

Massachusetts “One Percent” ESSA Waiver Extension Request for School Year 2024-2025

1. Notice of intent to apply for a waiver and opportunity for public comment

On November 13, 2024, the Massachusetts Department of Elementary and Secondary Education posted a *Notice of Intent to Apply and Opportunity for Comment Regarding a Waiver Extension of the Federal Requirement Related to the Percentage of Students Who Participate in Statewide Alternate Assessments* to solicit public comment by December 13, 2024.

- Notice of Intent (11/13/24)
- MCAS Headlines (11/13/24)
- MCAS-Alt Headlines (11/12/24)
- Student Assessment Services Update (11/14/24)
- Commissioner’s Weekly Update (11/18/24)
- MCAS-Alt Update (November 2024)

The postings of the Notice of Intent are documented at the end of this waiver request. Any comments and responses to those comments will be forwarded to the US Department of Education – Office of Elementary and Secondary Education following the closing of the public comment period.

2. Waiver request submitted at least 90 days before start of testing window [§200.6(c)(4)(i)]

The MCAS-Alt assessment window begins on the first day of the school year, although educators may begin the alternate assessment process at different points throughout the school year. The testing window will end with submission of these alternate assessments on Friday, March 28, 2025. We are unable to submit our extension waiver request earlier (in June 2024) because the annual assessment timeline results in participation reports and stakeholder feedback being available in fall 2024. We found it necessary to review last year’s assessment participation reports and stakeholder feedback prior to determining if an extension of the 2023–2024 waiver would again be warranted. Our review of participation data provides evidence that the alternate assessment participation numbers continue to decrease in most subjects. Our continued goal is to reach the 1.0 percent cap. Since last year was our first year implementing the substantially new definition of students with the most significant cognitive disabilities, revised eligibility guidance, and a corresponding statement of assurance, we anticipated that LEAs would require a transition period to fully implement the new guidance. **In the coming year, DESE plans to evolve its monitoring practices and technical assistance supports to ensure LEAs are correctly and fully applying the updated eligibility criteria when determining eligibility for an AA-AAAS.** We are submitting this waiver extension request in response to the USED

memo to states dated September 20, 2024, that provided “Requirements to Request a Waiver/Waiver Extension for the 2024-25 School Year from the 1.0 Percent Cap on the Percentage of Students with the Most Significant Cognitive Disabilities Who May Be Assessed with an Alternate Assessment Aligned with Alternate Academic Achievement Standards (AA-AAAS)” outlining the terms and criteria for submitting waiver and waiver extension requests.

3. Assessment participation by number and percentage of all students and students in each subgroup [§200.6(c)(4)(ii)]

Table 1: Overall Rates of Assessment Participation for SY 2023–24

	ELA Grades 3–8 and HS		Math Grades 3–8 and HS		Science and Technology/Engineering Grades 5, 8, and HS	
	All students	Students with disabilities	All students	Students with disabilities	All students	Students with disabilities
Students Assessed	474,792	101,734	474,900	101,829	207,907	42,836
Students Enrolled	480,706	104,474	480,583	104,437	209,861	43,771
Assessment Participation Rate	99%	97%	99%	98%	99%	98%

Table 2: AA-AAAS Participation Rates by Subgroup for SY 2023–24 - ELA

ELA	Total Number in Grades 3-8 & HS	Number Taking AA-AAAS in Grades 3-8 & HS	Percent Taking AA-AAAS in Grades 3-8 & HS
All Students	474,792	5,725	1.21%
Hispanic	118,727	1,703	1.43%
American Indian/Alaskan Native	1,059	19	1.79%
Asian	35,741	427	1.19%
Black or African-American	46,006	924	2.01%
Hawaiian/Pacific Islander	418	4	0.96%
White	251,428	2,390	0.95%
Two or More Races	21,243	257	1.21%
Male	243,396	3,944	1.62%
Female	230,653	1,781	0.77%
English Learner	60,909	1,003	1.65%
Limited Income	214,947	3,868	1.80%

