

# **IDEA PART B ASSESSMENT FOR SCHOOL YEAR 2012-2013**

OSEP Data Documentation

**Updated** December 2015

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## 1.0 Introduction

### 1.1 Purpose

The purpose of this document is to provide information necessary to appropriately use state level data files on IDEA Part B Assessment from OSEP. The accompanying data file provides data at the state level and **should not be used to calculate national totals.**

### 1.2 OSEP Background

The Office of Special Education Programs (OSEP), within the Office of Special Education and Rehabilitative Services (OSERS), is dedicated to improving results for infants, toddlers, children and youth with disabilities ages birth through 21 by providing leadership and financial support to assist states and local districts.

Section 618 of the Individuals with Disabilities Education Act (IDEA) requires that each State submit data about the infants and toddlers, birth through age 2, who receive early intervention services under Part C of IDEA and children with disabilities, ages 3 through 21, who receive special education and related services under Part B of IDEA. There are 12 data collections authorized under Section 618: under Part B: (1) Child Count; (2) Educational Environments; (3) Personnel; (4) Exiting; (5) Discipline; (6) Assessment; (7) Dispute Resolution; and (8) Maintenance of Effort Reduction and Coordinated Early Intervening Services; and under Part C: (9) Child Count; (10) Settings; (11) Exiting; and (12) Dispute Resolution. These data are collected via an EDFacts system (i.e., EDEN Submission System or the EDFacts Metadata and Process System). Information related to the Section 618 data collected via the EDEN Submission System can be found in the EDFacts Series - EDFacts Special Education/IDEA 2011-12 Study the ED Data Inventory (<http://datainventory.ed.gov/Search?seriesID=196&searchTerm=EDFacts&searchType=Exact>). Information related to the IDEA Section 618 data collected via the EDEN Submission System (ESS) can be found in the IDEA Section 618 entry in the ED Data Inventory (<http://datainventory.ed.gov/Search?seriesID=1324&searchTerm=IDEA%20Section%20618&searchType=Exact>). This data documentation deals only with Part B Assessment data collection and file.

### 1.3 CSPR

Beginning with the 2011-2012 assessment data collection, OSEP coordinated with the Office of Elementary and Secondary Education (OESE) to collect the assessment files through the Consolidated State Performance Report (CSPR). All of

the assessment the data is collected in one set of files via the EDFacts submission system and used for purpose of reporting to OSEP and OESE.

## 2.0 OSEP Part B Assessment Data

### 2.1 State Data

States are required to report the assessment data under Title 1, Part A, Subsection 618 of the *Individuals with Disabilities Education Act* (IDEA).

Part B Assessment Data comes from five separate files:

- DG491/C004 - The number of children with disabilities (IDEA) who did not participate in and receive a valid score on the state assessments.
- DG583/C175 - The unduplicated number of students who completed the state assessment in mathematics for whom a proficiency level was assigned.
- DG584/C178 - The unduplicated number of students who completed the state assessment in reading/language arts for whom a proficiency level was assigned.
- DG588/C185 - The unduplicated number of students enrolled during the period of the state assessment in mathematics.
- DG589/C188 - The unduplicated number of students who were enrolled during the period of the state assessment in reading/language arts.

This information is submitted to OSEP via ESS by the IDEA Part B data managers in each of the 60 IDEA Part B reporting entities.

States were required to submit SY 12 -13 data to EDFacts no later than December 19, 2013. OSEP reviews the data for quality issues and provides feedback to states/entities. States or entities are given the opportunity to address the data quality issues prior to the data being published. Finalized data was extracted from the EDFacts system on April 16, 2014. Please see Appendix A for the specific date each state/ entity submitted these data.

### 2.2 Definitions

*Alternate assessment* – A way to measure the performance of students who are unable to participate in regular assessments even with accommodations. The student's IEP team makes the determination of whether a student is able to take the regular assessment.

*Alternate assessment based on alternate academic achievement standards* - A way to measure the academic achievement of students with the most significant cognitive disabilities. These assessments may yield results that measure the achievement standards that the State has defined under 34 CFR §200.1(d).

*Alternate assessment based on grade level academic achievement standards* - A way to measure the academic achievement of students with disabilities based on the same grade-level achievement standards measured by the State's regular assessments. Such assessments are available to students who the IEP team determines cannot participate in all or part of the State assessments under paragraph 34 CFR §200.6(a)(1), even with appropriate accommodations. These assessments must yield results for the grade in which the student is enrolled in at least reading/language arts, mathematics, and, beginning in the 2007-08 school year, science, except as provided in 34 CFR §200.6(a)(2)(ii)(B).

*Alternate assessment based on modified academic achievement standards* - A way to measure the academic achievement of students with disabilities who access the general grade-level curriculum, but whose disabilities have precluded them from achieving grade-level proficiency and who (as determined by the IEP team) are not expected to achieve grade-level proficiency within the year covered by the IEP.

*Assessment type* – Types of assessments are: regular; alternate based on grade level academic achievement standards; alternate based on modified academic achievement standards; and alternate based on alternate academic achievement standards.

*English Language Proficiency Assessment* - May be taken by LEP students who have been in the U.S. less than 12 months in lieu of the reading/language arts assessment.

*Grade level* – The grade (K through 12) assigned to the student by the school system in which the student is enrolled.

*Invalid results* – Assessment results that cannot be used for reporting and/or aggregation due to problems in the testing process (e.g., student does not take all portions of the assessment, student does not fill out the answer sheet appropriately, student receives accommodations or modifications that threaten test validity) and/or changes in testing materials that resulted in a score that is deemed by the State to not yield a valid evaluation of the student's level of achievement on grade-level content. The students whose test results are determined to be invalid are counted as nonparticipants.

