



Developing IEPs for Students with the Most Significant Cognitive Disabilities: Eligibility, Goal Development, and Placement

GUIDANCE FOR IEP TEAMS

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INTRODUCTION

The purpose of special education, as defined by the Individuals with Disabilities Education Act (IDEA) and reiterated by the United States Supreme Court in *Endrew F v. Douglas County School District* (2017) is to enable students to make progress in the general curriculum. All students with disabilities must have an IEP “reasonably calculated to enable a child to make progress” appropriate in light of the circumstances and “every child should have the chance to meet challenging objectives.” All students eligible for special education under IDEA receive specially designed instruction (SDI) based on their individual needs that allows them to learn content and skills based on the state’s and local school system’s expectations; in Maryland, these expectations are expressed in the Maryland College and Career Ready Standards (MCCRS) and in local school system curricula. Students’ achievement of these standards is measured in a variety of ways, including through the successful completion of the content assessments within the Maryland Comprehensive Assessment Program (MCAP).

While the focus on standards and high expectations applies to all students, the law recognizes that a small group of students with the most significant cognitive disabilities may be unable to achieve the standards that apply to all students, even with the provision of extensive and intensive specially designed instruction. These students require instruction that is significantly modified to incorporate foundational skills and allow for intensive direct instruction and repeated practice of skills. Their educational attainment is measured through an Alternate Assessment that is based on the MDCCRS but aligned to alternate academic achievement standards that reflect reduced complexity, breadth, and depth. Instruction and assessment based on this Alternate Education Framework may not allow the student to earn course credits and acquire the skills necessary to receive a Maryland High School Diploma.

The decision to align instruction and/or assessment to the Alternate Education Framework is one of the most significant recommendations an IEP team makes about a student’s education and future. Because of the consequences of this decision, the Division of Early Intervention and Special Education Services (DEI/SES) has developed detailed criteria to guide IEP teams in their consideration of a student’s eligibility for instruction and assessment aligned with the alternate academic achievement standards. The IEP team must review this decision annually. Maryland law also requires

that parents consent to instruction and/or assessment of their student aligned with the alternate achievement standards.

The purpose of this guide is to provide additional information and support to IEP teams in making these critical participation decisions, as well as in developing IEPs for students determined eligible for instruction and/or assessment aligned to the alternate academic achievement standards. This document reviews the requirements for eligibility to assist teams in ensuring that only those students who truly meet the criteria are found eligible. It also provides considerations for the development of appropriate IEP goals and objectives and for determining the Least Restrictive Environment.

THE ALTERNATE EDUCATION FRAMEWORK

All Maryland students are expected to meet rigorous expectations and demonstrate their proficiency through a variety of methods, including State assessments. These expectations are defined by the Maryland College and Career Ready Standards (MCCRS) and implemented through the learning activities designed at the system, school, or classroom level.

ALL students are taught the content and skills outlined in the MCCRS. The majority of students with disabilities are expected to demonstrate mastery of the general standards through participation in the general assessment and have the opportunity to earn a high school diploma. A small number of students with the most significant cognitive disabilities cannot appropriately demonstrate their learning and progress on the standard assessment. For these students, learning is assessed according to alternate academic achievement standards. The alternate academic achievement standards are measures of attainment of the skills that reflect reduced complexity, breadth, or depth as compared to the general standards. The skills measured through the alternate academic achievement standards are components of the grade-level MCCRS and Next Generation Science Standards (NGSS); they do not represent a separate set of standards.

The alternate academic achievement standards on which Maryland students participating in the Alternate Educational Framework are assessed are known as the “Essential Elements” (EEs) and are developed by Dynamic Learning Maps (DLM). An EE is a representation of the essential “core” or big idea of the content standard in the MCCRS and NGSS. Each EE was identified by examining hypothesized learning progressions developed by the Dynamic Learning Maps (DLM). Each EE is a specific statement of knowledge and skill linked to grade band expectations. EEs address a small number of standards, representing the breadth but not the depth of coverage across the entire standards framework.

These elements represent key skills on which students will be assessed and inform the prioritization of skills in the development of IEP goals and ongoing instructional plans. They do not reflect or require an “alternate curriculum.” Because the students are not assessed on the full breadth and depth of the curriculum, they generally do not have the opportunity to earn high school credits or to receive a Maryland High School Diploma. They exit school with a Certificate of Program Completion. For more information on the DLM and the EEs, visit the [Dynamic Learning Maps](#) website.

ALTERNATE ASSESSMENT DESIGN AND ADMINISTRATION

Like the general assessment, the alternate assessments for English/Language Arts (ELA) (reading and writing) and Mathematics are given in grades three through eight and once in high school. These content targets were identified for each grade based on learning progressions and alignment to the grade level MCCRS. The assessments include multiple-choice items and constructed response items. Each content target is assessed by items that have been carefully and intentionally designed to assess a range of ability and performance. The assessment design includes allowances for flexibility in administration (for example, a student may respond to administrator-presented stimuli rather than to the item stimuli on the computer). A trained testing administrator familiar to the student (e.g., the student's teacher) facilitates the administration, and items are administered over the course of one or more testing sessions as needed. Testing sessions are scheduled within a testing window that is established by MSDE.

The alternate assessment for Science is an online assessment that measures a participating student's progress on the attainment of knowledge and skills linked to the grade-span expectations of the Next Generation Science Standards (NGSS) in grades five and eight and once in high school. The Science Essential Elements (EEs) address a small number of science standards, representing the breadth, but not the depth, of coverage across the entire standards framework. A trained testing administrator familiar to the student (e.g., the student's teacher) facilitates the administration, and items are administered over the course of one or more testing sessions as needed. Testing sessions are scheduled within a testing window that is established by MSDE.

The DLM alternate assessments in Mathematics, ELA, and Science are delivered online on a variety of devices and have an administrative application to manage student information. Items in the DLM alternate assessment are grouped into testlets. The number of testlets a student is asked to complete for each content area assessment ranges from five to 10, depending on the grade and subject.

The table below describes the Maryland Comprehensive Assessment Program, which includes Maryland's Alternate Assessments.

MARYLAND COMPREHENSIVE ASSESSMENT PROGRAM (MCAP)

A Quick Guide to Understanding MCAP

The Maryland Comprehensive Assessment Program (MCAP) provides information to educators, parents and the public on student progress towards proficiency on the Maryland state content standards. Through a strong assessment system, stakeholders gain an understanding of how schools are performing and where assistance can be directed to support student growth and achievement.

The Every Student Succeeds Act (ESSA) requires that states administer annual statewide assessments to all students in English Language Arts/Literacy and Mathematics in grades 3-8 and once in high school, as well as in science once in each grade span (3-5, 6-8 and high school), and annual English language proficiency assessments in grades K-12 for all English learners. Maryland also provides Alternate Assessments written to the Alternate Standards for those students who require this accommodation. Additionally, the majority of Maryland kindergarteners are administered the KRA to determine their readiness for kindergarten.

Please see the table below for a listing of Maryland state assessments.