Table 3: AA-AAAS Participation Rates by Subgroup for SY 2023–24 - Math

Mathematics	Total Number in Grades 3-8 & HS	Number Taking AA-AAAS in Grades 3-8 & HS	Percent Taking AA-AAAS in Grades 3-8 & HS
All Students	474,900	5,839	1.23%
Hispanic	118,886	1,772	1.49%
American Indian/Alaskan Native	1,066	20	1.88%
Asian	35,833	435	1.21%
Black or African-American	46,097	938	2.03%
Hawaiian/Pacific Islander	421	5	1.19%
White	251,195	2,403	0.96%
Two or More Races	21,186	265	1.25%
Male	243,609	4,015	1.65%
Female	230,558	1,824	0.79%
English Learner	61,493	1,116	1.81%
Limited Income	215,002	3,977	1.85%

Table 4: AA-AAAS Participation Rates by Subgroup for SY 2023–24 – Science

Science and Technology/Engineering	Total Number in Grades 3–8 & HS	Number Taking AA-AAAS in Grades 3-8 & HS	Percent Taking AA-AAAS in Grades 3-8 & HS
All Students	207,907	2,511	1.21%
Hispanic	52,508	769	1.46%
American Indian/Alaskan Native	478	6	1.26%
Asian	15,712	188	1.20%
Black or African-American	21,210	375	1.77%
Hawaiian/Pacific Islander	178	2	1.12%
White	108,845	1,060	0.97%
Two or More Races	8,905	110	1.24%
Male	106,858	1,720	1.61%
Female	100,585	791	0.79%
English Learner	25,725	468	1.82%
Limited Income	94,564	1,694	1.79%

Table 5: AA-AAAS Rates by Subject, by year

School Year	ELA	Mathematics	Science
2017–2018	1.6%	1.6%	-
2018–2019	1.5%	1.5%	-
2019–2020	-	-	-
2020–2021	1.3%	1.3%	1.0%
2021–2022	1.2%	1.2%	1.2%
2022–2023	1.2%	1.2%	1.1%
2023–2024	1.2%	1.2%	1.2%
*2024–2025 (estimate)	1.1%	1.1%	1.1%

Table 6: 2024 MCAS and MCAS-Alt Participation by Nature of Primary Disability

NOTE: Percentage may not total 100% due to rounding.

Primary Disability ^b	A:	B:	C:	D:
	Number of All Assessed Participants in Disability Category ^a	Number of MCAS-Alt Participants in Disability Category	Percentage of All Assessed Students in Disability Category Who Took MCAS-Alt (B/A)	Percentage of MCAS-Alt Participants in Disability Category (B/6,109)
Autism	15,270	3,247	21.3%	53.2%
Communication	11,835	134	1.1%	2.2%
Developmental Delay	1,939	91	4.7%	1.5%
Emotional	11,251	28	0.2%	0.5%
Health	22,009	122	0.6%	2.0%
Intellectual	3,990	1,433	35.9%	23.5%
Multiple Disabilities	758	362	47.8%	5.9%
Neurological	6,907	515	7.5%	8.4%
Physical	352	12	3.4%	0.2%
Sensory/Deaf and Blind	86	18	20.9%	0.3%
Sensory/Hard of Hearing or Deaf	615	43	7.0%	0.7%
Sensory/Vision Impairment or Blind	338	31	9.2%	0.5%
Specific Learning Disabilities	37,198	42	0.1%	0.7%
Unidentified Disability	174	31	17.8%	0.5%
Total	112,722	6,109	5.4%	100.0

^a The number of students with disabilities participating in standard MCAS and MCAS-Alt for accountability purposes in at least one subject.

^b Primary disability data were reported by districts to the Department's Student Information Management System (SIMS) in March and June 2024.

4. 34 CFR § 200.6(c)(4)(iii) requires assurances from the SEA that it verified that each district with more than 1.0 percent participation in the alternate assessment has: (A) Followed participation guidelines; and (B) Will address any disproportionality in participation in the alternate assessment.

