

WAIVER REQUEST FOR THE 2025-2026 SCHOOL YEAR

*For the 1.0 Percent Cap on the Percentage of Students with the Most
Significant Cognitive Disabilities Who May Be Assessed with an
Alternate Assessment Aligned with Alternate Academic Achievement
Standards*

Waiver Request
for the 2025-
2026 School
Year

Table of Contents

Alabama Achieves: A Plan for a New Decade	3
Table 1: National Assessment of Educational Progress (NAEP) Improvement for All Students ..	4
Table 2: National Assessment of Educational Progress (NAEP) Improvement for Students with Disabilities	4
Table 3: Alabama's Academic Growth Score.....	4
Table 4: Alabama Graduation Rates	4
Waiver Request for the 1.0 Percent Cap	5
Table 5: 2024-2025 Participation in ELA on the <i>ACAP Alternate</i>	7
Table 6: 2024-2025 Participation in Mathematics on the <i>ACAP Alternate</i>	7
Table 7: 2024-2025 Participation in Science on the <i>ACAP Alternate</i>	8
Table 8: Overall Rates of Statewide, Standardized Assessment, By Year	9
Table 9: Overall Rates of Assessment Participation for SY 2024-2025	9
States that are requesting a waiver, consistent with 34 C.F.R. § 200.6(c)(4)(iii), are required to provide assurance that it has verified that each LEA the State anticipates will assess more than 1.0 percent of its assessed students with an AA-AAAS has:.....	
10	
States that are requesting a waiver, consistent with 34 C.F.R. § 200.6(c)(3)(ii) and (iv), are required to verify that each LEA that it anticipates will assess more than 1.0 percent of its assessed students with an AA-AAAS has submitted information to the State justifying the need to exceed the 1.0 percent cap and to make these justifications available to the public.	
12	
Improving the Implementation of State Guidelines	13
Support and Oversight of LEA Implementation	13
Universal Professional Learning and Supports (Tier 1)	14
Targeted Technical Assistance and Support (Tier 2).....	15
Intensive Individualized Interventions and Supports (Tier 3)	15
Table 10: SEA Timeline of Implementation.....	16
Table 11: 2024-25 and Current Compliance Monitoring Data.....	18
Number, Percentage, and Risk Ratio of Students who Took the <i>ACAP Alternate</i>	20
Table 12: Number, Percentage, and Risk Ratio of Students in ELA	20
Table 13: Number, Percentage, and Risk Ratio of Students in Math	21
Table 14: Number, Percentage, and Risk Ratio of Students in Science	21
Table 15: Comparison of the Number of LEAs Exceeding the 1.0 Percent Cap for the	22
2023-2024 and 2024-2025 SY for ELA, Mathematics, and Science	22
	1

Table 16: Alabama <i>ACAP Alternate</i> Rates by Subject, by Year	25
Appendix A.....	26
Public Comment	26
Appendix B	27

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Alabama Achieves: A Plan for a New Decade

Alabama Achieves: A New Plan for a New Decade is Alabama's roadmap to answering many questions that continue to challenge our schools. We recognize academic achievement and the resulting positive student success aptly describe the student experience for many thousands of students in many hundreds of schools across the state.

Alabama Achieves addresses five overarching Strategic Priorities, or areas in which the Alabama State Department of Education (ALSDE) will work to support local schools and school systems in the new decade and beyond. Our Strategic Priorities are designed to be broad and encompassing:

- **Academic Growth and Achievement** – We will increase student outcomes in all academic areas with a focus on reading and mathematics. By providing high-quality academic standards, professional development, data analysis tools, and other resources, we will support our local schools and school systems to powerfully impact the lives of young people every day.
- **College, Career, and Workforce Ready** – We will engage, challenge, and support every student in relevant, impactful instruction that equips him or her with the knowledge and skills necessary to successfully enter college, career, or the workforce. Utilizing innovative research, professional development, and partnerships, we will make sure that students have expanded options and opportunities in every corner of the state.
- **Safe and Supportive Learning Environments** – We will work with our local school systems and their communities to provide safe environments that support the physical, mental, emotional, social, and cognitive development of all students in every school. We are committed to whole-child wellness and realize that we must embrace the need to provide optimal learning conditions to every community in the state.
- **Highly Effective Educators** – We will ensure our schools are staffed with highly effective educators who are equipped with the content knowledge and teaching skills to address the needs of all learners in every school. At this onset of this decade, we face an unprecedented educator workforce shortage. We recognize the importance of working with our traditional models located within in-state educator preparation programs at institutions of higher education as we also seek out new alternative approaches to teacher recruitment, education, and development. We also know ongoing, high-quality, embedded professional development, and instructional coaching are additional keys to growing teacher and principal effectiveness.
- **Customer-Friendly Services** – Build a collaborative environment at the Alabama State Department of Education that provides fast, reliable customer service for citizens, state leaders, and local education agencies. Unlike the others, this priority revolves around an internal look at the Department to make it a stronger and more pliable agency, responding quickly and efficiently to the needs of our local school systems, business and industry, and other needs of our citizens.

In alignment with the strategic plan for education in Alabama, collaborations continue with other sections to explore topics such as assessment, standards, professional learning, resources, and, most importantly, outcomes for Alabama's students. The ALSDE 1.0 Percent Cap Team continues

to evaluate these topics for improvement focusing on what will steer the appropriate oversight and guidance that is provided to Local Education Agencies (LEAs) and schools.

The ALSDE is committed to advancing student proficiency through a unified and efficient educational system. Its mission is to ensure all students have access to meaningful learning experiences that foster growth in knowledge and skills, experiences that students, families, and communities value. The ALSDE also upholds a robust accountability framework to monitor and support student progress.

Alabama strives to meet the needs of all students, especially those with the most significant cognitive disabilities. While understanding the severity of the guidance given on assessing students on the alternate standards, the ALSDE continues to anchor the identified priorities into the identified work throughout the years.

Alabama maintains high expectations for all students. These high expectations have led to an improvement in student performance. The 2024 National Assessment of Educational Progress (NAEP) results show that Alabama has improved from the 2019 assessment data to the 2024 assessment data (Table 1). Progress was also notable for the population of students with disabilities (SWD) in the subjects of math and reading (Table 2).

Table 1: National Assessment of Educational Progress (NAEP) Improvement for All Students

NAEP Year	Grade 4 Math	Grade 4 Reading	Grade 8 Math	Grade 8 Reading
2019 Rank	52nd	49th	52nd	49th
2024 Rank	32nd	34th	49th	47th

Table 2: National Assessment of Educational Progress (NAEP) Improvement for Students with Disabilities

NAEP Year	Grade 4 Math	Grade 4 Reading
2019 Scale Score	196	164
2024 Scale Score	212	176

Alabama's academic growth (Table 3) and graduation rates (Table 4) are a result of Alabama putting student achievement and needs at the forefront for all students, through targeted investments in College and Career Readiness (CCR) grants, legislative support for at-risk students, and strategic initiatives from the ALSDE.

Table 3: Alabama's Academic Growth Score

School Year	All Students	Students Identified as SWD
2017-2018	91.58	80.50
2023-2024	97.13	82.92

Table 4: Alabama Graduation Rates

School Year	All Students	Students Identified as SWD
2017-2018	89.00	67.00
2023-2024	90.04	77.71

This current fiscal year, Alabama will implement legislative support under the *Renewing Alabama's Investment in Student Excellence (RAISE) Act* (SB305). This act adjusted Alabama's school funding formula by adding weighted allocations based on student needs. This new funding system allocates additional resources to schools based on the needs of students, including those students from economically disadvantaged backgrounds, those with special needs, and those with Limited English Proficiency.

Waiver Request for the 1.0 Percent Cap

Alabama is seeking a new waiver for the 2025-2026 School Year (SY). The ALSDE has been actively involved in providing support to LEAs to ensure adherence to guidelines for the participation of students taking an alternate assessment aligned with alternate academic achievement standards (AA-AAAS). Alabama's AA-AAAS is the Alabama Comprehensive Assessment Program Alternate Assessment (*ACAP Alternate*).