	Mathematics	English Language Arts/Literacy	Science	Social Studies
GENERAL EDUCATION	<ul style="list-style-type: none"> ☉ Mathematics 3-8 ☉ Algebra I ☉ Geometry ☉ Algebra II 	<ul style="list-style-type: none"> ☉ ELA/L 3-8, 10 	<ul style="list-style-type: none"> ☉ MISA 5* ☉ MISA 8* ☉ HS MISA* 	<ul style="list-style-type: none"> ☉ Social Studies 8 ☉ Government
ALTERNATE ASSESSMENT	<ul style="list-style-type: none"> ☉ Alt Mathematics 3-8, 11 ☉ Alt English Language Arts/ Literacy 3-8, 11 ☉ Alt MISA 5, 8, 11 ☉ Alt ACCESS for ELLs 1-12 			
ENGLISH LEARNERS	<ul style="list-style-type: none"> ☉ ACCESS for ELLs K-12 			
EARLY CHILDHOOD	<ul style="list-style-type: none"> ☉ Kindergarten Readiness Assessment (KRA) 			

* Maryland Integrated Science Assessment



For additional information about the Maryland Comprehensive Assessment Program, see:
www.marylandpublicschools.org/aboutMCAP

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GUIDANCE FOR PARTICIPATION DECISIONS

The development of every IEP, both initial and annual review, includes the IEP team’s planning for the student’s participation in assessments. Teams start from the expectation that the student will participate in the general assessment, with presentation, response, setting, and timing accommodations individually selected as required to provide the student equitable access. Most students with disabilities, including many of those identified with an Intellectual Disability, will participate in the general assessment.

If the team has determined that the student has a significant cognitive disability and that the general assessment is therefore not appropriate, they engage in a careful review of multiple sources of data to determine if the student meets the criteria for instruction and assessment based on alternate academic achievement standards. The team engages in a thorough process of gathering and reviewing assessments and other information, considering factors impacting student performance, making a determination, and ensuring parent understanding and parent consent, documenting each step of the process on Alternate Appendix A.

Alternate Appendix A must be completed annually and stored in its entirety within the student’s electronic record.

To be determined eligible to participate in instruction and assessment based on alternate academic achievement standards, the student must meet all of the following criteria (as documented within Alternate Appendix A):

1. The student has an IEP that includes Specially Designed Instruction (including accommodations, supplementary aids and services, program modifications, goals and objectives, special education, and related services) and performance data that demonstrates that even with these supports, the student cannot access the breadth and depth of the general standards.

AND

2. The student has a “significant cognitive disability.”

AND

3. The student is learning content derived from the Maryland College and Career-Ready Standards in English/language arts and Mathematics and the Next Generation Science Standards.

AND

4. The student requires extensive, direct, individualized, and repeated instruction and substantial support to achieve measurable gains in adapted and modified curriculum.

IEP Team Tools and Resources

- **Alternate Appendix A: Participation Criteria and Checklist.** This required form guides and documents the team's process of reviewing assessment results, student performance data, current instructional supports, and other data to determine eligibility for instruction and assessment aligned to alternate academic achievement standards. Appendix A must be completed annually and uploaded to the student's electronic record in its entirety.
- **Alternate Appendix B: Decision Flowchart for Participation.** This flowchart shows the sequence of decisions made by the student's IEP team when determining whether a student is eligible to participate in instruction and assessment according to alternate academic achievement standards.
- **Alternate Appendix C: Parental Consent Form.** IEP teams are required by law (Effective July 1, 2017) to obtain parental consent annually for the child to participate in the alternate assessments and/or instruction aligned with alternate academic achievement standards. Appendix C is a model form used to document consent or refusal of consent; local school systems may use this or an alternative form that captures similar information.

Participation Criteria

- **The student has a current IEP.** Only students who receive special education services are eligible to participate in the Alternate Assessment. The IEP reflects extensive support designed to mitigate the impact of the disability and support academic and functional needs. The team may decide to provide additional support and gather additional data before determining that the student should participate in instruction and assessment based on alternate achievement standards if a review of the IEP reveals that intensive supports and interventions have not been implemented with fidelity. The team must ensure that the student's inability to access the breadth and depth of the standards is due to the disability, rather than a need for appropriate instruction and support.
- **The student has a "significant cognitive disability."** A significant cognitive disability is determined by a holistic understanding of a student's development and performance in a variety of settings. A particular score on a standardized assessment may be one consideration but should not be the sole or primary consideration. For a student to be determined to have a significant cognitive disability, a review of student records must indicate a disability or multiple disabilities that significantly impact cognitive functioning, educational performance, and adaptive behavior. The IEP team reviews and discusses multiple sources of information for evidence of a significant cognitive disability including, for example, psychological assessments, assessments of adaptive skills, educational assessments, classroom observations, and other formal and informal assessment data. Adaptive behavior is defined as a collection of behaviors, including conceptual, social, interpersonal, and practical skills, essential for someone to live independently and to function safely in daily life. A significant cognitive disability is pervasive and affects learning across all content areas and impacts adaptive behavior. Students with significant cognitive disabilities require extensive instruction and support not just to acquire academic content but in all aspects of participation in school

and community life, including communication, social interaction, self-management, leisure, and recreational activities, and employment.

- The IEP team reviews data from multiple sources for each area. Individual standardized assessments of cognitive ability, adaptive behavior, and educational performance are reviewed and documented on Alternate Appendix A. If scores are not available in a particular domain, the team must detail in Alternate Appendix A why an assessment could not be conducted and what other information the team used to determine the presence of a significant cognitive disability. In addition to formal assessments, the team must also consider informal measures, classroom performance, school, district, and state-wide assessments, service provider and family input, along with other information. One or more individuals with expertise in interpreting assessments, including the impact of physical and language disabilities on performance (if applicable to the student), should be part of the team.
- Determination of eligibility for participation in the alternate assessment is a separate IEP team decision-making process than eligibility for special education and is made based on individual student assessment and performance data, rather than a particular medical diagnosis or special education eligibility category. Most students in each eligibility category participate in the general assessment. Most students who are determined to have significant cognitive disabilities are eligible for special education under the categories of Intellectual Disability, Autism, or Multiple Disabilities. When determining eligibility for the alternate framework for a student outside of those categories, the IEP team should exercise extra caution to ensure that all information is accurate and consistent and may need to consider whether the disability category accurately reflects the student's needs.
- **The student is learning content derived from the Maryland College and Career-Ready Standards (MCCRS) in ELA and Mathematics and the Next Generation Science Standards (NGSS) in science that is significantly modified to allow the student to access knowledge and skills.** The student's disability or disabilities affect how the student learns curriculum derived from the MCCRS and NGSS. The team reviews evidence, such as adapted instruction materials, work samples, intervention and progress monitoring data, and service provider and family input, to determine if the student requires significant modification to the content and delivery of instruction. If a student has not had the opportunity to access the full breadth and depth of the curriculum and standards with appropriate SDI, the team should exercise caution before determining the student is unable to participate in the general assessment if given appropriate instruction and supports.
- The student requires extensive, direct, individualized, and repeated instruction and substantial supports to achieve measurable gains in adapted and modified curriculum aligned with grade-level content standards. The student's need for extensive, individualized, repeated, and direct instruction is ongoing and evident across content areas, not just in one subject or skill. Classroom and intervention data on the student's response to instruction using evidence-based strategies, examples of instructional activities, PLAAFP statements from the IEP, and service provider and family reports are reviewed to give the team a full picture of the type of instructional support the student receives and requires. Trend data collected over multiple years shows the student's need for extensive, individualized, repeated and direct instruction.

