



STATE OF ALABAMA  
DEPARTMENT OF EDUCATION



Eric G. Mackey, Ed.D.  
State Superintendent of Education

October 30, 2023

**MEMORANDUM**

**TO:** City and County Superintendents of Education

**FROM:** Eric G. Mackey *EGM*  
State Superintendent of Education

**RE:** One Percent (1%) Cap on the Percentage of Students Who May Be Assessed With an Alternate Assessment and Achievement Measurement of at Least 95 Percent of Students

The *Every Student Succeeds ACT* (ESSA) requires states to ensure that the total number of students assessed in each subject using an alternate assessment (for a student with a significant cognitive disability) does not exceed one percent (1%) of the total number of students in the state assessed with statewide assessments. 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).*

The ESSA also requires the state to **prove it has measured the achievement of at least 95 percent of all students and 95 percent of students with disabilities.** Schools and districts not meeting the required 95 percent participation rate for statewide assessments will be required to complete a plan for failing to meet this requirement.

The Alabama State Department of Education will notify those districts that did not meet the requirements no later than November 3, 2023. At this time, districts will be provided with data, information about mandatory training, and obligations for the upcoming year.

If you have any questions please contact Mrs. Maggie Hicks, Student Assessment, at 334-694-4817 or by email at [mhicks@alsde.edu](mailto:mhicks@alsde.edu).

EGM/MH

cc: City and County District Test Coordinators  
City and County Special Education Coordinators  
Mrs. Angela Martin  
Mrs. Shanthia Washington  
Dr. DaLee Chambers

FY24-2011

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