

Florida Department of Education

1% Cap on Alternate Assessment Participation
Waiver Request

November 28, 2023



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Current Situation

Florida is the third-largest state in the country, with over 2.8 million students in 3,329 traditional public schools, 702 public charter schools, and 67 traditional local educational agencies (LEAs). In the 2022-23 school year (SY), the number of Florida students with disabilities (SWD) was 428,213, representing a steady increase from 377,272 in 2016-17. The percentage of SWD in the total student population has increased from 13.4% in 2016-17 to 14.9% in 2022-23. Florida continues to see a significant influx of students and families from other states due to our services and access to opportunities for all students, and, specifically, for students with disabilities. Families from across the country are relocating to Florida in record numbers, and school districts in Florida regularly welcome new students throughout the year. Due to our relentless focus on academic achievement and parental rights for all students, Florida earned the top spots in educational freedom and parental involvement and was recently ranked the top education state in the nation by U.S. News & World Report.

In 2014, Florida became the second state in the nation to create an education savings account (ESA) program for children with unique abilities. In its inaugural year, the program served 1,491 students. In the 2023-24 SY, 83,941 students are receiving the Family Empowerment Scholarship for Students with Unique Abilities, making this the largest program for students with special needs in the United States.

Table 1: Student Enrollment

Category	SY 16-17	SY 17-18	SY 18-19	SY 19-20	SY 20-21	SY 21-22	SY 22-23
Number of Students Enrolled	2,817,076	2,833,115	2,846,857	2,858,949	2,791,687	2,833,179	2,870,507
Number of Students Identified as SWD	377,272	385,447	401,627	441,353	406,944	415,980	428,213
Percentage of Students Identified as SWD	13.4%	13.6%	14.1%	14.5%	14.6%	14.7%	14.9%

The mission of the Florida Department of Education (FDOE) is to increase the proficiency of all students within one seamless, efficient system by providing them with the opportunity to expand their knowledge and skills through learning opportunities valued by students, parents, and communities, and to maintain an accountability system that measures student progress.

Florida maintains high expectations for all students. These high expectations have resulted in an increased level of student performance and, in Florida, having one of the highest-performing SWD populations in the nation. Data from the 2022 National Assessment of Educational Progress (NAEP), which serves as the nation’s report card, indicate that Florida’s SWD scored in the top 10 states in every category. Additionally, Florida’s high school graduation rate has risen from 82.3% in 2016-17 to 87.3% in 2021-22, and the high school graduation rate for SWD has increased during the same period from 66.0% to 83.5%. Although the graduation gap between SWD and all students was 16.3 percentage points in 2016-17, this gap has been reduced by more

than 75% to 3.8 percentage points in 2021-22.

Request for the 1% Waiver

Florida's initial waiver request for 2019 was approved and Florida's waiver extension requests were approved for the 2020-21 and 2021-22 SYs. Due to the denial of our 2022-23 waiver extension request, Florida will submit a new waiver request for the 2023-24 SY. Florida does not anticipate being under the 1% cap for the 2023-24 SY.

The United States Department of Education (USED) denied the 2022-23 waiver extension request because Florida did not show substantial progress. It should be noted that USED did not specify a standard to define "substantial progress," despite the FDOE's request for clarification. The FDOE subsequently revised its waiver extension request pursuant to ESEA section 8401(b)(4)(B)(ii), and again USED denied the waiver extension request, even though Florida demonstrated that the number and percentage of students taking the Alternate Assessment based on Alternate Academic Achievement Standards (AA-AAAS) declined between the 2018-19 and 2021-22 SYs. Additionally, Florida has consistently assessed student progress and required mandatory participation in state assessments, which is not standard among other states.

Since the denial, FDOE surveyed states to identify effective strategies and guidelines related to participation in AA-AAAS. Additionally, Florida continues to provide technical assistance for all stakeholders, review state educational agency (SEA) and LEA AA-AAAS data and monitor the assessment practices for students participating in the AA-AAAS. These strategies have been effective, as demonstrated by Florida's continued reduction in AA-AAAS participation rates.

To continue to reduce Florida's AA-AAAS participation rates, FDOE will develop a webpage for the AA-AAAS as a repository for resources and information for school districts and other stakeholders. FDOE will engage the State Advisory Panel, content experts and a workgroup that will work collaboratively to develop and revise resources and strategies for implementation of state guidelines. Strategies may include the development of an IEP team decision-making guide for IEP teams, the development of a parent and family flyer for students with a most significant cognitive disability, and the enhancement of the LEA annual justification process.

Florida's AA-AAAS is the Florida Alternate Assessment (FAA). FAA participation rates for the 2022-23 SY were 1.42% in English language arts (ELA), 1.48% in mathematics and 1.51% in science. This represents progress in each content area from the 2021-22 SY.

Additionally, Florida offers two formats of the Florida Alternate Assessment, which provide more choices to meet students' needs appropriately. Other states may limit choice in this area, but Florida will always continue to place the needs of students and parents first in the decision-making process. Florida is proud to prioritize student learning and the IEP team process, which complies with federal guidelines.

Requirement 1, 34 Code of Federal Regulation (C.F.R.) § 200.6(c)(4)(i)

States are required by 34 C.F.R. § 200.6(c)(4)(i) to submit the alternate assessment waiver request at least 90 days before the start of the relevant subject testing windows. The FAA testing window will be open from February 26 to April 12, 2024, for elementary and middle school (grades 3 through 8) and civics end-of-course (EOC) assessments. The FAA testing window will be open from March 11 to April 26, 2024, for FAA high school ELA I, ELA II, Algebra I, Geometry, Biology I and U.S. History EOC assessments. Since the earliest start of the testing

window occurs on February 26, 2024, to meet the 90-day requirement, FDOE’s waiver request must be submitted by November 28, 2023. The FDOE will submit a waiver request to the USED in ELA, mathematics, and science.

Requirement 2, 34 C.F.R. § 200.6(c)(4)(ii)

In submitting a waiver request, states are required by 34 C.F.R. § 200.6(c)(4)(ii) to provide the number and percentage of students in each subgroup defined in ESEA section 1111(c)(2)(A), (B) and (D) who were assessed using the AA-AAAS. Florida has met the requirement to assess at least 95% of all students in ELA, mathematics and science and 95% of students in the children with disabilities subgroup under ESEA section 1111(c)(2)(C) who are enrolled in grades for which the assessment is required under 34 C.F.R. § 200.5(a) in ELA, mathematics and science.

Number, Percentage and Risk Ratio of Students who Took the FAA During the 2022-2023 SY

Tables 2 through 4 provide the number, percentage, and risk ratio of each student subgroup, as defined in ESEA section 1111(c)(2)(A), (B) and (D), during the 2022-23 SY. The risk ratio measures potential disproportionality among FAA participants based on membership in the target group. Risk ratios exceeding 1.0 indicate that the target group is overrepresented among the population of students participating in the alternate assessment compared to participation rates of students who are not members of the target group.

Table 2: 2022-23 FAA Participation by Student Subgroup – English Language Arts

NOTE: FAST is the Florida Assessment of Student Thinking.