Students with significant cognitive disabilities benefit from multiple opportunities to learn and practice a skill, structured instruction with deliberate fading of prompts, planning for generalization,

and other intensive and specialized instructional practices for both academic and functional skills. For a student to be eligible for instruction and assessment according to alternate academic achievement standards, this type of support must be required across content areas. A student who requires extensive, direct, and repeated instruction in decoding, for example, but learns mathematics concepts with less intensive instruction and has age-appropriate or mildly delayed functional skills is probably not eligible for instruction and assessment aligned with alternate academic achievement standards.

Additional Considerations for Participation Decisions

Because the decision to instruct and assess a student according to the alternate academic achievement standards has such significant implications for the student's school experience and post-school outcomes, it is critical that teams not allow inappropriate factors to influence the decision. Only those students who truly have the most significant cognitive disabilities and cannot appropriately participate in the general assessment with accommodations should be determined eligible.

The team should rule out other factors that may be contributing to the student's difficulty in accessing and mastering grade-level content standards. If the team recognizes that one or more of these factors may be impacting the student's learning, additional supplementary aids, services, and other supports should be put in place to address the issue. Students are not eligible for the alternate educational framework if their learning difficulties may be attributable to:

- Poor attendance or extended absences
- Social, cultural or economic differences
- English Learner (EL) status
- Low reading and mathematics achievement level (without other evidence of significant cognitive disability)
- Interfering behavior that prevents the student from participating in instruction or assessment.
- Need for Augmentative and Alternative Communication or other assistive technology to access learning and/or participate in an assessment.
- Lack of engagement or the inability to receive a FAPE due to factors impacting the student or the entire school system (e.g., medical needs, extended school closure).

The team's determination that the student may have difficulty with, or not perform successfully on, the general assessment is also not an appropriate reason to instruct or assess the student according to alternate achievement standards. Students with and without disabilities who are not proficient on the assessment should receive intensified supports while continuing to have the opportunity to progress towards a high school diploma. In response to educator or parent concerns about how the student's emotional or behavioral response to the assessment, the team considers the allowable accommodations, which include adaptations to the presentation of materials and student response, as well as the assessment setting (e.g., separate location, frequent breaks, etc.).

Lastly, administrative and programmatic factors should also not impact the decision. Teams should not base eligibility decisions on:

- Academic and other services the student receives
- Educational environment or instructional setting
- Percent of time receiving special education services
- Impact of test scores on the accountability system

- Administrator preference
- Number of students in a district participating in the Alternate Assessment

What is the 1% Threshold?

The **Every Student Succeeds Act (ESSA)** requires that the State ensure that the total number of students participating in the Maryland Alternate Assessment does not exceed the one percent (1.0%) threshold of the total number of students within the State who are assessed within the Maryland statewide assessments. As a component of ESSA oversight, MSDE requires each local school system (LSS) to project the percentage of students participating in one or more of the alternate academic assessments as compared to the total number of students participating in all academic assessments. Any LSS that anticipates exceeding the one percent threshold for the number of students participating in one or more of the alternate academic assessments is required to submit a justification to the MSDE. The MSDE and local system regularly monitor the IEP team decision-making process related to eligibility and participation in instruction and/or assessment aligned to alternate academic achievement standards. Systems with higher than anticipated participation are required to review the development and implementation of local policies, guidance, professional development, and coaching to ensure the quality of IEP team decision-making.

However, an IEP team should not consider the number/percentage of students in the district participating in the alternate assessment when considering the eligibility of an individual student for instruction and assessment according to alternate academic achievement standards. Each IEP team decision is based on a thorough review of the information described in this document and Alternate Appendix A in order to make an appropriate determination for the individual student.

Young Children

Because Although children below third (3rd) grade do not participate in Statewide assessments, the IEP team is required to consider whether the student is appropriate for instruction and assessment aligned with the alternate academic achievement standards if the child is suspected to have a significant cognitive disability. Because young children are developing at a rapid pace and the true nature and impact of their disabilities may not be fully evident, “caution should be exercised when determining eligibility for students in early grades as this may preclude them from progressing through the general education curriculum and will, ultimately, impact their ability to earn a high school diploma.” (**Maryland State Department of Education, Division of Early Intervention and Special Education Services Technical Assistance Bulletin #19-07, *Improving Outcomes For Students With Significant Cognitive Disabilities: Eligibility, Instruction, and Assessment***). This is especially true for young students with limited exposure to English, limited formal language, physical or sensory disabilities that impact their ability to explore and interact with the world around them, and/or other circumstances that may impact the reliability and validity of assessments, especially cognitive assessments. Teams should be confident that the reason for the child’s delays is truly a cognitive disability rather than other factors before determining that a student should participate in the alternate framework. Authentic assessments, family questionnaires, formative assessments like the

Early Learning Assessment (ELA), information from the Child Outcome Summary process, provider reports, and standardized assessments may all contribute to the team's understanding of the child's abilities and needs.

However, in the absence of reliable standardized assessments, the IEP team should consider the benefits and drawbacks of deciding to instruct and assess the student according to alternate academic achievement standards rather than continuing to offer the student the full breadth and depth of the curriculum, recognizing that the decision will be reviewed on an annual basis. Young children with significant cognitive disabilities can be supported, through the provision of appropriate specially designed instruction, to meaningfully participate in standards-aligned instruction alongside their non-disabled peers. All young children, with or without disabilities, participate in formative assessments (such as the ELA) that are aligned to Maryland's Early Learning Standards, which was developed from Healthy Beginnings and the Maryland College and Career-Ready Standards (MCCRS). If the team determines that a young child should be instructed and assessed by alternate academic achievement standards but in subsequent years that decision turns out to be inappropriate, the child's progress may be hampered by gaps in knowledge and skills from not being instructed on all standards. The potential for harm to the student is reduced by continuing with participation in the general education framework.

Annual Review

The likelihood of a student fulfilling the graduation requirements to earn a Maryland High School Diploma decreases as a student continues to participate in instruction and/or assessments aligned with Alternate Academic Achievement Standards or DLM EEs. Not earning a Maryland High School Diploma may impact the student's access to postsecondary education and training programs, employment, military service, and other opportunities. Therefore, it is critical for the IEP team to revisit eligibility decisions in relation to student progress on at least an annual basis.

The team must determine that the student continues to be appropriate for instruction and assessment aligned with Alternate Academic Achievement Standards, and the parents must give consent to participate in assessment and/or instruction aligned with these standards every year, and this determination must be documented on Alternate Appendix A and included in the student's electronic IEP record. A full assessment with standardized testing is not required every year, but the team must review the student's abilities, performance, and progress, including updated information on educational attainment and adaptive behavior. If a student who has been participating in the alternate framework is no longer eligible or appropriate, the team should develop a plan to address any gaps in the learning so that the student has the opportunity to progress in the general curriculum and potentially earn a Maryland High School Diploma. For secondary students, this plan should include a process to ensure the student has the opportunity to earn sufficient course credits.

Parent Understanding and Parent Consent

Determining that a student meets the criteria for instruction and assessment aligned with alternate academic achievement standards is an IEP Team decision, based on the considerations described above. Families are an integral part of the IEP team and their input about the student's communication, learning, and performance in a variety of settings is a critical component of the decision.

In addition, Effective July 1, 2017, parents must provide written consent for their child to participate in the Maryland Alternate Assessments and/or instruction aligned with alternate academic achievement standards (Md. Code Ann., Educ. §8-405(f)). The IEP Team must affirm that the parent understands the decision-making process, including that the decision is reviewed annually, and the implications of the decision, namely that if the student continues with instruction and assessment according to the Alternate Achievement standards, he or she will be unable to complete the requirements for a Maryland High School Diploma. The team should explain to the family some of the potential consequences, in terms of access to post-secondary education, training, and employment opportunities, of not obtaining a diploma. Parent understanding of the decision is documented in Appendix A.