- A) The state has reviewed the 2023–2024 MCAS-Alt statement of assurances for each LEA. **We received the *Statement of Assurance* from all 112 LEAs who were required to respond.** Through reviewing each statement of assurance, DESE determined that although many LEAs completed each requirement, some LEAs are still in the process of adopting the revised alternate assessment eligibility criteria (i.e., definition of *students with the most significant cognitive disabilities*) and working towards educating IEP Teams on the revised eligibility determination. In addition, beginning last school year, each LEA was required to complete the new [***Companion Document: Alternate Assessment Participation Tool for each student that participates in the MCAS-Alt.***](#) We began outreach and training efforts last year to understand the types of assistance needed for ongoing training resources and support. An updated tiered monitoring plan has also been implemented. The updated participation guidelines described in the state’s MCAS-Alt resources and training materials can be found at:
<https://www.doe.mass.edu/mcas/alt/default.html>
<https://www.doe.mass.edu/mcas/participation.html>
<https://www.doe.mass.edu/mcas/accessibility/default.html>
- B) An evolved and updated statement of assurances requires districts not only to be aware of any disproportionate designation, but also to **explain their method to determine if disproportionality is present. As a new procedure for the 2024–2025 school year, DESE has provided a risk ratio tool kit (see exhibits), plus additional resources** and training to support LEAs in how to determine, and if necessary, how to address the disproportionate representation of students from subgroups:
- English learners, who are 1.5 times more likely statewide to take the MCAS-Alt than non-ELs
 - Black or African-American students, who are 1.7 times more likely to take the MCAS-Alt than non-Black or African-American students
 - Hispanic/Latino students, who are 1.20 times as likely to take the MCAS-Alt than non-Hispanic/Latino students
 - male students, who are about twice as likely to take the MCAS-Alt than female students
 - low-income students, who are 2.0 times as likely to take the MCAS-Alt than students who are not low income

As an active member of the National Center for Education Outcome’s Community of Practice, DESE has adopted the guidance described in the NCEO publication *Disproportionality in the Alternate Assessment Calculator: A Tool for State and Local Education Agencies*.

The statement of assurances supports districts in addressing disproportionality by providing them with access to a [publication from issued by The National Center on Educational Outcomes \(NCEO\)](#), outlining specific steps for examining disproportionality in alternate assessments.

5. Progress on the state’s plan and timeline to reduce the number of students taking the AA-AAS [(§200.6(c)(4)(v)]

A) Improved Massachusetts Participation Guidelines for AA-AAAS (evolved guidance planned tiered support plan for 2024–2025 school year)

Last year, DESE released a new definition of a student with the most significant cognitive disabilities, and began providing technical assistance around the new definition (see exhibits). The state engaged to educate districts—particularly districts that have exceeded the 1.0 percent threshold in previous years—regarding these [new materials and updated resources](#) that can support them in lowering their district’s alternate assessment participation rates.

As stated in the previous waiver extension request, Massachusetts focused on disseminating **the state’s new definition of a student with the most significant cognitive disabilities** and educating districts on how to implement the state’s new definition. The state engaged to educate districts—particularly districts that have exceeded the 1.0 percent threshold in previous years—regarding these [new materials and updated resources](#) that can support them in lowering their district’s alternate assessment participation rates. Massachusetts required that LEAs review specific cognitive and adaptive behavior functioning levels of all students designated for an alternate assessment. The new eligibility criteria were emphasized in last year’s statement of assurances sent to all districts over the 1.0 percent cap. The 2023–2024 school year was a transition year for schools to learn and adopt the new eligibility criteria. Our LEAs communicated to DESE through the submitted statement of assurances and informal questions that some schools and educators did not have objective evaluation data required to comply with all aspects of the definition and criteria. For example, some LEAs indicated that not all schools completed the new tool. Additionally, some LEAs did not have updated measures of cognitive and adaptative behavior for students designated for the alternate assessment. DESE delivered two new training courses on Alternate Assessment Participation Criteria in January and February 2024. In response to districts’ request for information on how to obtain adaptive behavior assessment data, DESE provided appropriate resources and information.

In fall 2024, DESE delivered several updated webinars that included a focus on the new participation requirements. Over 3,000 educators or administrators participated in these training sessions and DESE made recordings of the sessions available online (see exhibits).

