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New Federal School Law and its Impact on Students with Disabilities

President Obama signed the Every Student Succeeds Act (ESSA, P.L. 114-95) on December 10, 2015. This bi-partisan bill reauthorizes and amends the Elementary and Secondary Education Act (aka No Child Left Behind Act). The bill has important provisions designed to foster better outcomes for students with disabilities, including employment after high school. ADAP will follow ESSA's implementation in Alabama and advocate for meaningful opportunities for families to have input into the development of both the State Plan and local district plans, as required under the law.

Here are some ESSA highlights:

- Annual testing for all students in reading and math in grades 3 through 8 and once in high school.
- States to set their own goals and their own consequences for meeting or not meeting those goals.
- Students with disabilities will continue to have access to the general curriculum and be taught curriculum aligned with state's challenging academic content standards.
- Ensures assessment accommodations for students with disabilities.
- Concepts of Universal Design must be built into assessments and instruction – improving access to diverse learning styles.
- Assessment results must be disaggregated to allow comparisons between students with and without disabilities. State accountability systems must report on the proficiency of students with disabilities at the grade, school, district and state levels. States must report progress of students in subgroups (including students with disabilities) on academic achievement as measured by the state annual assessments (including alternate assessments) and high school graduation rates. Accountability systems must measure and report on the following indicators: academic achievement; student growth; graduation rates; and English language proficiency.
- If achievement of children with disabilities is meaningfully different than overall child achievement, districts must implement evidence-based interventions designed to improve their achievement. What do "meaningfully different" and "interventions" mean? These are to be defined by the state and will be described in State Plan submitted to the U.S. Department of Education
- Local school district report cards must contain information on student achievement by subgroup, including students with disabilities, compared to students state-wide.
- The percentage of students taking alternate assessments (those children with the most significant cognitive disabilities) is capped at one percent in the state for each academic subject.
- Alternate academic achievement standards must be aligned with the state's challenging academic content standards. And, they must be aligned to ensure students are on track to pursue postsecondary education or employment consistent with the goals of the Workforce Innovation and Opportunity Act (WIOA) of competitive integrated employment. (What this means for you: IEP teams need to be planning for competitive employment even for children with the most significant disabilities.)
- Requires states to provide evidence based interventions for the bottom 5% of schools, schools which graduate less than 67% of students, and schools where subgroups perform as low as the bottom 5% of schools in the state. States would be able to set aside up to 7% of their Title 1 funds for these interventions.
- State plans must address how they will improve conditions for learning including reducing incidents of bullying and harassment in schools, overuse of discipline practices, and reduce the use of aversive behavioral interventions (such as restraints and seclusion).