After ensuring that the family understands the decision, the team continues with the determination process. If the team determines that instruction and assessment according to alternate academic achievement standards is appropriate, parent consent is required before the decision is implemented.

- If the parent provides written consent during the meeting, the team documents the consent in the student's record.
- If the parent provides written refusal during the meeting, the team may not implement the proposed action. The team documents the refusal in the student's record.
- If the parent does not respond to the question or is not present during the meeting, the IEP team must provide written notice within 5 days of the meeting explaining their right to consent or refuse consent to their child's instruction and/or assessment according to Alternate Academic Standards.
- If the parent does not respond within 15 days of the meeting, the team may implement the decision. If the parent provides written consent after the 15 days, the team amends the IEP to reflect the parent's consent and continues implementing the decision. If the parent refuses consent after the 15 days, the IEP team stops implementing the decision and amends the IEP to reflect the refusal.
- Instruction and assessment are generally linked, so the same eligibility criteria apply to both. However, parents may consent to both instruction and assessment according to alternate academic achievement standards, to both, to one and not the other, or to neither.
- If the IEP team disagrees with the parents' refusal of consent for instruction and/or assessment according to the alternate academic achievement standards and determines that the failure to provide consent results in the child not receiving FAPE, the IEP team may pursue dispute resolution via mediation and due process.

For more information, see **Maryland State Department of Education, Division of Early Intervention and Special Education Services Technical Assistance Bulletin #17-02, *Parental Consent Under Maryland Law***.

DEVELOPMENT OF IEP GOALS AND OBJECTIVES

Developing IEP goals and objectives for students with disabilities is a collaborative effort that includes general educators, special educators, parents, related service providers, and other IEP team members with knowledge of the child's individual strengths and challenges. When developing IEP goals and objectives for a student with significant cognitive disabilities, the IEP team follows the same process as for all students receiving special education services.

As outlined in *A Guide for Implementing Specially Designed Instruction within an Integrated Tiered System of Support*, the team begins with a thorough understanding of the student's Present Levels of Academic and Functional Performance (PLAAFP). The information reviewed in completing Appendix A, along with other information included in the PLAAFP, provides a complete picture of the student's current skills and areas for growth. Reviewing trend data reflecting the student's rate of progress over the last several years will help the team set goals that are appropriately ambitious and focus the development of specially designed instruction (SDI) on accelerating the student's rate of progress.

To begin developing academic goals, the team considers the Maryland College and Career Ready Standards for the student's enrolled grade. Collaboratively, the team members consider the standards that are most critical for the student's current and future access to the curriculum as the focus of the goals and objectives. The team may consider targeting critical skills that underlie more than one standard. The Dynamic Learning Maps Essential Elements help the team focus on the most essential skills at each grade level and set ambitious and attainable performance targets.

Like all students with IEPs, a student participating in instruction and/or assessment aligned to alternate academic achievement standards must have at least one goal in each academic area of need (ELA and Mathematics) aligned to one or more grade-level standards. The student may have additional goals aligned to standards below the current grade level to address critical/foundational skills. A student with a significant cognitive disability may be working both on below-grade level foundational skills and on grade-level concepts (with alternate achievement standards).

Each of these types of goals and all supporting objectives should contain the five components identified by MSDE.

5 Components - Goals and Objectives Criteria

1. The **conditions** under which the skill will be demonstrated;
2. A **behavioral description** of the skill to be observed;
3. The **criteria** for measuring achievement of the skill;
4. The **method of measurement**; and
5. The **timeframe** by which the goal or objective will be achieved.

Student Example

Jeffrey, a 4th-grade student with an Intellectual Disability
PLAAFP excerpts: Math Calculation

- Instructional Grade Level: early-mid Kindergarten
- Verbally rote counts to 15 starting from 1
- Names written numbers up to 10 when presented out of order
- Counts up to 10 real objects by touching each item to indicate it has been counted; beginning to count groups of pictured items using the same strategy
- Given a written number up to 5, produces a set of the correct number of real objects.
- Given a teacher model, represents addition by combining two groups of objects and counting the combined group up to 10 total objects

The core concepts of the 4th grade MCCRS for math that are essential for students to continue to progress in the math curriculum focus on using the four operations, particularly an understanding of multiplication and division, to solve problems. While continuing to build his number sense and foundational computation skills, the team recognizes the importance of providing instruction in these key grade-level concepts, modified to meet his individual needs. The DLM Essential Elements help the team identify key standards and alternate performance levels to inform the goal development.

One 4th grade standard calls for students to: “Interpret a multiplication equation as a comparison, e.g., interpret $35 = 5 \times 7$ as a statement that 35 is 5 times as many as 7 and 7 times as many as 5. Represent verbal statements of multiplicative comparisons as multiplication equations” (4.OA.1), which includes component skills of understanding multiplication as repeated addition, “equal groups of”, and the commutative property. The related Essential Element emphasizes understanding the connection between multiplication and repeated addition. (M.EE.4.OA. 1-2)

Based on their knowledge of his learning profile and individual needs, the IEP team developed the following ambitious but attainable goal for Jeffrey reflecting alignment with this standard:

Grade Aligned Goal:

Given concrete manipulatives and a visual organizer (**Conditions**), Jeffrey will solve 10 single-digit by single-digit multiplication problems with an answer within 30 by combining the specified number of equal sets and counting the resulting set (**Behavior**), with 90 % accuracy across 5 consecutive sessions (**Criteria**) as measured by student work samples and data sheets (**Method of Measurement**) by the end of the IEP year (**Timeframe**).

Objectives that would bridge from Jeffrey’s current level of performance to the target might include:

- Given 5 sets of up to 30 identical concrete objects (**Conditions**), Jeffrey will count each set correctly (**Criteria**) by touching each object and saying the number out loud

Student Example

(Behavior) on three different occasions (Criteria) by the end of quarter one (Timeframe), as documented by classroom data collection records (Method of Measurement).

- Given a written single-digit by single-digit multiplication problem and graphic organizer (Conditions), Jeffrey will use concrete manipulatives to create the appropriate number of equal sets of up to 9 objects to demonstrate 5 problems (Behavior) with 90% accuracy for four consecutive problem sets (Criteria) by the end of the 3rd quarter (Timeframe).
- Given teacher modeling and using concrete manipulatives and a graphic organizer to group objects to demonstrate a single-digit multiplication problem (Conditions), Jeffrey will count objects to solve the problem (Behavior) with 90% accuracy for 10 consecutive practices (Criteria) by the end of the 4th quarter (Timeframe).

In addition to at least one grade-level aligned goal, the IEP team might develop goals focused on skills from earlier in the learning progression that are critical to Jeffrey's access to this and other content moving forward. In mathematics, these might include recognizing written numbers, counting with fluency and accuracy, and comparing quantities.

Below Grade-Level Goal:

Given a printed number line for reference and a verbal direction to "start at ____" (a given number) (Conditions), Jeffrey will count out loud to 30 (Behavior) with no more than one skipped or repeated number on 5 separate occasions (Criteria) as documented on teacher data collection sheets (Method of Measurement) by the end of the IEP year (Timeframe).

