



Analysis of Indiana's First Draft of the Every Student Succeeds Act (ESSA) Consolidated State Plan

July 5, 2017

The first public draft of the ESSA plan for Indiana (IN) was released on June 30, 2017 and is available at:

<http://www.doe.in.gov/sites/default/files/essa/indianaessastateplan-draft1.pdf>.

Comments on the draft ESSA Plan can be submitted until July 20, 2017 by using online surveys for each section at <http://www.doe.in.gov/essa>. **According to the timeline on page 3 of the plan, the comment period is open thorough August 1, 2017 but there is no email address or other method provided for submitting comments after July 20. Stakeholders should ask IN about this otherwise the 30-day stakeholder comment period will be cut short.**

Changes made to this draft of the plan should appear in **redline** in the next version to make it easier for stakeholders to review any changes.

The analysis that we provide in this document focuses on those issues most critical to subgroup accountability and to students with disabilities (SWDs).

PLAN TEMPLATE. On March 13, 2017, the Secretary of Education released a new template for states to use to submit their ESSA plan applications. The new template can be found on this webpage, along with other explanatory materials <https://www2.ed.gov/admins/lead/account/stateplan17/plans.html>. IN has chosen to use the earlier template from November 2016 instead of this new template. **We prefer the older template being used by IN because it provides more detail. However, we are concerned that IN might change to the new template after public comment, which would mean the final plan would look very different from the one on which the public has commented.**

Long-term Goals (page 9)

ESSA requires that states set long-term goals and interim measures for all students and for each student subgroup (e.g. disability subgroup) for academic achievement, graduation rate and English language proficiency. ESSA also states that for students

who are behind, the goals and interim measures of progress must take into account the improvement necessary to make significant progress on closing statewide proficiency and graduation rate gaps.

The IN plan identifies the baseline for long-term goals as 2016-17 school year and the end of the long term goal period as 2023. Goals are based on closing gaps by 50% by 2023.

Academic Achievement

The student achievement gap reduction is calculated by first identifying the 2016-2017 baseline student performance on statewide assessments by subgroup (percentage proficient); subtracting that percentage from 100%; dividing the result by 50%, which represents the gap closure; and adding that percentage to the baseline to identify the long-term goal.

Unfortunately, according to the charts on pages 11-12, the high school proficiency rate for SWDs would be only 58% in English language arts (ELA) and 54% in math by 2023 using this method. The percentages proficient for grades 3-8 would be only slightly higher-64% for ELA and 65% for math.

The draft states that “Indiana will be adopting a new statewide assessment for the 2018-2019 school year. As such, academic achievement goals will require modification based on the new assessment baseline.” **This is also troubling because students with disabilities (and many students) generally perform worse on early administrations of new assessments for a variety of reasons.** Some of these are laid out in the NCEO report, Lessons Learned About Assessment from Inclusion of Students with Disabilities in College and Career Ready Assessments, (available at <http://www.cehd.umn.edu/NCEO/OnlinePubs/LessonsLearnedAboutAssessment.pdf>) and Lessons Learned about Instruction for Inclusion of Students with Disabilities in College and Career Ready Assessments (available at <http://www.cehd.umn.edu/NCEO/OnlinePubs/LessonsLearnedAboutInstruction.pdf>) It is highly likely that goals for SWDs will be revised downward to align with performance on the new assessments, further reducing the long-term expectation for significant progress.

We believe that IN should set the same proficiency rate long-term goal for all subgroups without any adjustment downward when/if actual performance falls short of the targets. Constantly re-setting targets renders the long-term goal meaningless.

With regard to IN’s goal-setting methodology, the state should take note of the June 13, 2017 interim feedback letter sent to the Delaware Dept. of Education (DDOE) by the U.S. Dept. of Education (ED) regarding the academic achievement goals set out in Delaware’s ESSA state plan submitted to ED in April 2017. That letter states:

“In its State plan, DDOE proposes to decrease the percentage of non-proficient students in each subgroup by 50% by 2030, which would result in no more than half to two-third of certain subgroups of students achieving proficiency. Because the proposed long-term goals for academic achievement are not ambitious, DDOE must revise its plan to identify and describe long-term goals that are ambitious for all students and for each subgroup of students.”