The ALSDE has implemented various initiatives, including an additional compliance component aligned to the structure and fidelity of the Alabama Multi-Tiered System of Support (MTSS) and Problem-Solving Team (PST) structures, and 1.0 Percent Data Walk discussions to enhance the assessment selection process for SWD. The ALSDE has also offered extensive monitoring, tiered support, and technical assistance to LEAs, resulting in increased NAEP scores, academic growth, and graduation rates (Tables 1-4). Furthermore, the ALSDE has collaborated with LEA special education directors and district test coordinators to identify trends in participation data and is seeking a new 1.0 Percent waiver to support continued progress in providing appropriate instruction to every student and reducing alternate assessment participation.

Since the last waiver request, the ALSDE surveyed other states to identify effective strategies and guidelines related to participation in the alternate assessment aligned with alternate academic achievement standards. Additionally, Alabama continues to provide technical assistance for all stakeholders, review state educational agencies (SEA) and LEA *ACAP Alternate* data, and monitor the assessment practices for students participating in the *ACAP Alternate*. These strategies have been effective, as demonstrated by increased NAEP scores, academic growth, and graduation rates (Tables 1-4).

To reduce Alabama's *ACAP Alternate* participation rates, the ALSDE will continue to engage with teacher workgroups, content experts, and other stakeholders to collaboratively develop and enhance resources and strategies for implementing state guidelines. Resources will include the development of a parent and family flyer for students with the most significant cognitive disabilities, the development of a parent and family resource guide to help parents and families better understand the graduation pathways to the Alabama diploma, and training for teachers and administrators to strengthen instructional practices and differentiation for all students.

Statutory and Regulatory Requirements for Requesting Waivers from the 1.0 Percent Cap on AA-AAAS Participation

- Each new request for a waiver of the 1.0 percent cap on AA-AAAS participation must be made in accordance with ESEA section 8401(b)(3), which explains that a State must provide the public and any interested LEA in the State with notice and a reasonable opportunity to comment and provide input on the entire waiver (including the plan and timeline), in the manner in which the State customarily provides similar notice and opportunity to comment to the public.

The ALSDE will notify the public and any interested LEA of the public comment review period through a media release memo. The Alabama 1.0 Percent Waiver Request for 2025-2026, covering English Language Arts (ELA), mathematics, and science, will be posted in complete draft format on the Public Comments Page of the Alabama Achieves State Website beginning December 8, 2025, through January 8, 2026. The direct link to this location is [Alabama Achieves | Public Comment Page](#).

The ALSDE Team will consider all questions and concerns provided for the final 1.0 Percent Waiver Request. A copy of the questions and concerns, along with their application to the final version of the 2025-2026 Waiver Request, will be provided in Appendix A with the final 2025-26 Waiver Request submission to the United States Department of Education (USDOE).

Any questions and/or concerns about the waiver request will be emailed to studentassessment@alsde.edu.

- States are required by 34 C.F.R. § 200.6(c)(4)(i) to submit its alternate assessment waiver request at least 90 days before the start of the relevant subject testing windows.

The *ACAP Alternate* testing window will open on March 2, 2025, for elementary and middle school students (Grades 3-8) and high school students. The ALSDE will submit a waiver request to the USDOE for ELA, mathematics, and science no later than December 1, 2025.

- In submitting a waiver request, states are required by 34 C.F.R. § 200.6(c)(4)(ii) to submit data showing the number and percentage of students in each required student group who took the AA-AAAS during SY 2024-2025 in each subject for which the State is seeking a waiver.

Alabama follows the federal participation requirements for assessments and requires all students enrolled in public schools to be assessed with the general assessment, the general assessment with accommodations, or with an alternate assessment. Chapter 290-4-2-.01 (5) of the State Board of Education, State Department of Education Administrative Code, Student Assessment, states that “All students must be provided the opportunity to participate in the state testing program.”

Tables 5-7 includes the number of students and percentage of students assessed in each subgroup who took the *ACAP Alternate*.

Table 5: 2024-2025 Participation in ELA on the *ACAP Alternate*

ELA			
Subgroup	Total Number in Grades 3-8 & High School	Number Who Took ACAP ALTERNATE in Grades 3-8 and High School	Percent Who Took ACAP ALTERNATE in Grades 3-8 & High School
	2024-2025 R/LA	2024-2025 R/LA	2024-2025 R/LA
All Students	378291	5522	1.46
American Indian/Alaskan Native	3186	27	0.85
Asian	6096	91	1.49
Black or African American	117837	2259	1.92
Hispanic/Latino	46030	562	1.22
Native Hawaiian/Pacific Islander	416	13	3.13
Two or More Races	14619	192	1.31
White	190107	2378	1.25
Female	184810	1806	0.98
Male	193481	3716	1.92
English Learner	26347	264	1.00
Economically Disadvantaged	221281	4359	1.97
Homeless	6003	95	1.58
Migrant	625	3	0.48
Military Affiliated	8952	82	0.92
Foster	1613	64	3.97

Table 6: 2024-2025 Participation in Mathematics on the *ACAP Alternate*

Mathematics			
Subgroup	Total Number of students Assessed in Grades 3-8 & High School	Number of students who took ACAP ALTERNATE in Grades 3-8 & High School	Percent of students who took ACAP ALTERNATE in Grades 3-8 & High School
	2024-2025 Math	2024-2025 Math	2024-2025 Math
All Students	379188	5512	1.45
American Indian/Alaskan Native	3201	27	0.84
Asian	6139	91	1.48
Black or African American	118065	2253	1.91
Hispanic/Latino	46388	563	1.21
Native Hawaiian/Pacific Islander	413	13	3.15
Two or More Races	14640	193	1.32
White	190342	2372	1.25
Female	185013	1804	0.98
Male	194175	3708	1.91
English Learner	26740	267	1.00
Economically Disadvantaged	221813	4353	1.96

Homeless	6042	95	1.57
Migrant	631	3	0.48
Military Affiliated	8970	81	0.90
Foster	1612	62	3.85

Table 7: 2024-2025 Participation in Science on the *ACAP Alternate*

Science			
Subgroup	Total Number of students Assessed in Grades 3-8 & High School	Number of students who took ACAP ALTERNATE in Grades 3-8 & High School	Percent of students who took ACAP ALTERNATE in Grades 3-8 & High School
	2024-2025 Science	2024-2025 Science	2024-2025 Science
All Students	161035	2220	1.38
American Indian/Alaskan Native	1416	10	0.71
Asian	2560	31	1.21
Black or African American	50348	933	1.85
Hispanic/Latino	19350	227	1.17
Native Hawaiian/Pacific Islander	173	7	4.05
Two or More Races	5895	73	1.24
White	81293	939	1.16
Female	78883	752	0.95
Male	82152	1468	1.79
English Learner	10758	85	0.79
Economically Disadvantaged	91020	1748	1.92
Homeless	2286	34	1.49
Migrant	247	1	0.40
Military Affiliated	3961	25	0.63
Foster	656	23	3.51

- States that are requesting a waiver, consistent with 34 C.F.R. § 200.6(c)(4)(ii), are required to demonstrate that it assessed at least 95 percent of all students and 95 percent of all students with disabilities during SY 2024-2025 in each subject for which the State is seeking a waiver.

Alabama did meet the 95 percent requirement for all subjects and with all students and all SWD during SY 2024-2025.

A comparison of the percentages of all students assessed statewide, standardized assessments; SWD assessed statewide, standardized assessments; and the percentage of students assessed on the statewide, standardized *ACAP Alternate* assessment from the 2018-19 SY to the 2024-25 SY is located within Table 8. Percentages for the 2024-25 SY are provided in Table 9.

