Tier 3 Additional Actions

Michigan Department of Education Office of Special Education
October 2026

Determining the Tiers

Tier 1: 1.1% to 1.2%

Tier 2: 1.3% to 1.6% or disproportionality with 1.2% or less

Tier 3: 1.7% or more or disproportionality with 1.3% to 1.6% overall

Students with the Most Significant Cognitive Disabilities

Students taking MI-Access **must meet all four criteria** in the definition of "a student with the most significant cognitive disabilities." These criteria are:

1. Disability that substantially impacts intellectual functioning. Students who meet this criterion have standardized cognitive functioning scores (IQs) of 62 or less. Students may provisionally meet this criterion with scores that fall within a standard error (+/- 03) of the most significant impairment level (typically as high as 63 to 65). In rare cases where cognitive ability scores/screeners cannot be obtained, observations by licensed clinical professionals must be obtained, who make professional clinical judgements regarding the student's cognitive capabilities. Use of academic performance alone must not be used to infer the student's ability to think, reason, and process information. Students with a primary disability of specific learning disability (SLD), speech and language impairment (SLI), or emotional impairment (EI) will not meet this criterion.
2. Disability that substantially impacts adaptive behavior. Students who meet this criterion have standardized overall adaptive functioning scores of 62 or less. Students may provisionally meet this criterion with scores that fall within a standard error (+/- 03) of the most significant impairment level (typically as high as 63 to 65), or when two of the three adaptive domains (conceptual, social,

practice) are within the most significant cognitive impairment range (62 or less). Observation scores of the student's abilities across the home, school, and community, should be obtained from at least two of the three following: a teacher; a parent; a licensed school professional.

3. The student has extensive support-needs to demonstrate learning and generalize learning across academic and life settings.
4. Most of the instruction and curriculum and/or summative educational goals peak within Michigan's alternate context expectations (Essential Elements). This criterion applies when the student has met all three of the previous criteria.

The first **four items must be done** for each member district in Tier 3 (items 5 and 6 must be done if the situation applies to the district):

1. Ensure Individualized Education Program (IEP) Teams notify parents of implications of working towards alternate content expectations.
    - Examples of evidence may include letters to parents, Family Matters sheet, or Prior Written Notice.
2. The Intermediate School District (ISD) must work with the member districts to ensure all staff are trained on the Rubric for Assigning Students to Alternate Standards for Instruction and Assessment which explains the required criteria for participation in MI-Access based on Every Student Succeeds Act's (ESSA) definition of a student with the "most significant cognitive disabilities".
    - Examples of evidence may include agendas, training slides/presentation content showing the use of the four required criteria, and relevant, valid, and acceptable evidence that each criterion is met.
3. Review all flagged cases from the Flagged Student Cases file, found in Catamaran, for students who are at high risk of not meeting one or more of the four required criteria to be eligible for the use of MI-Access based on alternate educational standards using the Rubric for Assigning Students to Alternate Standards for Instruction and Assessment or the online tool for assigning students located on Michigan Virtual (MVU).
4. Complete the High-Risk Summary Excel document to summarize the flagged cases reviewed in conjunction with the rubric. The summaries must be shared with the ISD for all flagged cases by February 15, 2027. The ISD must upload the flagged cases into Catamaran no later than April 1, 2027, for MDE review.

5. Districts in Tier 3 with disproportionality must also use the rubric to review **8 additional student cases** (if a district has less than 8, then review all of them) from the over-identified subgroup of students (for example, Hispanic students), to ensure that each student meets all four required criteria to be eligible for alternate standards for assessment.
    - For each Tier 3 district with disproportionality, use the High-Risk Summary Excel document to summarize the flagged cases reviewed. The summaries must be shared with the ISD with the flagged cases by February 15, 2027. The ISD must upload the flagged cases into Catamaran no later than April 1, 2027, for MDE review.
6. Districts with three consecutive years of previously flagged student cases will receive targeted Technical Assistance (TA) from MDE in collaboration with the ISD. MDE will notify eligible districts, and the TA must be scheduled with MDE by April 1, 2027.

The ISD must upload evidence for additional action item numbers 1 and 2 that were completed for Tier 3 districts into Catamaran by June 1, 2027.