ELA							
Target Group	Target Group			Comparison Group			Risk Ratio
	Number of Students Taking FAA	Number of Students Taking FAST, FAA or EOCs	Percentage Taking FAA	Number of Students Taking FAA	Number of Students Taking FAST, FAA or EOCs	Percentage Taking FAA	
American Indian/Native Alaskan	48	4,140	1.16	24,090	1,691,994	1.42	0.81
Asian	583	49,586	1.18	23,555	1,646,548	1.43	0.82
Pacific Islander	41	3,098	1.32	24,097	1,693,036	1.42	0.93
Black/African American	7,387	348,563	2.12	16,751	1,347,571	1.24	1.70

ELA							
Target Group	Target Group			Comparison Group			Risk Ratio
	Number of Students Taking FAA	Number of Students Taking FAST, FAA or EOCs	Percentage Taking FAA	Number of Students Taking FAA	Number of Students Taking FAST, FAA or EOCs	Percentage Taking FAA	
White	6,966	590,938	1.18	17,172	1,105,196	1.55	0.76
Multi-racial	890	67,826	1.31	23,248	1,628,308	1.43	0.92
Hispanic	8,223	631,983	1.30	15,915	1,064,151	1.50	0.87
Economically Disadvantaged	15,665	938,939	1.67	8,473	757,195	1.12	1.49
English Language Learners	2,570	305,397	0.84	21,568	1,390,737	1.55	0.54

Table 3: 2022-23 FAA Participation by Student Subgroup – Mathematics

Mathematics							
Target Group	Target Group			Comparison Group			Risk Ratio
	Number of Students Taking FAA	Number of Students Taking FAST, FAA or EOCs	Percentage Taking FAA	Number of Students Taking FAA	Number of Students Taking FAST, FAA or EOCs	Percentage Taking FAA	
American Indian/Native Alaskan	47	3,930	1.20	23,394	1,583,314	1.48	0.81
Asian	550	42,835	1.28	22,891	1,544,409	1.48	0.87
Pacific Islander	49	2,882	1.70	23,392	1,584,362	1.48	0.87

Mathematics							
Target Group	Target Group			Comparison Group			Risk Ratio
	Number of Students Taking FAA	Number of Students Taking FAST, FAA or EOCs	Percentage Taking FAA	Number of Students Taking FAA	Number of Students Taking FAST, FAA or EOCs	Percentage Taking FAA	
Black/African American	7,038	332,787	2.11	16,403	1,254,457	1.31	1.62
White	6,908	544,307	1.27	16,533	1,042,937	1.59	0.80
Multi-racial	884	63,388	1.39	22,557	1,523,856	1.48	0.94
Hispanic	7,965	597,115	1.33	15,476	990,129	1.56	0.85
Economically Disadvantaged	15,151	895,475	1.69	8,290	691,769	1.20	1.41
English Language Learners	2,434	300,863	0.81	21,007	1,286,381	1.63	0.50

Table 4: 2022-23 FAA Participation by Student Subgroup – Science

Science							
Target Group	Target Group			Comparison Group			Risk Ratio
	Number of Students Taking FAA	Number of Students Taking FAST, FAA or EOCs	Percentage Taking FAA	Number of Students Taking FAA	Number of Students Taking FAST, FAA or EOCs	Percentage Taking FAA	
American Indian/Native Alaskan	23	1,578	1.46	9,354	625,125	1.50	0.97
Asian	220	18,715	1.18	9,157	607,988	1.51	0.78

Science							
Target Group	Target Group			Comparison Group			Risk Ratio
	Number of Students Taking FAA	Number of Students Taking FAST, FAA or EOCs	Percentage Taking FAA	Number of Students Taking FAA	Number of Students Taking FAST, FAA or EOCs	Percentage Taking FAA	
Pacific Islander	15	1,217	1.23	9,362	625,486	1.50	0.82
Black/African American	2,777	127,359	2.18	6,600	499,344	1.32	1.65
White	2,849	221,029	1.29	6,528	405,674	1.61	0.80
Multi-racial	343	24,448	1.40	9,034	602,255	1.50	0.94
Hispanic	3,150	232,357	1.36	6,227	394,346	1.58	0.86
Economically Disadvantaged	6,073	338,647	1.79	3,304	288,056	1.15	1.56
English Language Learners	872	104,676	0.83	8,505	522,027	1.63	0.51

Reduction in the Rate of AA-AAAS Participation

States who are requesting a waiver, consistent with 34 C.F.R. § 200.6(c)(4)(v), must demonstrate progress toward reducing participation in the alternate assessment. The following data reflects participation rates in the 2022-23 FAA in ELA, mathematics and science that were lower than the 2021-22 participation rates.

Table 5 compares the percentages of all students assessed on statewide, standardized assessments; SWD assessed on statewide, standardized assessments; and the percentage of students assessed on the statewide, standardized alternate assessment from 2018-19 to 2022-23 SYs.

Table 5: Overall Rates of Statewide, Standardized Assessment

Year	ELA			Mathematics			Science		
	% Tested All (FAST and FAA)	% Tested SWD (FAST and FAA)	% Tested (FAA only)	% Tested All (FAST and FAA)	% Tested SWD (FAST and FAA)	% Tested (FAA only)	% Tested All (FAST and FAA)	% Tested SWD (FAST and FAA)	% Tested (FAA only)
2018-19	99.20%	98.40%	1.54%	98.40%	97.30%	1.63%	99.20%	96.10%	1.56%
2019-20*									
2020-21	95.70%	92.90%	1.40%	92.90%	89.90%	1.54%	91.60%	87.50%	1.56%
2021-22	98.60%	97.40%	1.46%	97.20%	95.70%	1.60%	96.50%	94.50%	1.53%
2022-23	98.30%	97.00%	1.42%	97.90%	96.70%	1.48%	97.50%	95.70%	1.51%

*Note: The 2019-20 assessments were canceled pursuant to FDOE Emergency Order No. 2020-EO-01.

Table 6 compares the overall rates of FAA participation in ELA during the 2018-19 through 2022-23 SYs.

Table 6: Overall Rates of FAA Participation – ELA

ELA			
School Year	Number of Total Students Tested	Number of Students Whose Only Subject Test was an FAA	Percentage of Students Tested Whose Only Subject Test was an FAA
2018-19	1,705,251	26,243	1.54%
2019-20*			
2020-21	1,637,903	22,876	1.40%
2021-22	1,697,158	24,790	1.46%
2022-23	1,691,688	24,138	1.42%
Change from Last Year	-5,470	-652	-0.04%
Change Since 2019	-13,563	-2,105	-0.12%

*Note: The 2019-20 assessments were canceled pursuant to FDOE Emergency Order No. 2020-EO-01.

Table 7 compares the overall rates of FAA participation in mathematics during the 2018-19 through 2022-23 SYs.

Table 7: Overall Rates of FAA Participation – Mathematics

Mathematics			
School Year	Number of Total Students Tested	Number of Students Whose Only Subject Test was an FAA	Percentage of Students Tested Whose Only Subject Test was an FAA
2018-19	1,576,300	25,744	1.63%
2019-20*			
2020-21	1,492,811	22,923	1.54%
2021-22	1,539,116	24,556	1.60%
2022-23	1,583,047	23,441	1.48%
Change from Last Year	43,931	-1,115	-0.12%
Change Since 2018-19	-37,184	-1,188	-0.15%

*Note: The 2019-20 assessments were canceled pursuant to [FDOE Emergency Order No. 2020-EO-01](#).

Table 8 compares the overall rates of FAA participation in science during the 2018-19 through 2022-23 SYs.