*LEP students* – In coordination with the State’s definition based on Title 9 of ESEA, Limited English Proficient students are students:

(A) who are aged 3 through 21;

(B) *who are enrolled or preparing to enroll in an elementary school or a secondary school;*

(C) *(Who is i or ii or iii)*

(i) who were not born in the United States or whose native languages are languages other than English;

(ii) *(Who is I and II)*

(I) who are a Native American or Alaska Native, or a native resident of the outlying areas; and

(II) who come from an environment where languages other than English have a significant impact on their level of language proficiency; or

(iii) who are migratory, whose native language are languages other than English, and who come from an environment where languages other than English is dominant; and

(D) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individuals *(who is denied i or ii or iii)*

(i) the ability to meet the State’s proficient level of achievement on State assessments described in § 1111(b)(3);

(ii) the ability to successfully achieve in classrooms where the language of instruction is English; or

(iii) the opportunity to participate fully in society.

*Medical emergency exemption* – In cases where a student cannot be assessed at any time during the testing window due to a significant medical emergency (e.g., a student is hospitalized due to an accident), the medical emergency should be documented and the State has the option of omitting the student from the participation rate calculation for AYP reporting under ESEA. States are responsible for determining what constitutes a significant medical emergency. States are expected to provide sufficiently wide testing “windows” that, if a student misses an assessment due to brief absence for medical reasons, the student can take a make-up test. For further guidance on this issue see

<http://www.ed.gov/policy/elsec/guid/stateletters/prates.html>.

*Non-participant* – Students in the following categories are coded non-participant: Assessment results were invalid, participated in out-of-level test, parental opt-outs, absent, medical exemption, and did not participate for other reasons.

*Out of grade level test* – An assessment taken at a grade level below which the student is currently enrolled. Students who are tested out-of-level, for the purpose of this data collection, are considered to be nonparticipants.

*Parental Exemptions* - In States where permitted for all students, parents of students with disabilities can determine that their child will not participate in either the regular or alternate State assessment. These students are not counted as participants.

*Participants* – Students with IEPs who took the assessment and received a valid score. (LEP students who, at the time of testing, were in the US for less than 12 months and took the English Language Proficiency test as substitute for the reading/language arts assessment are also considered participants in that reading assessment.)

*Regular assessment based on grade level academic achievement standards* – An assessment designed to measure the student's knowledge and skills in a particular subject matter based on academic achievement content for the grade in which the student is enrolled. See ESEA, Section 1111(b)(3).

- Regular assessments based on grade level academic achievement standards can be taken with or without accommodations.

*Students with IEPs* – For purposes of this Assessment data collection, this population consists of students served under IDEA, not students who are parentally placed in private schools and served through services plans, in accordance with 34 CFR §300.132(c).

### **3.0 Data Quality**

The Office of Special Education Programs (OSEP) reviews and evaluates the timeliness, completeness, and accuracy of the data submitted by States to meet the reporting requirements under Section 618 of the Individuals with Disabilities Education Act (IDEA). OSEP identifies a Section 618 data submission as timely if the State has submitted the required data to the appropriate data submission system (i.e., EDEN Submission System (ESS) or ED Facts Metadata and Process System (EMAPS)) on or before the original due date. The due dates for the IDEA Section 618 data are:

- The first Wednesday in the month of November for Part B Personnel, Part B Exiting, Part B Discipline, Part B Dispute Resolution, Part C Exiting, and Part C Dispute Resolution data collections.
- The first Wednesday in the month in April for Part B Child Count, Part B Educational Environments, Part C Child Count, and Part C Settings data collections.
- During the third week in December for Part B Assessment data collection. This due date is aligned with the due date for the assessment data reported by States for the Consolidated State Performance Reports (CSPR).
- The first Wednesday in the month of May for the Part B Maintenance of Effort Reduction and Coordinated Early Intervening Services data collection.

OSEP identifies a Section 618 data submission as complete if the State has submitted data for all applicable fields, file specifications, category sets, subtotals, and grand totals for a specific Section 618 data collection. Additionally, OSEP evaluates if the data submitted by the State match the information in metadata sources such as the EMAPS State Supplemental Survey-IDEA and the EMAPS Assessment Metadata Survey.

OSEP identifies a Section 618 data submission as accurate if the State has submitted data that meets all the edit checks for the specific data collection. The edit checks for each Section 618 data collection are identified in the Part B Data Edits and Part C Data Edits documents available to States in OMB Max. The majority of these edit checks are incorporated into the business rules in ESS and EMAPS. Specific business rules or edit checks are outlined in the ED Facts Business Rules Guide and the EMAPS user guides on [www.ed.gov/edfacts](http://www.ed.gov/edfacts).

OSEP also conducts year-to-year change analysis in order to determine if there has been a large fluctuation in the counts reported by a State from year to year. If large changes are identified, OSEP requests that the State review the data to make sure that the changes are not the result of a data quality issue and to provide an explanation for the large change in counts if it was not the result of a data quality issue.

OSEP reviews the data notes and explanations States provide in relation to the submission of the Section 618 data to better understand if and how the State is meeting the reporting instructions and requirements for the specific data collection.

In rare occasions, some data may need to be suppressed in the public release file due to data quality issues.



### 3.1 Coordinated Review

The state assessment data was submitted through CSPR for both OSEP and OESE. After the close date, OSEP and OESE coordinated a collaborative review of the submitted assessment data. The review includes the following areas: timeliness of the data submission, completeness of the data files, and accuracy of the data.