(Full letter is available at <https://www2.ed.gov/admins/lead/account/stateplan17/deprelimdetermltr.pdf>)

Given that the IN goals for academic achievement are no more rigorous than those proposed by DDOE, they are likely to be rejected by ED. Thus, review and revision prior to plan submission would appear to be prudent.

Graduation Rate

The graduation rate gap reduction is calculated by first identifying the 2016-2017 baseline graduation rate by subgroup; subtracting that percentage from 100%; dividing the result by 50%, which represents the gap closure; and adding that percentage to the baseline to identify the long-term goal. This method would increase the 4-year adjusted cohort graduation rate (ACGR) for SWDs from 72% to 86% by 2023. We have to ask how IN plans to reach this graduation rate goal without more ambitious goals for proficiency in math and ELA.

Furthermore, as with academic achievement goals, IN states “Indiana has adopted a new statewide assessment, starting in the 2018-2019 school year. It changes the requirements for graduation, creating a graduation pathways approach while maintaining participation in a graduation qualifying exam. As such, graduation rate goals will require modification based on the new requirements.” **Here again, we anticipate that SWDs will perform worse on new assessments (discussed earlier) and therefore the graduation goals may be adjusted downward as a result.**

We believe IN should set the same graduation rate long-term goals for all subgroups without any adjustment downward when/if actual performance falls short of the targets.

Meaningful Stakeholder Consultation (referenced on page 17)

ESSA requires the state to conduct outreach and get input from stakeholders, including parents, for the development of this draft plan. The IN plan mentions its regional stakeholder meetings, but not whether there was any disability representation on any committees or work groups charged with developing the state plan. **IN should ensure that there is representation from the disability community on its ESSA committee(s) and workgroups for the incorporation of public comment into the final state ESSA plan.**

Assessments (page 22)

Universal Design for Learning

States are required to develop their assessments using the principles of universal design for learning (UDL). Unfortunately, the neither the November 2016 nor March 2017 state plan templates provided by the ED require a discussion on how the state is meeting this requirement. However, that does not absolve the state from its responsibility to meet the UDL requirements in the law as it develops its assessments.

Alternate Assessments

ESSA requires states to define “students with the most significant cognitive disabilities.” This definition is to be used in IEP team guidance regarding which students meet the criteria for participation in the state’s alternate assessment aligned with alternate academic achievement standards. Also, ESSA sets a cap on the number of students who may participate in an alternate assessment in the state at 1% of all students in the assessed grades (combined). While not a required part of the state plan, the IN plan should list the strategies the state will employ to not exceed the 1% cap on alternate assessments. Also, IN should create a process for stakeholder engagement when it develops its definition of students with the most significant cognitive disabilities, including input from parents and organizations representing these students. (Additional information on this is available in this NCEO document at <https://nceo.umn.edu/docs/OnlinePubs/NCEOBrief12OnePercentCap.pdf>.)

It is critically important to ensure that the alternate assessment is used only for those students for whom the test was designed and field-tested and does not inappropriately lower achievement expectations for students who should take the general assessment. It is also important for the definition of students with the most significant cognitive disabilities to acknowledge that these students are working on the grade level content standards, even though the achievement expectations are not the same as for students taking the general assessment.

Indicators (page 24)

Certain indicators will be used to provide meaningful differentiation between schools for the accountability system. How well or poorly schools do on the measures for these indicators (for all students and each subgroup) will determine if they are identified for **comprehensive** or **targeted support and improvement**. The indicators will also be the basis for the information that is reported for each school. Most of the indicators and their measures are required by ESSA, others are left to state discretion. These distinctions are critically important. States are required to add at least one indicator of School Quality or Student Success to the indicators defined by ESSA. These are referred to as the non- academic indicators. Although they are supposed to be linked by evidence to improved academic outcomes, they are not direct academic indicators like those required by the statute,

which measure achievement, growth, graduation rate and English language proficiency.

Academic Achievement: This indicator is required by ESSA to focus solely on proficiency on math and EL state assessments. The law also allows growth on the assessments to be measured for high schools.