Table 8: Overall Rates of Statewide, Standardized Assessment, By Year

Year	ELA			Math			Science		
	% Tested All	% Tested SWD	% Tested Alternate	% Tested All	% Tested SWD	% Tested Alternate	% Tested All	% Tested SWD	% Tested Alternate
2018-2019	98.91%	98.27%	1.26%	99.12%	98.20%	1.26%	98.39%	96.99%	1.26%
2019-2020									
2020-2021	93.65%	91.52%	1.23%	93.73%	91.96%	1.23%	92.91%	90.33%	1.24%
2021-2022	98.04%	96.79%	1.26%	98.35%	97.53%	1.26%	97.56%	96.24%	1.26%
2022-2023	98.55%	97.36%	1.35%	98.78%	97.87%	1.34%	98.21%	96.71%	1.34%
2023-2024	98.64%	97.66%	1.39%	98.99%	98.37%	1.38%	98.50%	97.64%	1.38%
2024-2025	98.91%	98.00%	1.46%	99.15%	98.58%	1.45%	98.70%	97.84%	1.38%

Table 9: Overall Rates of Assessment Participation for SY 2024-2025

Group: ELA	All Students Grades 3-8 and High School ELA	Students with Disabilities Grades 3-8 and High School ELA
Students Assessed	378291	56453
Students Enrolled	382448	57605
Assessment Participation Rate	98.91%	98.00%
Group: Math	All Students Grades 3-8 and High School Math	All Students Grades 3-8 and High School Math
Students Assessed	379188	56785
Students Enrolled	382452	57602
Assessment Participation Rate	99.15%	98.58%
Group: Science	All Students Grades 3-8 and High School Science	Students With Disabilities Grades 3-8 and High School Science
Students Assessed	161035	22385
Students Enrolled	163162	22879
Assessment Participation Rate	98.70%	97.84%

States that are requesting a waiver, consistent with 34 C.F.R. § 200.6(c)(4)(iii), are required to provide assurance that it has verified that each LEA the State anticipates will assess more than 1.0 percent of its assessed students with an AA-AAAS has:

(A) Followed the State's AA-AAAS participation guidelines; and

The ALSDE has developed, implemented, and delivered support to LEAs to ensure that guidelines are followed. Alabama has continued to provide robust technical assistance and outreach to all its stakeholders. The ALSDE anticipates continued success in increasing student outcomes with its SWD while decreasing participation in the *ACAP Alternate*. Highlights include:

- The ALSDE requires a District Justification Form from all LEAs over the 1.0 Percent Cap and requested that LEAs identify a justification to assess more than 1.0 Percent of students on the *ACAP Alternate*.
- Alabama required specific assurances from each LEA that exceeded the 1.0 Percent Cap. Each LEA has acknowledged through the signed justifications that the assurances provide guiding principles, procedures, and practices that must be upheld within each LEA.
- The LEA ensures Individualized Education Plan (IEP) Teams are provided with a clear explanation of the differences between the general and alternate assessments, including the effect participation in alternate assessments may have on completing the requirements for a regular high school diploma, along with post-school outcomes for the student.
 - The eligibility decision for participation on the *ACAP Alternate* is made by the IEP Team. The IEP Team should use the following criteria for determining the extent to which a student can participate in the *ACAP Summative*, with or without allowable accommodations, or whether the student should participate in the *ACAP Alternate*:
 1. The student must be eligible for special education and must have an IEP in effect at the time of the decision.
 2. The IEP Team's decisions regarding a student's participation in the *ACAP Alternate* must be based on both current available data and consideration of historical evaluations and instructional data relevant to the student.
 3. The IEP Team's decision should be based on the student's present levels of educational performance, need for specially designed instruction, current annual goals, learner characteristics, and access to the general education curriculum.
 4. The IEP Team's decision regarding a student's participation in statewide assessments must be made at a scheduled IEP Team meeting that precedes administration of the statewide assessment.
 5. All decisions must be timely and current to have as little disruptive to the student and the administration of the assessment.
 - LEAs must utilize the *ACAP Alternate Participation Decision-Making Tool* to guide IEP Teams to determine whether the *ACAP Alternate* is the appropriate assessment for a student with the most significant cognitive disability. The IEP Team should carefully consider ALL the following statements as they utilize the [ACAP Alternate Participation Decision-Making Tool](#):

- ✚ The student demonstrates cognitive functioning and adaptive behavior in school, work, home, and community environments that are significantly below chronological age expectations, even with program accommodations.
- ✚ The student requires extensive direct instruction and/or extensive support in multiple settings to acquire, maintain, and generalize academic and functional skills necessary for application in school, work, home, and community environments.
- ✚ The student demonstrates complex cognitive disabilities concurrent with deficits in adaptive behavior that are below chronological age expectations, which prevent the student from meaningful participation in the standard academic core curriculum or achievement of the appropriate grade level expectations.

(B) Will address any disproportionality in AA-AAAS participation for any student group.

The ALSDE provided disproportionality data to each LEA. In utilizing the [National Center on Educational Outcomes \(NCEO\) tool](#), the ALSDE considers LEAs as over- or under-identified as having a most significant cognitive disability in specific subgroups when the LEAs have a significant disproportionality issue if the n size for the subgroup is greater than or equal to 10 and the risk ratio is greater than or equal to 1.50. For any LEA that have an identified subgroup, they will be required to complete an action plan to address the disproportionality.

In the event the data reveals any disproportionality in the percentage of students participating in the alternate assessment, The ALSDE will work with the identified LEAs that show a risk ratio for students participating in the alternate assessment. According to the data, the ALSDE recognizes Black or African-American, Economically Disadvantaged, and Hawaiian/Pacific Islander as being over the 1.50 risk ratio, which also is classified to be a small n size. With this analysis, the ALSDE will assist the identified LEAs and/or schools with additional guidance.

LEAs will be required to analyze the data by subgroup to determine whether disproportionality exists for students participating in the alternate assessment. Analysis will consist of reviewing current and previous years' alternate assessment participation rates to determine if assessment decisions are consistently made regardless of race, gender, economic status, and English Learner status.

States that are requesting a waiver, consistent with 34 C.F.R. § 200.6(c)(3)(ii) and (iv), are required to verify that each LEA that it anticipates will assess more than 1.0 percent of its assessed students with an AA-AAAS has submitted information to the State justifying the need to exceed the 1.0 percent cap and to make these justifications available to the public.

All LEAs identified to be over the 1.0 Percent Cap were required to attend a training on understanding the 1.0 Percent Cap for the alternate assessment. The LEAs that were not over were highly encouraged to attend this session as well. The LEAs were provided an overview of what the 1.0 Percent Cap is with an explanation of what the state is responsible for in achieving the goal of being below the 1.0 Percent Cap as outlined by the USDOE. The ALSDE is continuing to analyze the data of the justification statements and will utilize this information to inform future guidance and training. The ALSDE posted the LEA Justifications/Assurances for the One Percent Cap on Alternate Assessments – 2025-2026 results publicly at this [Alabama Achieves | Assessment](#) and is attached in Appendix B.

Each year, LEAs must complete a continuous improvement plan, the Alabama Continuous Improvement Plan (ACIP). The ACIP is an ongoing, working document that is designed to guide the school improvement effort of the school. It is reviewed regularly and revised as needed in response to the school's progress on their identified goals and strategies. The framework outlines the steps in developing an effective continuous improvement plan that articulates short (1 year) and long-term (up to 5 years) objectives and strategies. The ALSDE is requiring each LEA over the 1.0 Percent Cap to include action steps within their ACIP on how they will address identified issues around testing more than one percent of the alternate students.

- **States that are requesting a waiver, consistent with 34 C.F.R. § 200.6(c)(4), are required to provide a current plan and timeline by which:**

Alabama's Plan for Reducing AA-AAAS Participation and Advancing Student Achievement for 2025-2026

The ALSDE Team has had discussions about the impact of the previous activities on the current AA-AAAS participation rates and recognizes that, although the conversations were completed, they may have overlooked the potential impact on the 2025-2026 SY waiver submission. The discussions and continuous efforts should provide an impact for subsequent AA-AAAS participation decisions moving forward from the conversation dates. We anticipate the AA-AAAS Participation rate to decrease as awareness has been raised about the common trends across Alabama.

