

Every Student Succeeds Act of 2015 (P.L. 114-95): *What it Means for Students with Disabilities*

Wednesday, January 13, 2016

A joint presentation of the Developmental Disabilities Network

ESSA Webinar Agenda

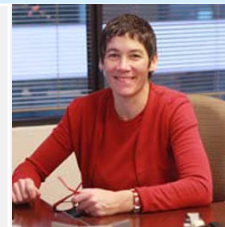
- Introductions (5 minutes)
- Senate and House Staff Comments (25 minutes)
- Major Disability Related Provisions of the Every Student Succeeds Act (25 minutes)
- State Plans and Next Steps (20 minutes)
- Q & A and Wrap Up (15 minutes)

Webinar Procedures

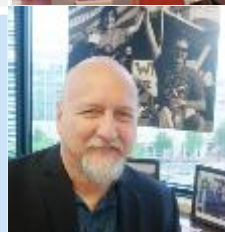
- The Congressional staff section of this webinar is off-the-record and not for attribution
- We will record the webinar beginning after the Congressional staff leave; the webinar will be archived; you will receive a link to the archived material
- Closed captioning is available throughout the webinar
- Because of the number of people on the webinar we can not open your lines; If you wish to ask a question or have a comment, please use the chat box in the lower right-hand screen

Webinar Moderators

Kim Musheno, AUCD



Michael Gamel-McCormick, AUCD



Amanda Lowe, NDRN



Cindy Smith, NACDD



Congressional Staff

William (Bill) Knudsen (Senator Alexander, Health, Education, Labor, and Pensions Committee Chair, R-TN)



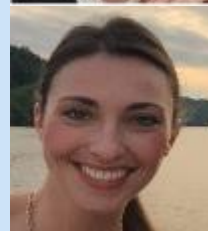
Jake Cornett (Senator Murray, Health, Education, Labor, and Pensions Committee Ranking Member, D-WA)



Brad Thomas (Representative Kline, Education and Workforce Committee Chair, R-MN 2nd)



Jacque Chevalier (Representative Scott, Education and Workforce Committee Ranking Member, D-VA 2nd)



ESSA Disability Provisions

- Academic Standards
- Accountability Systems
- Assessments
- State Report Cards
- Aversives and Discipline
- Other Provisions

ESSA Disability Provisions: Academic Standards

- All children with disabilities, other than those with the most significant cognitive disabilities, must be taught to the state's general challenging academic achievement standards
- States may develop alternate academic standards for children with the most significant cognitive disabilities
 - Alternate standards must be aligned with the general academic standards
 - Alternate standards must promote access to the general curriculum
 - Alternate standards must ensure children taught to the alternate standards are on track to pursue postsecondary education and employment
 - Alternate standards must only be used with children with the most significant cognitive disabilities
- States are prohibited from developing other alternate or modified academic standards

ESSA Disability Provisions: Accountability Systems

- Children with disabilities must be included in state accountability systems
 - Children with disabilities must be a subgroup to be compared to overall child achievement
 - Goals must be set for the academic achievement of children with disabilities, in the aggregate, at the school, district, and state levels, in the following areas:
 - Reading, math, and science academic achievement
 - High school graduation rates
 - At least one non-academic indicator of school quality or child success selected by the state

ESSA Disability Provisions: Accountability Systems (cont.)

- If achievement of children with disabilities is meaningfully different than overall child achievement, districts must implement evidence-based interventions designed to improve the achievement of children with disabilities
- NOTES:
 - both “meaningfully different” and “interventions” are to be defined by the state and will be described in state plans submitted to the U.S. Department of Education
 - States determine the “minimum number of students...necessary to be included” (aka “n-size) for a subgroup; if the number of students falls below that minimum number, the subgroup will not be included in the accountability process

ESSA Disability Provisions: Assessments

- Children with disabilities will take required academic assessments with all other children unless they have been determined by their IEP team to have a most significant cognitive disability
- Children with disabilities must be provided with appropriate accommodations to participate in the state assessments
- State assessments must use universal design to increase access to the assessments
- State assessments must be able to aggregate the results of children with disabilities and compare them to children without disabilities

ESSA Disability Provisions: Assessments (cont.)

- States may use an alternate assessment to measure the academic achievement of children with the most significant cognitive disabilities being taught the alternate academic achievement standards
- States may not assess more than 1% of all children using the alternate assessments in each subject
- Families must be informed how participation in the alternate assessment may delay or otherwise affect their children from completing requirements for a regular high school diploma
- Participation in the alternate assessment must not preclude children with the most significant cognitive disabilities from attempting to complete the requirements for a regular high school diploma

ESSA Disability Provisions: State Report Cards

- Each state must publish and make easily available a report card that includes:
 - The long-term and interim academic goals for children with disabilities
 - The academic and non-academic achievement, by school and district, for all children and for children with disabilities
 - The schools with meaningfully different achievement of children with disabilities compared to all children
 - Progress being made on academic achievement, in the aggregate, for all children and all children with disabilities

ESSA Disability Provisions: Aversives and Discipline

- States must report how they will assist schools to reduce:
 - the use of aversive behavioral interventions that compromise children's health and safety (e.g., the use of restraints and seclusion)
 - bullying and harassment
 - the use of discipline practices that remove children from the classroom