IN states that it is measuring school-level proficiency rate and participation rate. **While ESSA requires assessment participation rates be factored into the statewide accountability system (see Annual Measure of Achievement), it is not permitted as part of the academic achievement indicator, except to the extent that failure to meet the 95% participation rate rule causes non-participants to be included in the denominator for calculating the proficiency rate. IN should include the impact of participation on proficiency to the section on Annual Measure of Achievement.**

IN is also including a growth measure for grade 10, which is permitted. However, see discussion below about how growth is measured. **What is not permitted is the addition of an improvement metric for grade 12 based on the increase in the number of proficient students on the graduation qualifying exam from grades 10 to grade 12. IN could, however, propose to use this “growth measure” as part of its School Quality or Student Success Indicator.**

Other academic indicator: For public elementary schools and secondary schools that are not high schools, ESSA allows a measure of student growth or another valid and reliable statewide academic indicator that allows for meaningful differentiation in school performance.

IN is planning to use a school-level growth score determined by points awarded under the Growth to Proficiency Table in ELA and math for grades 4-8, measured annually based on the statewide annual assessment. The methodology for the growth measure is detailed on page 29 of the plan. It seems to use student growth percentiles (SPG) in a complicated calculation that will be difficult for stakeholders to decipher. SGPs describe a student’s academic progress from one year to the next compared to other students with similar prior test scores (called academic peers), when the tests are actually designed for comparing students to performance standards in a specific subject area. Use of SGPs is highly questionable as reported in the research brief, *Why We Should Abandon Student Growth Percentiles*, by the Center for Educational Assessment at the University of Massachusetts Amherst (https://www.umass.edu/rempe/pdf/CEAResearchBrief-16-1_WhyWeShouldAbandonSGPs.pdf). **Growth towards the standard is a preferable measure for public reporting and as a metric in the state’s accountability system regarding student growth. However, the examples provided in this draft plan are sure to confound and confuse stakeholders. IN should explain its Growth to proficiency table in a manner that is meaningful for stakeholders and provide examples to assist with understanding.**

Graduation Rate: IN plans to combine the 4-year ACGR with the difference between the 4 and 5-year graduation rates to produce an overall Graduation rate indicator score. As with other aspects of IN's proposal, this approach to graduation rate is confusing and will be difficult for the public to understand. It would appear that essentially the same results could be achieved by simply using the 4 and 5 year ACGRs. It is also unclear whether the 5-year improvement is only included when a high school's 4-year ACGR is below 90 percent.

Additionally, if IN plans to include a 5-year ACGR in its accountability system IN ANY WAY (as is proposed here) then the state needs to establish long-term goals and measures of interim progress for the 5-year ACGR, just as it has done for the 4-year ACGR except that ESSA requires any extended-year ACGR goals to be more aggressive.

School Quality or Student Success Indicator (SQSS): IN lists three SQSS indicators:

- **(Grades 9-12) Achievement of postsecondary and workforce readiness measured by the percent of graduates who demonstrate college and career readiness by completing one of the following activities:**
 - Earned a passing score on an International Baccalaureate exam;
 - Earned a passing score on an Advanced Placement exam;
 - Earned at least three (3) college credit hours from an approved course; or
 - Earned an approved industry certification.
- **Chronic Absenteeism measured by the percent of students who meet the definition of "model attendee." A "model attendee" is defined as either a student who demonstrated persistent attendance during the school year, or demonstrated improved attendance from the previous school year. **The indicator is described in detail on page 34 and is far more complex than any chronic absenteeism indicator we have seen in other state plans. Here again, IN seems to be intent on making a system as difficult as possible to understand which will lead to a lack of engagement by parents and families.****
- **Culture and Climate Assessment: there is not yet a decision about how to measure this indicator. IN says it will work with state, district and school leaders in education to develop the long-term culture and climate indicator during the 2017-18 school year; and intends to bring forth a proposal during the summer of 2018. **We recommend that IN also work with families so this indicator will be meaningful to them. We do not feel surveys should be given much weight in the accountability system because they have inherent validity and reliability issues.****

**** A general statement must be made about the complexity of all of IN's indicators. The plan uses 10 pages to explain them and, in the end,**

stakeholders will still be left without a clear understanding of how the indicators will be calculated. There is no reason for this level of complexity, which undermines transparency and the role of stakeholder consultation in the development and implementation of the ESSA plan. **

Subgroups (page 34)

The following subgroups are included in IN's accountability system: All students, American Indian, African American, Asian, Hispanic, Multiracial, Native Hawaiian/Pacific Islander, White, Economically disadvantaged students, Students with Disabilities, and English learners.

