



To: Nebraska Public School Superintendents
From: Dr. Roger Breed, Commissioner of Education

In 2010 Nebraska began the implementation of the Nebraska State Accountability (NeSA) assessments for grades 3-8 and 11. NeSA testing includes Alternate Assessments for students with severe cognitive disabilities. The students who are administered the alternate assessments are typically fewer than 1% of the student population, so the vast majority of students with disabilities should be administered the NeSA general education tests with accommodations, not the alternate assessments.

There are very specific guidelines for the IEP teams to use in deciding which students should take the alternate tests. Those guidelines are found in the *IEP Team Decision-Making Guidelines Document* found on our website: <http://www.education.ne.gov/sped/assessment.html>. As pointed out in these guidelines, functioning below grade level is not an appropriate criterion for administering the alternate assessment.

Because we believe, with you, that it is most important that we do everything we can to make sure we provide instruction and assess all students at the proper level, I am asking you to assure that your special education staff, your principals, and your general education teachers who comprise the IEP teams are familiar with the alternate assessment guidelines. This is important so that appropriate decisions about student placement for instruction and assessment are made.

The federal guidelines require the state to intervene in districts whose proficient scores on the alternate assessment exceed 1% of the number of students in grades 3-8 and 11 taking NeSA. Upon such intervention, districts may apply for an “exception,” explaining the overage of the proficiency. If an exception is not requested by the district, or if the state does not grant the exception, federal regulation requires that the state reduce a number of NeSA-AA proficiency scores to “Below the Standards” in order to equal 1% for AYP purposes only. The student scores remain proficient for the state averages and for the parent reports.

The purpose of this memo is to keep you informed of this requirement and to encourage your partnership in maintaining appropriate practice for the instruction and assessment of students with disabilities within Nebraska districts. If you have questions, you may contact the Federal Programs Office or the Assessment Office in the Nebraska Department of Education.

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