



Must Students with Disabilities Participate in State Assessments?

All students must be included in educational accountability systems including students with disabilities according to federal and state law:

- Elementary and Secondary Education Act (ESEA) 1111(b)(2)(B)
- Individuals with Disabilities in Education Act (IDEA)
- 612(a)(16)(A)New Mexico Statutes Annotated (NMSA) 1978 22-2C-4 E

What About Students with the Most Significant Cognitive Disabilities?

This small percentage of students must participate in assessments, either in the general assessment with accommodations, or in an alternate assessment based on alternate grade level content standards. (ESEA 1111(b)(2)(D))

Why Is It Important to Include Students with Disabilities in the General Accountability System?

Legal requirements aside, it is important for the students themselves: by raising expectations that all students will learn at very high levels, and then testing their accomplishments, successful outcomes will be raised as well. If all students are to benefit from educational reforms, all students must be included.

What Are the Alternate Assessments inNew Mexico?

Fall/Winter 2021	Dynamic Learning Maps (DLM) Instructionally Embedded Assessment	Optional formative assessment available to administer during instruction administered to students in grades 3–11.
Spring 2022	Dynamic Learning Maps Year End Assessment	Required academic alternate assessment administered to students in grades 3–8, and 11.
Winter 2022	Alternate ACCESS	Required alternate English Learner Proficiency Assessment administered to English Learners in grades 1–12.

Who Should Participate in Alternate Assessments?

Alternate assessment participants are students with the most significant cognitive disabilities who are unable to participate in regular assessments **even with extensive accommodations**.

What Is the Definition of a Student with the Most Significant Cognitive Disabilities?

A student who:

- requires substantial modifications, adaptations, or supports to meaningfully access the grade-level content;
- requires intensive individualized instruction in order to acquire and generalize knowledge;



and

- is unable to demonstrate achievement of academic content standards on the general education achievement test, even with accommodations.

Who Decides if a Student with Disabilities Participates in the Alternate Assessment?

The Individualized Education Program (IEP) team makes decisions about participation. The IEP team must understand the criteria for students with the most significant cognitive disabilities, the eligibility criteria for participation in alternate assessments, and the student's instructional goals and needs.

Should All Students with the Most Significant Cognitive Disabilities Participate in the Alternate Assessment?

Some students may participate in the general assessment with extensive accommodations. The IEP team should be familiar with all accessibility features and accommodations available in the general education assessment to determine whether the general or the alternate assessment is appropriate.

What Criteria Should the IEP Team Consider?

The student should take the general assessment if instructional goals are consistent with the Common Core State Standards (CCSS). If instructional goals are more aligned with alternate academic achievement standards, the IEP team may consider assigning the alternate assessment.

What Should Not be Considered?

IEP teams should **not** consider: the category of a student's disability; the setting in which the student receives instruction; the percentage of time in a particular classroom; chronic or extended absences; and the expectation that a student will not perform well or be disruptive taking the general assessment.

What Documentation is Required?

Decisions about a student's participation in the general or alternate assessments must be documented in the IEP.

Can a Student Take Both the General and the Alternate Assessment?

A student takes **either** the general **or** the alternate assessment in any given subject area. A student may take the general assessment in one subject area and the alternate assessment in another subject area, if the IEP team determines that is what best meets the student's assessment needs.

Is There a Limit on the Number of Students Who Take the Alternate Assessment?

The total number of students who take the alternate assessment in a state may not exceed 1% of the total number of all students who are assessed in that subject. NMPED is required to monitor the percentage of students who take the alternate assessment. (ESSA 1111(b)(2)(D)(i)(I))



ALTERNATE ASSESSMENT PARTICIPATION FAQ

What Happens if an LEA Exceeds the 1% Limit?

The NMPED may **not** prohibit an LEA from administering the alternate assessment to more than 1% of students. The decision depends on individual student need, not on whether the LEA is exceeding the 1% limit. An LEA that exceeds the limit must submit a justification for exceeding the limit to the PED, which will implement monitoring and support activities.

Where can I Find More Information?

The Office of Special Education Programs:

<https://osepideasthatwork.org/federal-resources-stakeholders/tool-kits/parent-tool-kit/parent-tool-kit-assessment>

Every Student Succeeds Act:

<https://www.ed.gov/ESSA>

NMPED Special Education Laws, Rules, and Guidance:

<https://webnew.ped.state.nm.us/bureaus/special-education/laws-rules-guidance/>

Dynamic Learning Maps:

<https://dynamiclearningmaps.org/newmexico>

Alternate ACCESS for ELLs:

<https://wida.wisc.edu/assess/alt-access>

PED Contacts

For information about DLM or the 1% the Monitoring and Support Plan, contact Nick Salazar at nicholas.salazar@state.nm.us

For information about Special Education policy including questions about IEPs, contact the Education Administrator assigned to your school district/state charter school.

<https://webnew.ped.state.nm.us/bureaus/special-education/>