N Size (page 35)

N size (minimum subgroup size) is critically important. If it is set too high many schools will not be held accountable for the disability subgroup because there are not enough students with disabilities at the school, (in the assessed grades for assessment proficiency and in the graduating class for graduation rate), to equal or exceed the n-size. For example, if the state uses 30 for the N size, a school that has 29 students with disabilities in the assessed grades (e.g. grades 3-5 combined for an elementary schools) will not have to include the disability subgroup in any accountability determinations related to assessments. This means that the school will not be identified for targeted support and improvement for a consistently underperforming disability subgroup, even if that would have happened had the N size of 30 been met. Similarly, a high school with less than 30 students with IEPs in the graduating class will not be held accountable for the graduation rate of the disability subgroup.

IN discusses that its N size under the ESEA waiver was 30 for proficiency, 10 for graduation rate and 40 for growth measurements. However IN does not provide stakeholders with a decision about what the N size will be under ESSA. The plan states that: "The final determination on the minimum number of students necessary to be included for accountability determinations will be made by the State Board. The same minimum number will be applied consistently to all students and each subgroup depending on the purpose."

It is unacceptable for IN to fail to provide complete information about N size in this plan, especially since it does not intend to accept public comment on another version of the plan. ESSA is clear that the N size must be determined by the state in consultation with stakeholders, including parents - not left up to the State Board. IN should commit to releasing the next version of the plan, which will include the N size information, for public comment before submitting it to ED for approval. IN should also provide data on the impact of various N-sizes for both assessment and graduation, i.e., the number and percent of students in each subgroup that will not be held accountable as well as the number and percent of schools that will not be held accountable (see

the Ohio Department of Education's N size topic guide for examples of the data simulations for both assessment and graduation analysis at <https://education.ohio.gov/getattachment/Topics/Every-Student-Succeeds-Act-ESSA/Nsize-Topic-Discussion-Guide.pdf.aspx>).

The 2013 IES study, (The Inclusion of Students With Disabilities in School Accountability Systems: An Update available at <https://ies.ed.gov/ncee/pubs/20134017/pdf/20134017.pdf>) found that only 62% of IN schools were held accountable for academic proficiency for students with disabilities using an N size of 30. However, we know nothing about the impact of any N sizes on high schools for the graduation rate indicator or about N sizes for growth. Studies show that an N size of 10 is appropriate for assessment and graduation rate and most states are using an N size of 20 or less (see <http://all4ed.org/wpcontent/uploads/2016/06/NSize.pdf> and <https://nces.ed.gov/pubs2011/2011603.pdf>).

Lastly, failure to provide meaningful information on the state's N size has been criticized in plan feedback issued by US Dept. of Education to several states that submitted plans in April.

Annual Meaningful Differentiation of Schools (page 36)

IN says that summative ratings and associated data will be calculated for all students and each subgroup, and shared with the public in a data dashboard format on the Department's website. However the plan also say that the final determination on the definition of "meaningful differentiation" and any associated changes to ensure that these indicators provide for meaningful differentiation will be made by the State Board. **Here is another critically important component of the plan that is missing. It reinforces the need for IN to add all the missing information into another version of the plan and provide it for public comment prior to submission to ED.**

Weighting of Indicators (page 38)

The IN plan states that the weightings of each indicator are dependent upon which indicators are available for each respective school. An indicator may not be available for a school due to small student population or lack of applicable grades. In order to accommodate for the fact that some schools will not have all domains available, Indiana's accountability system recalibrates by distributing the weight of any missing indicator to the remaining indicators in a proportionate manner.