As a new step in fall 2024, DESE's Office of Student Assessment Services partnered with our Office of Special Education Policy and Planning to deliver new training courses included in our monthly *Special Education Leaders Meetings* (see exhibits). The information sessions were attended by primarily special education directors. We described the updated participation requirements and new disproportionality calculator tool.

Last year's new definition of a student with the most significant cognitive disabilities marked a substantial change for our districts. We anticipate greater progress reaching the 1.0 percent cap during the 2024–2025 school year.

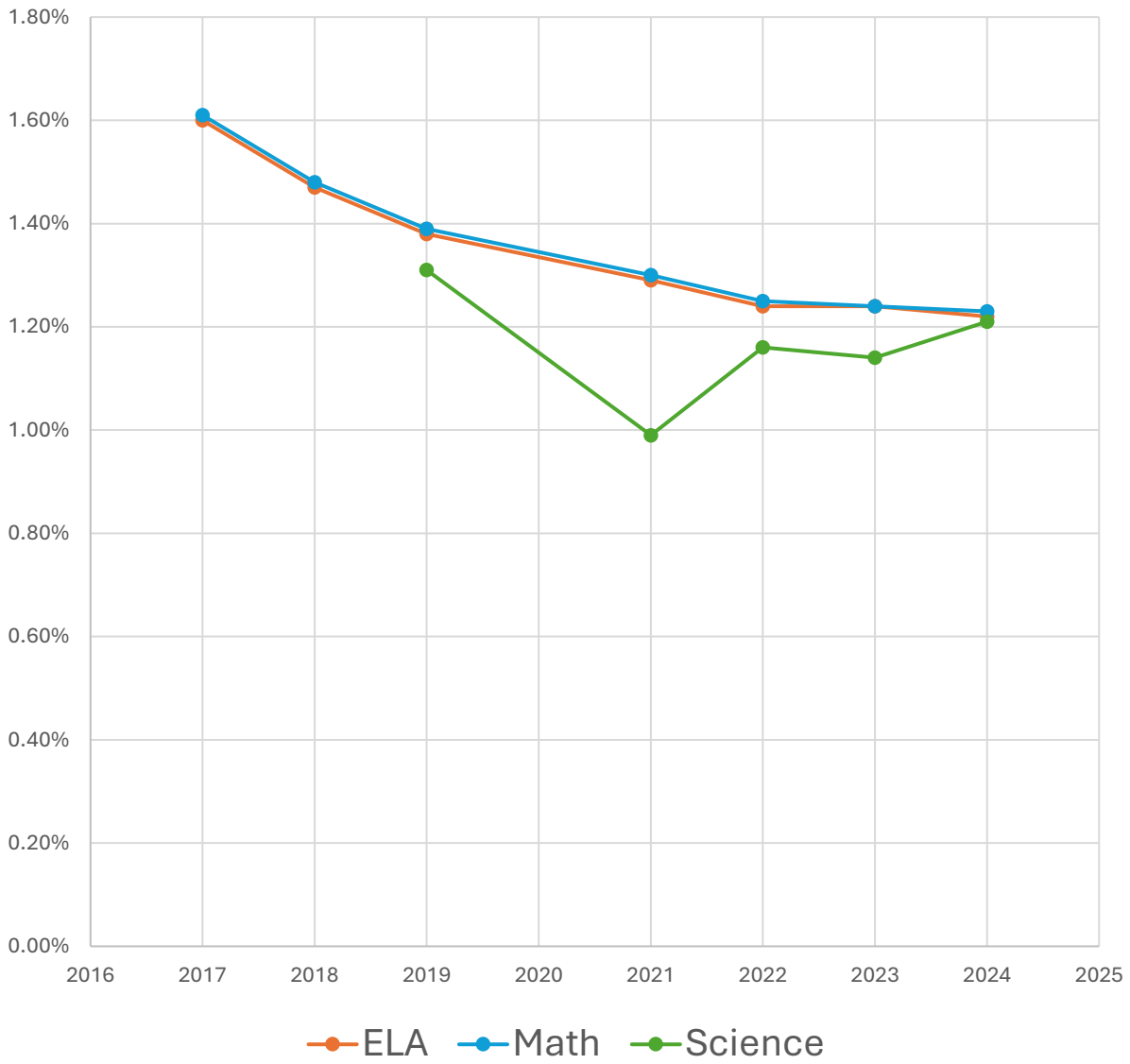
The overall number and percentage of students who participated in the **2024 MCAS-Alt** in each subject is shown below.

