

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “**Empowering Parents & Students Through Information Act of 2015**”.

SEC. 2. ALTERNATE STANDARDS AND ASSESSMENTS FOR STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.

Section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking “The” and inserting “Except as provided in subparagraph (G), the”; and

(ii) by adding at the end the following:

“(iii) STATE REQUIREMENTS.—Each State that adopts alternate academic achievement standards in any subject included in the State’s accountability system under paragraph (2) for students with the most significant cognitive disabilities shall—

“(I) establish and monitor implementation of clear and appropriate guidelines for individualized education program teams (as defined in section 614(d)(1)(B) of the Individuals with Disabilities Education Act) to apply in determining, on an annual and subject-by-subject basis, when a child’s significant cognitive disability justifies assessment based on alternate academic achievement standards;

“(II) ensure that parents of the students whom the State plans to assess using alternate assessments are involved in the decision that their child’s academic achievement will be measured against alternate academic achievement standards, consistent with section 614(d)(1)(A)(i)(VI)(bb) of the Individuals with Disabilities Education Act, provide informed consent that their child’s achievement will be measured against alternate academic achievement standards using such assessment, and are informed of any effect that participation in such assessment may have on their child’s academic preparation and eligibility for a regular secondary school diploma, as determined by the State;

“(III) provide evidence that students with the most significant cognitive disabilities are included in and making progress in the general curriculum for the grade in which the students are enrolled and in assessments aligned with that curriculum, as described in section 601(c)(5)(A) of the Individuals

with Disabilities Education Act;

“(IV) develop, disseminate information about, make available, and promote the use of reasonable accommodations to increase the number of students with the most significant cognitive disabilities participating in grade-level academic instruction and assessments aligned with grade-level academic standards, and promote the use of accommodations to increase the number of students with the most significant cognitive disabilities who are tested against grade-level academic achievement standards;

“(V) take steps to ensure general and special education teachers and other appropriate staff know how to administer assessments, including how to make appropriate use of accommodations, for students with disabilities; and

“(VI) require separate annual determinations about whether a student should be assessed using an alternate assessment based on alternate academic achievement standards for each subject assessed;

(VII) ensures that students who take an alternate assessment based on alternate academic achievement standards are not precluded from attempting to complete the requirements for a regular secondary school diploma, as determined by the State;

“(VIII) ensures individualized education program as defined in section 602(14) of the Individuals with Disabilities Education Act are not used in the states accountability system.

(2) in subsection (h)(1)(C)—

(A) in clause (i), by striking “disability status”; and inserting “disability category as defined in section 602(3) of the Individuals with Disabilities Education Act”;

(B) in clause (vii), by striking “and” after the semicolon;

(C) in clause (viii), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(ix) the number and percentage of students with disabilities who take an alternate assessment based on alternate achievement standards, by grade and subject, and disability category as defined in section 602(3) of the Individuals with Disabilities Education Act.