Below are summary tables that identify the weights of each indicator dependent upon which indicators are available:

Grades 3-8

| | Academic Achievement Weight | Academic Progress Weight | School Quality/Student Success Weight | English Language Proficiency Weight |
|--------------------|-----------------------------|--------------------------|---------------------------------------|-------------------------------------|
| AA | 100 | 0 | 0 | 0 |
| AA, AP & SQSS | 45 | 50 | 5 | 0 |
| AA, AP, SQSS & ELP | 40 | 45 | 5 | 10 |

AA = Academic Achievement Indicator
AP = Academic Progress Indicator
SQSS = School Quality or Student Success Indicator
ELP = English Language Proficiency indicator

Grades 9-12

| | Academic Achievement Weight | Academic Progress Weight | Graduation Rate Weight | School Quality/Student Success Weight | English Language Proficiency Weight |
|-----------------------|-----------------------------|--------------------------|------------------------|---------------------------------------|-------------------------------------|
| AA & AP | 50 | 50 | 0 | 0 | 0 |
| GR & CCR | 0 | 0 | 50 | 50 | 0 |
| AA, AP, GR & SQSS | 20 | 20 | 30 | 30 | 0 |
| AA, AP, GR, SQSS, ELP | 15 | 15 | 30 | 30 | 10 |

AA = Academic Achievement Indicator
AP = Academic Progress Indicator
GR = Graduation Rate Indicator
SQSS = School Quality or Student Success Indicator
ELP = English Language Proficiency Indicator

This weighting system appears to much greater weight, in the aggregate, to the academic indicators as compared to the SQSS indicators, which is required by ESSA.

Annual Measurement of Achievement –At least 95% Participation Rate Requirement (page 39)

ESSA requires that at least 95% of all students in the assessed grades (and at least 95% of each subgroup - including the disability subgroup) must be included in the state’s annual assessments. It is important to keep in mind the impact of the participation rate requirement on students with disabilities. A “non-punitive” approach would likely led to widespread exclusion of historically underperforming subgroups-similar to the situation that existed prior to the No Child Left Behind Act (which was replaced by the Every Student Succeeds Act).

IN plans to incorporate the participation rate into the statewide accountability system under the Academic Achievement Indicator. The plan says if a school satisfies the requirement to assess at least 95% of the students enrolled at the school during the test windows, then the multiplier defaults to one. If a school fails to satisfy the 95% participation requirement, then the proficiency rate for the respective subject area is multiplied by the actual participation rate. The plan goes

on to say that this practice lowers the overall Academic Achievement Indicator score within the accountability system for any school that does not assess at least 95% of its students.

This approach is problematic for a number of reasons. First of all, ESSA already requires that the participation rate impact the Academic Achievement indicator by including all non-participants in the denominator when calculating the proficiency rate-- once the 95% participation requirement is not met for all students, or for any subgroup. Therefore, if only 94% of students participated in the assessment at the school, the students who did not participate would be added to the proficiency rate calculation as if they took the test and received a score of zero. ESSA requires states to describe an additional way that the failure to meet the participation rate will be factored into the accountability system. IN has failed to do that. In addition, IN seems focused on a consequence for the school failing to assess 95% of all students. That is important, but ESSA also requires a consequence when less than 95% of any subgroup is assessed.

Data Averaging (page 40)

The IN plan states that in an attempt to generate accountability determinations for all public schools, the accountability system established an aggregation practice to yield more schools meeting the minimum number of 30 students for accountability calculations. If a school does not have at least 30 students in all applicable grade levels then the accountability system incorporates the results of students from any previous school years until the minimum number of 30 has been met. **This statement gives the impression that IN is seriously contemplating keeping its N size of 30 for measuring proficiency. However, it is also a perfect example of why the N size should be reduced. There types of data manipulations would not be necessary with a lower N size.**

Including All Schools In Accountability System (page 40)

We are pleased to see that students attending the School for the Blind or the School for the Deaf are included in the accountability roster of the school of legal settlement or the school that sent the student to the institution to ensure that these students are included in the accountability system.

Identification of Schools (page 42)

Comprehensive Support and Improvement (page 42)

ESSA requires states to identify for Comprehensive Support and Improvement (CSI):

- The bottom 5% of Title I schools. If the state elects to identify additional (non-title I) schools, it must ensure that the bottom 5% of title I schools are included in those identified.
- High schools that fail to graduate a third or more of their students. The regulations that were repealed in March 2017 required that the 4-year Adjusted Cohort

Graduation Rate be used for this purpose. Without the regulations states are permitted to use longer graduation rates (e.g. 5 year), but it should be discouraged because it removes the emphasis on on-time graduation.