- **English Language Arts (ELA):** 5,725/474,792 = **1.21%**
 - A decrease of 97 students since 2023
- **Mathematics:** 5,839/474,792 = **1.23 percent**
 - a decrease of 50 students since 2023
- **Science and Technology/Engineering (STE):** 2,511/207,907 = **1.21 percent**
 - An increase of 129 students from 2023*

*The increase in students participating in the science and technology/engineering MCAS-Alt can be linked to DESE's recent revised guidance on MCAS-Alt participation. Last year's MCAS-Alt trainings and resources clarified that student participation in the general or alternate assessment must be consistent for all content areas. A student who is designated for the MCAS-Alt must participate in alternate assessment in all grade content areas. Therefore, all participation rates should be similar, as indicated by the subject participation percentages for 2023–2024 school year.

Since 2017, the state has annually taken steps that have achieved a steady reduction in the participation rate (see figure 1 on next page).

Figure 1. MCAS-Alt Participation Rates 2017–2024



	ELA	Math	Science
2017	1.60%	1.61%	
2018	1.47%	1.48%	
2019	1.38%	1.39%	1.31%
2021	1.29%	1.30%	0.99%
2022	1.24%	1.25%	1.16%
2023	1.24%	1.24%	1.14%
2024	1.21%	1.23%	1.21%

B) Additional Steps to Support and Provide Oversight

Last school year the Student Assessment Office increased collaboration with our Office of Special Education Policy and Planning and Office of Public School Monitoring. We have continued this collaboration to add additional materials and resources (as described above in section A). We have already convened several webinars during this school year for the state's LEA special education directors and educators that include emphasis on topics that affect the one percent cap (e.g., alternate assessment eligibility, statement of assurances, ESSA requirements, parent notification requirement). DESE has reviewed attendance participation for our fall webinars and found that over 3,000 district educators and administrators attended one or more of these MCAS-Alt trainings this fall. Our training sessions continue to focus on strategies to implement the updated eligibility definition for a student with the most significant cognitive disability. Through our statement of assurances and training sessions, we have found that some of our districts need technical assistance to understand how to assess students for adaptive behavior, which is an important component of the new eligibility requirement. DESE's Alternate Assessment Participation Criteria training sessions (described in section A).

As a new procedure, this fall DESE's Office of Public School Monitoring has begun reviewing MCAS-Alt eligibility decisions by incorporating the new eligibility requirements and *Participation Tool* requirements in our web-based monitoring system (WBMS) — an online only application (see excerpt from the *WBMS application* on page 16).

The state will continue to closely monitor each district regarding 1) the percentage of assessed students taking the MCAS-Alt; 2) progress and trends over two or more years in reducing the district's overall MCAS-Alt percentage; 3) whether the district has identified and is addressing any disproportionality in their student subgroup participation in the MCAS-Alt; and 4) whether the district is using the **revised definition for students with the most significant cognitive disabilities as their criteria**. These priorities are again reflected in the revised statement of assurances sent to districts this year.

In another improved and evolved step, the state will complete a new monitoring process and training process. All districts that have over 2.0 percent of students participating in the MCAS-Alt assessment will receive a targeted webinar session, and DESE will ask for participation acknowledgement (e.g., names and titles of educators that attended that webinar). DESE is once again requesting that districts complete the *Alternate Assessment Participation Tool* for every student who participates in an alternate assessment as additional assurance that the student meets these new guidelines. As an improved resource for fall 2024, DESE provided a sample *Alternate Assessment Participation Tool* (see exhibit) to assist districts in correctly following the criteria for participation in the alternate assessment. The IEP

team must document evidence used to determine whether the student meets the *revised eligibility definition for a student with the most significant cognitive disabilities*.