Additional Steps to Support Each LEA

Based on the LEA responses to the LEA Justification Forms, Self-Assessments, and the Data Walk discussions across Alabama, the ALSDE is taking additional steps to support and provide appropriate oversight to each LEA by dividing the LEAs into focused tier levels based on criteria. Previously, waiver submissions in Alabama had tiers based on

percentages, and we have realized that higher numbers did not require more activities or deeper dives but rather revealed the true justification for the LEA or broader issues that need to be addressed during this waiver period.

After submitting the 2024-2025 waiver request to the USDOE, Alabama proceeded with the activities as outlined for the 2024-2025 SY. Many of the activities required extensive participation from the LEAs and the ALSDE Team to determine the direction Alabama needs to take in reducing its AA-AAAS participation while advancing student achievement for all students in ELA, mathematics, science, and other areas of education. There were specific activities and groupings of the LEAs that were integral to the ALSDE Team improving the implementation of our guidelines for participation which informed the drafting of Alabama's plan and timeline for this 2025-2026 waiver submission.

Improving the Implementation of State Guidelines

- The ALSDE staff participates in the Council of Chief State School Officers (CCSSO) team members collaborate with other states in the Assessment, Standards, and Education for Students with Disabilities (ASES) to navigate practices and solutions for reducing the *ACAP Alternate* participation rates while adequately assessing progress for all students based on their individualized needs.
- The ALSDE participates in the NCEO 1.0 Percent Community of Practice to learn with and from other states, using guidance provided by national technical assistance centers, and incorporating resources and information gained.
- The ALSDE leadership staff participates in Balanced Assessment System (BAS) and Technical Issues in Large-Scale Assessment (TILSA). These meetings focus on enhancing our assessment, accountability, instructional supports, and Courses of Study to provide access to students with disabilities.
- The ALSDE Team members hold membership and attend conferences by the Council for Leaders in Alabama Schools (CLAS) to stay ahead of the legal aspects as they apply to SWD.

Support and Oversight of LEA Implementation

In addition to incorporating the MTSS and PST compliance monitoring components into the cyclical monitoring, the ALSDE specifically looks for components related to *ACAP Alternate* participation. The Special Education Services (SES) monitoring team randomly selects students from each LEA (elementary, middle, and high school students) and conducts desk audits. These audits evaluate the records for eligibility criteria, evidence of the Decision-Making Tool being used by the IEP Team to drive discussions for students being considered for *ACAP Alternate* participation, and IEP review for evidence that the student meets the Alabama definition of a student with the most significant cognitive disability. ALSDE staff and staff of several IDEA-funded (*Individuals with Disabilities Education Act*) state projects are dedicated to supporting all LEAs in the appropriate instruction and assessment of SWD, including students with the most significant cognitive disabilities.

The following is based on the ALSDE AA-AAAS Participation Plan.

Universal Professional Learning and Supports (Tier 1)

The ALSDE provides universal resources, technical assistance, and support to all LEAs to improve the implementation of *ACAP Alternate* participation guidelines. Listed below are the universal resources, technical assistance, and support the ALSDE provided and enhanced to meet the needs of LEAs as they work to provide the most appropriate instruction and aligned assessments to all students.

- The LEAs must complete a [Alabama Achieves | Self Assessment Requirements](#) process annually, which is reviewed and validated by the SEA to identify additional technical assistance opportunities concerning student eligibility for AA-AAAS instruction and participation in the *ACAP Alternate*.
- The LEAs with over 1.0 percent of their students on the *ACAP Alternate* justify, including a reason for the overage, as part of the 1.0 Percent Cap process. This information will be reviewed and published online. LEA justifications are accessible to the public through the Alabama Achieves Website: [Alabama Achieves | Assessment](#).
- The LEAs are required annually to submit *ACAP Alternate* Assurances. With these submissions, LEAs ensure that each student scheduled to be assessed via the *ACAP Alternate* meets the criteria and conditions for determining if the student has a most significant cognitive disability.
- The LEAs internally monitor student eligibility considerations for *Alternate* achievement standards instruction and participation in the *ACAP Alternate*. The protocol for this process is outlined in the *Guidance for IEP Teams on Participation Decisions for the ACAP Alternate Assessment and Alternate Achievement Standards* document.
- The LEAs must examine disproportionality data provided to them and address disproportionality within the LEA.
- Staff within SES are dedicated to supporting all LEAs in the appropriate instruction and assessment of SWD, including students with the most significant cognitive disabilities. Such support is provided through professional learning, meetings, and presentations at regional and statewide conferences.
- Professional development is provided to principals and other administrators in Alabama through the Alabama Principal Leadership Development System (APLDS) specifically on instruction and assessment decisions for SWD and students with the most significant cognitive disabilities.
- Alabama's General Education Supports and Resources for Alabama Educators LiveBinder and Alabama's Alternate Achievement Supports and Resources LiveBinder provide up-to-date guidance and support to educators in offering instruction to students with disabilities and students with the most significant cognitive disabilities.
- Evidence-based practices and strategies are produced by SES and will provide educators and administrators with professional development focused on improving student outcomes and achievement.
- Companion documents to the Alabama Course of Study standards titled the Differentiated Instructional Guide (DIG) is created for each subject to assist educators in tailoring instruction to meet the individual needs of all students by identifying strengths and weaknesses, starting with prior knowledge and progressing to learning the objectives necessary to master the standard.

Targeted Technical Assistance and Support (Tier 2)

- The ALSDE will comprehensively review *ACAP Alternate* participation data (at both the LEA and school level), previous Data Walk discussion information from the 2024-25 SY, assurances, and District Justification Forms. Technical assistance and support are provided virtually, and a digital copy of the data reviewed is provided to LEAs.
- Staff within SES are dedicated to supporting all LEAs in the appropriate instruction and assessment of SWD, including students with the most significant cognitive disabilities. Professional support for LEAs, with a focus on the participation of all students, including those with disabilities, is a key focal point at this level of assistance. Such support is provided through professional learning, meetings, and presentations at regional and statewide conferences.
- Student Assessment monitors test administration in districts and schools to ensure that appropriate assessments, with or without accommodations, are selected for all students with disabilities and English Learners (ELs) so that they are appropriately included in assessments and receive accommodations that are:
 - Consistent with the State's procedures for accommodations.
 - Appropriate for addressing a student's disability or language needs for each assessment administered.
 - Consistent with accommodations provided for the students during instruction and/or practice.
 - Consistent with the assessment accommodations identified by a student's IEP Team under IDEA, placement team convened under Section 504; or for students covered by Title II of the *Americans with Disabilities Act* (ADA), the individual or team designated by a district to make these decisions; or another process for an EL.
 - Administered with fidelity to test administration procedures.
 - Monitored for the administration of all required academic content assessments and AA-AAAS.

Intensive Individualized Interventions and Supports (Tier 3)

The ALSDE provides additional, more frequently focused, targeted instructions or intervention, and supplemental support, in addition to and aligned with universal professional learning, interventions, and supports.

- The ALSDE staff will review *ACAP Alternate* participation, District Justification Forms, assurances, and previous 2024-25 SY data and schedule a Data Walk discussion with the LEA and self-assessments. Technical assistance and support are provided virtually, and a digital copy of the data reviewed is provided to the LEA. The ALSDE staff will review proficiency assessment data, including perfect scores in one or more subject areas, with districts over the 1.0 Percent Cap of students participating in the *ACAP Alternate*.
- Data Walk Discussions with LEAs regarding the 1.0 Percent Cap data - The ALSDE staff schedules a Data Walk discussion with the LEA. The ALSDE staff will review proficiency assessment data, including score analysis for students with districts over the 1.0 Percent Cap of students participating in the *ACAP Alternate*.