Through the coordinated review, the states receive one review from ED. For states that have missing or inaccurate data, there are opportunities to resubmit their data files and have them reviewed prior to publication.

### 3.2 Thresholds

In order to assure data quality of the IDEA Assessment data file, we evaluated the data for two primary edit checks: (1) does the number of students with disabilities participating in an assessment (i.e., those who took an assessment, received a valid assessment, and had a performance level assigned) equal the number of students with disabilities reported in the performance data (i.e. sum of number proficient and the number not proficient); and (2) does the total number of students with disabilities who were reported as not participating in the statewide assessments by reason in file 004 equal the number of students with disabilities who were reported as not participating in file 188 and 185. If a state's IDEA assessment data did not meet either (or both) of the edit checks, we applied thresholds to determine whether the data quality was adequate enough for the purposes of public reporting of the 2012-2013 Public Assessment File.

For the first edit check, we evaluated the performance and participation files (File Spec 175, 178, 185, 188) using a 1 percentage point threshold. The threshold determination was applied to each subject area, grade, and assessment type (e.g., grade 4 alternate assessment based on alternate achievement standards in reading in state X). When the one percentage point threshold was violated, the number of students with disabilities who scored at or above proficient on the assessment and the number of students with disabilities who took that type of assessment were suppressed from the public file. For data that violated the edit check but was below the one percentage threshold, we applied an asterisk to the corresponding data in the public file noting questionable data quality.

For the second edit check, we evaluated the non-participation file (File Spec 004) using a five percentage point threshold. The threshold determination was applied to each subject area, grade, and assessment type (e.g., grade 4 alternate assessment based on alternate achievement standards participation in reading in state X). When the five percentage point threshold was violated, the number of students with disabilities reported as non-participants were suppressed from the public file. For

data that violated the edit check but was below the five percentage point threshold, we applied an asterisk to the corresponding data in the public file noting questionable data quality.

The following symbols were used to indicate data with data quality concerns in the data file:

\* Data suppressed for data quality

### 3.3 Suppression

The following states had their all or part of their data suppressed due to data quality concerns:

- BIE, OK, WY, and Marshall Islands: The number of students with disabilities who scored at or above proficient on the assessment and the number of students with disabilities who took that type of assessment were suppressed for at least 1 subject area, grade, and assessment type was suppressed due to significant data quality concerns.
- CA, IL, and MA: Participation and performance data for at least 1 subject area, grade, and assessment types was noted as having minor data quality concerns.
- BIE, WV, and Marshall Islands: The number of students with disabilities reported as non-participants was suppressed from the public file for at least 1 subject and grade due to significant data quality concerns.
- DC, ID, IA, NM, NY, OK, RI, and WY: Non participant data for at least 1 subject and grade was noted as having minor data quality concerns.

**NEW!** In April 2015, Louisiana informed the Department that their SY2012-13 performance level mapping was reported incorrectly for their mathematics and reading/language arts regular assessments for high school. As a result, the counts of students with disabilities who scored at or above proficient on the regular assessment in high school in mathematics and reading/language arts for Louisiana were suppressed in the data file.

### 3.4 Data Notes

States or entities have the option to provide additional information to OSEP related to the data quality issues or changes. This information has been compiled and accompanies the data files for data users. Please review this word document when evaluating any state or entity data.

#### 4.0 File Structure

The following table provides the layout of the assessment file.

Number of Variables: 36

Extraction Date: The date the data were extracted from EDFact Data Warehouse (EDW).

Updated: The date of when changes were made to the text, format or template of the file, if no changes have occurred this line will be blank.

Revised: The date of when updates were made to the data; if no changes have occurred this line will be blank.

<b>Variable Name</b>	<b>Type</b>
Year	Reference Year
State	State Name
Grade	The grade level the student was enrolled at the time of testing.
Math IEP Regular Assessment with Accommodations	Number of children with disabilities (IDEA) who took the regular assessment with accommodations in Math
Math IEP Regular Assessment without Accommodations	Number of children with disabilities (IDEA) who took the regular assessment without accommodations in Math
Math IEP Alternate Assessment Alternate Std Achievement Total	Number of children with disabilities (IDEA) who took the alternate assessment based on alternate achievement standards in Math
Math IEP Alternate Assessment Grade Level Std Achievement Total	Number of children with disabilities (IDEA) who took the alternate assessment based on grade level achievement standards in Math
Math IEP Alternate Assessment Modified Std Achievement Total	Number of children with disabilities (IDEA) who took the alternate assessment based on modified achievement standards in Math
Math IEP No Assessment Absent	Number of children with disabilities (IDEA) who did not take the statewide assessment in Math due to being absent
Math IEP No Assessment Other Reasons	Number of children with disabilities (IDEA) who did not take the statewide assessment in Math due to other reasons
Math IEP Medical Emergencies	Number of children with disabilities (IDEA) who did not take the statewide assessment in Math due to Medical Emergencies
Math IEP Assessment Score Invalid	Number of children with disabilities (IDEA) who did not receive a valid score on the statewide assessment in Math
Math IEP No Assessment	Number of children with disabilities (IDEA) who did