C) Addressing any Disproportionality

As described in section 4(B) above, DESE will continue to promote the use of the [publication issued by The National Center on Educational Outcomes \(NCEO\)](#) to assist districts with understanding disproportionality in designation for an alternate assessment. As an evolved procedure and resource, DESE updated the statement of assurances to include a requirement to explain how each district determined whether disproportionality was present. A new risk ratio tool has been made available (see exhibits) for districts to analyze participation by subgroup. This fall DESE launched a training session (see exhibits) describing how to use the risk ratio tool and other resources to address disproportionality. At the recent training, districts were able to ask questions and receive technical support. Last school year, during the development of the state's definition for students with the most significant cognitive disabilities, we convened meetings with stakeholders in the state offices, LEAs and advocacy organizations. Specifically, we engaged the Center for Law & Education to discuss methods to prevent students from historically marginalized subgroups being designated for alternate assessments. We intend to offer additional feedback sessions to gain more knowledge from our stakeholder groups, including the Massachusetts Advocates for Children.

As with previous years, a **memo from the Commissioner and statement of assurances** will be sent in early December to districts that exceeded 1.0 percent of tested students taking the MCAS-Alt in 2024. (See the Exhibits section for a draft of this communication.)

6. Summary of Waiver Extension Request

The state carefully reviewed the *Requirements to Request a Waiver/Waiver Extension for the 2024-25 School Year from the 1.0 Percent Cap on the Percentage of Students with the Most Significant Cognitive Disabilities Who May Be Assessed with an Alternate Assessment Aligned with Alternate Academic Achievement Standards (AA-AAAS)* and our previous actions and guidance. The state completed the following actions:

- conducted new and revised technical assistance training sessions to districts, explaining the 1% cap
- reviewed statements of assurances received from LEAs (all LEAs responded as required)
- posted updated revised technical assistance training documents and resources

- convened regular meetings with State Director of Special Education, the Student Assessment Office, and the Special Education Planning and Policy Office (SEPP)
- collaborated with the One Percent Community of Practice (CoP), coordinated by the National Center on Educational Outcomes (NCEO) (ongoing)
- coordinated with other DESE offices on the topic of disproportionality in order to identify root causes (ongoing)
- identified districts with especially high rates of alternate assessment participation
- created opportunities for districts to share knowledge on how to reduce participation rates collaborate with high percentage rate districts
- reviewed increases in MCAS-Alt Science and Technology/Engineering participation and determined results aligned with recent policy changes
- reviewed all our strategies for reducing the MCAS-Alt participation rates

DESE significantly evolved alternate assessment resources, guidance, training sessions, and alternate assessment eligibility criteria last school year. The state's 2023-24 school year alternate assessment participation decreased slightly. Only the student's IEP Team can make determinations as to whether the student is designated for an alternate assessment. IEP Teams annual review dates do not occur at a specific point in time; rather, IEP Teams annual meetings occur throughout the student's school year and may occur after a student has participated in the state-wide content assessment. Given these factors, we anticipated that Massachusetts' districts would take time to fully and correctly implement the revised guidance and would exceed the one percent threshold last school and will likely exceed the one percent threshold for 2024-25 school year. However, the state's steady alternate assessment participation reduction provides evidence to our commitment to meeting the 1.0 percent cap. The steady participation reduction undoubtedly resulted from the evolved policies, monitoring, and resources to limit the number of students participating in alternate academic achievement assessments.

The communication DESE received from special education directors and educators last year and this school year indicates that districts have begun to incorporate the revised eligibility definition for a student with the most significant cognitive disabilities. Since districts have begun implementing the revised guidance and practices throughout the schools, DESE's offices of Student Assessment Services and Public School Monitoring have received more questions on how to apply the new revised alternate assessment eligibility criteria. DESE anticipates gradual

reduction during the 2024-25 school year and we look forward to working closely with the districts with the expectation to meet the one percent cap in the future.