Functional Goals

Because a significant cognitive disability impacts all aspects of a student's development and functioning, most students participating in the alternate education framework will also have at least one functional goal in their IEPs. These goals address communication, self-management, social interaction, and other skill areas that impact the student's ability to actively engage in the curriculum and school environment with appropriate independence. The adaptive behavior assessment that is part of the eligibility process and the team's discussion of the student's performance inform the development of these goals.

Many students with significant cognitive disabilities also have complex communication needs and may not express themselves effectively with verbal speech alone. Because communicative competence, the ability to express needs, wants, opinions, and knowledge, is the foundation of meaningful participation in educational environments and beyond, developing a consistent, effective, and reliable means of symbolic communication is a high priority for any student who does not have one. (Note that not all students with complex communication needs have significant cognitive disabilities. Most students who use Augmentative and Alternative Communication should be able to participate in the general assessment with accommodations and supports).

Student Example

Functional Goal:

When provided with a verbal/visual prompt (**Conditions**), Jeffrey will engage in a conversation with a peer or an adult that includes at least three turns for each participant by asking an on-topic question, answering a question appropriately, and/or making a relevant comment (**Behavior**) on at least four occasions in at least two different settings (e.g., classroom, cafeteria, playground) within one month (**Criteria**) as measured by teacher data-collection forms (**Method of Measurement**) by the end of the IEP year (**Timeframe**).

For transition-aged students (14 and above), the IEP Team considers the student's desired transition outcomes and the skills needed to achieve them when determining which academic standards and functional skills to prioritize in the development of IEP goals and objectives. The transition outcomes inform the focus of specially designed instruction in order to accelerate the student's progress towards achieving the required skills. For each postsecondary goal, there must be at least one annual IEP goal that supports the student's progress toward that goal.

Services and Placement

For all students, including students with a significant cognitive disability, decisions around placement start from the essential principle of Least Restrictive Environment—the student is educated in the general education setting in the school they would attend if not disabled unless the IEP cannot be implemented in that setting. Participation in general education is an evidence-based practice that offers numerous benefits, including access to the rigorous curriculum and rich interactions, as well as peer models of appropriate academic and social behavior. In any IEP meeting, the setting in which services will be delivered is determined only after the team has developed the goals and objectives and selected appropriate accommodations and supplementary aids, as well as special education and related services. The desire by the family or other members of the team to have the student attend a particular program or placement does not impact the development of any other aspect of the IEP, including the decision about eligibility for instruction and assessment based on alternate academic achievement standards; that decision is made based on the criteria outlined above.

The decision that a student should be instructed and assessed according to alternate academic achievement standards does not dictate a particular placement. The fact that the student requires modifications to curriculum, such as alignment to alternate academic achievement standards is not, in and of itself, a reason to remove the student from general education for part or all of the day. For many students, modified curriculum can and should be implemented in the context of general education classes. Teams consider each student's needs individually to determine what supplementary aids, supports, program modifications, and other services would allow the student to be educated in general education for all or part of the day.

Supports for school personnel, such as training in modifying general education learning activities and assessments to reflect alternate academic achievement standards or consultation from an expert in augmentative and alternative communication, are an important component of the student's program. The IEP Team considers the training and coaching needs of the entire team, including general

educators, paraeducators, related service providers, and the family. This inclusive approach to training is especially important for teams with limited previous experience educating a student with significant cognitive disabilities. Rather than place a student in a more restrictive setting in order to access trained personnel, specialized equipment, and other resources, the school system's responsibility is to provide the necessary supports in general education, to the maximum extent appropriate. When including training/support for school personnel as a Supplementary Aid and Service in a student's IEP, the team specifies the content, audience, and timing of the training, as well as the follow-up to be provided.

FREQUENTLY ASKED QUESTIONS

1. *Who decides whether a student should participate in the alternate assessments and/or instruction aligned with alternate academic achievement standards?*

The IEP team makes the determination annually of how a student will participate in instruction and statewide assessments, based on a thorough review of data from multiple sources. No one member of the IEP team makes this decision. This process is guided by and documented in Alternate Appendix A.

Effective July 1, 2017, parents must provide written consent for their child to participate in the Maryland Alternate Assessments and instruction aligned with alternate academic achievement standards (Md. Code Ann., Educ. §8-405(f)).

2. *How do we know that a student has a "significant cognitive disability"?*

A student with a significant cognitive disability faces the most profound and complex learning challenges that are pervasive and affect learning across all content areas, independent functioning, community living, leisure, and vocational activities and therefore require instruction and assessment based on alternate academic achievement standards. The expectations for performance are substantially modified by reductions in difficulty and/or complexity from grade-level expectations, and instructional materials are substantially modified in order to provide meaningful access to the general curriculum. Accommodations and modifications make how the student communicates, responds to the environment, and learns look considerably different from those same characteristics of other students with and without disabilities.

Students with a significant cognitive disability have intellectual functioning well below average that exists concurrently with impairments or deficits in adaptive functioning. Adaptive functioning is defined as the behavior essential for someone to live independently and to function safely in daily life.

Determination for student participation in instruction and assessment aligned on alternate academic achievement standards must be evidence-based and made individually for each student by the IEP team using the criteria set forth in this document. A student who is eligible for instruction and assessment aligned with alternate academic achievement standards is one for whom the general assessments are inappropriate even with accommodations. Students demonstrating mild to moderate cognitive disabilities participate in the general assessment

with or without accommodations. Anticipated or past low achievement on the general assessment does not mean the student should take the alternate assessments.

3. *How do I know if the Maryland Alternate Assessments are appropriate for an English Learner (EL) with an IEP whose language proficiency makes it difficult to assess content knowledge and skills?*

An English Learner (EL) may be considered for the alternate assessment if their intellectual functioning indicates a significant cognitive disability using assessments in their primary language as appropriate and they meet the other participation criteria for the alternate assessments. Assessments of adaptive behavior and communication should be interpreted taking into account linguistic and sociocultural factors and considered alongside progress on IEP goals and objectives and other sources of information to determine if the student meets the criteria for significant cognitive disability. The team also considers the impact of limited or disrupted prior educational experiences when evaluating students who are newly arrived in the US in order to ensure that language learner status and/or educational status are not the reason for the student's difficulty accessing the breadth and depth of the standards. If an EL with an IEP does not meet the criteria for the alternate assessments, he/she should take the general assessment with or without accommodations as appropriate.

4. *What if it is impossible to assess a student because the student does not appear to communicate?*

Developing a reliable form of communication should be a high priority from early intervention onward. While continuing to explore options (including augmentative and alternative communication strategies), the team should also recognize that all behavior the student exhibits is a form of communication and use this as a starting point. Communicative competence is a key to accessing the content standards and educational environments. Ideally, all students will have a communication system in place that allows them to demonstrate an understanding of academic concepts prior to participation in statewide accountability assessments. However, students must still participate in the Maryland Alternate Assessments even if their symbolic communication is not yet reliably developed. Each IEP team should continue to provide the necessary supports in order to develop a communication system for a student.

5. *If a student has been tested in the past on an alternate assessment, but the current IEP team determines that the student does not meet the criteria set forth in Alternate Appendix A, can the student participate in the general assessment?*

Yes. The IEP team must ensure that the student receives appropriate instruction on the MCCRS and NGSS and participates in the required general assessment for their current grade level with or without accommodations. The IEP should reflect the team's decision to assess and instruct the student using general standards and assessment.