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<b>Variable Name</b>	<b>Type</b>
Parental Exemptions	not take the statewide assessment in Math due to parental exemptions
Math IEP out of Level Assessment Total	Number of children with disabilities (IDEA) who participate in out of level testing in Math
ProfandAbove_Math Regular Assessment with Accommodations Grade Level Standards	Number of children with disabilities (IDEA) at or above proficient on the regular assessment with accommodations in Math
ProfandAbove_Math Regular Assessment without Accommodations Grade Level Standards	Number of children with disabilities (IDEA) at or above proficient on the regular assessment without accommodations in Math
ProfandAbove_Math Alternate Assessment Alternate Standards	Number of children with disabilities (IDEA) at or above proficient on the alternate assessment based on alternate achievement standards in Math
ProfandAbove_Math Alternate Assessment Grade Level Standards	Number of children with disabilities (IDEA) at or above proficient on the alternate assessment based on grade level standards in Math
ProfandAbove_Math Alternate Assessment Modified Standards	Number of children with disabilities (IDEA) at or above proficient on the alternate assessment based on modified achievement standards in Math
Reading IEP Regular Assessment with Accommodations	Number of children with disabilities (IDEA) who took the regular assessment with accommodations in Reading
Reading IEP Regular Assessment without Accommodations	Number of children with disabilities (IDEA) who took the regular assessment without accommodations in Reading
Reading IEP Alternate Assessment Alternate Std Achievement Total	Number of children with disabilities (IDEA) who took the alternate assessment based on alternate achievement standards in Reading
Reading IEP Alternate Assessment Grade Level Std Achievement Total	Number of children with disabilities (IDEA) who took the alternate assessment based on grade level achievement standards in Reading
Reading IEP Alternate Assessment Modified Std Achievement Total	Number of children with disabilities (IDEA) who took the alternate assessment based on modified achievement standards in Reading
Reading IEP, LEP students Using LEP Replacing Reading Assessment	Number of children with disabilities (IDEA) who meet the definition of Limited English Proficient and took the LEP Replacement Reading Assessment
Reading IEP No Assessment Absent	Number of children with disabilities (IDEA) who did not take the statewide assessment in Reading due to being absent
Reading IEP No Assessment Other Reasons	Number of children with disabilities (IDEA) who did not take the statewide assessment in Reading for other reasons
Reading IEP Medical Emergencies	Number of children with disabilities (IDEA) who did not take the statewide assessment in Reading due to Medical Emergencies
Reading IEP Assessment Score	Number of children with disabilities (IDEA) who did

Variable Name	Type
Invalid	not receive a valid score on the statewide assessment in Reading
Reading IEP No Assessment Parental Exemptions	Number of children with disabilities (IDEA) who did not take the statewide assessment in Reading due to parental exemptions
Reading IEP out of Level Assessment Total	Number of children with disabilities (IDEA) who participate in out of level testing in Reading
ProfandAbove_Reading Regular Assessment with Accommodations Grade Level Standards	Number of children with disabilities (IDEA) at or above proficient on the regular assessment with accommodations in Reading
ProfandAbove Reading Regular Assessment without Accommodations Grade Level Standards	Number of children with disabilities (IDEA) at or above proficient on the regular assessment without accommodations in Reading
ProfandAbove_Reading Alternate Assessment Alternate Standards	Number of children with disabilities (IDEA) at or above proficient on the alternate assessment based on alternate achievement standards in Reading
ProfandAbove_Reading Alternate Assessment Grade Level Standards	Number of children with disabilities (IDEA) at or above proficient on the alternate assessment based on grade level achievement standards in Reading
ProfandAbove_Reading Alternate Assessment Modified Standards	Number of children with disabilities (IDEA) at or above proficient on the alternate assessment based on modified achievement standards in Math

## 5.0 Guidance for Using these data-FAQs

### Which students are reported?

Include all students enrolled during the testing window. This means include:

- Both full academic year (FAY) and not full academic year students
- Students who did not participate in the assessment
- Students who did not participate in the assessment due to significant medical emergencies
- LEP students who have been in the U.S. less than 12 months and took the English Language Proficiency (ELP) assessment in lieu of the reading/language arts assessment.

### Who is considered a participant?

A participant is a student who:

- Took the assessment,
- Received a valid score, and

- Was assigned a proficiency level

This includes students who participated in regular assessments with or without accommodations; or alternate assessments including those based on grade level, modified, and alternate academic standards. Both students who were there for a full academic year and those not there for a full academic year are also included in this file.

### **How do you report High School data?**

Data reported by specific grade levels (9, 10, 11, and 12 for mathematics and reading/language arts) or high school (HS) will be used for reporting results of statewide assessments in high school. Data for high school is collapsed into one reporting grade called High School.

### **At what grade levels are students reported?**

Students are reported at the same grade level in which the student is enrolled, as close to the testing window as possible. The grade is assigned to the student by the school system in which the student is enrolled.

### **What are the permitted values for reasons for not participating in an assessment?**

The permitted values are:

- EXEMPT – Parental exemption, this is also referred to as “parental opt-out”.
- ABSENT– Absent during the testing window
- EXPOTHER – Did not participate for other reasons
- NOTNCLB –Student took an out-of-grade level assessment (See definition in section 2.2).
- NOSCORE –Student who received an invalid score (See definition in section 2.2)
- MEDICAL – Did not take assessment due to a significant medical emergency (see questions “Who is considered to have a significant medical emergency?” and “What if my state doesn’t have a policy for exempting students due to significant medical emergency?”)

### **Who is considered to have a significant medical emergency?**

Each state determines what constitutes a significant medical emergency<sup>1</sup>.

### **What if my state doesn't have a policy for exempting students due to significant medical emergency?**

If the state doesn't have such a policy, do not report any students as having a significant medical emergency. Report all students as either participating or not participating.

### **Are students who were not present for the full academic year reported?**

Yes. Include both students who were enrolled for the full academic year and those who were not enrolled for the full academic year in this file. These data are used by a variety of sources, many of which do not differentiate on full year academic status.

