

Florida Department of Education
Bureau of Exceptional Student Education

Participation in Alternate Assessments Based on Alternate Academic Achievement Standards (AA-AAAS)

COMPLIANCE PROTOCOL

2022-2023

INTRODUCTION

Monitoring Priority: Effective General Supervision Part B/Free Appropriate Public Education (FAPE) in the Least Restrictive Environment

The purposes of Part B of the Individuals with Disabilities Education Act (IDEA) include, among other things, to ensure that all students with disabilities have available to them a FAPE that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment and independent living. In addition, if a State has adopted AAAS for students with disabilities who are students with the most significant cognitive disabilities, as permitted in section 1111(b)(1)(E) of the Elementary and Secondary Education Act, the State (or, in the case of a districtwide assessment, a school district) must develop and implement alternate assessments and guidelines for the participation in alternate assessments of those students with disabilities who cannot participate in regular assessments, even with accommodations, as indicated in their respective individual education plans (IEPs).

In November 2020, the Florida Department of Education (FDOE) requested an extension of a waiver of section 1111(b)(2)(D)(i)(I) of the Every Student Succeeds Act requirement that a State may not assess using an AA-AAAS more than 1.0 percent of the total number of students in the state who are assessed in the subjects of reading/language arts, mathematics and science. On March 26, 2021, the U.S. Department of Education [granted](#) the FDOE's waiver request.

As part of this waiver, the FDOE assured that it would, among other things, implement, consistent with the plan submitted in the FDOE's waiver request, system improvements and monitor future administrations of the AA-AAAS to avoid exceeding the 1.0 percent cap. Finally, the FDOE was to provide a plan and timeline with clear, actionable steps and milestones that included, in relevant part:

- A clear description of how the State will improve the implementation of its guidelines for participation in the AA-AAAS, including by reviewing and, if necessary, revising its definition of students with the most significant cognitive disabilities (see Title 34, section 200.6(d)(1)) of the Code of Federal Regulations [C.F.R.], so that the State meets the 1.0 percent cap in each subject for which assessments are administered in future school years; and
- A clear description of how the State will monitor and regularly evaluate each local educational agency (LEA) to ensure that the LEA provides sufficient training such that

school staff who participate as members of an IEP team or other placement team understand and implement the guidelines established by the State for participation in an AA-AAAS so that all students are appropriately assessed.

Getting Started

As part of the self-assessment process, the Bureau of Exceptional Education and Student Services has selected a group of students who has been determined to meet, or continue to meet, eligibility criteria per Rule 6A-1.0943, Florida Administrative Code, F.A.C., for instruction in Florida's Access Points – Alternate Academic Achievement Standards (AP-AAAS) and participation in Florida's Statewide Alternate Assessment within the last calendar year. To complete the self-assessment process for each student, the school district will need to compile and review the following education records:

- Cumulative file, including but not limited to, attendance records, discipline records, grades, measurable annual goal reports, and statewide and districtwide assessment results
- IEPs
- Evaluation reports
- Parental consent forms
- Meeting notices and prior written notices
- Student class schedules

Upon completing the self-assessment process, please enter the results for each student in the [General Supervision Website](#) (GSW).

Additional Resources

The [National Center on Educational Outcomes \(NCEO\): Alternate Assessments: AA-AAAS](#)
The NCEO focuses on the inclusion of students with disabilities, English learners and English learners with disabilities in instruction and assessments. The scope of NCEO's work includes issues related to accessibility of assessments across the comprehensive assessment system including formative assessment practices, classroom-based assessments, diagnostic assessments, interim assessments and summative assessments.

The Access Project

The Access Project is funded by the State of Florida, FDOE, Bureau of Exceptional Student Education through federal assistance under the IDEA, Part B.

TIES Center

TIES Center is the national technical assistance center on inclusive practices and policies. It works with states, districts, and schools to support the movement of students with disabilities from less inclusive to more inclusive environments. Inclusion is an ongoing commitment to working for the valued membership, active participation, and learning of each student with their age-grade peers, utilizing a wide array of school community structures, practices, and supports.

COMPLIANCE PROTOCOL: FSAA

GSW Student Number:	District:
Student Name:	IEP Date:
School/Grade:	Exceptionality:
Reviewer's Name:	Review Date:

Pre-Self-Assessment Probe

Instructions:

During the self-assessment process, school districts have the opportunity to correct school district-identified noncompliance prior to submitting the self-assessment results.

In the event that a student's IEP has been reviewed and revised as part of a preemptive correction and is no longer eligible to participate in the AA-AAAS, please select "Option 2" and skip Sections A and B. for that student.

Please note: the FDOE may request the complete education records of the student, including the previous IEP, during the validation process.