6. *Is it possible that a decision to participate in the Alternate Assessments and/or instruction aligned with Alternate Academic Achievement Standards could change as a student gets older?*

Yes. Participating in the alternate assessments and/ or instruction aligned with alternate academic achievement standards requires that the student has a significant cognitive disability and is instructed using content that has been significantly modified from that which is provided to other students. Even though students with significant cognitive disabilities may

be identified for special education early, sometimes prior to starting school, many are able to participate in the general assessment during their elementary grades. IEP teams exercise caution before determining a student eligible for instruction and assessment aligned to alternate academic achievement standards in their early school years. If the level of support needed for the student to participate in the breadth and depth of the MCCRS and the general assessment increases, the IEP team may determine that participation in the alternate assessments and/or alternate instructional standards is appropriate. On the other hand, for some students, improved communication skills or other development will reveal greater abilities to master content and skills than were previously recognized, leading a team to recognize that continued participation in the alternate education framework is not appropriate. Annual completion of Alternate Appendix A, reflecting a thorough review and discussion of the student's performance by the IEP team, is essential.

7. *What is the relationship between the Maryland Alternate Assessments and a Maryland High School Diploma?*

In order to earn a Maryland High School Diploma, a student must meet a number of requirements, as specified by the State Board of Education and local school system, including earning specified course credits, completing service learning requirements, and passing the general State assessments or completing a Bridge Plan for Academic Validation. COMAR 13A.03.02.09B. If a student with a disability cannot meet the requirements for a diploma but has met other criteria, the student will be awarded a Maryland High School Certificate of Program Completion. COMAR 13A.03.02.09E. The final determination of whether a student will receive a Maryland High School Diploma or a Maryland High School Certificate of Program Completion is made during the student's final year of high school.

Most students with disabilities participate in the general assessments and earn a Maryland High School Diploma. Some students with disabilities participate in the general assessment but are unable to fulfill graduation requirements and may receive a Maryland High School Certificate of Program Completion

A student with a significant cognitive disability may not meet the requirements for a diploma if the student continues to receive instruction based on alternate academic achievement standards and participates in the alternate assessments through high school. COMAR 13A.03.02.09E(4). In that case, the student would be eligible for a Maryland High School Certificate of Program Completion. However, a student who has participated in the alternate assessments could eventually earn a diploma by meeting all graduation requirements, which includes passing the general education Statewide assessments and earning high school credits. The IEP team must continually monitor the student's progress to determine if and when that is a possibility, before making the final decision to award a certificate during the student's last year in high school. COMAR 13A.03.02.09E(3). Because the likelihood of fulfilling the requirements to earn a diploma decreases as a student continues to participate in the alternate assessments and/or instruction aligned with alternate academic achievement standards, it is critical for the IEP team to revisit its eligibility decisions annually in light of student progress.

8. *Who may we contact with questions about the IEP team decision-making process, access to the general education curriculum or the alternate assessment?*

Please contact the Maryland State Department of Education for additional information.

- a. **Division of Early Intervention and Special Education Services:** Contact the regional School Age Performance Specialist assigned to your Local School System.
- b. **Division of Assessment, Accountability, and Performance Reporting:** Contact the Assistant State Superintendent.

GLOSSARY

- **Alternate Academic Achievement Standards:** Performance standards which are based on a limited sample of content that is linked to grade-level content standards. This content, however, may not fully represent grade-level content and may include content which is substantially modified.
- **Alternate Maryland Integrated Science Assessment (Alt-MISA):** The alternate Science assessment based on the Dynamic Learning Maps Essential Elements. For more information, visit the Dynamic Learning Maps (DLM) website.
- **Augmentative and Alternative Communication (AAC):** Communication generating devices such as text-to-speech communication aids, picture or symbol boards, etc.
- **Accommodation:** A change in materials or procedures that facilitates access during instruction and assessment. Accommodations do not change the construct or intent of what is being taught or measured. Assessment accommodations are intended to allow the student to participate in the assessment and to produce valid results that indicate what a student knows and can do.
- **Adaptive behavior:** A collection of behaviors, including conceptual, social, interpersonal, and practical skills, defined as essential for someone to live independently and to function safely in daily life.
- **English Learner (EL):** A student whose native language is a language other than English or a student who comes from an environment where a language other than English has a significant impact on the individual's level of English language proficiency. An EL's difficulties in speaking, reading, writing, or understanding the English language may be a barrier to learning in classrooms instructed in English and to performance on assessments presented in English.
- **Essential Elements (EE) for ELA, Mathematics, and Science:** Specific statements of knowledge and skills linked to grade-band expectations. EEs address a small number of standards representing the breadth, but not the depth, of coverage across the general education framework. For more information, visit the Dynamic Learning Maps website.
- **Evidence:** Specific and measurable sources of information being used to identify student characteristics that either meet or do not meet the participation criteria.
- **Extensive, individualized, repeated, and direct instruction:** Concentrated instruction designed for and provided to an individual student. This type of instruction is needed by students with significant cognitive disabilities to acquire knowledge and skills in content.

Students with significant cognitive disabilities are likely to need this to apply knowledge and skills in multiple contexts.

- **Learning progression:** A description of the way in which typically developing students may develop and build academic competencies over time. Learning progressions are used by teachers to determine where a student is in the process of learning a specific skill or understanding a concept.
- **Maryland College and Career-Ready Standards (MCCRS):** A set of content standards that define what students are expected to learn at each grade in order to leave school ready for college or careers. For more information on the MCCRS, visit the Maryland College and Career Ready Resources website.
- **Maryland Comprehensive Assessment Program (MCAP):** The comprehensive assessment program that includes all Maryland State assessments.
- **Modification:** A change in materials or procedures during instruction and assessment that changes the learning expectations of the grade level content. Modifications during instruction may be appropriate on a temporary basis for scaffolding the student's understanding and skills. Assessment modifications result in invalid measures of a student's knowledge and skills and thus should be avoided.
- **Next Generation Science Standards (NGSS):** Research-based content standards for grades K-12 which set the expectations for what students should know and be able to do.
- **Pervasive:** Present across academic content areas and across multiple settings including school, home, and community.
- **Substantial supports:** Support from the teachers and others (e.g., resource teacher, co-teacher, aide) and various material supports within the student's environment. Examples include adapting text for assessments and learning, and extensive scaffolding of content to support learning.
- **Substantially modified materials:** Various classroom and other materials that have been altered in appearance and content from the materials that peers without disabilities use for instruction or assessment. Examples include significantly shortening the length of passages or using raised dots and hand-over-hand counting when identifying a matching number in mathematics.

Alternate Appendix A: Participation Criteria and Checklist (must be completed annually)

Alternate Appendix A: Participation Criteria and Checklist (must be completed annually)

IEP teams are **required** to use this *Participation Criteria and Checklist* when determining eligibility for students with a “significant cognitive disability” for participation in the alternate assessments and/or alternate instructional standards. In order for the student to be eligible to participate, the IEP team must **AGREE** to **ALL** of the criteria items. **If the IEP team disagrees, responding with a DISAGREE for one or more questions, the IEP team should consider the student eligible for participation in the general assessments with or without accommodations.** The IEP team must use multiple sources of information, such as the current IEP, results from formal and informal assessments, data gathered from classroom assessments, and information gathered from parent/guardian/student that document academic achievement to guide the decision-making process for participation in the appropriate instructional framework and statewide assessment. **This form must be stored in the student’s electronic file.**

IEP Team Date _____

Student Name _____ Disability Code _____ DOB _____

Residence School _____ Service School _____

Service County _____ Grade _____

SASID# _____ LEA Number _____

IEP Team Chairperson _____ Signature _____

(IEP Team Chairperson signature verifies that all established criteria were considered.)