- Chronically Low-Performing Subgroup. Any Title I school identified for targeted support and improvement because of low performing subgroup(s) that did not improve over a state-determine number of years.

Lowest 5% of Title I Schools: The IN plan says it will identify the lowest 5% of schools of Title I schools, which is the correct application of the law. **We are also glad to see that beginning with the 2018-19 school year, schools will be identified for CSI annually and that IN plans to publish an annual list of ‘at-risk’ schools to provide notice of the need to drive urgency for improvement. The “at-risk” schools will be those in the bottom 6 – 10% of all Title I schools.**

Public high schools failing to graduate at least one-third of its students: The IN plan provides that any public school that serves grade 12, has an average 4-year ACGR below 67% and has not already been identified for CSI due to performing in the bottom 5% of schools will be identified for CSI for graduation rate. **We are pleased to see that IN is focusing on the 4-year ACGR for CSI identification, rather than including extended rates. This puts the emphasis on on-time graduation. Please note that the identification should be for high schools with a graduation rate of 67% or lower (not below 67%). However, a high school could be identified for CSI for BOTH being among the lowest 5% of Title I schools AND having a graduation rate of 67% or less. However, since few high schools receive Title I funding, it is unlikely that this would occur. IN should eliminate this language (“has not already been identified for CSI due to performing in the bottom 5% of schools”) from its final plan.**

The plan to issue an annual list of “at-risk” schools to provide notice of the need to drive urgency for improvement to those public high schools with a four-year adjusted cohort graduation rate of 70% or lower is noteworthy. It is presumed that this list only uses the latest graduation rate to assign schools to this list (rather than a 3 year average which is how CSI identification is determined.)

Targeted Support and Improvement (page 43)

ESSA requires states to identify for Targeted Support and Improvement (TSI):

- Any school with one or more consistently underperforming subgroups
- Any school in which one or more subgroups of students are performing at or below the performance of all students in the lowest performing schools (referred to as low- performing subgroups).

The TSI category is critical to getting needed attention focused on students with disabilities. However, few schools may be considered for TSI if the N size

eventually proposed by IN will exclude many schools from accountability for the students with disabilities subgroup.

Consistently underperforming subgroups:

The IN draft plan defines a school with a consistently underperforming subgroup using the statutory definition for schools with low-performing subgroups and says schools must meet this criteria for two years before being identified for TSI. These are supposed to be two distinct categories of schools. Consistently underperforming subgroups are not supposed to perform as poorly as low-performing subgroups before schools receive a TSI plan.

We recommend that a consistently underperforming subgroup be defined as a subgroup that has not met, or is not on track to meet, all of the state defined long-term goals or interim measures for that subgroup for two consecutive years. Schools with one or more consistently underperforming subgroup(s) must be identified annually beginning in 2019-2020.

Additional Targeted Support (schools with a low-performing subgroup or subgroups): IN's plan defines a school with a low-performing subgroup(s) as a school that has one or more subgroups with an overall accountability score at or below the lowest performing 5% threshold. **IN should make it clear that the subgroups are compared to the all student groups at the lowest performing 5% of Title I schools.**

Exit Requirements (page 43 and 44)

IN's proposed exit requirements appear to require strong performance for exiting. In particular, we note the requirement for a "strong plan for sustainability" as a particularly important element for exiting CSI and TSI. Also, the requirement for a "growth trajectory for the subgroup/s that initially identified the school for additional targeted support, and provide an explanation of how the school will maintain this growth trajectory" for TSI exiting is a strong element.

Supporting Excellent Educators (page 55)

In this section of the plan IN discusses numerous initiatives and processes for 10 pages without ever mentioning SWDs. **It is important for the IN plan to articulate how the initiatives it describes in these pages will address the needs of students with disabilities and special educators.** The first time SWDs are mentioned is on page 66 in the subsection called "Skills to Address Specific Learning Needs" where a few initiatives are discussed. **There is no mention of the need to improve the capacity of educators to implement inclusive best practices**

According to the IN 2016 IDEA Part B Data Display for students age 6-21, the percentage of students with multiple disabilities who are in the general education classroom 80% or more of their school day is only 4% (with 74.3%

in the general education class less than 40% of the day) and the percentage of students with intellectual disabilities who are in the general education classroom 80% or more of their school day is only 27.8% (with 42.8% in the general education class less than 40% of the day. A National Center and State Collaborative study shows that when students are being segregated from their non-disabled peers they have limited access to the grade-level general education curriculum.

