



December 29, 2025

Kirsten Baesler
U.S. Education Assistant Secretary
Office of Elementary and Secondary Education
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202

Dear Assistant Secretary Baesler:

On behalf of the Indiana Department of Education (IDOE), I am submitting Indiana's request for a waiver of section 1111(b)(2)(D)(i)(I) of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA). This section limits the percentage of students who may participate in an alternate assessment aligned with alternate academic achievement standards (AA-AAAS) to no more than 1.0 percent of all students assessed statewide. Based on current participation patterns, Indiana anticipates exceeding the 1.0 percent cap for the 2025–2026 school year and, therefore, seeks a waiver of this requirement.

The attached document, *Indiana's 1% Cap Waiver Request 2025–2026*, outlines Indiana's ongoing efforts to ensure appropriate assessment participation, including monitoring, technical assistance, and targeted supports for local education agencies (LEAs). While IDOE continues to implement strategies to reduce AA-AAAS participation, several components of the final action plan - such as ED Facts data and additional planning details - are still forthcoming. To meet the federal 90-day submission requirement, Indiana is submitting this draft waiver request now and will provide a final, updated version prior to the February deadline.

IDOE has posted a public notice of this waiver request and provided stakeholders the opportunity to review and comment. The notice remains available on the Indiana Department of Education's Special Education website.

Indiana remains committed to ensuring that all students are assessed appropriately and to making continued progress toward meeting the 1.0 percent requirement. We appreciate the U.S. Department of Education's consideration of this request and look forward to continued collaboration. For questions regarding this waiver, please contact Dr. Nancy Holsapple at nholsapple@doe.in.gov or (317) 232-6622.

Respectfully,

Dr. Nancy Holsapple

Dr. Nancy Holsapple
Director of Special Education
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