Team Members: Each participant should print name, provide title, and sign/date below:

Name (please print)	Title	Signature	Date

***If the parent does not attend the meeting and does not sign this form, attach documentation parent notification and informed consent for the meeting along with notification of the decisions of the IEP team that were provided to the parent.**

Parent/Guardian Understanding

I have been informed that if my child is determined eligible to participate in the alternate assessments and/or alternate instructional standards through the IEP team decision-making process:

1. If my child continues to participate in the Maryland Alternate Assessments and/or the alternate instructional standards, he/she will be progressing toward a Maryland Certificate of Program Completion. His/her continued participation in the alternate assessments and/or alternate instructional standards will not prepare him/her to meet Maryland’s high school diploma requirements. _____ (Parent/Guardian initials)
2. The decision for my child to participate in the alternate assessments and/or alternate instructional standards must be made annually. _____ (Parent/Guardian initials)

Maryland Alternate Assessment Participation Criteria	Circle Agree Or Disagree	Evidence	Sources of Evidence (check if used)
<p>1. The student has a <u>current Individualized Education Program (IEP)</u> that includes specially designed instruction comprised of accommodations, evidence-based practices, program modifications, personnel support, and evidence the student cannot access the general education standards despite ongoing interventions.</p>	<p>Agree Disagree</p>	<p>Accommodations:</p> <p>Evidence-based practices:</p> <p>Program modifications:</p> <p>Personnel support:</p> <p>Evidence the student cannot access general education standards:</p>	<p>___ IEP progress notes ___ Teacher reports ___ Impact statement ___ Other:</p>
<p>2. The student has a significant cognitive disability that impacts intellectual functioning and adaptive behavior. A significant cognitive disability is pervasive and affects learning across all content areas, independent functioning, community living, leisure, and vocational activities.</p>	<p>Agree Disagree</p>	<p>Impact of intellectual functioning:</p> <p>Impact of adaptive behavior:</p>	<p>___ Results of Individual Cognitive Ability Test. ___ Results of Adaptive Behavior Skills Assessment. ___ Results of individual and group administered achievement tests. ___ Results of informal assessments. ___ Results of individual English/language arts, science, and mathematics assessments. ___ Results of district-wide assessments. ___ Results of language assessments including English Learner (EL) assessments, if applicable. ___ Other:</p>

Maryland Alternate Assessment Participation Criteria	Circle Agree Or Disagree	Evidence	Sources of Evidence (check if used)
<p>3. The student is learning content derived from the MCCRS in English/language arts and the Next Generation Science Standards with grade-level curriculum significantly modified in order for the student to access knowledge and skills that allow the student to make progress.</p>	<p>Agree Disagree</p>	<p>Curriculum modifications:</p>	<p>___ Examples of curriculum, instructional objectives and materials, including work samples. ___ Present levels of academic and functional performance, goals and objectives for the IEP. ___ Data from scientific research-based interventions. ___ Progress monitoring data. ___ Other:</p>
<p>4. The student requires extensive, direct, repeated, and individualized instruction and substantial supports to achieve measurable gains in the grade and age-appropriate curriculum. This instruction is not temporary or transient in nature. The student uses substantially modified materials and individualized methods of accessing information in alternative ways to acquire, maintain, demonstrate, and transfer skills across academic content.</p>	<p>Agree Disagree</p>	<p>Modified materials: Instructional methods:</p>	<p>___ Examples of curriculum, instructional objectives and materials, including work samples from both school and community-based instruction. ___ Teacher collected data and checklists. ___ Present levels of academic and functional performance, goals and objectives, and post-school outcomes from the IEP and the Transition Plan for students age 14 and older unless State policy or the IEP team determines a younger age is appropriate. ___ Parent input ___ Other:</p>

The criteria for participation in the alternate assessments and/or alternate instructional standards reflect the pervasive nature of a significant cognitive disability. All content areas should be considered when determining who should participate. A student who participates in the Alternate Assessments participates in the assessments for all content areas of English/language arts, Mathematics, and Science.

Evaluation Review of Cognitive/Adaptive Ability

Individual Cognitive Ability Assessment:

Name and Title of Examiner: _____

Most Recent Test Date: _____

Assessment: _____

Score(s): _____

Assessment Comments: _____

Educational Assessment:

Name and Title of Examiner: _____

Most Recent Test Date: _____

Assessment: _____

Score(s): _____

Assessment Comments: _____

Adaptive Skills Assessment:

Name and Title of Examiner: _____

Most Recent Test Date: _____

Assessment: _____

Score(s): _____

Assessment Comments: _____

Please use this space to include any additional assessment data/scores that guide the IEP team discussion (optional):

All Standard and Composite Scores shall be considered when reviewing multiple sources of data. **If documentation in one of the requested areas is not available, a detailed explanation is required below.** Please include any medical or other information that may have prevented administration of the assessment in the requested areas.

AGREE	DISAGREE	<p><i>Evidence shows that the decision for participating in the Maryland Alternate Assessments and/or alternate standards <u>was not based on the list below.</u></i> To consider a student eligible for participation in the alternate assessments and/or the alternate standards, the IEP team must answer AGREE to ALL of the items listed below. NOTE: A DISAGREE response indicates the student <u>did not meet the eligibility criteria for the Maryland Alternate Assessments and/or alternate standards</u>, and therefore, will participate in the general standards and/or the general assessments with or without accommodations, as appropriate, based on his/her IEP. Please refer to the <i>Maryland Assessment, Accessibility, & Accommodations Policy Manual</i> for more information about accommodations and Maryland assessments.</p>
		1. A disability category or label.
		2. Poor attendance or extended absences.
		3. Native language/social/cultural or economic differences.
		4. Expected poor performance on the general education assessment.
		5. Academic and other services the student receives.
		6. Educational environment or instructional setting.
		7. Percent of time receiving special education services.
		8. English Learner (EL) status.
		9. Low reading and mathematics achievement level.
		10. Anticipated disruptive behavior.

AGREE	DISAGREE	<p><i>Evidence shows that the decision for participating in the Maryland Alternate Assessments and/or alternate standards was not based on the list below.</i> To consider a student eligible for participation in the alternate assessments and/or the alternate standards, the IEP team must answer AGREE to ALL of the items listed below. NOTE: A DISAGREE response indicates the student <u>did not meet the eligibility criteria for the Maryland Alternate Assessments and/or alternate standards</u>, and therefore, will participate in the general standards and/or the general assessments with or without accommodations, as appropriate, based on his/her IEP. Please refer to the <i>Maryland Assessment, Accessibility, & Accommodations Policy Manual</i> for more information about accommodations and Maryland assessments.</p>
		11. The impact of test scores on accountability system.
		12. Administrator decision.
		13. Anticipated emotional stress.
		14. Need for accommodations, e.g., assistive technology/ACC to participate in the assessment process.

IEP Team Statement of Assurance:

Our decision was based on multiple pieces of evidence that, when taken together, demonstrated that the Maryland Alternate Assessments are appropriate for this student; that his/her academic instruction will be based on alternate academic achievement standards (the CCCs and EEs linked to the MCCR); that the additional considerations listed above were not used to make this decision; and that any additional implications of this decision were discussed thoroughly, including that participation in the Maryland Alternate Assessments will not qualify a student for a regular high school diploma.