Table 8: Overall Rates of FAA Participation – Science

Science			
School Year	Number of Total Students Tested	Number of Students Whose Only Subject Test was an FAA	Percentage of Students Tested Whose Only Subject Test was an FAA
2018-19	616,991	9,621	1.56%
2019-20*			
2020-21	577,461	8,986	1.56%
2021-22	622,568	9,506	1.53%
2022-23	620,713	9,377	1.51%
Change from Last Year	-1,855	-129	-0.02%
Change Since 2018-19	3,722	-244	-0.05%

*Note: The 2019-20 assessments were canceled pursuant to [FDOE Emergency Order No. 2020-EO-01](#).

Table 9 compares the number of students participating in the FAA by primary exceptionalities during the 2021-22 and 2022-23 SYs.

Table 9: Number of Students Taking the FAA by Primary Exceptionalities

Exceptionality	Number of Students	
	2021-22	2022-23
Autism Spectrum Disorder (ASD)	10,840	10,699
Deaf or Hard of Hearing (DHH)	96	62
Dual-Sensory Impairment (DSI)	18	14
Emotional/Behavioral Disability (EBD)	84	56
Hospitalized or Homebound (HH)	341	314
Intellectual Disabilities (InD)	14,757	14,159
Language Impairment (LI)	109	50
Other Health Impairment (OHI)	1,389	1,369
Orthopedic Impairment (OI)	175	135
Speech Impairment (SI)	14	13
Specific Learning Disability (SLD)	13	9
Traumatic Brain Injury (TBI)	70	66
Visual Impairment (VI)	29	31

Requirement 3, 34 C.F.R. § 200.6(c)(4)(iii) Evidence That LEAs Followed the State’s Participation Guidelines

Definition of “Most Significant Cognitive Disabilities”

Consistent with guidance resulting from Florida’s participation in the National Center for Educational Outcomes (NCEO) 1% Cap Community of Practice and the request of LEAs, Florida revised Rule 6A-1.0943, Florida Administrative Code (F.A.C.), Statewide Assessment for Students with Disabilities, which was approved by the State Board of Education (SBE) on June 10, 2021, to include increased guidance specific to the definition of “most significant cognitive disabilities.” Per these revisions, “most significant cognitive disability” is now defined as a global cognitive impairment that adversely impacts multiple areas of functioning across many settings, is a result of a congenital, acquired, or traumatic brain injury or syndrome, and is verified by either:

1. A statistically significant below-average global cognitive score that falls within the first percentile rank (i.e., a standard, full-scale score of 67 or under); or
2. In the extraordinary circumstance when a global, full-scale intelligent quotient score is unattainable, an LEA-determined procedure has been approved by the FDOE under paragraph (5)(e) of this rule.

In determining whether a student has a cognitive disability that is among the most significant cognitive disabilities, IEP teams must carefully consider and remain cognizant that qualifying a student for standards-based instruction via the AP-AAAS can significantly affect the extent of a student’s access to postsecondary opportunities. Furthermore, the Individuals with Disabilities Education Act (IDEA), the USED Office of Special Education Programs and the SEA provide clear expectations that the general education curriculum is the first consideration for providing educational services to SWD.

LEA Requirements

Florida verifies that each LEA that exceeds the 1% cap understands and has adopted the FDOE's guidelines in this area by reviewing and approving their policies. Section 1003.57(1)(b)1., Florida Statutes (F.S.), requires that school boards submit to the FDOE proposed ESE policies and procedures (P&P) for the provision of special instruction and services for exceptional students once every three years. Approval of this document by the FDOE is required by Rule 6A-6.03411, F.A.C., as a prerequisite for an LEA's use of weighted cost factors under the Florida Education Finance Program. This document also serves as a basis for the identification, evaluation, eligibility determination and placement of students to receive ESE services and is a component of the LEA's application for funds available under the IDEA. All approved ESE P&P are posted for public view through the BEESS General Supervision Website at <http://beessgsw.org/#/spp/institution/public/>.

The FDOE has developed, implemented, and delivered support to LEAs to ensure that guidelines are followed, and disproportionality issues are addressed. Florida has continued to provide robust technical assistance and outreach to all its stakeholders and anticipates continued success in increasing student performance with its SWD while decreasing participation in the FAA.

Highlights include:

- FDOE implemented an annual assurance process in which districts provide supporting data for students who will participate in the FAA. This process is included in the monitoring and compliance procedures. Beginning with the 2022-23 SY, Florida LEAs must complete a Level 1 – 1% self-assessment, which requires the LEA to review the appropriateness of each student's participation in the FAA annually.
- The FDOE hosts annual 1% Data Discussions for LEAs over 1.0% to discuss the 1% participation rates for ELA, mathematics, and science from the SEA level to student level data analysis and review.
- The SBE approved revisions to Rule 6A-1.0943, F.A.C., Statewide Assessment for Students with Disabilities, at the SBE meeting on June 10, 2021. Rule 6A-1.0943, F.A.C., was revised to establish a definition for “most significant cognitive disability” and specify the exclusionary and inclusionary criteria required for a student to participate in the administration of the statewide, standardized alternate assessment. FDOE continues to review materials and revise resources to ensure the definition for the most significant cognitive disability is consistent for IEP teams to make informed decisions.
- Extensive monitoring and tiered support continue from the FDOE as LEAs implement these new provisions (described in detail later in this document).
- The FDOE has provided multiple opportunities for Florida's LEAs to receive additional information and resources, while providing targeted and intensive support and technical assistance based on commitments made as part of Florida's previously approved waiver requests. Through a combination of improved policy guidance and these opportunities, assessment data indicate an improvement in the overall reduction in the number of students participating in Florida's statewide, standardized alternate assessment.
- FDOE staff worked with LEA exceptional student education (ESE) directors to discuss discrepancies in primary exceptionalities not indicative of the most significant cognitive disabilities. Trends were identified in the 2020-21, 2021-22 and 2022-23 SYs FAA

participation data unique to each LEA. The FDOE is seeking a waiver from the requirement as detailed in 34 C.F.R. § 200.6(4), for ELA, mathematics and science assessed via the FAA. Receiving this waiver would allow Florida to continue to progress in reducing FAA participation and provide technical assistance and support to its LEAs to ensure that the most appropriate instruction is delivered and the most appropriate assessment is administered to every student.

Table 10 compares the number of LEAs that exceeded the 1% threshold during the 2021-22 and 2022-23 SYs and the progress with the reduction of the percentage of students participating in the FAA. Currently, two Florida LEAs do not exceed the 1% cap for participation in the FAA.

Table 10: Comparison of the Number of LEAs Exceeding the 1.0% Cap for 2021-22 and 2022-23 SYs for ELA, Mathematics and Science

NOTE: The highlighted green cells indicate a reduction in the percentage of students participating in the FAA. The Total row represents the total number and percentage of LEAs under the 1% cap.

