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Robin Fields Kinney
Interim Commissioner of Education

KENTUCKY DEPARTMENT OF EDUCATION
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January 31, 2024

Mr. Patrick Rooney
Director, School Support and Accountability Programs
Office of Elementary and Secondary Education
400 Maryland Avenue, SW
Washington, DC 20202

Mr. Curtis J. Kinnard, Ed.D.
U.S Department of Education
Office of Special Education Programs
400 Maryland Avenue, SW
Washington, DC 20202

Dear Mr. Rooney and Dr. Kinnard:

Pursuant to [34 CFR §200.6 \(c\)\(4\)](#), the Kentucky Department of Education (KDE) submitted the Kentucky Request to Extend the 1.0% Alternate Assessment Participation Waiver to the United States Department of Education (USED) on August 15, 2023. In the submission, the KDE requested approval to extend its 1.0% Alternate Assessment Participation Waiver for the areas of reading, math and science for the 2023-2024 school year.

Due to the requirement that states submit a waiver extension request at least 90 days prior to the start of the testing window for the alternate assessment aligned with alternate academic achievement standards (AA-AAAS), there was insufficient time to calculate final participation data and disproportionality data from the 2022-2023 school year assessment before the deadline for submission. The request to extend its waiver included preliminary data from Kentucky's statewide assessment for the 2022-2023 school year. The final assessment data is now publicly available on the [Open House website](#) and on the [Kentucky School Report Card](#).

As anticipated, the final assessment data indicates participation in the subject areas of reading, math and science have exceeded, for the 2022-2023 school year, the 1.0% threshold outlined in the Every Student Succeeds Act (ESSA). This addendum provides final AA-AAAS participation and disproportionality data for the 2022-2023 school year.

Table 1: Overall Assessment Participation for SY 2022-2023

Table One shows that Kentucky assessed above 95% of its students enrolled in the 2022-2023 school year including students with disabilities as required by [34 CFR § 200.6\(c\)\(4\)\(ii\)\(B\)](#). Kentucky increased the overall assessment participation rate for all students and increased the percentage of students with disabilities who were assessed for the 2022-2023 school year.

Group	All Students Grades 3-8 and High School R/LA	Students with Disabilities Grades 3-8 and High School R/LA
Students Assessed	332,390	49,871
Students Enrolled	334,873	50,331
Assessment Participation Rate	99.26%	99.09%
Group	All Students Grades 3-8 and High School Math	Students with Disabilities Grades 3-8 and High School Math
Students Assessed	334,918	49,853
Students Enrolled	337,453	50,345
Assessment Participation Rate	99.25%	99.02%
Group	All Students Grades 3-8 and High School Science	Students with Disabilities Grades 3-8 and High School Science
Students Assessed	140,342	19,459
Students Enrolled	141,873	19,754
Assessment Participation Rate	98.92%	98.51%

Table 2: Alternate Assessment Participation Rates by Subgroup for SY 2022-2023

Table Two shows the AA-AAAS participation data for individual subgroups assessed in the 2022-2023 school year as required by [34 CFR §200.6\(c\)\(4\)\(ii\)\(A\)](#). The KDE reviewed data from the 2022-2023 school year with a focus on disproportionality. Kentucky’s percentage of students assessed with the AA-AAAS for reading and math slightly increased while the percentage of students assessed with the AA-AAAS for science remained the same. However, there were specific subgroups in which the state made progress. The table below highlights specific subgroups in which Kentucky made progress in reducing the percentage of students taking the AA-AAAS.

Group	Total Number in Grades 3-8 and HS	Number Taking AA-AAAS in Grades 3-8 and HS	Percent Taking AA-AAAS in Grades 3-8 and HS
R/LA			
All Students	334,873	3,895	1.16%
Hispanic	32,853	582	1.77%
American Indian/Alaskan Native	537	10	1.86%
Asian	7,096	128	1.80%
Black	42,277	948	2.24%
Hawaiian/Pacific Islander	651	6	0.92%
White	281,892	5,736	2.03%
Two or More Races	19,898	380	1.91%
Male	172,864	2,588	1.50%
Female	162,009	1,307	0.81%
English Learner	18,828	231	1.23%
Economically Disadvantaged	203,139	3,098	1.53%
Mathematics			
All Students	337,453	3,895	1.15%
Hispanic	34,642	588	1.70%
American Indian/Alaskan Native	539	10	1.86%
Asian	7,350	130	1.77%
Black	4,2623	948	2.22%
Hawaiian/Pacific Islander	664	6	0.90%
White	282,077	5,730	2.03%
Two or More Races	19,903	378	1.90%
Male	174,183	2,587	1.49%
Female	163,270	1,308	0.80%
English Learner	21,419	236	1.10%

Group	Total Number in Grades 3-8 and HS	Number Taking AA-AAAS in Grades 3-8 and HS	Percent Taking AA-AAAS in Grades 3-8 and HS
Economically Disadvantaged	204,840	3,100	1.51%
Science			
All Students	141,873	1,619	1.14%
Hispanic	12,675	118	0.93%
American Indian/Alaskan Native	188	2	1.06%
Asian	3,009	26	0.86%
Black	15,167	209	1.38%
Hawaiian/Pacific Islander	243	4	1.65%
White	103,691	1,187	1.14%
Two or More Races	6,900	73	1.06%
Male	73,166	1,082	1.48%
Female	68,696	537	0.78%
English Learner	8,373	87	1.04%
Economically Disadvantaged	83,395	1,270	1.52%

Table 3: Alternate Assessment Participation Rates by Subject, by Year

Table Three demonstrates the AA-AAAS participation rates by subject for the last five years. The data for the 2023-2024 school year is an estimate based on Kentucky’s statewide student information system.

School Year	R/LA	Math	Science
2017-2018	1.13	1.13	1.12
2018-2019	1.13	1.13	1.14
2020-2021	1.10	1.10	1.10
2021-2022	1.12	1.12	1.14
2022-2023	1.16	1.15	1.14
2023-2024 (estimate)	1.17	1.17	1.23

The KDE has satisfied all requirements and included documentation outlined in [34 CFR §200.6\(c\)\(4\)\(a\) through \(iv\)](#) in the waiver request submitted on August 15, 2023. The KDE has

provided final assessment participation and disproportionality data for the 2022-2023 school year, as indicated in the original waiver request.

Please contact Carol Ann Morrison at carol.morrison@education.ky.gov or (502) 564-4970, ext. 4123, to discuss this addendum to the KDE request to extend Kentucky's participation waiver. We look forward to working with USED staff to achieve a positive response to the application.

Sincerely,



Robin Fields Kinney
Interim Commissioner of Education