### **What are the permitted values for participation status (MATH) & (RLA)?**

The Permitted values are:

- **REGPARTWOACC** - Participated – regular assessment based on grade-level achievement standards without accommodations
- **REGPARTWACC** - Participated – regular assessment based on grade-level achievement standards with accommodations
- **ALTPARTGRADELVL** - Participated – alternate assessment based on grade-level achievement standards
- **ALTPARTMODACH** - Participated – alternate assessment based on modified achievement standards
- **ALTPARTALTACH** - Participated – alternate assessment based on alternate achievement standards
- **PARTELP** - Participated – English language proficiency assessment
- **MEDEXEMPT** - Medical exemption
- **NPART** - Did not participate

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<sup>1</sup> In cases where a student cannot be assessed at any time during the testing window due to a significant medical emergency (e.g., a student is hospitalized due to an accident), the medical emergency should be documented and the State has the option of omitting the student from the participation rate calculation for AYP reporting under *ESEA*. States are responsible for determining what constitutes a significant medical emergency. States are expected to provide sufficiently wide testing “windows” that, if a student misses an assessment due to brief absence for medical reasons, the student can take a make-up test. For further guidance on this issue see <http://www.ed.gov/policy/elsec/guid/stateletters/prates.html>.

### **What about recently-arrived LEP students?**

If a state's policy permits, recently-arrived LEP students<sup>2</sup> can take the English language proficiency assessment (ELP) in lieu of the reading/language arts assessment.

### **What if my state assigns non-participants to the lowest level of proficiency?**

Those students are not reported in these files (for reporting academic achievement results).

## **5.1 Privacy Protections Used**

Beginning in August 2012, the US Department of Education established a Disclosure Review Board (DRB) to review proposed data releases by the Department's principal offices (e.g., OSERS/OSEP) through a collaborative technical assistance process so that the Department releases as much useful data as possible, while protecting the privacy of individuals and the confidentiality of their data, as required by law.

The DRB worked with OSEP to develop appropriate disclosure avoidance plans for the purposes of the Section 618 data releases that are derived from data protected by The Family Educational Rights and Privacy Act (FERPA) and the Individuals with Disabilities Education Act (IDEA) and to help prevent the unauthorized disclosure of personally identifiable information in OSEP's public IDEA Section 618 data file releases.

The DRB applied the FERPA standard for de-identification to assesses whether a "reasonable person in the school community who does not have personal knowledge of the relevant circumstances" could identify individual students in tables with small size cells (34 CFR §99.3 and §99.31(b)(1)). The "reasonable person" standard was used to determine whether the data have been sufficiently redacted prior to release such that a "reasonable person" (i.e., a hypothetical, rational, prudent, average individual) in the school community would not be able to identify a student with any reasonable certainty. School officials, including teachers, administrators, coaches, and volunteers, are not considered in making the reasonable person determination since they are presumed to have inside knowledge of the relevant circumstances and of the identity of the students.

The data do not contain any individual-level information and are aggregated to the state (or entity) level. The DRB has determined that the aggregation of the data elements to the state (or entity) level is sufficient to protect privacy, whenever there

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<sup>2</sup> Recently-arrived LEP students are LEP students who have been in the U.S. for less than 12 months.



are 300 or more ( $\geq 300$ ) students with disabilities who received a valid assessment score in each reported grade at the state (or entity) level. If a state (or entity) meets this threshold then the assessment data can be reported for that state (or entity) with no additional privacy protections.

In those cases where there are fewer than 300 students with disabilities who received a valid assessment score at the state (or entity) level, then additional privacy protections (outlined below) will be necessary.

Additional data on assessment proficiency is collected and published by other offices within the Department of Education, but the DRB has assessed the relation between the data files and had determined that they pose no significant additional risk of disclosure. (See Note below for more information regarding compatibility of methodologies across offices releasing assessment data.)

#### Additional Privacy Protections for States (or Entities) with Small Populations of Students with Disabilities

To protect the privacy of individuals in states (or entities) with fewer than 300 students with disabilities who received a valid assessment score, OSERS will apply the following additional privacy protections.

1. For each of the assessment types, if the number of children with disabilities at or above proficient within each grade is between 0-3 that value will be replaced with " $\leq 3$ " – Totals are not being provided.