Table 10: SEA Timeline of Implementation

Activities	Date
Collect Artifacts on items from the 2024-2025 Waiver Activities	February 14, 2025
1.0 Percent Team Meeting to Discuss Data, Plan, and Activities	Ongoing
LEA Check-ins of final items for Tier 2 and Tier 3	February-August 2025
The 1.0 percent Team Data Rubric (Draft) Applied for Moving Forward with LEA Activities	March 2025
On-site Visits Conducted Based on Data Determination	February-May 2025
Data Walk Scheduling and Submission Period	March- June 2025
Special Education IEP Training Series via SES Shorts	March 2025
2024-2025 Assessment Testing Windows	March-April 2025
Five Largest LEA Conversations with ALSDE Staff	June-August 2025
Data Walk Meetings held with LEAs in Tier 2 and Tier 3	May- August 2025
Alabama Educational Technology Conference Sessions	June 2025
MEGA Conference Sessions	July 2025
District/LEA Test Coordinator Meeting	August 2025
Special Education Back-to-School Meeting	August 2025
Self-Assessment Guidance to LEAs	August 14, 2025
Understanding the <i>Alternate</i> Roadshow	September 2025
Disproportionality Data Collected	September 2025
<i>Alternate</i> Assessment Participation Data Collected	September 2025
<i>Alternate</i> Percentages Collected and Calculated by LEAs	September 2025
District/LEA Justification Form Updated for 2025-2026 Submissions	September 10, 2025
Memo to Superintendents about the Upcoming 1.0 Percent Notification	September 22, 2025
USDOE Memo to States: One Percent Cap Waiver Requirement	September 25, 2025
Email to LEAs over the 1.0 Percent Cap and invitation to the Universal Webinar	September 25, 2025
Email to LEAs not meeting the 95% Participation Requirement	September 25, 2025
Self-Assessments due from LEAs	October 1, 2025
We are Over the One Percent Cap, Now What? Webinar	October 2, 2025
ACAP Practice Test- <i>Alternate</i> Item and Form Management	October 6, 2025
District Justification Office Hour Email to all Districts over the 1.0 Percent Cap	October 7, 2025
District Justification Forms Office Hour	October 8, 2025
Request the Public Comment Period from ALSDE Leadership	October 9, 2025
Assessment Participation Webinar	October 9, 2025
Disproportionality Notifications Provided to LEAs via Email	October 10, 2025
Draft Waiver Complete and ready for Internal Audits	October 14, 2025
District Justification Forms Due from LEAs	October 17, 2025
LEAs notified of Disproportionality Activity.	October 17, 2025
Stakeholder (Teacher Level) Science Performance Level Descriptor Meeting(s) – Virtual	October 14-15, 2025
Individualized Justification Meetings with ALSDE and LEAs	October-November 2025
ALSDE Review of Public Comments (As they come in)	October 20-November 24
CCSSO Collaborative Meetings (ALSDE Staff)	October 30-31, 2025
Tier 2 School and District/LEA Participation Plans Due	November 7, 2025
Draft Waiver Posted for Public Comment (35 Days, Per Alabama Administrative Code)	November 24, 2025
Submit Completed Waiver to USDOE	December 1, 2025
Deadline for Final Waiver and Feedback to Public Comment Submitted to USDOE	December 1, 2025

Activities	Date
Review Data Submitted by the LEAs for Tier 3 LEA Justification and Determination of Tier 3 Support	November-January 15, 2026
Tier 3 Webinar for Identified LEAs	January 22, 2026
Tier 3 Office Hour for Clarification and Questions	January 23, 2026
Improving Instruction to Improve Student Outcomes Teacher Conference	January 2026
CCSSO Collaborative Meetings (ALSDE Staff)	February 24-26, 2026
Stakeholder (Teacher Level)-Science Alignment Study	February 24-27, 2026
Assessment Testing Windows	March-April 2026
Stakeholder (Teacher Level)-Range finding Meeting	April 21-23, 2026
Alabama Educational Technology Conference Sessions	June 2026
Stakeholder (Teacher Level)- Science Standard Setting and Content (Fairness/Sensitivity) Review Meeting	June 3-5, 2026
Stakeholder (Teacher Level)- Item Review Meeting	June 8-9, 2026
CCSSO Collaborative Meetings (ALSDE Staff)	June 25-26, 2026
MEGA Conference Sessions	July 2026
Stakeholder (Teacher Level)- Data Review Meeting Virtual	July 16, 2026
District/LEA Test Coordinator Meeting	August 2026
Special Education Back-to-School Meeting	August 2026

(A)The State will improve the implementation of its guidelines of participation in the AA-AAAS (including by reviewing and, if necessary, revising its definition of children with the most significant cognitive disabilities so that the State assesses fewer than 1.0 percent of its assessed students with an AA-AAAS in each subject for which the State is seeking a waiver in future school years);

The ALSDE has requested input from a broad range of educators about the definition of a student with the most significant cognitive disability for Alabama and will continue this process through SY 2025-2026. According to the feedback received, ALSDE will continue with the current definition.

In Alabama, the definition of a student with the most significant cognitive disability is a student with an intelligence quotient (IQ) of three standard deviations below the mean, which is an IQ score of 55 or below, that significantly impacts intellectual functioning and that exists concurrently with deficits in adaptive functioning (defined as essential for someone to live independently and to function safely in daily life). As a rule, a student having a significant cognitive disability is not solely determined by an IQ test score, but rather by a holistic understanding of the student. Through intentional discussions with colleagues in the NCEO 1.0 Percent Cap Community of Practice and Alabama's participation in the CCSSO Collaborative meetings, Alabama plans to increase guidance specific to the definition of "most significant cognitive disabilities." This increased attention to a better understanding of the Alabama definition, alongside increased instructional support for teachers in educating students with varying ability levels, will enable teachers to identify progress toward mastery of the general education standards for students in Alabama.

When evaluating whether a student's cognitive disability qualifies as one of the most significant, IEP teams must utilize the [Guidance for IEP Teams on Participation Decisions for the ACAP Alternate Assessment and Alternate Achievement Standards](#) to

ensure that decisions are in the best interest of the student while employing the least dangerous assumption. The IEP Teams must consider the long-term implications of assigning instruction through the alternate achievement standards. This decision can significantly impact a student's future access to post-secondary education and career pathways. Additionally, the IDEA, the USDOE's Office of Special Education Programs, and the SEA all emphasize that the general education curriculum must be the primary framework for delivering educational services to students with disabilities.

- (B) The State will take additional steps to support and provide appropriate oversight to each LEA that the State anticipates will assess more than 1.0 percent of its assessed students with an AA-AAAS to ensure that only students with the most significant cognitive disabilities take an AA-AAAS. The State must describe how it will monitor and regularly evaluate each such LEA to ensure that the LEA provides sufficient training such that school staff who participate as members of an IEP Team or other placement team understand and implement the guidelines established by the State so that all students are appropriately assessed; and**

Monitoring

For the 2024-25 SY, SES monitoring team randomly selected students from each LEA (elementary, middle, and high school students) and conducted desk audits. These audits evaluated the records for eligibility criteria, evidence of the Decision-Making Tool being used by the IEP Team to drive discussions for students being considered for *ACAP Alternate* participation, and IEP review for evidence that the student meets the Alabama definition of a student with the most significant cognitive disability.

Table 11 depicts the monitoring data from the previous year and what has been completed for this year.

Table 11: 2024-25 and Current Compliance Monitoring Data

School year	Number of Districts	Total Number of Students Reviewed	Percentage of Compliance	Percentage of Noncompliance
2024-25	30	165	73.9%	26.06%
2025-26	*13	*51	*74.5%	*25.49%
*As of 10/16/2025				

During the 2024-25 SY, the SES Monitoring and Compliance activity for AA-AAAS participation, 30 LEAs were identified as noncompliant. LEAs participated in additional technical assistance discussions to improve LEA protocols for the identification of students considered to be instructed on *Alternate* academic achievement standards and to participate in the *ACAP Alternate*. All LEAs completed additional discussions within the permitted time frame and corrected noncompliance issues.

The LEAs with findings of noncompliance through the 1.0 Percent Cap Monitoring and Compliance activity for *ACAP Alternate* participation must engage in conversation with the ALSDE and complete the submission of documentation indicating the completion of a corrective action plan.

