and take a level not determined, administer the grade level and EOC assessments that do not reflect their functional level of success, or administer the MAP-A assessment that best represents their functional level of success.

Thank you,

--

Tonya Woods
Superintendent
Thayer R-II School District
401 East Walnut Street
Thayer, MO 65791

Phone: (417) 264-4600
Fax: (417) 264-4608

*TOGETHER WE PROVIDE THE FOUNDATION FOR LIFELONG
LEARNING*

Rush, Brenda

From: Michael Reynolds <mreynold@kcpublicschools.org>
Sent: Friday, December 08, 2017 1:29 PM
To: DESE.ESSA
Subject: MAP A waiver

Ms. Strand,

KCPS supports the implementation of the waiver applied to the 1% MAP A threshold.

Michael Reynolds / Director of Research and Assessment
Main (816) 418-7000 / mreynold@kcpublicschools.org

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