LEA	2021-22 ELA	2021-22 Mathematics	2021-22 Science	2022-23 ELA	2022-23 Mathematics	2022-23 Science
State	1.5%	1.6%	1.5%	1.4%	1.5%	1.5%
Alachua	1.1%	1.2%	1.0%	1.1%	1.2%	1.2%
Baker	2.4%	2.2%	1.9%	2.3%	2.1%	2.9%
Bay	1.4%	1.5%	1.6%	1.5%	1.5%	1.4%
Bradford	2.5%	2.8%	2.6%	2.6%	2.3%	2.9%
Brevard	1.1%	1.3%	1.2%	1.1%	1.1%	1.2%
Broward	1.3%	1.4%	1.5%	1.2%	1.0%	0.9%
Calhoun	2.5%	2.4%	4.6%	2.2%	3.0%	1.6%
Charlotte	1.9%	2.0%	2.3%	1.5%	1.7%	1.8%
Citrus	2.1%	2.2%	2.5%	2.0%	2.0%	2.2%
Clay	1.7%	1.9%	1.8%	1.7%	1.8%	2.1%
Collier	1.7%	2.0%	2.0%	1.7%	1.8%	1.8%
Columbia	1.9%	2.0%	2.1%	1.8%	1.6%	2.6%
Florida School for the Deaf and the Blind	5.0%	6.2%	3.3%	3.0%	3.0%	7.5%
DeSoto	2.2%	2.3%	1.7%	2.0%	2.3%	1.9%
Dixie	2.1%	2.7%	4.8%	2.4%	1.6%	2.0%
Duval	2.0%	2.2%	2.1%	1.9%	2.1%	2.2%
Escambia	1.7%	2.0%	1.8%	1.6%	1.7%	1.5%
Flagler	1.0%	1.1%	1.0%	1.0%	1.0%	1.6%
Franklin	2.8%	3.1%	4.8%	2.6%	2.4%	1.7%
Gadsden	3.5%	3.7%	5.7%	3.0%	3.3%	4.3%
Gilchrist	1.4%	1.6%	1.0%	1.5%	1.5%	1.7%
Glades	1.4%	1.5%	1.3%	1.0%	1.3%	1.0%
Gulf	2.2%	2.4%	2.1%	1.6%	2.0%	1.9%
Hamilton	1.4%	0.7%	1.4%	1.1%	1.1%	1.3%
Hardee	2.1%	2.3%	1.6%	2.3%	2.7%	2.1%
Hendry	1.9%	2.1%	2.8%	1.5%	1.7%	1.4%

Hernando	1.2%	1.2%	1.6%	1.3%	1.3%	1.4%
Highlands	2.2%	2.7%	2.0%	2.1%	2.4%	1.9%
Hillsborough	1.6%	1.8%	1.7%	1.6%	1.8%	1.6%
Holmes	1.6%	1.8%	2.1%	1.9%	2.2%	1.3%
Indian River	1.2%	1.3%	1.3%	1.0%	1.2%	1.2%
Jackson	2.7%	2.8%	3.2%	2.6%	2.6%	3.5%
Jefferson	3.7%	4.5%	2.7%	*	*	*
Lafayette	1.5%	1.3%	0.4%	1.3%	0.9%	1.9%
Lake	1.6%	1.7%	1.8%	1.7%	1.8%	2.0%
Lee	1.2%	1.2%	1.3%	1.3%	1.2%	1.4%
Leon	1.9%	2.2%	2.3%	1.9%	2.2%	2.5%
Levy	2.1%	2.0%	1.5%	1.8%	1.8%	2.4%
Liberty	3.5%	3.8%	4.6%	3.9%	4.4%	4.8%
Madison	2.3%	2.6%	3.8%	2.0%	2.0%	2.9%
Marion	1.6%	1.9%	1.1%	1.7%	1.9%	1.8%
Martin	1.1%	1.6%	1.0%	1.1%	1.0%	0.9%
Miami-Dade	1.6%	1.7%	1.7%	1.6%	1.6%	1.6%
Monroe	1.7%	1.5%	1.7%	1.6%	1.4%	1.4%
Okaloosa	2.0%	2.1%	1.8%	1.8%	1.9%	2.0%
Okeechobee	1.4%	1.5%	2.4%	1.3%	1.4%	0.6%
Orange	1.1%	1.2%	1.3%	1.1%	1.2%	1.2%
Osceola	1.6%	1.8%	1.5%	1.3%	1.3%	1.6%
Palm Beach	1.4%	1.6%	1.5%	1.3%	1.3%	1.4%
Pasco	1.3%	1.1%	0.9%	1.3%	1.6%	2.4%
Pinellas	1.5%	1.6%	1.7%	1.4%	1.5%	1.4%
Polk	1.7%	1.8%	1.7%	1.7%	1.8%	1.8%
Putnam	3.0%	3.2%	3.1%	3.0%	3.3%	4.0%
Santa Rosa	1.2%	1.3%	0.9%	1.2%	1.3%	1.3%
Sarasota	1.1%	1.3%	1.1%	1.0%	1.0%	1.2%
Seminole	1.1%	1.3%	1.0%	1.1%	1.3%	1.4%
St. Johns	1.1%	1.1%	1.0%	1.0%	1.2%	1.1%
St. Lucie	1.5%	1.5%	1.3%	1.5%	1.5%	1.8%
Sumter	1.4%	1.5%	1.4%	1.4%	1.6%	1.8%
Suwannee	2.0%	2.1%	1.6%	1.9%	2.2%	2.0%
Taylor	3.4%	3.8%	3.4%	3.2%	3.1%	2.7%
Union	2.2%	2.3%	1.1%	2.4%	2.5%	3.3%
Volusia	1.4%	1.4%	1.0%	1.4%	1.4%	0.9%
Wakulla	2.0%	2.2%	1.6%	1.8%	2.0%	3.6%
Walton	1.2%	1.5%	1.3%	1.3%	1.3%	1.5%
Washington	4.3%	4.2%	4.1%	3.4%	3.8%	3.5%
Total	66 (97%)	65 (95.5%)	56 (82%)	61 (89.7%)	61 (89.7%)	61 (89.7%)

Course Instruction and Participation in Statewide, Standardized Assessment

IEP teams are responsible for determining whether SWD will be instructed in the general education state academic standards or the AP-AAAS and, subsequently, assessed through the administration of the general statewide, standardized assessment (with or without accommodations) or the AA-AAAS based on criteria outlined in Rule 6A-1.0943(5)(c) and (d), F.A.C. IEP teams must also determine whether students participating in the FAA should be

assessed via the FAA – Performance Task or FAA – Datafolio.

Step 1 – Checklist for Course and Assessment Participation

To facilitate informed decision making, IEP teams should answer each of the following questions, which align with Rule 6A-1.0943, F.A.C., when determining the appropriate course of instruction and assessment:

1. Is the student identified only as eligible for services as a student who is deaf or hard of hearing or has a visual impairment, a dual sensory impairment, an emotional or behavioral disability, a language impairment, a speech impairment, or an orthopedic impairment?
2. Does the student receive ESE services as identified through a current IEP, and has the student been enrolled in the appropriate and aligned courses using alternate achievement standards for two consecutive full-time equivalent reporting periods before the assessment?
3. Does the student receive specially designed instruction which provides individualized instruction and intervention supports that is determined, designed, and delivered through a team approach, ensuring access to instruction through the adaptation of content, methodology, or delivery of instruction and is exhibiting very limited to no progress in the general education curriculum standards?
4. Does the student receive support through systematic, explicit, and interactive small-group instruction focused on foundational skills and instruction in the general education curriculum standards?
5. Even after documented evidence of exhausting all appropriate and allowable instructional accommodations, does the student require modifications to the general education curriculum standards?
6. Even after documented evidence of accessing various supplementary instructional materials, does the student require modifications to the general education curriculum standards?
7. Even with documented evidence of the provision and use of assistive technology, does the student require modifications to the general education curriculum standards?
8. Even with direct instruction in all academic areas (i.e., ELA, mathematics, social studies, and science), is the student exhibiting limited or no progress on the general education curriculum standards and requires modifications?
9. Does the student have a most significant cognitive disability, defined as a global cognitive impairment that adversely impacts multiple areas of functioning across many settings and is a result of a congenital, acquired, or traumatic brain injury or syndrome that is verified by either:
 - A statistically significant below-average global cognitive score that falls within the first percentile rank (i.e., a standard, the full-scale score of 67 or under); or
 - An evaluation process with procedures to identify students with the most significant cognitive disabilities when a global, full-scale intelligent quotient score is unattainable. This procedure must be approved by the FDOE and documented in the

LEA's ESE P&P, as required by section 1003.57, F.S.