	Response
Choose one of the following responses.	<p><input type="checkbox"/> Option 1. The student's current IEP indicates that the student must take an alternate assessment instead of a particular regular statewide or districtwide assessment of student achievement.</p>
	<p><input type="checkbox"/> Option 2. In accordance with 34 C.F.R. § 300.324 and Rule 6A-6.03028, Florida Administrative Code (F.A.C.), the school district reviewed the student's IEP and revised the IEP, as appropriate, to address whether the student was to participate in the FSAA. Based on that review, the IEP team determined that the student no longer met FDOE's AA-AAAS participation guidelines and the FDOE's definition of a "student with the most significant cognitive disabilities."</p>

Section A: Adherence to Florida’s AA-AAAS Participation Guidelines and Definition of “Most Significant Cognitive Disability”

Compliance Indicator: IEP teams in the state are adhering to the State’s AA-AAAS participation guidelines and the state’s definition of a student with a “most significant cognitive disability.”

Standard	Probe	Response
FSAA-1	<p>The decision that the student with a significant cognitive disability was to participate in the statewide, standardized alternate assessment as defined in Section 1008.22(3)(c), Florida Statutes (F.S.), was—</p> <ul style="list-style-type: none"> Made by the IEP team and Recorded on the IEP. <p>Rule 6A-1.0943(5)(a), F.A.C.</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
FSAA-2	<p>In order for the student to participate in the statewide, standardized alternate assessment, all of the following criteria must be met:</p> <p><i>First, assess the education records of the student and enter your responses to standards FSAA-2-A through FSAA-2-K.</i></p> <p><i>Then, if the responses to standards FSAA-2-A through FSAA-2-K are <u>all</u> marked “Yes” or N/A,” mark “Yes” for this standard. Otherwise, mark “No”.</i></p> <p>Rule 6A-1.0943(5)(c), F.A.C.</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
FSAA-2-A	<p>The student must receive exceptional student education services as identified through the current IEP and be enrolled in the appropriate and aligned courses using alternate achievement standards for two consecutive full-time equivalent reporting periods prior to the assessment.</p> <p>Rule 6A-1.0943(5)(c)1., F.A.C.</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
FSAA-2-B	<p>The student must be receiving specially designed instruction, which provided unique instruction and intervention supports that was determined, designed and delivered through a team approach, ensuring access to core 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.</p> <p>Rule 6A-1.0943(5)(c)2., F.A.C.</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>

Standard	Probe	Response
FSAA-2-C	The student must be receiving support through systematic, explicit and interactive small-group instruction focused on foundational skills in addition to instruction in the general education curriculum standards. Rule 6A-1.0943(5)(c)3., F.A.C.	<input type="checkbox"/> Yes <input type="checkbox"/> No
FSAA-2-D	Even after documented evidence of exhausting all appropriate and allowable instructional accommodations, the student requires modifications to the general education curriculum standards. Rule 6A-1.0943(5)(c)4., F.A.C.	<input type="checkbox"/> Yes <input type="checkbox"/> No
FSAA-2-E	Even after documented evidence of accessing a variety of supplementary instructional materials, the student requires modifications to the general education curriculum standards. Rule 6A-1.0943(5)(c)5., F.A.C.	<input type="checkbox"/> Yes <input type="checkbox"/> No
FSAA-2-F	Even with documented evidence of the provision and use of assistive technology, the student requires modifications to the general education curriculum standards. Rule 6A-1.0943(5)(c)6., F.A.C.	<input type="checkbox"/> Yes <input type="checkbox"/> No
FSAA-2-G	Even with direct instruction in all core academic areas (i.e., English language arts, mathematics, social studies and science), the student is exhibiting limited or no progress on the general education curriculum standards, and requires modifications. Rule 6A-1.0943(5)(c)7., F.A.C.	<input type="checkbox"/> Yes <input type="checkbox"/> No
FSAA-2-H	Unless the student is a transfer student, the student must have been available and present for grade-level general education curriculum standards instruction for at least 70 percent of the school year prior to the assessment. Rule 6A-1.0943(5)(c)8., F.A.C.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A, the student was a transfer student
FSAA-2-I	Unless the student is a transfer student, the student must have been instructed by a certified teacher for at least 80 percent of the school year prior to the assessment. Rule 6A-1.0943(5)(c)9., F.A.C.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A, the student was a transfer student

