



Nebraska Department of Education
Special Education Office
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**Students With the Most Significant Cognitive Disabilities
Taking the NSCAS-Alternate Assessments
1.0 PERCENT THRESHOLD ON *PARTICIPATION***

BACKGROUND INFORMATION

The federal Every Student Succeeds Act (ESSA) of 2015, which reauthorizes the Elementary, and Secondary Education Act of 2001, and the Individuals with Disabilities Act Amendments (IDEA) of 1997, stipulate that all students, including those with disabilities, must participate in state and district-wide assessments. In Nebraska, the following three options are available:

- participation in the regular state assessments (NSCAS ELA, Math, Science and ACT) without accommodations;
- participation in the regular state assessment (NSCAS ELA, Math, Science and ACT) with accommodations;
- participation in the state alternate assessment (NSCAS – AA in ELA, Math and Science) with or without accommodations.

The determination of how a student with disabilities participates in NSCAS assessments is made during the student's annual IEP meeting by the IEP team. The following documents should be used to help make the appropriate decision on which assessment the student will participate in:

- IEP Team Decision Making Flow Chart
- IEP Team Decision Making Guidelines for Nebraska Statewide Assessments
- Alternate Assessment Criteria
- NSCAS Summative and Alternate Accessibility Manual

These documents can be found at:

<https://www.education.ne.gov/sped/assessmentlearninginstruction/school-age-nesa-assessments/>

**GUIDELINES FOR PARTICIPATION IN THE
NEBRASKA STUDENT-CENTERED ASSESSMENT SYSTEM (NSCAS) ALTERNATE
ASSESSMENTS**

The U.S. Department of Education does not currently define “most significantly cognitively disabled students.” NDE does define “most significantly cognitively disabled students” as required in ESSA. It is expected that the local IEP team will carefully consider each of the following guidelines before determining participation on an alternate assessment:

The student

- Accesses curriculum and instruction closely aligned to Nebraska College and Career Ready Academic Standards with Extended Indicators
- Possesses significant limitations, both in intellectual functioning and adaptive behavior, expressed in conceptual, social, and practical adaptive skills.

- Requires extensive, pervasive, and frequent supports in order to acquire, maintain, and demonstrate performance of knowledge and skills.
- Demonstrates cognitive ability and adaptive behavior that prevents completion of general academic curriculum, even with extensive modifications and accommodations.
- May have an accompanying communication, motor, sensory, or other disability.

The Nebraska Definition can be found at:

<https://cdn.education.ne.gov/wp-content/uploads/2018/03/Most-Significant-Cognitive-Disability-Definition.pdf>

NEBRASKA RULE 51 Title 92, Nebraska Administrative Code, Chapter 51

Nebraska Rule 51 regulations state:

007.07A - "The IEP shall include:"

007.07A3 – "For children with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives;

007.07A7 – "A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on state and district-wide assessments; and if the IEP team determines that the child must take an alternate assessment instead of a particular regular state or district-wide assessment of student achievement, a statement of why:

007.07A7a – The child cannot participate in the regular assessment; and

007.07A7b – the particular alternate assessment selected is appropriate for the child..."

APPROVED ACCOMMODATIONS FOR NSCAS TESTING

Students with disabilities should receive needed accommodations on statewide assessment as outlined in the ***NSCAS Summative and Alternate Accessibility Manual***. These accommodations serve as a means of facilitating student participation. Accommodations provided should be a part of the student's daily instruction and not introduced solely for the purpose of NSCAS testing. Any accommodations that are being provided to the student must also be documented on the student's IEP and stated where they are being provided (ex. district assessment, statewide assessment, classroom, daily instruction). The ***NSCAS Summative and Alternate Accessibility Manual*** can be found at:

<https://cdn.education.ne.gov/wp-content/uploads/2019/02/NSCAS-Summative-and-Alternate-Accessibility-Manual-2.8.19.pdf>

REVIEW OF JUSTIFICATION FOR EXCEPTION OF THE 1% THRESHOLD

The Nebraska Department of Education will review all Justification for Exception requests and come to one of the following conclusions:

1. Exception was not accepted.
 - a. Missing information
 - b. All requirements not met
2. Exception is allowed.