

CEC's Summary of Selected Provisions in Every Student Succeeds Act (ESSA)

In December 2015, the U.S. Congress passed the Every Student Succeeds Act (ESSA), which reauthorizes the Elementary and Secondary Education Act / No Child left Behind (ESEA/NCLB). This summary of selected provisions in ESSA is intended to provide CEC members with information on issues relevant to children and youth with disabilities and gifts and talents. The summary includes new provisions as well as those provisions eliminated. This summary is not intended to be exhaustive of all the provisions nor reflective of CEC's position on the provision.

General

- Transfers authority for accountability, educator evaluations and school improvement from the federal government to the states and local districts.

Assessments and Accountability

- Maintains annual, statewide assessments in reading and math in grades 3 through 8 and once in high school, as well as science tests given three times between grades 3 and 12.
- Repeals adequate yearly progress and replaces it with a statewide accountability system.
- Includes the use of multiple measures in school performance.
- Maintains annual reporting of data disaggregate by subgroups of children including students with disabilities.
- Maintains with some modifications provisions for a cap of 1% of students with the most significant cognitive disabilities who can take the alternate assessment aligned to the alternate academic achievements standards.
- Helps states to improve low performing schools (bottom of 5% of schools). Actions will be determined locally not federally.
- Authorizes the use of federal funds for states and local school districts to conduct audits of state and local assessment systems to eliminate assessments that do not contribute to student learning.

Standards

- Ensures States are able to choose their challenging academic standards in reading and math aligned to higher education in the state without interference from the federal government. The federal government may not mandate or incentivize states to adapt or maintain any particular set of standards, including Common Core.

Funding

- Provides \$15+ billion a year to states in formula funding, as well as additional funds through competitive grants.
- Maintains maintenance of effort and supplement not supplant, with additional flexibility for States and local school districts.

Choice for Parents

- Improves the Charter Schools Program by investing in new charter school models, as well as allowing for the replication and expansion of high quality charter school models.

Early Childhood

- Authorizes the Preschool Development Grants program. This competitive grant program will use existing funding to support states that propose to improve coordination, quality and access for early childhood education and will be administered by the U.S. Department of Health and Human Services with the Department of Education.

Teacher Effectiveness

- Eliminates highly qualified.
- Eliminates federally mandated teacher evaluation system.
- Includes an option to transfer unlimited amounts of professional development funds out of Title II.
- Encourages states and local school districts to develop teacher and principal residency and induction programs, support teachers and principals through professional learning and growth systems and leadership opportunities.
- Provides for the allowable use of funds for establishing or expanding teacher preparation academies.

Portability

- Rejects “portability” provisions that would have allowed states to shift federal funds away from schools that need them most.

Vouchers

- Rejects vouchers.

Pay for Success

- Adds a pay for success initiative that is defined as a performance – based grant, contract, or cooperative agreement awarded by a public entity in which a commitment is made to pay for improved outcomes that result in social benefit and direct cost savings or cost avoidance to the public sector.

Mental Health

- Requires consultation with school psychologists and other specialized instructional personnel in the development of state and local plans.

- Recognizes school – based mental health services as an evidence – based whole – school improvement and targeted intervention strategy.
- Authorizes significant investments for states and districts to implement: comprehensive school mental health services, efforts to improve school climate and school safety, strategies to reduce bullying and harassment, and activities to improve collaboration between school, family and the community.

Gifted and Talented

- Authorizes the *Javits Gifted and Talented Students Education Act* supporting high ability learners and learning.
- Includes strong provisions for the disaggregation of student achievement data by subgroup at each achievement level on state and local report cards.
- Provides options to include the identification of and service to students with gifts and talents in local education agency plans.
- Provides options to include professional development plans for gifted and talented educators in Title II.

Children with Disabilities

- Ensures access to the general education curriculum.
- Ensures access to accommodations on assessments.
- Ensures concepts of Universal Design for Learning,
- Includes provisions that require local education agencies to provide evidence – based interventions in schools with consistently underperforming subgroups.
- Requires states in Title I plans to 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).