10. Was the student available and present for grade-level general education curriculum standards instruction for at least 70 percent of the prior school year? (Not applicable for transfer students.)
11. Did a certified teacher instruct the student for at least 80 percent of the prior school year? (Not applicable for transfer students.)
12. Was the assessment instrument used to measure the student's global level of cognitive functioning selected to limit the adverse impact of already identified limitations and impairments (e.g., language acquisition, mode of communication, culture, hearing, vision, orthopedic functioning, hypersensitivities, and distractibility)?
13. Was the assessment instrument used to measure the student's global level of cognitive functioning selected to limit the adverse impact of already-identified limitations and impairments (e.g., language acquisition, mode of communication, culture, hearing, vision, orthopedic functioning, hypersensitivities, and distractibility)?

Once the IEP team has determined that a student will be instructed in the AP-AAAS and participate in the FAA, the next step is to determine how the student will be assessed – via the FAA – Performance Task or FAA – Datafolio. The FAA – Datafolio is an alternate achievement standards-based assessment explicitly designed for students with the most significant cognitive disabilities who have limited to no formal mode of communication.

Parental Consent Form

Pursuant to Rule 6A-6.0331(10)(b), F.A.C., if the IEP team decides that the student will be instructed in the AP-AAAS and participate in the FAA, the parent or guardian of the student must give signed consent to have their child instructed in the AP-AAAS. Their child's achievement is measured based on alternate academic achievement standards. This decision must be documented on the Parental Consent Form – Instruction in Access Points – Alternate Academic Achievement Standards (AP-AAAS) and Administration of the Statewide, Standardized Alternate Assessment, available at <http://www.fldoe.org/academics/exceptional-student-edu/beess-resources/parental-consent-form-prior-written-no.shtml>. In the event that the parents or guardians fail to respond after reasonable efforts by the LEA to obtain consent, the LEA may provide instruction in the AP-AAAS and administer the FAA. The IEP should include why the student cannot participate in the general assessment and why the alternate assessment is appropriate.

Step 2 – Datafolio Participation Guidelines

After carefully reviewing the “Checklist for Course and Assessment Participation,” the IEP team determined that the most meaningful evaluation of the student's current academic achievement is through participation in the FAA. Next, the IEP team should answer the following questions when determining how the student will participate in the FAA. Check all that apply.

Questions to Guide the Decision-Making Process to Determine How the Student Will Participate in the FAA	YES	NO
1. Does the student primarily communicate through cries, facial expression, eye gaze and change in muscle tone that requires interpretation by listeners/observers?		
2. Does the student respond/react to sensory (e.g., auditory, visual, touch, movement) input from another person BUT requires actual physical assistance to follow simple directions?		
3. Does the student react primarily to stimuli (e.g., student only communicates being hungry, tired, uncomfortable, and sleepy)?		
Previous FAA—Performance Task Performance (If Applicable)		
4. Has the student’s previous performance on the FAA – Performance Task provided limited information and reflected limited growth within Level 1? *		

*For a student in grade 3 or 4 or a student who does not have previous FAA – Performance Task scores, question 4 does not apply.

If “NO” is selected for each of the first three questions, the IEP team should conclude that the FAA – Performance Task is the more appropriate statewide, standardized assessment. If “YES” is selected for any of the first three questions and “YES” is also selected for the fourth question (when applicable), then the IEP team should conclude that the FAA – Datafolio is the appropriate method to provide meaningful evaluation of the student’s current academic achievement.

Administration of the AA-AAAS

The student’s ESE teacher will administer the assessment individually. If this is not possible, the test administrator will be a certified teacher or other licensed professional who has worked extensively with the student. All individuals who administer the AA-AAAS must be trained in administration procedures and receive annual updated training.

The Access Project

The Access Project is a discretionary project funded by the State of Florida, Department of Education, Bureau of Exceptional Education and Student Services (BEESS) through federal assistance under the IDEA, Part B. The Access Project’s mission is to provide resources that facilitate the teaching and learning of the AP-AAAS. The Access Project focuses on evidence-based instructional strategies and supports that align with Florida’s AP-AAAS for students with the most significant cognitive disabilities. The Access Project continues to support statewide professional learning for districts and teachers to ensure a greater understanding of Florida’s AP-AAAS, providing professional learning on appropriate supports and strategies for students with the most significant cognitive disabilities, including developing communication strategies for this population. The project also supports alternate assessment activities that align instruction with assessment, as needed.

Requirement 4, 34 C.F.R. § 200.6(c)(4)(iv)

Participation Plan

Improving the Implementation of State Guidelines

The FDOE has reviewed the definition of students with the “most significant cognitive disabilities” and revised the FAA participation guidelines, as required by 34 C.F.R. § 200.6(c)(4)(iv)(A), to ensure that the FDOE has adequately addressed all guidelines included in 34 C.F.R. § 200.6(d). The FDOE has reviewed and updated supporting resources and documentation that all LEAs are provided.

- FDOE Leadership staff participated in the Office of Elementary and Secondary Education (OESE) 2023 Assessment Conference in September 2023 to collaborate with other SEAs on strategies to reduce alternate assessment participation.
- The FDOE actively participates in the NCEO 1% Community of Practice to learn with and from other states, uses guidance provided by national technical assistance centers, and incorporates resources and information gained. For example, when considering the LEA justifications submitted in the ESE P&P, FDOE staff referenced the *NCEO Tool 4 District Dialogue Guide: Addressing the Percentage of Students Participating in the Alternate Assessment* to help LEAs consider data sources, methods of analysis, and other information about the percentage of students participating in the FAA. The LEA justifications help ensure appropriate implementation of state guidelines for participation in AA-AAAS in the LEAs.
- The SBE approved revisions to Rule 6A-1.0943, F.A.C., Statewide Assessment for Students with Disabilities, at the SBE meeting on June 10, 2021. Rule 6A-1.0943, F.A.C., was revised to establish a definition for “most significant cognitive disability” and specify the exclusionary and inclusionary criteria required for a student to participate in the administration of the statewide, standardized alternate assessment.

Support and Oversight of LEA Implementation

In addition to updated FAA participation guidelines, the FDOE provides oversight, technical assistance, and support, as required by 34 C.F.R. § 200.6(c)(4)(iv)(B), to promote the proper implementation of the guidelines by LEAs. Florida provides a multi-tiered system of supports to assist all LEAs in problem-solving and data-based decision making. Tier 1 (universal support) includes general, statewide support designed to inform, assist, and improve results for all LEAs. Tier 2 (supplemental supports) includes more focused, targeted, frequent support aligned with the universal support provided to LEAs’ subgroups in response to identified needs. Tier 3 (intensive support) is the most focused, targeted, frequent support in addition to and aligned with the universal support provided to individual LEAs in response to identified needs. Based on the FAA participation data, LEAs with the highest number and the highest percentage of students participating in the FAA are provided universal, targeted, and individualized support. Professionals within the FDOE BEESS, the Bureau of K-12 Student Assessment and staff of several BEESS-managed discretionary projects, including the Access Project, the Florida Inclusion Network (FIN), and the Florida Diagnostic & Learning Resources System (FDLRS) are dedicated to supporting all LEAs in the appropriate instruction and assessment of SWD, including students with the most significant cognitive disabilities.