<http://www.ncscpartners.org/Media/Default/PDFs/Resources/NCSC%20LRE%20Article%20Exceptional%20Children%20EC%201670%20APA.pdf>

Although UDL is discussed in detail later in the plan, it is important for it to appear in this section as well. There are many ways UDL can be used to improve IN's state plan so that it supports a fair, equitable and high quality education for all students. For more information on UDL and ESSA state plans see <http://www.udlcci.org/policytwo-pagerdraft-2-3-17-update2/>

Supporting All Students (page 74)

This section of the plan has a much greater focus on SWDs.

On page 76 and 79 of the plan we are pleased to see a discussion of UDL. The diagram seems to contemplate a system where UDL is integral to how instruction and multi-tiered systems of support are provided. We hope that this is true in implementation.

We are also pleased to see a discussion of students with significant cognitive disabilities and the Core Content Connectors (CCCs) developed by the National Center and State Collaborative. However, it should be made clear that the CCC's are designed for assessment (they are part of the alternate achievement standard), but the instruction should be based on the IN content standards so that the CCCs are not treated as a limitation on what can be learned.

ESSA requires that the state plans coordinate with other programs, such those under the Individuals with Disabilities Education Act. (IDEA) IN has a State Systemic Improvement Plan (SSIP) for students with disabilities under IDEA and it is discussed on page 80 of the plan. As part of its SSIP, IN identified a State Identified Measureable Result (SiMR) to increase reading achievement as measured with Indiana's IREAD-3 assessment by at least .5% each year for 3rd grade students with disabilities. The plan goes on to say: "Collaboration and coordination across the offices within the department through SSIP partnerships provide an opportunity to offer targeted assistance and supports to teachers and students with an emphasis on students with disabilities and students who struggle." **Few states mention their SSIP in their ESSA plan, so we are glad that IN did so.**

As mentioned previously, we believe it is important in this section of the plan to address the work that needs to be done in IN to support inclusion.

School Conditions (page 92)

State plans are required to describe strategies to reduce

- Incidents of bullying and harassment;
- The overuse of discipline practices that remove students from the classroom; and
- The use of aversive behavioral interventions that compromise student health and safety

IN should be applauded for discussing data that shows discipline and bullying occurring at a higher rate for students with disabilities and listing specific supports to address these issues.

However, we hope that this section of the ESSA plan will be built up with strategies that reduce aversive behavioral interventions. This is another place in the plan where inclusive best practices and UDL should be discussed. UDL promotes accessible learning opportunities, which reduces the frustration that can lead to suspension and aversive behavioral interventions.

School Transitions (page 93)

We are very pleased that the IN plan contains a lengthy discussion about transition and students with disabilities.

Children and Youth who are Neglected, Delinquent, or At-Risk (page 99)

In the section on Title I, Part D (Prevention and Intervention Programs for Children and Youth who are Neglected, Delinquent, or At-Risk) there is no mention of students with disabilities. According to data from the National Technical Assistance Center for the Education of Neglected or Delinquent Children and Youth (<http://www.neglected-delinquent.org>) **41%** of students served under Subpart 1 in IN in 2013-14 had IEPs and **23%** of students served under Subpart 2 had IEPs. **The IN plan should state specifically how it will ensure that students in such facilities are provided with special education and related services as needed, as well as how child find will be carried out.**

CONTACT INFORMATION

Ricki Sabia

Senior Education Policy Advisor

National Down Syndrome Congress

PH: 301-452-0811

Email: ricki@ndscenter.org

See ESSA resources at <https://www.ndscenter.org/political-advocacy> (click on policy documents and webinar archives)

Candace Cortiella
Director
The Advocacy Institute
PH: 540-364-0051
Email: Candace@advocacyinstitute.org
See ESSA resources at www.advocacyinstitute.org/ESSA

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