

1% ORExt Participation Reporting

Requirements for Oregon Districts



Background

ESSA Requirements

In 2015, Congress reauthorized the Elementary and Secondary Education act of 1965 as the *Every Student Succeeds Act* (ESSA). This reauthorization reaffirmed that an alternate assessment aligned to alternate academic achievement standards (AA-AAAS) is the appropriate assessment for students with the most significant cognitive disabilities to demonstrate their knowledge and skills. It also based the 1% cap on the **participation rate** (rather than the proficiency or performance rate as required under *No Child Left Behind* [NCLB]). Therefore, the 1% cap on the state participation rate for each subject is now based on the total number of all students in the state assessed in the subject (34 CFR 200.6(c)(2)).

The federal law under ESSA specifies that states cannot place a cap on the participation rates of local education agencies (LEAs) in any subject (34 CFR 200.6(c)(3)(i)). This means that LEAs can exceed the 1% participation cap on an AA-AAAS in a given subject, but the state as a whole cannot exceed the 1% cap in any subject. The law requires LEAs who plan to exceed the 1% participation cap to submit information justifying the need to exceed the cap, and the state must provide oversight of those LEAs (34 CFR 200.6(c)(3)(ii-iii)).

States may request that the U.S. Secretary of Education waive the cap for the relevant subject for one year (34 CFR 200.6(c)(4)). The request must include:

- Assurances that the state has verified that each LEA anticipated to exceed the 1% cap will address any disproportionality in the percentage of students in any subgroup taking an AA-AAAS (34 CFR 200.6(c)(4)(iii)(B)).
- A plan and timeline by which the state will take additional steps to support and provide appropriate oversight to each LEA that the state anticipates will assess more than 1% in a given subject in a school year to ensure that **only students with the most significant cognitive disabilities take an AA-AAAS**. The state must describe how it will monitor and regularly evaluate each such LEA to ensure that the LEA provides sufficient training to school staff so that all students are appropriately assessed (34 CFR 200.6(c)(4)(iv)(B)).
- Confirmation that the state will address any disproportionality in the percentage of students taking an AA-AAAS as identified through the data provided (34 CFR 200.6(c)(4)(iv)(C)).

Oregon Extended Assessment (ORExt)

Oregon's AA-AAAS, known as the Oregon Extended Assessment (ORExt), are alternate assessments designed specifically for students with the most significant cognitive disabilities. The decision to administer the ORExt can only be made by the student's IEP team, including the parent. Because the ORExt are based on alternate achievement standards with content that is reduced in depth, breadth, and complexity, test results from these assessments are not comparable to results achieved on the state's general assessments, in spite of the similarity in performance category.

ODE's [Oregon Extended Assessment Decision Making Guidance](#) is a required guidance document that IEP teams must use when determining whether a student should take the ORExt. This decision making guidance ensures that the right students are taking the ORExt.

Reporting Requirements

All districts

All districts must **submit their projected ORExt participation numbers and rates** for each content area (ELA, Math and Science) by the first weekday on or after **October 1** of each school year. School districts will use the following *projection formula* to calculate their participation rates. This rate applies to students reported as resident in your district* in grades 3-8 & 11 for ELA and Math, and grades 5, 8 & 11 for Science.

$$\left(\frac{\text{Projected \# of resident students identified for ORExt}}{\text{Total \# of resident students eligible to be assessed}} \right) \times 100 = \text{Projected Rate}$$

Districts submit these projections using the [1% ORExt Participation Secure Reporting Form](#). Each district must also **submit the following district assurance**.

District assures the Oregon Department of Education that applicable administration, staff and parents have been informed of and are adhering to the criteria outlined in the Oregon Extended Assessment Decision Making Guidance in determining student eligibility for participation in the Oregon Extended Assessments.

Finally, all districts **submit who will fulfill the role of Qualified Trainer of the ORExt for their district**. Even districts who do not project participation in the ORExt must identify a plan for accessing a Qualified Trainer in the event that a student who participates in the ORExt moves into their district mid-year. As part of this submission, districts will also be asked to verify that the identified staff member meets the criteria to become a Qualified Trainer for the current school year. Qualified Trainer criteria can be found in the [Test Administration Manual](#) in section 1.4 *User Roles and Responsibilities*.