Another avenue that ALSDE takes is for Student Assessment to monitor test administration in its districts and schools to ensure that appropriate assessments, with or without accommodations, are selected for all students with disabilities and ELs so that they are appropriately included in assessments and receive accommodations that are:

- Consistent with the State's policies for accommodations.
- Appropriate for addressing a student's disability or language needs for each assessment administered.
- Consistent with accommodations provided for the students during instruction and/or practice.
- Consistent with the assessment accommodations identified by a student's IEP Team under IDEA, placement team convened under Section 504; or for students covered by Title II of the ADA, the individual or team designated by a district to make these decisions; or another process for an EL.
- Administered with fidelity to test administration procedures.
- Monitored for the administration of all required academic content assessments and AA-AAAS.

Along with the above-mentioned monitoring, Student Assessment conducts on-site monitoring of the *ACAP Alternate* administration and eligibility criteria for the most significant cognitive disability for participation on the *ACAP Alternate*. On-site monitoring activities include reviewing IEPs, administration of the assessment, reviewing *ACAP Alternate* training materials, reviewing *ACAP Alternate* security protocols, and conducting classroom walk-throughs.

LEA Training Requirements

The ALSDE will provide training around all components of the one percent waiver request for each LEA. Once training has been provided, the ALSDE will require the districts to provide this turnaround training. The LEA will then provide documentation that they have conducted the training including submitting PowerPoints/materials used for the training and sign-in sheets.

(C) The State will address any disproportionality in the percentage of students taking an AA-AAAS as identified through the data provided in accordance with paragraph (c)(4)(ii)(A) of this section.

In the event the data reveals any disproportionality in the percentage of students participating in the alternate assessment, the ALSDE will address the issues as follows:

- Determine LEAs whose data indicate disproportionality in the percentage of students participating in the alternate assessment.
- Monitor LEAs with the highest rates of disproportionality.
- Review student folders of students in the affected subgroup to determine whether the decision for a student to participate on the alternate assessment met the criteria.

The ALSDE will monitor the percentage of students participating in the *ACAP Alternate* by undertaking the following activities:

- Gathering LEA and school data on current and previous years' *ACAP Alternate* participation rates in each subject.
- Analyzing the data by subgroups, such as disability, race/ethnicity, gender, EL, and poverty and non-poverty to determine whether disproportionality exist.
- Ongoing analysis and monitoring of current alternate assessment data.
- Addressing disproportionality with LEAs and schools through professional learning and/or technical assistance.

Number, Percentage, and Risk Ratio of Students who Took the *ACAP Alternate*

Tables 12 through 14 provide the number, percentage, and risk ratio of each student subgroup, as defined in ESEA section 1111(c)(2)(A), (B), and (D), during the 2024-25 SY. The risk ratio measures potential disproportionality among *ACAP Alternate* participants based on membership of the target group. Risk ratios exceeding 1.5 indicate that the target group is overrepresented among the population of students participating in the alternate assessment compared to participation rates of students who are not within the target group.

Table 12: Number, Percentage, and Risk Ratio of Students in ELA

ELA							
	Target Group			Comparison Group			RISK RATIO
	<i>ACAP Alternate</i>	ACAP Summative	Percent <i>ACAP Alternate</i>	<i>ACAP Alternate</i>	ACAP Summative	Percent <i>ACAP Alternate</i>	
American Indian/Native Alaskan	27	3,159	0.85	5,495	369,610	1.49	0.57
Asian	91	6,005	1.52	5,431	366,764	1.48	1.02
Pacific Islander	13	403	3.23	5,509	372,366	1.48	2.18
Black/African American	2,259	115,578	1.95	3,263	257,191	1.27	1.54
White	2,378	187,729	1.27	3,144	185,040	1.70	0.75
Multi-Racial	192	14,427	1.33	5,330	358,342	1.49	0.89
Hispanic	562	45,468	1.24	4,960	327,301	1.52	0.82
Economically Disadvantaged	4,359	216,922	2.01	1,163	155,847	0.75	2.69
English Learners	264	26,083	1.01	5,258	346,686	1.52	0.67

Table 13: Number, Percentage, and Risk Ratio of Students in Math

MATH							
	Target Group			Comparison Group			RISK RATIO
	ACAP Alternate	ACAP Summative	Percent ACAP Alternate	ACAP Alternate	ACAP Summative	Percent ACAP Alternate	
American Indian/Native Alaskan	27	3,174	0.85	5,485	370,502	1.48	0.57
Asian	91	6,048	1.50	5,421	367,628	1.47	1.02
Pacific Islander	13	400	3.25	5,499	373,276	1.47	2.21
Black/African American	2,253	115,812	1.95	3,259	257,864	1.26	1.54
White	2,372	187,970	1.26	3,140	185,706	1.69	0.75
Multi-Racial	193	14,447	1.34	5,319	359,229	1.48	0.90
Hispanic	563	45,825	1.23	4,949	327,851	1.51	0.81
Economically Disadvantaged	4,353	217,460	2.00	1,159	156,216	0.74	2.70
English Learners	267	26,473	1.01	5,245	347,203	1.51	0.67

Table 14: Number, Percentage, and Risk Ratio of Students in Science

SCIENCE							
	Target Group			Comparison Group			RISK RATIO
	ACAP Alternate	ACAP Summative	Percent ACAP Alternate	ACAP Alternate	ACAP Summative	Percent ACAP Alternate	
American Indian/Native Alaskan	10	1,406	0.71	2,210	157,409	1.40	0.51
Asian	31	2,529	1.23	2,189	156,286	1.40	0.88
Pacific Islander	7	166	4.22	2,213	158,649	1.39	3.02
Black/African American	933	49,415	1.89	1,287	109,400	1.18	1.60
White	939	80,354	1.17	1,281	78,461	1.63	0.72
Multi-Racial	73	5,822	1.25	2,147	152,993	1.40	0.89
Hispanic	227	19,123	1.19	1,993	139,692	1.43	0.83
Economically Disadvantaged	1,748	89,272	1.96	472	69,543	0.68	2.88
English Learners	85	10,673	0.80	2,135	148,142	1.44	0.55

- **States must demonstrate that it reduced its AA-AAAS participation during SY 2024-2025 when compared to prior years in each subject for which the State is seeking a waiver.**

Alabama ranks as the 24th most populous state in the country, with over 700,000 students in 1,365 schools (public and charter) and 154 traditional LEAs.

Of the 154 represented LEAs, 59 (38.31%) LEAs showed a reduction in ELA alternate assessment participation, 58 (37.67%) LEAs showed a decrease in math alternate assessment participation, and 71 (46.10%) showed a reduction in science alternate assessment participation in the 2024-25 SY.

Of the 154 represented LEAs, 23 LEAs were below the 1.0 Percent Cap (in all subjects) in the 2023-24 SY. For the 2024-25 SY, there are 31 LEAs below the 1.0 Percent Cap (in all subjects), resulting in a decrease in *ACAP Alternate* participation among LEAs compared to the previous school year.

Table 15 compares the number of LEAs that exceeded the 1.0 Percent Cap in the 2023-24 SY and the 2024-25 SY, as well as the progress made in reducing the percentage of students participating in the *ACAP Alternate*. Currently, 31 Alabama LEAs do not exceed the 1.0 Percent Cap for participation in the *ACAP Alternate*.

