

## The Every Student Succeeds Act

### Overview

The Every Student Succeeds Act (ESSA) was signed into law with wide bipartisan support on December 10, 2015, and replaces the No Child Left Behind Act of 2002 (NCLB). The ESSA is coordinated with other laws, such as the Individuals with Disabilities Education Act (IDEA) and the Rehabilitation Act of 1973.

The ESSA reduces testing requirements and returns some control over education to the state and local levels. Access to the general education curriculum is promoted, as are the use of universal design for learning principles and the use of appropriate accommodations. The ESSA also seeks to reduce barriers to graduation for students with disabilities, and to increase the information provided to parents during the IEP process.

### Academic Standards

Challenging academic standards for all students, including students with disabilities, is continued under the ESSA. Academic standards and aligned academic standards must be developed by states for mathematics, reading or language arts, and science.

Only students with the most significant cognitive disabilities may be instructed in the alternate academic achievement standards. This should comprise no more than 1 percent of the total student population. The alternate academic achievement standards must be aligned with and promote access to the general education curriculum. A student who meets the alternate academic achievement standards should be on track to pursue postsecondary education or employment. To be instructed in the alternate academic achievement standards, a student's IEP must designate them as the academic achievement standards that will be used for that student.

### Assessment

Assessment of all students, including students with disabilities, and reporting of assessment data for students with disabilities and other subgroups is continued under the ESSA. High-quality assessments must be given to students in some grade levels in math, reading or language arts, and science.

Alternate assessments must be aligned with challenging state alternate achievement standards. Alternate assessments are permitted for no more than 1 percent of the total number of students in the state who are assessed in that subject. To increase the accessibility of alternate assessment, steps must be taken to incorporate universal design for learning, to the extent feasible, in alternate assessments. States that offer alternate assessments must submit a plan describing how general and special education teachers (and other appropriate staff) know how to administer alternate assessments and make appropriate use of accommodations for students with disabilities on alternate assessments.

The ESSA requires that parents be “clearly informed” of certain assessment-related information during the IEP development process. Parents must be informed that the student’s academic achievement will be measured based on alternate standards, and how participation in alternate assessment may delay or otherwise affect the student from completing the requires for a high school diploma.

## Diplomas

The ESSA prohibits states from precluding students with the most significant disabilities who are alternately assessed from attempting to complete the requirements for a regular high school diploma.

## Teacher Qualifications

The ESSA eliminates the “Highly Qualified Teacher” requirement, and amends the IDEA regarding the qualifications of most special education teachers. Elementary, middle, and high school special education teachers are required to accomplish either of the following requirements: hold a bachelor’s degree and obtain full state certification as a special education teacher; or pass the state special education teacher licensing exam and hold a special education teacher licensure in that state. Further, they must not have had special education certification/licensure requirements waived on an emergency, temporary, or provisional basis. Alternate routes to licensure are still permitted if they meet the minimum qualifications.