

2025-26 Alternative Assessment Justification

Local Educational Agency (LEA) Justification and Assurances for Exceeding the 1.0 Percent Cap

Purpose

In accordance with the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA), and 34 C.F.R. § 200.6(c), local educational agencies (LEAs) contributing to the state exceeding the 1.0 percent cap must submit a justification and assurances.

1. Select LEA Name and ID#

792 - Memphis-Shelby County Schools

2. Enter the Last Name, First Name of the individual submitting this form.

Luckett, Tiffany

3. Identify your role within the LEA. Special Education Director

- a. Special Education Director
- b. Special Education Coordinator
- c. Other

ELA Participation Rates for School Years 2020-21 through 2025-26

4. **ELA Participation Rates 2020-21** *Note: Prior to the 2023-24 SY, Tennessee participated in the Multi-State Alternate Assessment (MSAA) in English language arts (ELA) and mathematics. Beginning in the 2023-24 SY, the Dynamic Learning Maps (OLM) embedded alternate assessment replaced the MSAA.* *

1.89

5. **ELA Participation Rates 2021-22** *Note: Prior to the 2023-24 SY, Tennessee participated in the Multi-State Alternate Assessment (MSAA) in English language arts (ELA) and mathematics. Beginning in the 2023-24 SY, the Dynamic Learning Maps (OLM) embedded alternate assessment replaced the MSAA.* *

1.92

6. **ELA Participation Rates 2022-23** *Note: Prior to the 2023-24 SY, Tennessee participated in the Multi-State Alternate Assessment (MSAA) in English language arts (ELA) and mathematics. Beginning in the 2023-24 SY, the Dynamic Learning Maps (OLM) embedded alternate assessment replaced the MSAA.* *

2.32

7. **ELA Participation Rates 2023-24** *Note: Beginning in the 2023-24 SY, the Dynamic Learning Maps (OLM) embedded alternate assessment replaced the MSAA.* *

2.38

8. **ELA Participation Rates 2024-25** *Note: Beginning in the 2023-24 SY, the Dynamic Learning Maps (OLM) embedded alternate assessment replaced the MSAA.* *

2.38

9. **ELA Participation Rates 2025-26** **2025-26 is an estimated participation rate using LEA assessment provisioning data.* *

2.73

Math Participation Rates for School Years 2020-21 through

10. **Math Participation Rates 2020-21** *Note: Prior to the 2023-24 SY, Tennessee participated in the Multi-State Alternate Assessment (MSAA) in English language arts (ELA) and mathematics. Beginning in the 2023-24 SY, the Dynamic Learning Maps (OLM) embedded alternate assessment replaced the MSAA.* *

1.87

11. **Math Participation Rates 2021-22** *Note: Prior to the 2023-24 SY, Tennessee participated in the Multi-State Alternate Assessment (MSAA) in English language arts (ELA) and mathematics. Beginning in the 2023-24 SY, the Dynamic Learning Maps (OLM) embedded alternate assessment replaced the MSAA.* *

1.91

12. **Math Participation Rates 2022-23** *Note: Prior to the 2023-24 SY, Tennessee participated in the Multi-State Alternate Assessment (MSAA) in English language arts (ELA) and mathematics. Beginning in the 2023-24 SY, the Dynamic Learning Maps (OLM) embedded alternate assessment replaced the MSAA.* *

2.31

13. **Math Participation Rates 2023-24** *Note: Beginning in the 2023-24 SY, the Dynamic Learning Maps (OLM) embedded alternate assessment replaced the MSAA.* *

2.38

14. **Math Participation Rates 2024-25** *Note: Beginning in the 2023-24 SY, the Dynamic Learning Maps (OLM) embedded alternate assessment replaced the MSAA.* *

2.38

15. **Math Participation Rates 2025-26** **2025-26 is an estimated participation rate using LEA assessment provisioning data.* *

2.73

Science Participation Rates for School Years 2020-21 through 2025-26

16. Science Participation Rates 2020-21 *

1.92

17. Science Participation Rates 2021-22 *

2.04

18. Science Participation Rates 2022-23 *

2.22

19. Science Participation Rates 2023-24 *

2.37

20. Science Participation Rates 2024-25 *

2.37

21. Science Participation Rates 2025-26 *2025-26 is an estimated participation rate using LEA assessment provisioning data. *

2.64

Number of Students Scoring

To calculate: Log into KITE - Reports - Alternate Assessment Reports - Year 2025 - LEA Name and select the .PDF file. The first table in the report provides the number of students scoring Advanced by grade and subject. Calculate the total number of students scoring Advanced for each subject.