**Appendix A**

**Date of the Last State Level Submission**

<b>State</b>	<b>File 004</b>	<b>File 175</b>	<b>File 178</b>	<b>File 185</b>	<b>File 188</b>
ALABAMA	04/16/2014	04/15/2014	04/15/2014	04/15/2014	04/15/2014
ALASKA	11/27/2013	12/11/2013	12/11/2013	12/11/2013	02/26/2014
AMERICAN SAMOA	02/03/2014	02/03/2014	02/03/2014	02/03/2014	02/03/2014
ARIZONA	11/27/2013	11/26/2013	11/26/2013	11/26/2013	11/26/2013
ARKANSAS	12/18/2013	02/12/2014	03/07/2014	02/12/2014	03/31/2014
BUREAU OF INDIAN AFFAIRS	-	12/10/2013	-	12/10/2013	12/10/2013
CALIFORNIA	04/02/2014	03/05/2014	03/05/2014	03/05/2014	04/16/2014
COLORADO	03/04/2014	08/30/2013	08/30/2013	11/22/2013	09/22/2013
CONNECTICUT	03/04/2014	03/06/2014	04/09/2014	03/06/2014	04/09/2014
DELAWARE	03/31/2014	03/31/2014	03/31/2014	03/31/2014	03/31/2014
DISTRICT OF COLUMBIA	03/14/2014	12/13/2013	12/13/2013	11/25/2013	04/15/2014
FEDERATED STATES OF MICRONESIA	12/06/2013	12/05/2013	12/06/2013	12/05/2013	12/05/2013
FLORIDA	11/19/2013	09/19/2013	09/19/2013	10/11/2013	10/11/2013
GEORGIA	12/12/2013	03/06/2014	03/06/2014	12/17/2013	12/17/2013
GUAM	12/12/2013	12/18/2013	12/18/2013	12/18/2013	12/18/2013
HAWAII	08/30/2013	12/12/2013	12/12/2013	10/8/2013	02/21/2014
IDAHO	12/19/2013	04/14/2014	04/14/2014	04/14/2014	04/14/2014
ILLINOIS	12/03/2013	11/05/2013	11/06/2013	11/06/2013	11/06/2013
INDIANA	04/02/2014	02/11/2014	02/12/2014	04/02/2014	04/02/2014
IOWA	02/20/2014	02/20/2014	11/22/2013	12/06/2013	04/08/2014
KANSAS	12/13/2013	12/13/2013	12/13/2013	12/13/2013	12/13/2013
KENTUCKY	11/25/2013	04/02/2014	04/02/2014	04/02/2014	04/02/2014
LOUISIANA	04/15/2014	04/15/2014	04/16/2014	04/14/2014	04/14/2014
MAINE	04/01/2014	04/01/2014	04/01/2014	04/01/2014	04/01/2014
MARYLAND	09/27/2013	09/19/2013	09/19/2013	09/24/2013	09/24/2013
MASSACHUSETTS	03/04/2014	12/09/2013	12/11/2013	12/11/2013	12/10/2013
MICHIGAN	03/03/2014	12/10/2013	12/10/2013	03/03/2014	03/03/2014
MINNESOTA	11/27/2013	11/27/2013	11/27/2013	12/05/2013	12/05/2013
MISSISSIPPI	11/21/2013	12/06/2013	12/10/2013	03/04/2014	03/04/2014
MISSOURI	02/12/2014	02/12/2014	02/12/2014	11/20/2013	02/27/2014
MONTANA	12/09/2013	12/10/2013	12/10/2013	12/05/2013	12/05/2013

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State	File 004	File 175	File 178	File 185	File 188
NEBRASKA	04/11/2014	02/26/2014	02/26/2014	04/11/2014	04/11/2014
NEVADA	11/13/2013	02/19/2014	02/26/2014	11/05/2013	11/05/2013
NEW HAMPSHIRE	09/18/2013	09/18/2013	09/18/2013	09/19/2013	09/19/2013
NEW JERSEY	12/04/2013	11/08/2013	11/04/2013	03/12/2014	03/12/2014
NEW MEXICO	12/10/2013	12/12/2013	12/12/2013	04/02/2014	04/02/2014
NEW YORK	11/21/2013	02/10/2014	02/10/2014	02/10/2014	02/10/2014
NORTH CAROLINA	12/17/2013	12/10/2013	12/11/2013	12/17/2013	12/16/2013
NORTH DAKOTA	04/16/2014	10/21/2013	10/21/2013	10/21/2013	10/21/2013
NORTHERN MARIANAS	03/03/2014	12/16/2013	12/16/2013	12/16/2013	12/16/2013
OHIO	11/25/2013	11/25/2013	11/25/2013	11/25/2013	11/25/2013
OKLAHOMA	12/10/2013	12/18/2013	12/18/2013	12/18/2013	12/18/2013
OREGON	11/06/2013	11/27/2013	11/27/2013	11/27/2013	12/02/2013
PENNSYLVANIA	12/10/2013	03/06/2014	03/06/2014	03/06/2014	03/06/2014
PUERTO RICO	11/27/2013	04/14/2014	04/14/2014	04/14/2014	04/14/2014
REPUBLIC OF PALAU	01/04/2014	12/06/2013	12/06/2013	12/25/2013	12/25/2013
REPUBLIC OF THE MARSHALL ISLANDS	12/18/2013	12/18/2013	12/18/2013	12/18/2013	12/18/2013
RHODE ISLAND	12/06/2013	09/20/2013	09/20/2013	10/2/2013	04/02/2014
SOUTH CAROLINA	01/03/2014	12/19/2013	12/19/2013	01/03/2014	01/03/2014
SOUTH DAKOTA	12/18/2013	12/10/2013	12/06/2013	02/28/2014	12/19/2013
TENNESSEE	04/08/2014	11/19/2013	11/19/2013	11/19/2013	11/19/2013
TEXAS	12/19/2013	12/13/2013	12/13/2013	12/13/2013	12/13/2013
UTAH	02/19/2014	04/02/2014	04/02/2014	04/02/2014	04/02/2014
VERMONT	02/11/2014	07/29/2013	07/11/2013	08/02/2013	08/05/2013
VIRGIN ISLANDS	03/05/2014	03/05/2014	03/05/2014	12/16/2013	12/16/2013
VIRGINIA	12/11/2013	03/06/2014	03/06/2014	12/3/2013	12/3/2013
WASHINGTON	02/28/2014	03/07/2014	03/07/2014	03/07/2014	03/07/2014
WEST VIRGINIA	11/25/2013	04/15/2014	04/14/2014	04/14/2014	04/14/2014
WISCONSIN	03/04/2014	02/26/2014	02/26/2014	02/26/2014	02/26/2014
WYOMING	04/17/2014	04/14/2014	04/14/2014	04/17/2014	12/18/2013