The following is based on the FDOE AA-AAAS Participation Plan.

Universal Professional Learning and Supports (Tier 1)

FDOE provides universal resources, technical assistance, and support to all LEAs to improve the implementation of FAA participation guidelines. Listed below are the universal resources, technical assistance, and support the FDOE has provided and enhanced to meet the needs of LEAs as they work to provide the most appropriate instruction and aligned assessments to all students.

- An Assessment Planning Checklist for IEP teams is included in the Teacher Administration Manual on the FAA Portal to reflect the revisions to Rule 6A-1.0943, F.A.C., Statewide Assessment for Students with Disabilities.
- Content Differentiation with Access Project is a training module available on the FAA Portal. This module reviews how to differentiate content and meet the requirement to submit scoreable evidence for the FAA – Datafolio.
- The Updates to Access Points – Alternate Academic Achievement Standards (AP-AAAS) presentation is another resource available for stakeholders. This module reviews the SBE’s approved revisions to Rule 6A-1.0943, F.A.C.
- Florida’s Access Points – Alternate Academic Achievement Standards brochure provides LEAs and families with an overview of AP-AAAS.
- LEAs must complete a self-assessment process annually, validated and reviewed by the SEA to identify additional technical assistance opportunities concerning student eligibility for AP-AAAS instruction and participation in the FAA. The protocol for this process is outlined in the *Participation in Alternate Assessments Based on Alternate Academic Achievement Standards (AA-AAAS) Compliance Protocol* document found at <https://www.fldoe.org/academics/exceptional-student-edu/monitoring/>.
- Professionals within BEESS, the Bureau of K-12 Student Assessment, and BEESS-managed discretionary projects, including the Access Project, FIN, and FDLRS, are dedicated to supporting all LEAs in the appropriate instruction and assessment of SWD, including students with the most significant cognitive disabilities. Such support is provided through professional learning, meetings, and presentations at regional and statewide conferences.
- LEAs are required to submit annually FAA Assurances. With these submissions, LEAs assure that each student scheduled to be assessed via the FAA meets the criteria of Rule 6A-1.0943, F.A.C., which includes conditions for determining if the student has a most significant cognitive disability. Review of the FAA Assurances for each LEA includes data analysis and information about each student (primary exceptionality, verification of signed parental consent, IEP justification for the appropriateness of participation in the alternate assessment, the last IEP review date, and course enrollment). FAA Assurances are submitted to the FDOE via the Test Information Distribution Engine (TIDE) system by the end of January. During LEA Data Discussions, FDOE staff review these data extensively with LEA personnel.

Targeted Technical Assistance and Support (Tier 2)

- After reviewing FAA Participation and FAA Assurances data, LEA staff met with FDOE staff to review the data during 1% LEA Data Discussions. Data related to subgroups, performance, significant disproportionality, exceptionality, course enrollment, assessment alignment, parent consent obtained, participation rate and data entry were addressed during these discussions. Technical assistance and support were provided virtually, and a digital copy of the data reviewed were provided to LEAs. More detailed information about these discussions is provided in Appendix A.
- Professionals within BEESS, the Bureau of K-12 Student Assessment, and several BEESS-managed discretionary projects, including the Access Project, FIN and FDLRS, support LEAs and provide targeted technical assistance.
- The Bureau of K-12 Student Assessment and BEESS collaborated for desktop monitoring of the FAA administration and eligibility criteria for the most significant cognitive disability for participation in the FAA. Desktop monitoring activities included the review of IEPs, FAA administration materials, FAA training materials and FAA security protocols.
- LEAs with over 1% of their students on the FAA will provide a justification, including a reason for the overage, as part of the triannual ESE P&P update process. This information will be reviewed and approved by the FDOE before publishing online. LEA justifications are accessible to the public through the BEESS General Supervision Website here: <https://beessgsw.org/#/spp/institution/public/>.

Intensive Individualized Interventions and Supports (Tier 3)

The FDOE provides additional, more frequently focused, targeted instruction or intervention and supplemental support in addition to and aligned with the universal professional development, interventions and supports.

- 1% LEA Data Discussions – After reviewing FAA Participation and FAA Assurances data, LEA staff met with FDOE staff to review the data. ESEA subgroups, significant disproportionality, exceptionality, course enrollment, assessment alignment, parent consent obtained, participation rate and data entry are topics addressed during these discussions. Technical assistance and support are provided virtually, and a digital copy of the data reviewed is provided to the LEA. FDOE staff review proficiency assessment data, including perfect scores in one or more subject areas with districts over the 1% of students participating in the FAA. More detailed information about these discussions is provided in Appendix A.
- The Bureau of K-12 Student Assessment and BEESS collaborated for on-site monitoring of the FAA administration and eligibility criteria for the most significant cognitive disability for participation on the FAA. On-site monitoring activities included the review of IEPs, FAA administration materials, FAA training materials, FAA security protocols and classroom walk throughs.
- LEAs identified as noncompliant through the 1% Monitoring and Compliance activity for AA-AAAS participation must engage in frequent technical assistance and the submission of documentation indicating the completion of a corrective action plan within one year of findings of noncompliance related to AA-AAAS participation.

- During the 2022-23 1% Monitoring and Compliance activity for AA-AAAS participation, 36 LEAs were identified as noncompliant the protocol outlined in the *Participation in Alternate Assessments Based on Alternate Academic Achievement Standards (AA-AAAS) Compliance Protocol* document found at <https://www.fldoe.org/academics/exceptional-student-edu/monitoring/>. Furthermore, LEAs participated in additional technical assistance discussions to improve LEA protocol for obtaining parental consent for the student to be instructed on alternate academic achievement standards and to participate in the FAA. All LEAs completed additional discussions within the permitted time frame and included a district action plan to correct noncompliance. Each quarter, LEAs found noncompliant will submit up to three IEPs to FDOE for validation to ensure future compliance.
- Superintendents of LEAs identified as noncompliant through the 1% Monitoring and Compliance activity for AA-AAAS participation, must engage in technical assistance meetings, hosted by FDOE, to discuss participation rates and action steps for AA-AAAS monitoring.

Addressing Disproportionality

The FDOE will continue to address any disproportionality issues, as required by 34 C.F.R. § 200.6(c)(4)(iv)(C). LEA-level relative risk ratios will be calculated for all student subgroups included in ESEA section 1111(c)(2)(A), (B), and (D) for all four content areas.

The FDOE will determine the need for improvements at the State and LEA levels following thorough data analysis of these relative risk ratios. Technical assistance and support will be provided to LEAs as deemed appropriate.

FDOE Required FAA Participation Reporting

The FDOE Reporting to LEAs

The FDOE provides annual data reports to LEAs identifying trends and patterns in FAA participation at the LEA and school levels. These reports are used to inform and, if necessary, improve local FAA implementation efforts.

- During the 1% LEA Data Discussion, this information was reviewed and compared to the 2023 FAA Assurances. LEAs were able to identify data entry errors and trends that were taking place (i.e., primary exceptionalities identified as not being the most educationally relevant and students enrolled in the incorrect courses).

LEA Reporting to the FDOE

Any LEA above 1% FAA participation will be required (34 C.F.R. § 200.6(c)(3)(ii)) to submit information to the FDOE with a justification for exceeding the 1% threshold of students taking the FAA.