ESSA Disability Provisions: Other Provisions

- Supporting Safe and Healthy Students fund can be used to implement school-wide positive behavioral interventions and supports
- A portion of federal charter school funds received by a state must be used to support charter schools to serve children with disabilities; and the state must monitor and support charter schools to recruit, retain, and serve children with disabilities
- Children with disabilities who graduate from high school during their extended IDEA eligibility are included in the school's four-year graduation rate

State Plans and Next Steps

- Timeline for Implementation
- What is a State Plan?
- State Plan Approval
- Purpose of Peer Review
- Importance of Consultation and Peer Review
- Your Most Important Action

Timeline for Implementation

- ESSA allows for a transition from No Child Left Behind (NCLB), the NCLB waivers, and implementation of ESSA
- For state with waivers, they will end August 1, 2016
- Current state plans are in effect until state plans submitted under ESSA are approved
- New state accountability systems will take effect beginning with the 2017-2018 school year (Sec. 1111(c) and (d))
- **Bottom line:** State must work to submit a new state plan to take effect during the 2017-2018 school year

What is a State Plan?

- The state plan is the approved plan the state submits to the U.S. Department of Education that the state will use to guide the education students in the state's school districts under ESSA
- The state plan will be in effect for the duration of the state's participation in ESSA, unless modified by the state
- The state plan will contain all the provisions previously discussed in this webinar, including assessments, accountability systems, and interventions

How Is the State Plan Approved?

- The Consultation Process:
 - The State Plan is created through a consultation process that includes:
 - The state governor, the state legislature, the state board of education, local educational agencies (LEAs), representatives of Indian Tribes in the state, teachers, principals, specialized instructional support personnel, paraprofessionals, school leaders, other staff, and families and parents

How is the State Plan Approved? (cont.)

- The Peer Review Process:
 - The Secretary of the U.S. Department of Education establishes peer review teams that include:
 - Parents/family members, teachers, principals, school leaders, state educational agency (SEA) personnel, LEA personnel, community leaders, and
 - Researchers familiar—
 - With standards, assessment, or accountability, and
 - How to meet the needs of disadvantaged students, students with disabilities, and English learners

Purpose of Peer Review

- To maximize collaboration among school stakeholders within each state
- To promote effective implementation of the challenging state academic achievement standards through state and local innovation
- To provide transparent, timely, and objective feedback to states designed to strengthen the technical and overall quality of the state plan

Why are the Consultation and Peer Review Processes Important?

- Both processes provide an opportunity for input on how each state will define and implement important provisions of ESSA, such as:
 - Accountability Systems
 - Assessments
 - State Report Cards
 - Aversives and Discipline
 - Other Provisions

How to Get Involved in the Process

- Some suggestions:
 - Contact your state educational agency (SEA) and signify your interest in developing the state plan; highlight your specific area of expertise
 - Find out from your SEA what the timeline will be for development the state plan
 - Contact your Governor or state legislators with recommendations for the State Plan
 - Contact your Parent Training and Information Center (PTI) and tell them you are interested in providing input into the state plan; highlight your specific area of expertise
 - Join forces with others in your state who share your priorities for the state plan (e.g. DD Act Partners)

NACDD, NDRN, AUCD Working Together on ESSA Implementation

- U.S. Department of Education will move quickly to implement ESSA
 - U.S. DOE has created a website for ESSA Implementation information – <http://www.ed.gov/ESSA>
 - One of two public hearings soliciting input on a Title I of ESSA was held this Monday. Kim Musheno testified at the hearing on behalf of the Consortium for Citizens with Disabilities (CCD)
 - The DD Partner organizations are working in collaboration with CCD and the Leadership Conference. These coalitions were deeply involved in working on passage of ESSA.
 - Consider putting teams together in your state to work on implementation of ESSA. If you are leading a collaborative effort in your state, let your national association know.
 - The DD Partners are planning to collaborate on submitting comments on ESSA as we did with WIOA to demonstrate we are united in our positions.



Principles for Collaboration

- As the DD Partners discuss collaborating on implementation at a national level, we are committed to the following principles based on the DD Act.
 - Ensuring equity, full participation and inclusion throughout ESSA
 - Ensuring access to appropriate services and accommodations for children with disabilities to effectively participate in the assessment system under ESSA
 - Promoting cultural competence
 - Ensuring students with disabilities, recent graduates, parents and families, and other diverse perspectives are included in the state planning process
 - Promoting school safety that ensures children with disabilities are free from abuse and neglect in the education system, such as encouraging states to prevent and reduce the use of aversive behavioral interventions

Most importantly...

GET INVOLVED!





Wrap-Up

- This webinar has been recorded and will be archived; if you registered for the webinar, you will receive an e-mail when the webinar is archived
- The full text of ESSA can be found [here](#)
- Resources from AUCD regarding ESSA can be found [here](#)
- A section-by-section summary of ESSA from NDRN can be found [here](#)
- Here is the link to the [Department of Education's Civil Rights Data Base](#)

Please complete the *brief evaluation* that will appear on your screen when this session ends.
Thank you for your participation!