- Data not submitted

Appendix B

State Survey Responses

State	Grade HS assessment administered	Reasons not assessed: invalid results	Reasons not assessed: out-of-level test	Reasons not assessed: parental opt out	Reasons not assessed: absent	Reasons not assessed: other reasons	Medical emergency exemption	Limited English proficiency prior to assessment	LEP take the regular reading/language assessment	Include LEP children in perf. and acct. reporting	Assessment Comments
Alabama	11	✓			✓		✓	✓	✓	✓	LEP students with disabilities may choose to participate in the regular reading/language arts assessments. However, LEP students during his/her first 12 months of enrollment in U.S. schools are not required to participate in the reading test(s) of the Alabama Reading and Mathematics Test+ (ARMT+ ), EXPLORE, PLAN, or the Alabama Alternate Assessment (AAA). These students may defer the reading test of the Alabama High School Graduation Exam (AHSGE) until the first administration of the next school year and the language test until the next administration. LEP students must participate in any End-of-Course assessments for which they are enrolled in and receiving course credit. Also, these LEP students are required to take ACCESS for ELLs or Alternate ACCESS for ELLs whether or not they participate in a reading assessment. Participation in ACCESS for ELLs or Alternate ACCESS for ELLs satisfies the reading participation requirement for accountability purposes for those students in their first 12 months of enrollment in a U.S. school who do not participate in the regular reading/language arts assessments.
Alaska	10	✓	✓		✓	✓	✓	✓	✓	✓	Districts can chose to opt the child out for AYP purposes or not.

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State	Grade HS assessment administered	Reasons not assessed: invalid results	Reasons not assessed: out-of-level test	Reasons not assessed: parental opt out	Reasons not assessed: absent	Reasons not assessed: other reasons	Medical emergency exemption	Limited English proficiency prior to assessment	LEP take the regular reading/language assessment	Include LEP children in perf. and acct. reporting	Assessment Comments
American Samoa	10	✓	✓	✓	✓	✓	✓	✓	✓		Although American Samoa is a US territory; it is totally a different environment based on the LEP question and its timeline. Students in AS live here and they are LEP because their first language is Samoan. Please consider that Pacific outlying islands have their own first language and English is their second language.
Arizona	10	✓			✓			✓	✓		In Arizona, all students must be tested if they are enrolled in a public school. Arizona does not have preset conditions for a student to not take an assessment. However, Arizona does collect and federally report data on students who had invalid test scores and also those who were absent on the day of the assessment. Further, while significant medical emergency is not permitted as an exemption, students with a significant medical emergency can be appealed out for AYP during the AYP appeals process. Finally, while all LEP students are required to participate in assessments, LEP students who have been in the United States for less than one year are exempted in the performance part of AYP.
Arkansas	11				✓	✓	✓	✓	✓		Grade levels for HS Math could include students from 7th through 12th grade; most students are 9th and 10th grade (algebra and geometry). HS Literacy is given in 11th grade. LEP CWD would be included in AYP for Math Assessment but not for Reading.

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State	Grade HS assessment administered	Reasons not assessed: invalid results	Reasons not assessed: out-of-level test	Reasons not assessed: parental opt out	Reasons not assessed: absent	Reasons not assessed: other reasons	Medical emergency exemption	Limited English proficiency prior to assessment	LEP take the regular reading/language assessment	Include LEP children in perf. and acct. reporting	Assessment Comments
Bureau of Indian Affairs	10	✓	✓	✓	✓	✓	✓		✓	✓	BIE does not serve migrant children or non-Indians generally. Through SY2010-11, BIE-funded schools administer assessments to high school students based on the requirements of each of the state in which each school respectively is located. This is typically Grade 10, but also includes Grade 9 in some states and Grade 11 in others.
California	10			✓			✓	✓	✓		
Colorado	9	✓						✓	✓	✓	Children who are LEP with disabilities are included in accountability reporting if they are not expelled and are not new to their school after October 1.
Connecticut	10					✓	✓	✓	✓	✓	
Delaware	10				✓	✓	✓	✓		✓	
District of Columbia	10					✓	✓	✓	✓		
Florida	9				✓	✓	✓	✓	✓	✓	High school assessment occur in both grades 9 and 10; Florida does not have exemptions except for medical emergencies and LEAs must submit a waiver request for those cases; decisions about LEP children with disabilities participation are made by the IEP/LEP committee,
Georgia	11	✓			✓		✓	✓	✓	✓	The Georgia Flexibility Waiver permits high school students to participate in End of Course Test at multiple grade levels.
Guam	9				✓		✓	✓	✓		LEP children with disabilities (IDEA) may take the regular assessment with or without accommodations as determined by their IEP Team. Guam DOE does not report performance and accountability reporting for all students for AYP purposes.

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State	Grade HS assessment administered	Reasons not assessed: invalid results	Reasons not assessed: out-of-level test	Reasons not assessed: parental opt out	Reasons not assessed: absent	Reasons not assessed: other reasons	Medical emergency exemption	Limited English proficiency prior to assessment	LEP take the regular reading/language assessment	Include LEP children in perf. and acct. reporting	Assessment Comments
Hawaii	10	✓	✓	✓	✓	✓	✓	✓	✓	✓	All students are included in participation counts. For proficiency percentage purposes, the full academic year requirement is applied. Hawaii does not allow out of grade testing.
Idaho	10	✓		✓	✓	✓	✓	✓			
Illinois	11	✓			✓		✓	✓		✓	
Indiana	10	✓	✓		✓	✓	✓	✓	✓	✓	
Iowa	11	✓	✓	✓	✓	✓	✓	✓		✓	
Kansas	11			✓			✓	✓		✓	
Kentucky	10	✓	✓	✓	✓	✓	✓	✓			Kentucky tests in grades 10-12 with different contents per grade. We chose the 10th grade only because there was not an option to choose more than one. All students are permitted to use the normal accommodations and participate. Of the options provided, Other is the most common selected. On the last question the use of the word "Shall" is problematic as it has specific meaning. The Reading test is not required but is allowed. The Math test is a requirement. LEP students are counted for participation but not for AYP.
Louisiana	10				✓	✓	✓	✓	✓		
Maine	11	✓			✓	✓	✓	✓	✓	✓	First year LEP student may take the ACCESS English Language Proficiency Assessment in place of the regular reading/language arts assessment.
Marshall Islands	1						✓	✓	✓	✓	
Maryland	10				✓	✓	✓	✓			
Massachusetts	10				✓	✓	✓	✓		✓	
Michigan	11	✓	✓	✓	✓	✓	✓	✓		✓	yes, only for participation if enrolled for less than full academic year