The FDOE Reporting to the Public

Under ESEA, the FDOE must make LEA justifications for exceeding 1%, as submitted above, available to the public if doing so does not reveal any personally identifiable student information (34 C.F.R. §200.6(c)(3)(iv)). Currently, these justifications can be found at <http://beessgsw.org/#/spp/institution/public/>.

Timeline

Table 11: 2022-23 Timeline of Implementation

Date	Implementation Evidence
October 1-December 31, 2022	Quarter 1 - The Access Project provided professional learning and services to stakeholders supporting the implementation of state guidelines for the most significant cognitive disability and instruction in AP-AAAS and participation in the FAA. See Appendix A for detailed information of events.
November 29, 2022	Regional Intellectual Disabilities Contacts' Meeting (Sarasota)
November 30, 2022	Regional Intellectual Disabilities Contacts' Meeting (Orlando)
December 1, 2022	Regional Intellectual Disabilities Contacts' Meeting (Tallahassee)
December 13-15, 2022	FDOE staff presented <i>Data-Driven Decision Making for Students with Disabilities</i> at the Administrators' Management Meeting (AMM). The purpose of this presentation was to provide LEA administrators of ESE and student service programs, representatives of college and university training programs, special and discretionary projects personnel, state agency programs, and the Florida School for the Deaf and the Blind with technical assistance and guidance relating to the eligibility requirements, per Rule 6A-1.0943, F.A.C., for students with the most significant cognitive disability to be instructed on alternate academic achievement standards and to participate in the FAA.
January 1-March 31, 2023	Quarter 2 - The Access Project provided professional learning and services to stakeholders supporting the implementation of state guidelines for the most significant cognitive disability and instruction in the AP-AAAS and participation in the FAA. See Appendix A for detailed information of events.
January 6, 2023	LEAs uploaded the FAA Assurances into Test Information Distribution Engine (TIDE) for monitoring.
January 10, 2023	FAA Datafolio Committee Meeting
January 11, 2023	FAA Desktop Monitoring Random Student Selection from the FAA Assurances
January 13, 2023	AP-AAAS Professional Learning Course Review
January 18, 2023	AP-AAAS social studies routing and collaboration meeting
January 20, 2023	Technical Assistance Presentation developed for AA-AAAS Desktop Monitoring.
January 23, 2023	Student selection correspondence for AA-AAAS desktop monitoring sent to all LEAs.
January 24, 2023	Notice of Rule Development posted in the Florida Administrative Register (F.A.R.) for Rule 6A-1.09401, F.A.C., Student Performance Standards, to inform the public of the opportunity to provide feedback and suggestions to the proposed rule language.
January 26, 2023	FAA Datafolio Committee Meeting
January 30, 2023	FAA Datafolio Review of assessment blueprints

February 6, 2023	1% data analysis files developed for all LEAs.
February 7, 2023	Rule Workshop for Rule 6A-1.09401, F.A.C., Student Performance Standards – AP-AAAS Social Studies
February 7-8, 2023	1% Data Discussion emails sent to all LEAs.
February 15, 2023	Notice of Proposed Rulemaking posted in the F.A.R. for Rule 6A-1.09401, F.A.C., Student Performance Standards, to inform the public of the AP-AAAS updates.
February 16, 2023	Notice of Rule Development posted in the F.A.R. for Rule 6A-1.09401, F.A.C., Student Performance Standards, to inform the public of the opportunity to provide feedback and suggestions to the proposed rule language.
February 21-June 5, 2023	1% Data Discussion meetings with all LEAs (Refer to Appendix A for more information)
March 16-April 18, 2023	Student selection correspondence for validation of AA-AAAS desktop monitoring sent to all LEAs.
March 16, 2023	Notice of Rule Development posted in the F.A.R. for Rule 6A-1.09414, F.A.C., Course Requirements – Grades PK-12 Exceptional Student Education, to inform the public of the opportunity to provide feedback and suggestions to the proposed rule language.
March 23, 2023	Notice of Proposed Rulemaking posted in the F.A.R. for Rule 6A-1.09401, F.A.C., Student Performance Standards, to inform the public of the AP-AAAS updates.
March 24, 2023	Notice of Rule Development posed in the F.A.R. for Rule 6A-1.09401, F.A.C., Student Performance Standards, to inform the public of the AP-AAAS updates.
May 4-June 16, 2023	Individual technical assistance with all LEAs with findings of noncompliance for AA-AAAS desktop monitoring
March 27-31, 2023	Datafolio supervisor scoring in Austin, Texas.
April 1-June 30, 2023	Quarter 3 - The Access Project provided professional learning and services to stakeholders supporting the implementation of state guidelines for the most significant cognitive disability and instruction in AP-AAAS and participation in the FAA. See Appendix A for detailed information of events.
April 3-6, 2023	On-site monitoring in collaboration with the Bureau of K-12 Student Assessment for the administration of the FAA Performance Task
April 18-20, 2023	On-site monitoring in collaboration with the Bureau of K-12 Student Assessment for the administration of the FAA Performance Task
April 24, 2023	Notice of Proposed Rulemaking posted in the F.A.R. for Rule 6A-1.09414, F.A.C., Course Requirements – Grades PK-12 Exceptional Student Education, to inform the public of the Access Points – Alternate Academic Achievement Standards updates.
April 24-26, 2023	Size-Alike Intellectual Disabilities Contacts' meetings

April 25, 2023	Notice of Proposed Rulemaking posted in the F.A.R. for Rule 6A-1.09401, F.A.C., Student Performance Standards, to inform the public of the Access Points – Alternate Academic Achievement Standards updates.
May 22, 2023	Notice of Rule Development was posted in the F.A.R. for Rule 6A-1.09414, F.A.C., Course Requirements – Grades PK-12 Exceptional Student Education, to inform the public of the opportunity to provide feedback and suggestions to the proposed rule language.
June 2, 2023	Datafolio Panhandle Train-the-Trainer professional learning
June 9-11, 2023	FDOE staff gave a presentation at Family Café to overview AP-AAAS. Information was presented to inform families of the eligibility criteria for students being instructed in AP-AAAS and participating in the FAA. A high-level overview of access course enrollment versus class placement was addressed and information about available support for students with cognitive impairments in the regular education classroom was provided. Potential implications of instruction in AP-AAAS and participation in alternate assessments were also discussed.
June 19, 2023	Notice of Proposed Rulemaking posted in the F.A.R. for Rule 6A-1.09414, F.A.C., Course Requirements – Grades PK-12 Exceptional Student Education, to inform the public of the Access Points – Alternate Academic Achievement Standards updates.
July 1-September 30, 2023	Quarter 4 - The Access Project provided professional learning and services to stakeholders supporting the implementation of state guidelines for the most significant cognitive disability and instruction in the AP-AAAS and participation in the FAA. See Appendix A for detailed information of events.
July 10-14, 2023	FAA Performance Task and Datafolio Train-the-Trainer professional learning in Tampa, Florida
July 17, 2023	AP-AAAS professional learning course pilot completed.
August 14, 2023	1% data analysis sent to BEESS by Division of Accountability, Research, and Measurement.
September 5, 2023	AP-AAAS professional learning course developed and uploaded to the BEESS Portal for educators to build capacity and earn certification renewal points.