Table 15: Comparison of the Number of LEAs Exceeding the 1.0 Percent Cap for the 2023-2024 and 2024-2025 SY for ELA, Mathematics, and Science

DISTRICT NAME	2023-2024 <i>Alternate Participation</i>			2024-2025 <i>Alternate Participation</i>		
	ELA	Math	Science	ELA	Math	Science
Alabama Aerospace and Aviation	0.00	0.00	0.00	0.00	0.00	0.00
Alabaster City	1.58	1.39	1.10	2.02	1.98	2.22
Albertville City	1.10	1.14	0.65	1.15	1.14	1.08
Alexander City	1.31	1.04	0.82	1.40	1.40	1.15
Andalusia City	1.00	1.09	1.35	0.88	0.88	0.53
Anniston City	1.97	2.53	1.15	2.47	2.49	0.82
Arab City	1.05	1.58	0.88	1.08	1.08	0.37
Athens City	0.84	0.78	1.04	1.01	1.04	0.49
Attalla City	0.83	1.46	1.02	1.40	1.40	0.66
Auburn City	1.09	0.96	1.02	1.08	1.08	1.07
Autauga County	1.36	1.07	1.55	1.71	1.71	2.01
Baldwin County	1.01	0.94	0.99	0.99	1.00	1.06
Barbour County	2.45	1.66	3.65	1.82	1.76	1.60
Bessemer City	1.88	1.85	1.83	1.70	1.68	1.55
Bibb County	1.54	1.43	1.33	1.31	1.31	1.38
Birmingham City	1.44	1.16	1.38	1.59	1.60	1.54
Blount County	1.04	1.26	1.31	1.31	1.31	1.41
Boaz City	0.55	0.76	0.96	0.69	0.69	0.18
Breakthrough Charter School	1.33	1.65	2.04	1.10	1.09	2.78
Brewton City	1.42	1.84	1.02	1.97	1.97	2.48
Bullock County	1.20	1.88	0.67	1.78	1.47	2.63
Butler County	1.60	1.45	1.16	1.62	1.62	1.37
Calhoun County	0.89	0.91	0.98	1.02	1.02	0.77

Chambers County	1.55	1.82	2.20	1.42	1.35	1.76
Cherokee County	0.65	0.47	0.85	0.65	0.64	0.78
Chickasaw City	1.62	2.55	1.31	2.37	2.43	3.10
Chilton County	1.03	0.58	1.24	0.88	0.87	0.88
Choctaw County	2.76	2.57	1.52	2.33	2.31	2.63
Clarke County	2.42	1.96	3.10	2.65	2.64	2.47
Clay County	1.69	2.26	1.82	1.74	1.73	1.66
Cleburne County	0.96	1.27	0.95	1.22	1.21	1.53
Coffee County	0.61	0.55	0.82	0.70	0.70	0.76
Colbert County	1.31	1.07	1.27	1.23	1.23	1.77
Conecuh County	1.75	0.59	1.47	1.29	1.29	1.85
Coosa County	1.02	2.50	1.24	1.27	1.26	1.60
Covenant Academy of Mobile	0.00		0.00	0.64	0.64	0.00
Covington County	0.53	0.51	0.48	0.79	0.79	0.79
Crenshaw County	1.25	1.07	1.58	1.45	1.45	1.37
Cullman City	1.33	1.57	2.05	1.34	1.34	1.34
Cullman County	1.58	1.23	1.55	1.67	1.67	1.52
Dale County	0.72	0.77	0.87	1.10	1.10	1.30
Daleville City	1.60	1.37	1.33	1.60	1.59	1.18
Dallas County	1.52	1.27	1.84	1.49	1.48	1.94
Decatur City	1.32	1.34	1.45	1.41	1.40	1.46
DeKalb County	1.10	1.31	0.74	1.12	1.12	1.19
Demopolis City	1.73	2.06	1.77	1.68	1.68	0.75
Dothan City	1.78	1.94	1.58	1.92	1.92	1.64
Elba City	1.03	0.94	0.82	0.72	0.71	1.08
Elmore County	1.10	0.90	1.10	1.21	1.21	0.96
Empower Community School	0.00	0.00	0.00	0.00	0.00	0.00
Enterprise City	0.58	0.44	0.92	0.53	0.52	0.20
Escambia County	1.83	1.68	2.17	1.62	1.57	1.73
Etowah County	1.15	1.12	0.89	1.56	1.56	1.34
Eufaula City	1.69	1.97	1.62	1.57	1.57	1.67
Fairfield City	1.87	1.06	2.19	1.15	1.15	0.96
Fayette County	1.74	1.98	1.08	1.81	1.80	1.68
Florence City	1.46	1.49	1.42	1.81	1.80	1.52
Floretta P. Carson Visual and Performing Arts				0.00	0.00	0.00
Fort Payne City	1.37	1.20	1.41	1.43	1.43	1.36
Franklin County	1.41	1.85	1.09	1.65	1.65	0.96
Gadsden City	1.37	1.36	1.27	1.41	1.40	1.29
Geneva City	0.90	0.77	1.04	1.76	1.76	0.74
Geneva County	1.26	1.45	1.42	1.18	1.18	0.89
Greene County	0.89	1.75	0.51	0.95	0.95	0.58
Gulf Shores City	1.33	0.77	0.96	1.00	1.00	1.13
Guntersville City	1.22	1.25	1.70	1.16	1.15	1.08
Hale County	0.54	0.78	0.64	0.81	0.81	0.21
Haleyville City	0.25	0.76	0.28	0.64	0.64	0.34
Hartselle City	1.26	1.10	1.35	1.36	1.36	1.38
Henry County	1.45	1.61	2.06	1.19	1.19	0.93
Homewood City	0.94	1.00	1.12	0.84	0.88	0.77
Hoover City	1.44	1.22	1.20	1.63	1.62	1.32
Houston County	1.58	1.46	1.61	1.61	1.61	1.81

Huntsville City	1.74	1.72	1.75	1.65	1.65	1.66
i3 Academy	0.58	0.73	0.58	0.59	0.59	0.00
Ivy Classical Academy				0.00	0.00	0.00
Jackson County	0.84	0.86	0.99	0.91	0.91	0.38
Jacksonville City	1.64	1.54	1.18	1.53	1.53	1.03
Jasper City	1.02	0.69	1.35	1.08	1.07	1.02
Jefferson County	1.66	1.62	1.38	1.93	1.92	1.83
Lamar County	1.28	1.27	1.06	1.38	1.37	1.34
Lanett City	1.66	0.96	1.95	1.00	0.99	1.50
Lauderdale County	0.96	1.03	1.03	0.98	0.98	0.99
Lawrence County	1.46	1.54	1.45	1.67	1.66	0.99
LEAD Academy	0.00	0.53	0.00	0.00	0.00	0.00
Lee County	1.58	1.35	1.89	1.76	1.75	1.56
Leeds City	1.40	1.52	1.98	1.38	1.37	2.39
Legacy Prep	1.04	0.00	0.00	1.11	1.11	1.54
LIFE Academy	0.00	0.00	0.00	0.00	0.00	0.00
Limestone County	0.98	1.03	1.02	1.05	1.05	0.89
Linden City	3.28	5.35	5.26	3.65	3.65	2.20
Lowndes County	2.35	1.95	2.29	2.52	2.52	2.95
Macon County	1.97	1.90	1.37	2.10	2.09	1.61
Madison City	1.36	1.30	1.10	1.40	1.40	1.44
Madison County	1.51	1.56	1.66	1.52	1.51	1.38
MAEF Public Charter Schools	0.00	0.00	0.00	0.00	0.00	0.00
Magic City Acceptance Academy	0.54	0.55	0.00	0.63	0.62	1.12
Marengo County	1.11	0.92	1.05	1.02	1.02	0.43
Marion County	1.43	1.11	0.78	1.37	1.36	1.32
Marshall County	1.16	1.01	0.97	0.92	0.92	0.72
Midfield City	0.59	1.11	0.45	1.41	1.39	1.52
Mobile County	1.72	1.62	1.77	1.89	1.87	1.83
Monroe County	1.68	1.42	1.47	2.27	2.26	1.98
Montgomery County	1.46	1.65	1.94	1.66	1.64	1.57
Morgan County	1.26	0.95	1.26	1.14	1.14	1.65
Mountain Brook City	0.93	0.82	1.10	0.96	0.96	0.77
Muscle Shoals City	0.96	0.76	0.00	0.83	0.62	0.49
Oneonta City	0.72	0.97	0.73	0.42	0.42	0.66
Opelika City	1.37	1.17	1.69	1.30	1.26	0.97
Opp City	1.04	1.37	1.09	0.93	0.93	0.76
Orange Beach City	0.16	0.14	0.32	0.32	0.31	0.37
Oxford City	1.25	1.03	0.81	1.27	1.26	1.24
Ozark City	3.18	2.26	3.14	1.62	1.61	1.30
Pelham City	1.58	1.47	2.08	1.29	1.29	0.82
Pell City	1.55	1.40	1.82	1.40	1.40	1.03
Perry County	1.15	1.38	1.06	1.31	1.29	0.96
Phenix City	1.11	1.05	1.04	1.25	1.25	1.33
Pickens County	1.71	1.36	1.30	2.43	2.43	1.80
Piedmont City	1.51	1.69	0.43	2.55	2.55	2.40
Pike County	1.04	1.38	1.14	0.91	0.91	1.51
Pike Road City	0.96	0.95	1.17	1.32	1.32	0.91
Randolph County	1.51	1.71	2.34	1.45	1.45	0.47
Roanoke City	1.19	1.27	1.36	1.35	1.35	0.74
Russell County	0.90	0.72	0.49	0.89	0.89	0.89