Standard	Probe	Response
FSAA-2-J	<p>The assessment instrument used to measure the student’s global level of cognitive functioning was 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).</p> <p>Rule 6A-1.0943(5)(c)10., F.A.C.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
FSAA-2-K	<p>The student has a most significant cognitive disability. “Most significant cognitive disability” means 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 and is verified by either:</p> <ul style="list-style-type: none"> • 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 • In the extraordinary circumstance when a global, full-scale intelligent quotient score is unattainable, a school district-determined procedure that has been approved by the Florida Department of Education under Rule 6A-1.0943(5)(e), F.A.C. <p>Rule 6A-1.0943(1)(f) and (5)(c)11., F.A.C.</p>	<input type="checkbox"/> Yes, verified by a statistically significant below average global cognitive score that falls within the first percentile rank <input type="checkbox"/> Yes, verified by the school district and FDOE-approved procedure <input type="checkbox"/> No
FSAA-3	<p>A student is not eligible to participate in the statewide, standardized alternate assessment if any of the following are true.</p> <p><i>First, assess the education records of the student and enter your responses to standards FSAA-3-A through FSAA-3-C.</i></p> <p><i>Then, if <u>one or more</u> responses to standards FSAA-3-A through FSAA-3-C are marked “Yes,” mark “Student <u>did not</u> meet eligibility to participate in the alternate assessment due to exclusionary factors.”</i></p> <p><i>Or, if <u>every</u> response to standards FSAA-3-A through FSAA-3-C are marked “N/A,” mark “N/A.”</i></p> <p>Rule 6A-1.0943(5)(d), F.A.C.</p>	<input type="checkbox"/> Student <u>did not</u> meet eligibility to participate in the alternate assessment due to exclusionary factors. <input type="checkbox"/> N/A

Standard	Probe	Response
FSAA-3-A	<p>The student is identified as a student with a specific learning disability or as gifted.</p> <p>Rule 6A-1.0943(5)(d)1., F.A.C.</p>	<p><input type="checkbox"/> Yes, the student is identified as a student with a specific learning disability or as gifted.</p> <p><input type="checkbox"/> N/A</p>
FSAA-3-B	<p>The student is identified only as a student 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.</p> <p>Rule 6A-1.0943(5)(d)2., F.A.C.</p>	<p><input type="checkbox"/> Yes, the student is identified only as a student 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.</p> <p><input type="checkbox"/> N/A</p>
FSAA-3-C	<p>The student scored a level 2 or above on a previous statewide, general education curriculum standardized assessment administered pursuant to Sections 1008.22(3)(a) and (b), F.S., unless there is medical documentation that the student experienced a traumatic brain injury or other health-related complication subsequent to the administration of that assessment that led to the student having the most significantly below-average global cognitive impairment.</p> <p>Rule 6A-1.0943(5)(d)3., F.A.C.</p>	<p><input type="checkbox"/> Yes, the student scored a level 2 or above on a previous statewide, general education curriculum standardized assessment administered pursuant to Sections 1008.22(3)(a) and (b), F.S.</p> <p><input type="checkbox"/> N/A, the student scored a level 2 or above on a previous statewide, general education curriculum standardized assessment administered pursuant to Sections 1008.22(3)(a) and (b), F.S., however, there was medical documentation that the student experienced a traumatic brain injury or other health-related complication</p>

Standard	Probe	Response
		<p>subsequent to the administration of that assessment that led to the student having the most significantly below-average global cognitive impairment</p> <p>[] N/A, the student did not score a level 2 or above on a previous statewide, general education curriculum standardized assessment administered pursuant to Sections 1008.22(3)(a) and (b), F.S.</p>

Section B: Information Provided to Parents of Students With the Most Significant Cognitive Disabilities of the Implications of Participation in the AA-AAAS

Compliance Indicator: IEP teams (and their LEAs) in the state inform parents of students with the most significant cognitive disabilities of the implications of participation in the AA-AAAS.

Standard	Probe	Response
FSAA-4	<p>The school district must ensure that the parents of the student are informed, consistent with 34 C.F.R. § 200.2(e), that their student’s achievement will be measured based on alternate academic achievement standards, and of how participation in such assessments may delay or otherwise affect the student from completing the requirements for a regular high school diploma.</p> <p>34 C.F.R. §§ 300.160(e) and 200.2(e); Rule 6A-6.0331(10)(b), F.A.C.</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
FSAA-5	<p>The school district must obtain parental consent prior to the administration of an alternate assessment in accordance with Section 1008.22, F.S., and provision of instruction in the state standards access points curriculum.</p> <p>Alternatively, there is evidence that the school district documented reasonable efforts to obtain the parent’s consent and the student’s parent has failed to respond, or the school district obtained approval through a due process hearing in accordance with Rule 6A-6.0331(9), F.A.C. To meet the reasonable efforts requirements to obtain parental consent, the school district must document its attempts to obtain parental consent using procedures such as those used to obtain parental participation in meetings as described in Rule 6A-6.03028(3)(b)7., F.A.C.</p> <p>34 C.F.R. § 300.300(d)(2); Rules 6A-1.0943, 6A-6.0331(10)(b), 6A-6.0331(9) and 6A-6.03028(3)(b)7. F.A.C.</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>