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State	Grade HS assessment administered	Reasons not assessed: invalid results	Reasons not assessed: out-of-level test	Reasons not assessed: parental opt out	Reasons not assessed: absent	Reasons not assessed: other reasons	Medical emergency exemption	Limited English proficiency prior to assessment	LEP take the regular reading/language assessment	Include LEP children in perf. and acct. reporting	Assessment Comments
Micronesia	10	✓			✓	✓	✓		✓	✓	Our State doesn't not report students under LEP. However, our state assesses every student who are in the tested grades. Micronesia's nationwide assessment is standard-based designed to be administered to every student to determine their present level of understanding on math & language arts, regardless of the length of educational instructions they had received.
Minnesota	10	✓	✓	✓	✓	✓	✓	✓	✓		
Mississippi	10	✓			✓		✓	✓	✓	✓	LEAs may request that these children be excluded from the AYP/AMO calculations.
Missouri	11	✓			✓	✓	✓	✓	✓		High school assessments are end-of-course exams which are taken at the time of course completion, which spans all high school grade levels.
Montana	10	✓	✓	✓	✓	✓	✓	✓			
Nebraska	11					✓	✓	✓			
Nevada	11	✓					✓	✓	✓	✓	
New Hampshire	11				✓	✓	✓				LEP students are required to take the RLA assessment when they've been in the US for greater than 12 months prior to the test.
New Jersey	11	✓			✓		✓	✓	✓	✓	Juniors and Seniors are required to take the HSPA in Language Arts Literacy (LAL); however, children in other tested grades are exempt from taking the LAL portion of the general assessment.
New Mexico	11	✓	✓	✓	✓	✓	✓	✓	✓	✓	Feb. 2012, NM was granted an ESEA flexibility waiver by the US Dept. of Education. NM's school growth targets (SGT) have replaced AMOS.
New York	12	✓			✓	✓	✓	✓			



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North Carolina	10	✓			✓		✓	✓	✓	✓	The scores for first year LEP students who score below 4.0 on the state English/Language reading test are not included in proficiency.
North Dakota	11		✓	✓			✓	✓			
Northern Marianas	11				✓	✓	✓	✓	✓	✓	
Ohio	10	✓		✓	✓	✓	✓	✓	✓		The test taken by these students is at the discretion of the district.
Oklahoma	10				✓		✓	✓		✓	
Oregon	11	✓		✓	✓	✓	✓	✓			First year LEP students with disabilities must take an English Language Proficiency Assessment (ELPA) instead of the regular reading/language arts assessment. They are included as participants in reading (ELPA) and math (regular or alternate assessment), but not for performance.
Palau	10				✓	✓	✓		✓	✓	Palau statewide assessment is administered to both grades 10 and 12. All Palauan students are English learners. English is our second language.
Pennsylvania	11			✓		✓	✓	✓		✓	Included in AYP for Math
Puerto Rico	11	✓	✓		✓	✓	✓	✓			
Rhode Island	11					✓	✓	✓			
South Carolina	10	✓			✓	✓	✓	✓	✓		These LEP students may participate with or without accommodations as appropriate

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South Dakota	11	✓	✓		✓	✓	✓	✓		✓	If these LEP children take the annual test of English language proficiency (ACCESS), that constitutes participation for purposes of accountability for reading/language arts. They are still required to take the math assessment to indicate participation but the results of the math test are not used for achievement purposes.
Tennessee	10	✓			✓	✓	✓	✓	✓	✓	Legislation in currently being developed to include these students in accountability reports.
Texas	10	✓	✓		✓	✓		✓			
Utah	10				✓		✓	✓			Utah Assessment Participation and Accommodations Policy 2010-11. Appendix G
Vermont	11				✓	✓	✓	✓			
Virgin Islands	11	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Virginia	11			✓	✓		✓	✓	✓	✓	SUPTS. MEMO NO. 248; December 1, 2006 Based on regulations received from the United States Department of Education in September 2006, a one-time exemption in reading is available for recently arrived limited English proficient students in grades 3 through 8. A limited English proficient student in Virginia is considered to be recently arrived if he or she has attended schools in the United States for less than 12 months.
Washington	10	✓	✓	✓	✓	✓	✓	✓	✓	✓	
West Virginia	11	✓		✓	✓		✓	✓	✓	✓	

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Wisconsin	10			✓		✓		✓			The category "did not participate for other reasons" includes absenteeism, chronic truancy, medical emergency, family moves during test window, in U.S. less than 12 months (reading), invalid test scores. LEP students who have been in the U.S. less than 12 months are not required to take the reading assessment. LEP students who have been in the U.S. for less than 12 months may take the regular reading assessment. If LEP students who have been in the U.S. less than 12 months take the reading assessment, the results are included with the results for all other students who took the reading assessment.
Wyoming	11	✓	✓	✓	✓	✓	✓	✓	✓	✓	