Table 12: 2023-24 Proposed Timeline of Implementation

Date	Implementation Evidence
October 1-December 31, 2023	Quarter 1 - The Access Project will provide technical assistance and services to stakeholders supporting the implementation of state guidelines for the most significant cognitive disability and instruction in AP-AAAS and participation in the FAA.
November 1-2, 2023	FDOE staff will present at the Florida Organization of Instructional Leaders (FOIL) conference. The purpose of this presentation is to provide LEA administrators of ESE and student service programs, representatives of college and university training programs, special and discretionary projects personnel and state agency programs with technical assistance and guidance relating to the eligibility requirements, per Rule 6A-1.0943, F.A.C., for students with the most significant cognitive disability to be instructed on alternate academic achievement standards and to participate in the FAA.
November 2, 2023	Regional Intellectual Disabilities Contacts' Meeting (Tallahassee)
November 15, 2023	Regional Intellectual Disabilities Contacts' Meeting (Ocala)
November 16, 2023	Regional Intellectual Disabilities Contacts' Meeting (Port St. Lucie)
November 16, 2023	State Advisory Panel Meeting to discuss the 2023-24 1% Waiver Request
December 2023	Workgroup meeting for 1% State implementation of guidelines and practices
December 2023	1% webpage development to include all Florida 1% waiver and wavier extension requests, LEA justifications, Assurances, 1% State and LEA level data, state guidelines and practices resources for all stakeholders
January 1-March 31, 2024	Quarter 2 - The Access Project will provide technical assistance and services to stakeholders supporting the implementation of state guidelines for the most significant cognitive disability and instruction in the AP-AAAS and participation in the FAA.
January 16, 2024	LEAs must upload the FAA Assurances into TIDE for monitoring.
January 2024	FAA Datafolio Committee Meeting
January 19, 2024	FAA Desktop Monitoring Random Student Selection from the FAA Assurances
January 2024	Technical assistance presentation will be posted for AA-AAAS Desktop Monitoring.
January 29, 2024	Student selection correspondence for AA-AAAS desktop monitoring will be sent to all LEAs.
February 2024	LEA justification enhancement (includes posting them to the 1% webpage)
February 2024	1% data analysis files will be developed for all LEAs.
February 2024	1% Data Discussion emails will be sent to all LEAs.
February-June 2024	1% Data Discussion meetings with all LEAs (Refer to Appendix A for more information)

March 15, 2024	Student selection correspondence for validation of AA-AAAS desktop monitoring sent to all LEAs
March 2024	Datafolio supervisor scoring in Austin, Texas
April 1-June 30, 2024	Quarter 3 - The Access Project will provide technical assistance and services to stakeholders supporting the implementation of state guidelines for the most significant cognitive disability and instruction in AP-AAAS and participation in the FAA.
April 2024	FDOE will develop and disseminate a guide for LEAs and IEP teams to use in determining participation in the FAA.
April 2024	On-site monitoring in collaboration with the Bureau of K-12 Student Assessment for the administration of the FAA Performance Task
April 2024	On-site monitoring in collaboration with the Bureau of K-12 Student Assessment for the administration of the FAA Performance Task
April 2024	Size-Alike Intellectual Disabilities Contacts' meetings
May 2024	Development of a template for a flyer for parents and families.
May 3-24, 2024	Individual technical assistance with all LEAs with findings of noncompliance for AA-AAAS desktop monitoring
June 2024	Datafolio Panhandle Train-the-Trainer professional learning
June 2024	FDOE staff will present a presentation at Family Café to overview AP-AAAS. Information will be presented to inform families of the eligibility criteria for students being instructed in AP-AAAS and participating in the FAA. A high-level overview of access course enrollment versus class placement will be addressed and information about available support for students with cognitive impairments in the regular education classroom will be provided. Potential implications of instruction in AP-AAAS and participation in alternate assessments will also be discussed.
July 1-September 30, 2024	Quarter 4 - The Access Project will provide technical assistance and services to stakeholders supporting the implementation of state guidelines for the most significant cognitive disability and instruction in the AP-AAAS and participation in the FAA.
July 2024	FAA Performance Task and Datafolio Train-the-Trainer professional learning in Tampa, Florida
August 2024	1% data analysis will be calculated and sent to BEESS by Division of Accountability, Research, and Measurement.

Public and LEA Comment and FDOE Responses

The FDOE uses the F.A.R., published by the Florida Department of State, to post grant applications, rules, and meeting notifications to the public and provide an opportunity for comments. This publication serves as the official publication for the Florida Department of State for most agency-related matters, such as rulemaking, petitions, and other materials. See section 120.55, F.S. The [F.A.R.](#) was used to solicit public comment on the FDOE Alternate Assessment

1% Cap Waiver Request. LEA comments were also solicited via a Chancellor’s Memo to superintendents, the BEESS Weekly electronic newsletter, and an email to all LEA ESE Directors.

Submitted Comment

“I am the ESE Director for Martin County School District. I have reviewed the draft Request for Waiver Regarding 1% Participation Cap for Alternate Assessment, and am in agreement with the waiver.”

Response

Thank you for your valuable feedback during this process. We will continue to keep stakeholders apprised on next steps. If you have any questions or want more information, please do not hesitate to contact the Bureau of Exceptional Education and Student Services (BEESS) at DOEBEESS@fldoe.org.

Appendix A – Implementation of State Guidelines

NOTE: This chart illustrates the tiered supports provided to LEAs.

Date of Implementation	Number of LEAs	Overview
February 21 through June 5, 2023	36 LEAs	Universal Professional Learning and Supports (Tier 1) 1% Data Discussions (state, LEA, school level, student level) in each subject area (ELA, mathematics, and science), primary and other exceptionalities listed (most significant cognitive disability), disproportionality, access course enrollment, parental consent forms, 2023 FAA Assurances
February 21 through June 5, 2023	21 LEAs	Targeted Technical Assistance and Support (Tier 2) 1% Data Discussions (state, LEA, school level, student level) in each subject area (ELA, mathematics, and science), missing some primary and other exceptionalities that are indicative of the most significant cognitive disability, disproportionality, missing some access course enrollment, missing some parental consent forms, 2023 FAA Assurances, proficient scores on 2022 assessment participation
February 21 through June 5, 2023	11 LEAs	Intensive Individualized Interventions and Supports (Tier 3) 1% Data Discussions (state, LEA, school level, student level) in each subject area (ELA, mathematics, and science), missing many primary and other exceptionalities that are indicative of the most significant cognitive disability, disproportionality, missing many access course enrollment, missing many parental consent forms, 2023 FAA Assurances, perfect scores on 2022 assessment participation

<p>October 1, 2022, through September 30, 2023</p>	<p>All LEAs</p>	<p>Below is a summary of implementation evidence provided by The Access Project.</p> <ul style="list-style-type: none"> • Access trainers directly served 2,163 education professionals at 96 training events. <ul style="list-style-type: none"> ○ Access Points 21 trainings with 546 participants ○ Present Level 17 trainings with 391 participants ○ Access Points in the General Education 23 trainings with 597 participants ○ Datafolio: Content Differentiation eight trainings with 502 participants • In collaboration with other BEESS discretionary projects, Access participated in 14 events. <ul style="list-style-type: none"> ○ Assistive Technology: Lesson Integration in collaboration with Technology Learning Connections (TLC) and Resource Materials and Technology Center for the Deaf/Hard of Hearing four trainings with 96 participants ○ Planning for Instructions for Students with the most significant cognitive disabilities in collaboration with FIN, five trainings with 122 participants • Environmental Communication Teaching in collaboration with Technology Learning Connections (TLC) resulted in growth in communication as shown on the Communication Matrix, 21% on average for nine students. • Held six events in which 140 district level staff who supported students with the most significant cognitive disabilities and discretionary personnel attended. • Participated in 73 leadership activities with state, regional and local stakeholders.
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