34 CFR § 300.160.d

AGREE	DISAGREE	Name	Title

Eligibility Criteria

As documented through the eligibility criteria and additional criterial listed above, it has been determined that the student is being instructed with modified grade-level content standard which do not fully represent grade-level content. Therefore, the student may not earn proficient scores on the general assessments even with the provision of accommodations.

___ AGREE ___ DISAGREE

If the IEP team checked DISAGREE above, the student **does not meet the eligibility criteria for the alternate assessments and/or alternate instructional standards** as listed above and, therefore, the student will participate in the general assessments with or without accommodations, as appropriate based on his/her IEP. Refer to the *Maryland Assessment, Accessibility, & Accommodations Policy Manual* for more information about accommodations and Maryland's assessments.

Assessment Participation

The IEP team agreed that the student met all criteria listed on this eligibility tool; therefore, the IEP team determined the student eligible to participate in the alternate assessments and/or alternate instructional standards.

____ AGREE ____ DISAGREE

The historical data (current and longitudinal across multiple settings) justifies the IEP team's decision for the student to participate in the alternate assessments and/or alternate instructional standards.

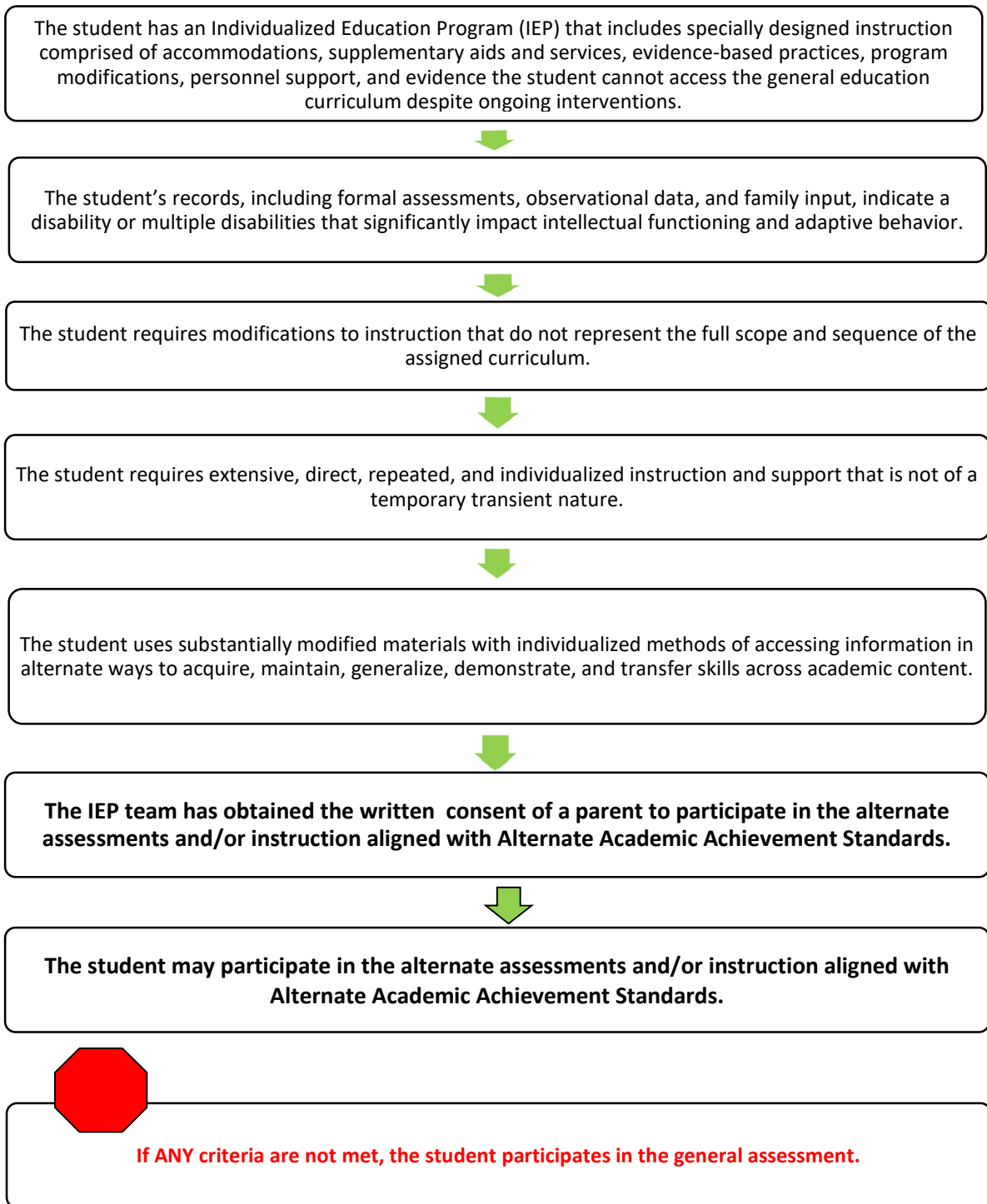
____ AGREE ____ DISAGREE

Please use the space below to provide justification of the IEP team decision.

Please use the space below to document any disagreement with this decision by any IEP team member.

Appendix B: Eligibility Decision-Making Flowchart

Appendix B: Eligibility Decision Making Flowchart



Alternate Appendix C: Parental Consent Form

Alternate Appendix C: Parental Consent Form

MODEL PARENTAL CONSENT FORM

*To comply with the requirements of Education Article
§8-405(f)*

Student Name: _____

Grade: _____

LSS: _____

Parent Name: _____

IEP Team Meeting
Date ____/____/____

1. The individualized education program (IEP) team proposes to (*select all that apply*):
 - Instruct my child (who has been determined eligible for participation) using alternate academic achievement standards that do not provide credits toward a Maryland High School Diploma;
 - Assess my child (who has been determined eligible for participation) with the alternate education assessments aligned with the State's alternate academic achievement standards; and/or
 - Include restraint in the IEP to address the child's behavior as described in COMAR 13A.08.04.05.
 - Include seclusion in the IEP to address the child's behavior as described in COMAR 13A.08.04.05.
 2. If the IEP team has proposed any of the actions above, then the IEP team **must** obtain written consent from a parent.
 3. If the parent does **not** provide written consent at the IEP team meeting, then the IEP team must send the parent written notice of their consent rights no later than five (5) business days after the meeting. If the parent is at the meeting, the notice may be hand delivered to avoid delay.
 4. If the parent refuses to consent to any of the actions proposed, the IEP team **may** use dispute resolution (mediation or due process) to resolve the matter.
-

Written Refusal

I, _____, on behalf of my child, _____,
 (Parent Name) (Child Name)

hereby **DO NOT AGREE** and refuse to allow the individualized education program (IEP) team to implement the following proposed actions (*select all that apply*):

Parent Initials	Instruct my child (who has been determined eligible for participation) using alternate academic achievement standards that do not provide credits toward a Maryland High School Diploma;
Parent Initials	Assess my child (who has been determined eligible for participation) with the alternate education assessments aligned with the State’s alternate academic achievement standards; and/or
Parent Initials	Include restraint in the IEP to address the child’s behavior as described in COMAR 13A.08.04.05.
Parent Initials	Include seclusion in the IEP to address the child’s behavior as described in COMAR 13A.08.04.05.

Signature

Date

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