Districts projected to exceed 1% participation

Districts who expect to exceed 1% participation on the ORExt, in any content area must submit the following information to ODE:

- Justification of the need to exceed 1% participation.
- A plan to ensure that only students with the most significant cognitive disabilities are found eligible for, and participate in, the ORExt.

This justification and plan are due by the first weekday on or following **November 15** of each school year. Districts **submit their justification information and participation plan** using the [1% ORExt Participation Justification and Plan Secure Reporting Form](#).

The [1% ORExt Participation Reporting Guiding Questions for Districts](#) document provides useful information for developing a justification statement and participation plan, including brief descriptions of what should be included in an acceptable justification statement and a successful participation plan.

Districts identified by ODE with disproportionality

The Oregon Department of Education provides disproportionality data annually to any district who anticipates exceeding 1% participation in the Oregon Extended Assessments. These data will indicate disproportionate identification of students from particular groups to participate in the ORExt. Districts must **submit a description of how they intend to address disproportionality** in the percentage of resident students in any identified focal group taking the ORExt, based on the data provided by ODE and any supplemental data to which the district may have access. This plan is submitted with the district's justification statement and participation plan (mentioned in the section above), using the same [1% ORExt](#)

*For students who attend a program on an **interdistrict transfer agreement**, the attending district is reported as the resident district. For students who attend a program on a **tuition agreement**, the resident district is reported as the geographic resident district where the parent/guardian or adult child lives.

[Participation Justification and Plan Secure Reporting Form](#), by the first weekday on or after **November 15** of each school year. The [1% ORExt Participation Reporting Guiding Questions for Districts](#) document includes a section on disproportionality.

Oregon Department of Education Oversight

General procedural oversight

Districts who do not project to exceed 1% participation will receive no additional oversight from ODE for the current year. If the district’s projection proves inaccurate and it **does** exceed 1% participation, the district must submit a justification statement and participation plan the following year.

Approval of justification statements and participation plans

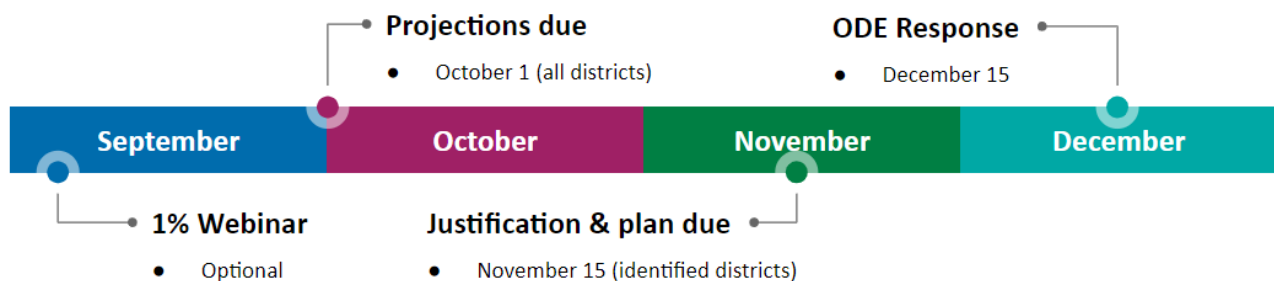
ODE Assessment staff will review each district justification statement and participation plan (including disproportionality when required). ODE will communicate to submitting district staff whether the district’s submission is acceptable or needs additional revision. If additional revision is required, a new deadline will be set in collaboration with the district.

Upon approval, district justification statements and participation plans will be made publically available, provided that such information does not reveal personally identifiable information about an individual student (34 CFR 200.6(c)(3)(iii)). Justification statements and participation plans will be maintained over time and reviewed as necessary to support improvement of district practices.

2023-24 district monitoring

The Oregon Department of Education will pilot a district monitoring process for ORExt participation during the 2023-24 school year. Districts will be identified based on two factors: ORExt participation data, and membership in the 2023-24 cohort for cyclical monitoring as part of general supervision under IDEA. ODE will directly contact districts identified to participate with more information.

Timelines



Please reach out to Mason Rivers at ODE with questions related to 1% ORExt participation reporting.

Mason Rivers

Special Education Assessment Specialist
Office of Research, Assessment, Data, Accountability & Reporting
Phone: 917-208-0434 (call/text)
Mason.Rivers@ode.oregon.gov