Russellville City	1.37	1.13	1.67	1.34	1.34	1.39
Saraland City	1.62	1.63	1.91	1.81	1.81	2.01
Satsuma City	1.18	1.04	1.47	0.89	1.01	0.87
Scottsboro City	0.90	0.82	1.35	0.48	0.48	0.19
Selma City	2.23	2.33	1.25	2.96	2.96	2.64
Sheffield City	1.80	2.05	2.82	1.92	1.92	0.60
Shelby County	1.67	1.73	1.76	1.62	1.62	1.66
St Clair County	1.19	1.10	1.12	1.37	1.37	1.10
Sumter County	1.45	1.87	1.44	2.17	2.12	1.49
Sylacauga City	1.99	2.15	1.93	1.75	1.75	1.66
Talladega City	3.76	2.11	4.90	2.97	2.99	2.33
Talladega County	1.46	1.43	1.72	1.46	1.46	0.85
Tallapoosa County	0.70	0.99	0.17	1.04	0.97	1.03
Tallassee City	1.61	1.93	2.36	1.10	1.10	1.60
Tarrant City	1.19	1.34	1.49	0.90	0.89	0.34
Thomasville City	1.60	1.88	1.59	1.60	1.60	1.49
Troy City	2.51	1.85	2.09	2.36	2.36	3.56
Trussville City	1.17	1.40	0.78	1.27	1.27	0.96
Tuscaloosa City	2.28	2.05	2.27	2.34	2.33	2.33
Tuscaloosa County	1.67	1.64	1.55	1.73	1.70	1.60
Tuscumbia City	1.60	0.80	1.17	1.88	1.88	2.14
University Charter School	2.40	3.47	2.16	2.13	2.13	1.53
Vestavia Hills City	0.86	0.52	1.20	0.79	0.79	0.92
Walker County	1.28	1.12	1.07	1.45	1.45	1.47
Washington County	1.29	2.11	1.43	1.29	1.28	1.52
Wilcox County	4.14	3.42	3.41	3.98	3.95	5.80
Winfield City	1.45	1.12	0.79	2.19	2.19	1.48
Winston County	1.27	1.00	0.82	1.42	1.50	1.84

NOTE: The highlighted green cells indicate a reduction in the percentage of students participating in the *ACAP Alternate* (although some of the numbers presented may appear identical and suggest no change, maintaining an unchanged number is considered progress and not an increase).

Table 16 compares the percentages of all students assessed statewide, standardized assessments; SWD assessed on statewide, standardized assessments; and the percentage of students assessed on the statewide, standardized alternate assessment from the 2017-18 SY to the 2024-25 SY.

Table 16: Alabama *ACAP Alternate* Rates by Subject, by Year

School Year	ELA	Math	Science
2017-2018	1.25%	1.25%	1.27%
2018-2019	1.26%	1.26%	1.26%
2020-2021	1.23%	1.23%	1.24%
2021-2022	1.26%	1.26%	1.26%
2022-2023	1.35%	1.34%	1.34%
2023-2024	1.39%	1.38%	1.38%
2024-2025	1.46%	1.45%	1.38%
2025-2026 (estimate)	1.50%	1.50%	1.48%

Appendix A

Public Comment

In accordance with ESEA Section 8401 (b)(3), the ALSDE will notify the public and any interested local educational agency (LEA) of the public comment review period through a media release memo. The Alabama 1.0 Percent Waiver Request for 2025-2026, covering ELA, mathematics, and science, will be posted in complete draft format on the Public Comments Page of the Alabama Achieves State Website. The direct link to this location is [Alabama Achieves | Public Comment Page](#).

The ALSDE Team will consider all questions and concerns provided for the final 1.0 Percent Waiver Request sent to the USDOE. A copy of the questions and concerns and how they were applied to the final version of the 2025-2026 Waiver Request will be provided in Appendix A with the submission to the USDOE.

Any questions and/or concerns about the waiver request will be emailed to studentassessment@alsde.edu.

Appendix B

LEA Justifications/Assurances for the One Percent Cap on Alternate Assessments – 2025-2026

District Name	District Met the 95% Participation for All Students	District Met the 95% Participation for Students with Disabilities	District Identified the Factors that Contributed to the District Exceeding the One Percent Cap	District Examined Disproportionality Data of Students Participating on the Alternate Assessment	LEA implements clear and appropriate guidelines, consistent with the ACAP Alternate Participation Requirements	LEA ensures that the determination of a student's participation in the ACAP Alternate is not based solely on one criteria.	District Assured that the determination of a student's participation in the ACAP Alternate is not based on placement.	LEA ensures IEP Teams are provided with a clear explanation of the differences between the general and alternate assessments, including the effect it may have on completing the requirements for a regular high school diploma and beyond.	LEA ensures that parents and guardians are informed that their child's achievement will be measured based on AAAS and how participation in such assessment may affect the student's ability to complete the requirements for a regular high school diploma and	LEA ensures students with the most significant cognitive disabilities are not precluded from attempting to complete the requirements for a high school diploma.	LEA ensures students with the most significant cognitive disabilities are included, to the extent possible, in the general education environment	LEA disseminates information on and promotes the use of appropriate accommodations to ensure that students with the most significant cognitive disabilities who do not meet the participation requirements for ACAP Alternate participate in grade-level
Alabaster City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Albertville City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Alexander City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Anniston City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Arab City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Athens City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Attalla City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Auburn City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Autauga County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Baldwin County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Barbour County	No (ELA)	No (all subjects)	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Bessemer City	Yes	No (ELA)	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Bibb County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Birmingham City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Blount County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Breakthrough Charter School	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Brewton City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Bullock County	Yes	No (ELA & Math)	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Butler County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Calhoun County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Chambers County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Chickasaw City	No (all subjects)	No (all subjects)	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Choctaw County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Clarke County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Clay County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Cleburne County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Colbert County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Conecuh County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Coosa County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Crenshaw County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Cullman City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Cullman County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Dale County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Daleville City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Dallas County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Decatur City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

DeKalb County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Demopolis City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Dothan City	Yes	No (science)	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Elba City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Elmore County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Escambia County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Etowah County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Eufaula City	No (all subjects)	No (all subjects)	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Fairfield City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Fayette County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Florence City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Fort Payne City	Yes	No (science)	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Franklin County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Gadsden City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Geneva City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Geneva County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Gulf Shores City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Guntersville City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Hartselle City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Henry County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Hoover City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Houston County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Huntsville City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Jacksonville City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Jasper City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Jefferson County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Lamar County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Lanett City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Lawrence County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Lee County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Leeds City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Legacy Prep	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Limestone County	No (all subjects)	No (all subjects)	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Linden City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Lowndes County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Macon County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Madison City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Madison County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Magic City Acceptance Academy	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Marengo County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Marion County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Midfield City	No (science)	No (ELA & science)	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Mobile County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Monroe County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Montgomery County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Morgan County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Opelika City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Oxford City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Ozark City	Yes	No (ELA & science)	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Pelham City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Pell City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Perry County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Phenix City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Pickens County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Piedmont City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Pike County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Pike Road City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Randolph County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Roanoke City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Russellville City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Saraland City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Satsuma City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Selma City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Sheffield City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Shelby County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
St Clair County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Sumter County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Sylacauga City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Talladega City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Talladega County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Tallapoosa County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Tallassee City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Thomasville City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Troy City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Trussville City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Tuscaloosa City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Tuscaloosa County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Tuscumbia City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
University Charter School	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Walker County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Washington County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Wilcox County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Winfield City	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Winston County	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes