

Request for Exception (RFE) to the Cap on Alternate Assessments for 2013-2014

This form contains five sections, three of which require completion.

Part 1. Instructions and information to understand the form

Part 2. Need for exception, cap calculation, number of students per grade, and SSIDs

Part 3. Reason for high incidence of students with disabilities

Part 4. Signatures and contact information

Part 5. Attachments 1 and 2

Part 1. Instructions and information necessary to understand the form.

Since 2007, the Ohio Department of Education communicated with superintendents that The U.S. Department of Education (USDOE) would be limiting the count of proficient or higher scores on the alternate assessment to one percent of Ohio's statewide tested population. This means that for the 2013-2014 school year, most Local Education Agencies (LEA) will not need to complete this form, as they will be restricted to this cap of one percent. As in the past, this does NOT limit the number of students who should or may be alternately assessed; assessment type is a decision of the IEP team. Assessment type should continue to be based on the needs of the child.

Except for "special LEAs" (i.e., community schools) with charters to serve high percentages of students with cognitive disabilities, the Office of Accountability no longer will require the submission of Requests for Exception to the Cap on Alternate Assessments. Instead, all LEAs that serve greater than 1,000 tested students will be restricted to the cap of 1% of their total tested population. LEAs that serve 1,000 or fewer tested students will be restricted to a cap not exceeding 10 students.

Only Special LEAs that have a charter primarily to serve high percentages of students with significant cognitive disabilities (e.g. an "autism" community school) **are required to complete and submit** this form. (This form will not be accepted from other LEAs.) These special LEAs also will be required to submit a copy of their charter identifying their special mission to serve students with significant cognitive disabilities (Part 3). Additionally, these schools should provide the SSIDs of the students whose IEPs indicate that they should be assessed through an alternate assessment (only those students who meet the Full Academic Year criterion and count towards accountability calculations for the LEA should be reported), and the number of students per grade (Part 2).

Note: Please remember that submission of this application does not guarantee the full amount requested will be granted.

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Part 1. Continued

Application Review Process

A detailed description of the application review process, including a description of the high incidence disability categories, is provided in **Attachment 1**.

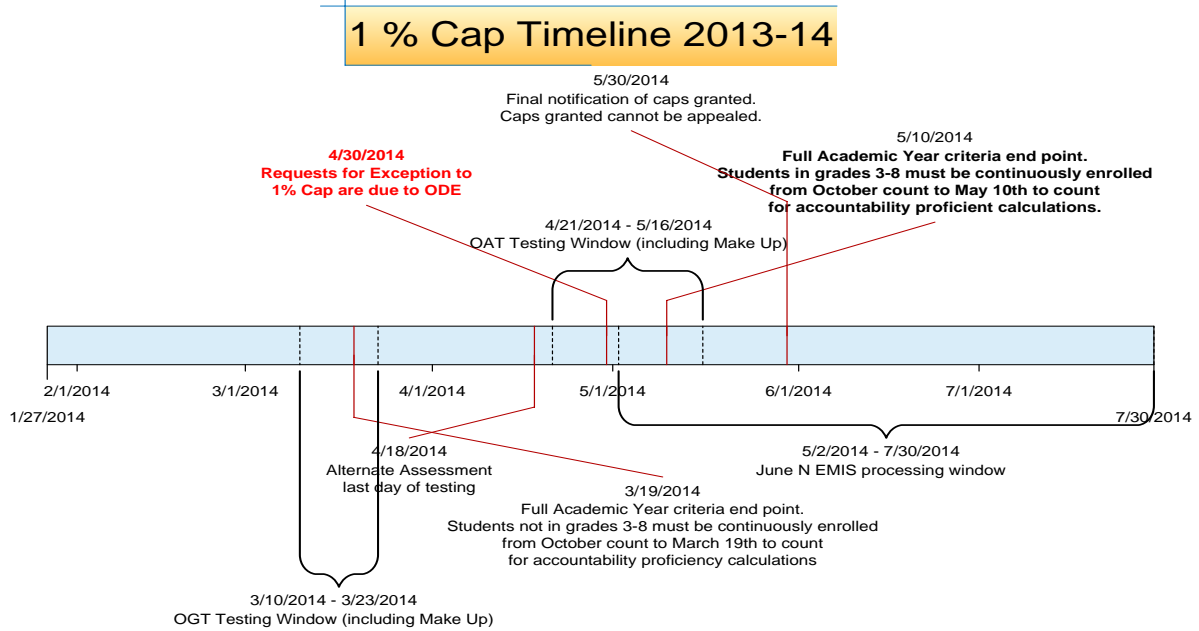
Things to know before you apply for an RFE

1. Except for “special LEAs” (i.e., community schools) with charters to serve high percentages of students with cognitive disabilities, the Office of Accountability no longer will require the submission of Requests for Exception to the Cap on Alternate Assessments.
2. Request for Exception forms received by ODE will be reviewed by ODE’s Alternate Assessment Team, which is composed of staff from the Center for Accountability & Continuous Improvement, State System of Support, and Exceptional Children at the minimum.
3. Submission of this document represents a request. The Department will not guarantee the full request will be approved.
4. Following this review, approval or disapproval of the request for an exception will be made and the LEA will be notified of the outcome by **May 30, 2014**. **Final notification will be sent to the LEA superintendent only**. The Director of Special Education or the designated contact person should contact the superintendent for questions. *Note: It is important to contact the Center for Accountability & Continuous Improvement at **877-644-6338** if you have submitted an RFE and if you did not receive a determination letter by the end of May.*
5. The final decision cannot be appealed. The final decision will be based on ensuring that Ohio adheres to the percentage approved by the U.S. Department of Education.
6. The AYP Appeals Team will not consider appeals to the requests for exceptions to the 1 percent cap. The AYP Appeals Team also will not consider changing AYP or School/District Improvement status based on the number of students approved based on the 1% cap process.
7. The cap on alternate assessments is applied separately to each subject/test: AYP tests: AYP reading, AYP math; and to the state indicators in reading, writing, math, science and social studies.
8. To ensure data quality, any disability category data submitted for this application will be checked against data submitted for EMIS reporting. Other data to be considered by the Alternate Assessment Team could include least restrictive environment (LRE) placements, results of any previous tests administered, and LEA expenditure data from the **FY2013** Special Education Fiscal Accountability Report.
9. Only students with a current IEP that specifies that he/she should be assessed through an alternate assessment may be included in this request. Such students should not participate also in a standard assessment.
10. Students may be assessed through either an alternate assessment or a standard assessment, but not both.

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Part 1. Continued

Application Timeline



Submission/Questions

“Special” LEAs with charters to serve high percentages of students with cognitive disabilities should contact Jackie Seward by e-mail or phone to discuss the information that will need to be submitted to the Center for Accountability & Continuous Improvement. Mrs. Seward may be contacted at: Jackie.Seward@education.ohio.gov or (614) 387-7570 or 877-644-6338.

Please submit the completed form by **April 30, 2014**, either via e-mail using a **password-protected, encrypted file** (i.e., using Win-Zip or J-Zip), or via certified mail (see information below). **ELECTRONIC SUBMISSION OF THE FORM VIA E-MAIL IS PREFERRED.** Forms that are not received by the above date will not be considered.

Forms that are not received by this date will not be considered. **SSIDs provided by e-mail must be submitted using a password-protected, encrypted file and should not be sent as a standard attachment to the email. Please note that faxed forms will not be processed.**

For those sending the password-protected file by e-mail, please call the Alternate Assessment Team at the above telephone number and provide the password to access the file. For those submitting the form by mail, please send it to:

Ohio Department of Education
Alternate Assessment Cap Team
Mail Stop 402
25 S. Front St.
Columbus, OH 43215

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Part 2. Need for exception, cap calculation, number of students per grade, and SSIDs.

PLEASE READ: Special LEAs will be approved for a capped number of students' scores that will be counted as proficient or above. This number will be based on the data you provide. Basing approval on a number rather than a percentage decreases the sensitivity of the calculation to changes in the overall student population.

Example: A community school applies for a cap exception for their 25 alternately assessed students, who constitute 1.2% of the population at the time the application is submitted. The district is approved for 1.2% which represents 25 students. Due to movement out of the district, these 25 students represent 1.5% of the tested students by May. However, the district still is approved for a cap exception of 25 students.

To complete **Table 1** you will need the following data:

Number of students in each of grades 3 through 8 and 10 who meet the Full Academic Year rule [NOTE: Only students who meet the Full Academic Year criterion and count towards accountability calculations for the LEA or community school should be reported.]

Total number of students whose IEP specifies that they should be assessed through a standards-based alternate assessment in each of grades 3 through 8 and 10 who meet the Full Academic Year criterion [NOTE: Only students who meet the Full Academic Year criterion and count towards accountability calculations for the LEA or community school should be reported.]

[PLEASE NOTE: In order to simplify data collection, information on 11th grade students will not be collected this year. However, the approved cap percentage still will be applied to grades 3-8, 10, and 11.]

*The following calculations will be performed for you if this form is completed in Microsoft Word.

Table 1. Determination of Cap Percentage Needed									
Participation in Statewide Assessment		Tested Grade Level							Total
		3	4	5	6	7	8	10	
Numerator	Total number of resident students with significant cognitive disabilities participating in standards-based alternate assessments that meet the full academic year criteria	0	0	0	0	0	0	0	0
Denominator	Total Number of resident students participating in statewide assessment (based on 2011 test administration) that meet the full academic year criteria	0	0	0	0	0	0	0	0
Percentage for Grades 3-8, and 10									0.0%

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Part 2. Continued

Still not sure if you need an exception? Answer these questions:

1. Is the calculated percentage over 1.0%?
 Yes. Your special LEA should apply for an exception to the 1% cap.
 No.

2. Do all or most of the tested grades in your special LEA have fewer than 100 students meeting the Full Academic Year criterion?
 Yes. Since your special LEA has a percentage close to 1% and your LEA is generally small, your LEA should apply for an exception to the 1% cap.
 No.

Part 3. Reason for high incidence of students with disabilities.

The Special LEA must explain why the incidence of students with the most significant cognitive disabilities exceeds one percent of all tested students in the combined grades assessed. Please submit a copy of your charter identifying the LEA's special mission to serve students with significant cognitive disabilities.

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Part 4. Signatures and contact information.

- LEA name, IRN and address
- Percentage requested
- Superintendent's name, telephone number, and e-mail address
- Superintendent's signature
- Contact person's name, telephone number and e-mail address
- Contact person's signature

By submitting this form, the district superintendent assures that the data and information listed are complete and accurate.

LEA Name:

LEA IRN:

LEA Address:

Percent requested:

Number of students meeting the Full Academic Year criterion whose IEP specified that they should be alternately assessed (whose SSIDs are listed in Table 2):

Name of Superintendent:

Superintendent's Phone Number:

Superintendent's E-mail Address:

Superintendent's Signature:

Name of Contact for this request (Person to whom questions from the Alternate Assessment Team will be directed):

Contact's Phone Number:

Contact's E-mail Address:

Contact Person's Signature:

Request for Exception (RFE) to the Cap on Alternate Assessments for 2013-2014

Attachment 1

The Alternate Assessment Team's application review process will involve:

- Examination of individual students' data, to ensure that each student has a current IEP and to examine previous testing history. (These data will be extracted using the SSIDs provided. Students lacking current IEPs will not be considered.)
- Examination of districts' incidence data, particularly in the area of Multiple Disabilities (MD), the category most likely to include children with significant cognitive disabilities. Other disability categories will also be reviewed:
 - Autism (AU),
 - Cognitive Disability (CD)
 - Traumatic Brain Injury (TBI)
 - Deaf-Blind (DB)

These categories will be reviewed with the understanding that "high functioning" students for whom a regular assessment with accommodations is appropriate could also have the label of MD, AU, CD, TBI, or DB. In reviewing a district's child count, for example, in the area of CD, the Alternate Assessment Team would take into account that nationally, about 1.13 percent of all students are identified as having developmental disabilities. Of those children, only about one-third are estimated to have significant (i.e., severe/profound) developmental disabilities and are likely to need to participate in an alternate assessment. In reviewing a district's child count, the Alternative Assessment Team will use the December Child counts for students with valid IEP dates provided in EMIS.

- Districts identifying large numbers of students with high-incidence disabilities (such as speech) as needing alternate assessments, even though the high-incidence disabilities are unlikely to affect students' ability to complete standard assessment forms, should provide a detailed explanation of the circumstances that warrant the use of alternate assessments.

Request for Exception (RFE) to the Cap on Alternate Assessments for 2013-2014

Attachment 2

Calculation to determine which scores will be reassigned if the cap is exceeded

1. If the cap is exceeded, determining which scores will be reassigned (i.e., changed from proficient, accelerated or advanced to not proficient) is done by sorting all scores based on the proficient or above results and reassigning the proficient scores first. This allows the maximum number of accelerated and advanced scores to count in the Performance Index.
2. A random process selects the proficient scores that will count as not proficient after all scores have been sorted.
3. Scores that are have been reassigned from proficient to basic at the district level are identified by the SSID so that they are also reassigned at the school level.

Example: An LEA is granted a cap of 22 students, but assessed a total of 30 students using the alternate assessment. Because the district exceeded the cap, a total of 8 scores must be reassigned.

Step 1. Sort the 30 scores by performance level

- Of the 30 students who scored proficient or higher on the alternate assessment:

18	students scored at the proficient level
2	students scored at the accelerated level
10	students scored at the advanced level

- Since only 22 of the proficient or above scores can be included, 8 of the scores at the proficient level will be reassigned to the basic level (with a weight of 0.6 rather than 1.0) for the purposes of accountability calculations.

Step 2. A random process identifies the scores to be reassigned (i.e. changed from proficient, accelerated or advanced to not proficient)

- The 8 proficient scores to be reassigned are chosen from the district's pool of 18 proficient scores on the alternate assessment

Step 3. The reassignments from the district's pool of proficient scores yields the following results for the district's six schools:

School A	2 proficient scores from this school are reassigned
School B	1 proficient score from this school is reassigned
School C	0 proficient scores from this school are reassigned
School D	2 proficient scores from this school are reassigned
School E	1 proficient score from this school is reassigned
School F	2 proficient scores from this school are reassigned

Authorization to Grant Exceptions

Effective Jan. 8, 2004, 34 CFR Part 200 of Title I – Improving the Academic Achievement of the Disadvantaged; Final Rule, Section 200.13 requires state education agencies to use the scores of all students with disabilities, including those with the most significant cognitive disabilities, in calculating Adequate Yearly Progress (AYP) for schools, local education agencies (LEAs), and the state. States may include the proficient and advanced scores of students with the most significant cognitive disabilities based on alternate academic achievement standards in section 200.1(d), provided that the number of students who score at the proficient and advanced levels on the alternate achievement standards at the LEA level and at the state level does not exceed 1 percent of all students in the grades assessed in reading/language arts and in mathematics. The state may grant an exception to an LEA, permitting it to exceed the 1 percent cap, only if the state evaluates the LEA's request using the conditions outlined in paragraph (c)(2) of Section 200.13.