22. In school year 2024-25, list the total number of students scoring **"Advanced"** for **ELA**. *

177

23. In school year 2024-25, list the total number of students scoring **"Advanced"** for **Math**.

94

Process for Determining Alternate Assessment Eligibility:

Criterion One

In this section, describe the processes in place to ensure the IEP team is making informed, data-based decisions aligned to the alternate assessment participation criteria. Please note that completion of the Alternate Assessment Worksheet in TN PULSE alone is not sufficient evidence.

Criterion One: The student has a significant cognitive disability. Only students with the most significant cognitive disabilities should be considered for the alternate assessment.

You must also describe the process for reviewing alternate assessment eligibility for any student scoring Advanced in at least one subject. Advanced performance scores may indicate that the student's skills exceed the eligibility criteria and should prompt a review of the student's continued participation in the alternate assessment.

In the questions below, describe the process used to ensure the IEP team considers only students with the most significant cognitive disabilities (approximately 1.0 percent of the student population).

24. How are IEP teams informed of the criterion and expectations for determining if the student meets expectations for participation? *

IEP teams are informed of the criteria for participation in the MSCS alternate assessment through a structured system of professional learning, data review, and collaborative decision-making supports. MSCS provides ongoing professional learning opportunities to a wide range of staff, including special education teachers, Building Test Coordinators, Directors, Managers, Advisors, Consulting Teachers, Instructional Facilitators, Related Service Providers, and School Psychologists. These sessions focus on clarifying the eligibility criteria and expectations for participation in the alternate assessment. In addition, Alison Gauld from TDOE has delivered targeted presentations to principals and central office staff to further ensure system-wide understanding of the criteria. To strengthen implementation, MSCS has designated a consulting teacher whose primary role is to review data and support educators. This includes providing ongoing training as well as individualized support sessions to help teachers interpret and apply the participation criteria accurately.

25. What data are used to make the determination (e.g., cognitive and adaptive behavior data)? *

This decision is based on a comprehensive review of available information that looks at the whole child, ensuring that the student requires sustained, significant supports to make progress. Data considered includes progress monitoring results, classroom performance, teacher observations, and parent input. The team also reviews cognitive and adaptive behavior assessments, as well as results from individual or group-administered achievement tests. Additional data sources may include district-wide alternate assessments, individual reading assessments, communication or language proficiency evaluations, and IEP goals, accommodations, modifications, levels of performance, and documented progress over time. Through this review, the IEP team determines whether the student needs substantially adapted materials and customized instructional methods to access grade-level, age-appropriate curriculum. This includes evaluating the student's ability to acquire, maintain, and generalize skills across multiple settings. The team also considers whether the student requires extensive, ongoing supports regardless of instructional setting. Students who need more intensive, individualized supports may still participate in general education settings for part or all of the day, with appropriate accommodations and services in place. The decision is grounded in a "whole child" approach, ensuring that eligibility for alternate assessment reflects consistent, long-term needs rather than temporary challenges.

Process for Determining Alternate Assessment Eligibility:

Criterion One

26. How is adaptive behavior data incorporated into the decision-making process? *

The IEP team examines adaptive behavior data to confirm that participation in an alternate assessment appropriately aligns with the student's overall level of functioning and long-term support needs. This data is collected through standardized measures as well as input from teachers, parents, and related service providers to gain a comprehensive understanding of how the student functions across daily environments. Areas reviewed include communication, social interaction, self-care, and independent living skills.

Process for Determining Alternate Assessment Eligibility: Criterion Two

In this section, describe the processes in place to ensure the IEP team is making informed, data-based decisions aligned to the alternate assessment participation criteria. Please note that completion of the Alternate Assessment Worksheet in TN PULSE alone is not sufficient evidence.

Criterion Two: The student is learning content linked to (derived from) state content standards. All students, regardless of the assessment or the least restrictive environment (LRE) should receive standards-aligned instruction that is rigorous, meaningful, and sufficient in duration to increase student outcomes. Special education services are provided in addition to, not in place of, standards-based instruction.

In the questions below, describe the evidence used to ensure the student was provided access to grade-level, standards-aligned instruction. This should include an explanation of the process used to ensure the student received instruction aligned to grade-level standards at an appropriate level of rigor, intensity, and duration comparable to their peers.

27. How does the IEP team ensure the student's performance and skill level are due to a significant cognitive disability rather than an instructional disadvantage? *

MSCS ensures that a student's academic performance and skill level are the result of a significant cognitive disability rather than an instructional disadvantage by providing all students with access to instruction that is aligned to Tennessee state content standards. Students participating in the alternate assessment receive instruction using instructional materials aligned to state standards for students with significant cognitive disabilities. Exceptional Education Advisors and Consulting Teachers support schools by providing guidance, coaching, and professional learning related to evidence-based instructional practices for students with significant cognitive disabilities. This ongoing support helps ensure that instructional quality, curriculum access, and appropriate expectations are consistently implemented across schools. MSCS also ensures that accommodations and modifications are provided to the maximum extent appropriate so that students participating in the alternate assessment are not excluded from general education environments and have meaningful opportunities to engage in learning connected to state content standards. Through these measures, the district verifies that a student's need for alternate assessment is based on the nature of the disability and not a lack of access to appropriate instruction.

28. What data are used to make an informed determination? *

MSCS uses multiple sources of student, eligibility, and demographic data to make informed determinations regarding participation in the alternate assessment and to monitor equity and appropriateness of identification. Primary eligibility data are reviewed to ensure alignment with federal and state participation criteria. The majority of MSCS students participating in alternate assessments have primary eligibilities of Autism and/or Intellectual Disability. Students with other primary eligibilities are reviewed more closely, as these areas may warrant further investigation to determine whether participation criteria are met. Individual case reviews and ongoing professional learning are used to address the district's 1% participation threshold and ensure appropriate decision-making. MSCS also analyzes discipline, attendance, behavioral data, progress reports, work samples, and assessment data as part of its identification for significant disproportionality in the area of Discipline. Demographic data are examined to contextualize alternate assessment of participation relative to district and state populations. Compared to the State, MSCS serves a substantially higher percentage of Black students (74% compared to 24%) and economically disadvantaged students (53% compared to 29%). Correspondingly, 82.8% of students in the alternate assessment population are Black, and 57% are economically disadvantaged. Analysis of this data indicates that alternate assessment participation aligns with district demographic differences. Collectively, eligibility data, individual student reviews, discipline data, and demographic analyses are used to support informed, equitable, and compliant decisions regarding alternate assessment participation, ensuring determinations are based on significant cognitive disability and not other external factors.

Process for Determining Alternate Assessment Eligibility: Criterion Three

In this section, describe the processes in place to ensure the IEP team is making informed, data-based decisions aligned to the alternate assessment participation criteria. Please note that completion of the Alternate Assessment Worksheet in TN PULSE alone is not sufficient evidence.

Criterion Three: The student requires extensive direct individualized instruction and substantial supports to achieve measurable gains in the grade- and age-appropriate curriculum.

In the questions below, describe the process used to determine that the student requires extensive, direct individualized instruction and substantial supports.

29. What data are used to support this determination? *

The IEP team reviews information from multiple data sources, which include discipline, attendance, behavioral data, progress reports, work samples, and assessment data to determine whether a student participating in the alternate assessment requires extensive, direct individualized instruction and substantial supports to achieve measurable gains in the grade- and age-appropriate curriculum. This review focuses on confirming that the student's instructional needs are not temporary or transient in nature. Data examined include evidence demonstrating that the student requires substantially adapted instructional materials and customized methods for accessing information in alternative ways in order to acquire, maintain, and generalize skills across multiple environments. These data reflect the student's ongoing need for individualized instruction and intensive supports to meaningfully engage with academic content aligned to grade level expectations. The IEP team also considers information that shows how the student functions across instructional settings, including general education environments when appropriate. To support alternative assessment participation, the data consistently indicates a need for direct, individualized instruction and significant supports to achieve measurable progress within the grade and age-appropriate curriculum. Collectively, this data supports the determination that participation in the alternate assessment is necessary due to the student's need for sustained, intensive instruction and supports, rather than short-term instructional challenges or limited access to appropriate learning opportunities.

30. How do IEP teams determine the type and level of supports needed, including for students whose least restrictive environment (LRE) is a highly modified special education setting for all or part of the day? *

IEP teams consider opportunities for participation in general education settings to the maximum extent appropriate, with supports, services, and supplementary aids clearly outlined in the IEP. Teams determine the type and level of supports needed for each student through a comprehensive, data driven decision making process that considers the student's unique educational needs, the impact of the disability, and progress toward grade and age-appropriate standards. Decisions are made collaboratively by the IEP team and are based on multiple sources of data, rather than a single measure. The team reviews evaluation results, present levels of academic and functional performance, progress monitoring data, classroom-based assessments, progress reports, informal and formal assessment, attendance, and input from teachers, related service providers, and families. This information is used to identify the intensity, frequency, and duration of supports necessary for the student to access and make measurable progress in the curriculum. The IEP team also considers how the student responds to instructional support, including differentiated instruction, accommodations, and specialized instructional strategies. For students whose least restrictive environment (LRE) includes a highly modified special education setting for all or part of the instructional day, the IEP team closely examines data demonstrating that the student requires extensive, direct, and individualized instruction and substantial supports beyond what can be reasonably provided in a less restrictive setting. This includes evidence that the student needs substantially adapted materials, specialized instructional methods, and customized approaches to access content, acquire skills, and generalize learning across settings. The district ensures that placement decisions are revisited regularly through ongoing progress monitoring and annual IEP reviews. Adjustments to the IEP supports are made based on data. This systematic approach ensures that supports and placements are individualized, educationally justified, and aligned with IDEA requirements for LRE and meaningful access to the curriculum.

31. How does the IEP team distinguish between supports required due

Process for Determining Alternate Assessment Eligibility: Criterion Three

In this section, describe the processes in place to ensure the IEP team is making informed, data-based decisions aligned to the alternate assessment participation criteria. Please note that completion of the Alternate Assessment Worksheet in TN PULSE alone is not sufficient evidence.

to the student's disability and supports that are available as part of the instructional environment? *

The IEP team distinguishes between supports required due to the student's disability and those that are part of the general instructional environment by carefully reviewing multiple sources of data and the context in which supports are provided. The team examines whether the need for supports is intensive, individualized, and ongoing, rather than supports that are routinely available to all students. Information from evaluations, progress monitoring data, classroom observations, progress reports, formal and informal assessments, work samples, and prior instructional history is reviewed to determine if the student requires substantially adapted materials, specialized instructional strategies, and customized methods of accessing information that go beyond typical classroom differentiation. The IEP team also considers whether the supports are necessary for the student to access, acquire, maintain, and generalize skills across multiple settings. Supports that are universally available within the instructional environment such as standard classroom accommodations, core interventions, or differentiation practices are distinguished from disability related supports by assessing whether the student can make progress with those general supports alone. When data indicate that meaningful progress is only achieved with direct, individualized instruction and substantial, sustained supports, the need is attributed to the student's disability rather than the instructional environment. Additionally, the team reviews the duration and consistency of the support needs, confirming that they are not temporary or transient

Disproportionality

Using data by primary eligibility (disability) category and demographic groups, describe LEA patterns of participation in the alternate assessment, including any disproportionate participation and a plan for reducing or eliminating disproportionality. Include a description of the LEA population demographics as compared to statewide demographics.

32. Describe any identified disproportionality in alternate assessment participation and the LEA's plan to address and reduce disproportionate participation, as applicable.

IEP teams determine the type and level of supports needed for each student through a comprehensive, data-driven process that prioritizes the individual student's need, appropriate identification, and equity. Decisions are made collaboratively by the IEP team and are based on a review of multiple sources of data rather than disability category, placement availability, or demographic factors alone. The majority of students participating in alternate assessments within MSCS have primary disability eligibilities of Autism and/or Intellectual Disability, which are most closely aligned with federal and state criteria for significant cognitive disability. For students with other primary eligibilities, IEP teams conduct additional review and investigation to ensure that the need for intensive supports and alternate assessment participation is appropriate and not the result of instructional, behavioral, or environmental factors. These determinations include individual case reviews and are supported by ongoing professional learning for school staff and administrators to address the district's responsibility under the federal 1% participation threshold. IEP teams review evaluation data, present levels of academic and functional performance, progress-monitoring data, attendance, progress reports, and information related to the student's response to instruction and interventions. This data is used to determine whether the student requires extensive, direct, and individualized instruction and substantial supports to make measurable progress in the grade and age-appropriate curriculum. For students whose least restrictive environment (LRE) includes a highly modified special education setting for all or part of the instructional day, the IEP team documents data demonstrating that such a setting is necessary to provide the level of individualized instruction and support required. Placement decisions are made by IEP teams based on student data rather than by programmatic or systemic factors. Opportunities for participation in general education settings are considered and included to the maximum extent appropriate. MSCS was previously identified for significant disproportionality in the area of Discipline and, through Comprehensive Coordinated Early Intervening Services (CCEIS), and a carryover plan for the 2026-2027 school year includes continued professional learning for behavior specialists, ReSet Room Assistants, general education teachers, special education teachers, administrators, and other relevant staff. This work supports improved instructional practices, behavior supports, and equitable decision-making, which directly inform IEP team determinations regarding supports and placement. Additionally, MSCS analyzes demographic data to ensure that decisions regarding supports, placement, and alternate assessment participation are equitable and reflective of the district's population. Compared to the State, MSCS serves a substantially higher percentage of Black students (74% vs. 24%) and economically disadvantaged students (53% vs. 29%). Correspondingly, 82.8% of students participating in alternate assessments are Black, and 57% are economically disadvantaged. Participation patterns align with district demographics, and ongoing data review helps ensure that support and placement decisions are based on documented student need in alignment with compliance with IDEA requirements, and a commitment to equity and appropriate access to instruction.

*(For example, if the LEA student population is evenly distributed among White, Black, and Hispanic students, the alternate assessment participation data should reflect a similar distribution across those groups.) **

Informed Parent Participation

Students who participate in alternate assessments are significantly less likely to earn a traditional diploma due to the highly modified content and potential for lower expectations.

In the questions below, describe the processes and practices used to ensure parents are fully informed of the eligibility requirements and implications of alternate assessment participation.

33. How are parents informed of the eligibility criteria and implications of participation? * Parents are informed of all decisions during an IEP meeting. Procedural Safeguards are presented and explained to the parent. The team walks through the participation guidelines with the team. They also discuss the different diploma paths during the meetings. The team ensures parents have the opportunities to ask questions, share concerns, and provide feedback throughout the meeting. Decisions are made collaboratively, the parent consent obtained prior to any changes in services and placement.
34. How are parents included in the IEP team decision-making process? * All the decisions for a student to participate in the alternate assessment are made at an IEP meeting. The team determines participation based on parent, teacher input and all other IEP team members. The purpose and implications of alternate assessment participation is reviewed. MSCS adheres to the IEP process as outlined by IDEA. Parents receive an invitation to a meeting at least 10 days prior to the scheduled meeting. Decisions regarding goals, services, placement, and participation in state assessments are made during the IEP Team meeting.
35. Participation in the alternate assessment must be reviewed at least annually. Students may transition to the general assessments at any time, as determined by the IEP team.

What processes are in place to ensure these decisions are fully discussed and reviewed at least annually? * Participation in the alternate assessment is formally reviewed at least annually during the student's IEP meeting. The IEP team reviews current data, including academic performance, adaptive functioning, and progress on IEP goals, to determine continued eligibility. The alternate assessment participation criteria are revisited and documented each year, and any changes are discussed with the full team, including the parent. Additionally, student progress is monitored throughout the year, and the IEP team may reconvene at any time to reconsider assessment decisions if data indicates a need for change.

Ensuring Students Are Making Academic Progress

In *Endrew F. v. Douglas County School District*, the U.S. Supreme Court clarified that an IEP must be "reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances." Additionally, the U.S. Department of Education denied the state's 2024-25 waiver request, noting that it did "not find that approving the waiver will advance student academic achievement, as required in section 8401(b)(1)(C) of the Elementary and Secondary Education Act (ESEA)."

Thus, LEAs that contribute to the state exceeding the 1.0 percent cap must provide assurances that students participating in alternate assessments are provided access to and engagement in standards-based instruction and are making appropriate academic progress.

36. Describe the policies, procedures, and practices used in your LEA to ensure students are provided instruction that meets the requirements set forth by ESEA and *Endrew F.*, and that students make appropriate academic progress.*
- MSCS ensures students participating in alternate assessments receive standards-based instruction aligned to state academic standards through the implementation of individualized, data-driven IEPs. Student progress is continuously monitored through ongoing data collection, progress toward IEP goals, and regular review of academic and functional performance. The IEP team meets at least annually, and more frequently as needed, to review data, adjust goals, and revise services to ensure continued progress. Additionally, the LEA provides professional development, oversight, and monitoring to ensure fidelity of implementation and compliance with ESEA requirements.

Support Requested

37. Please describe any support needed from the department to assist in meeting the requirements outlined in this form. All reasonable requests will be considered. *
- Continued monthly support from TDOE. Continue review of data.