



STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING

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**MEMORANDUM**

**DATE:** November 20, 2018

**TO:** Local and Intermediate School District Superintendents and  
Public School Academy Administrators

**FROM:** Dr. Scott M. Koenigsknecht, Deputy Superintendent   
P-20 System & Student Transitions

**SUBJECT:** Alternate Assessment 1% CAP

The rules surrounding the meaning of the "1%" for any state alternate assessment have changed. Michigan currently assesses more than 2% of students with disabilities using an alternate assessment which exceeds the state CAP established under the Every Student Succeeds Act (ESSA). It is imperative school districts are aware of this change and of actions which may be imposed on districts due to a change in the law.

During the 2017 – 2018 school year, the Office of Educational Assessment and Accountability (OEAA), in collaboration with the Office of Special Education (OSE), communicated with special education administrators, assessment coordinators and teachers regarding the obligation to ensure all students are appropriately assessed based on the instruction they receive in the classroom. Historically, states were required to consider proficiency scores of alternate assessments. Under ESSA the following requirements are currently in effect:

- Students with the most significant cognitive disabilities may be assessed with the general grade level assessment, with or without accommodations, or use the state's alternate assessment based on alternate achievement standards. In Michigan, this alternate assessment is one of the MI-Access assessments (Functional Independence, Supported Independence, or Participation).
- The total number of students assessed using an alternate assessment based on alternate achievement standards (all levels of MI-Access) may not exceed 1% of the total number of students in the state who are assessed in a subject. Consideration of the participation rate represents a change, as previously proficient scores were considered for accountability.

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Under the new rule:

- Local Educational Agencies (LEAs) must provide justification and need to assess more than 1% of their assessed students using the alternate assessment if their total percent of students assessed using the alternate assessment exceeds 1%. A CAP is not placed on the Intermediate School District (ISD) or LEA; however, LEAs exceeding the 1% CAP should analyze reasons they may be exceeding this participation rate. In addition, LEAs need to determine whether guidelines regarding participation in the alternate assessment are being followed and whether additional professional development for staff and/or Individualized Educational Program (IEP) teams may be necessary.
- The state must provide oversight and make public the information surrounding the participation rate. Technical assistance is to be provided by Intermediate School Districts (ISDs).

Currently, the Michigan Department of Education (MDE) has five resources on the [MI-Access web page](#) designed to assist both LEAs and ISDs when exploring the data related to participation in the alternate assessment and the 1% CAP.

- [Michigan's Alternate Content Standards for English Language Arts \(ELA\), Mathematics, Social Studies, and Science](#) – These alternate content standards are designed for the students with the most significant cognitive impairments and are aligned to the MI-Access assessments.
- [Guidelines for Participation in MI-Access \(Should My Student Take the Alternate Assessment?\)](#) – This two-page document includes a flow chart outlining the state guidelines for participation in the alternate assessment and includes other factors for IEP team consideration. While the IEP team is the decision-making body regarding how a student with a disability will be assessed, the team must follow the state guidelines for determining the appropriate assessment.
- [1% Cap Guidance for ISDs](#) – ISDs have begun providing guidance to LEAs regarding participation in the alternate assessment. This guidance is also available to LEAs. ISDs will be contacting LEAs whose participation rates may contribute to the state exceeding the 1% CAP. The purpose of such contact and discussion is to determine whether current guidelines for assessment selection are being followed, and to review and apply relevant strategies within the guidance document.
- [Assessment Selection Guidelines Training](#) – An online training module is available to be utilized individually or as a group. This training can be repeated and referenced as often as needed. The training has been developed to assist IEP teams in understanding the state assessment options and how to determine which assessment is appropriate for individual students.
- [Interactive Decision-Making Tool](#) – An interactive version of the assessment selection flow chart, “Should my student take the alternate assessment?” This tool may be utilized to assist IEP teams in determining whether the student is to take the general Michigan Student Test of Educational Programs/Michigan Merit Examination (M-STEP/MME) or the alternate assessment (MI-Access). If, through the use of this tool, the team determines the student is to take the

alternate assessment, the tool will assist the team in determining which alternate assessment is most closely aligned to the student's instructional level/need.

Assessment information is continually updated via the [Spotlight Newsletter](#). A link to the subscription to this newsletter is found on this site.

As a requirement of ESSA, districts who exceeded the 1% participation rate submitted justification forms to their ISDs, which were then submitted to the MDE. The MDE reviewed all local, Public School Academies (PSAs) and ISD forms and provided individualized feedback through the ISDs.

The focus of these resources is to provide information and guidance to support high expectations for students with instruction based on content standards or, if appropriate, alternate content standards and to ensure each student is appropriately assessed. This demonstrates an innovative and cohesive approach that supports an aligned, coherent education system at all levels (state, ISD, district, and school) as it relates to Michigan's Top 10 in 10 goal of being student-focused and supporting the education system at all levels.

For additional information about alternative assessment and the 1% CAP, please contact John Jaquith, OEAA at (517-335-1987 or [jaquithj@michigan.gov](mailto:jaquithj@michigan.gov)) or Marcia O'Brien, OSE (517-241-7507 or [obrienm6@michigan.gov](mailto:obrienm6@michigan.gov)).

cc: Michigan Education Alliance