

ESEA Reauthorization

AUCD Side-by-Side of Disability Related Provisions in Senate and House Committee-Passed Bills

Provision	Current Law (NCLB)	Senate Committee Passed Bill (<i>Strengthening America's Schools Act - SASA</i>)	House Committee-Passed Bill (<i>Student Success Act - SSA</i>)
Standards	<ul style="list-style-type: none"> • Requires states to have academic content and achievement standards • Student performance categorized as advanced, proficient, basic, and below basic. 	<ul style="list-style-type: none"> • Emphasizes academic content and achievement standards that promote <i>college and career readiness</i> 	<ul style="list-style-type: none"> • Requires states to have academic content and achievement standards
State Assessments and Accountability	<ul style="list-style-type: none"> • States test annually in reading and math in grades 3-8, and once during grades 10-12; in science once per grade range 3-5, 6-9, and 10-12 • States must define adequate yearly progress (AYP) with annual measurable objectives (AMOs) for subgroups such that all subgroups achieve 100% proficiency on state assessments by the 2013-2014 school year • Waivers allow states flexibility to develop of new, ambitious but achievable AMOs according to a state determined timeline and only require targeted intervention and support [for students not making AMOs] in bottom 15% of schools. 	<ul style="list-style-type: none"> • States develop reading and math performance targets and graduation goals for all schools, LEAs, and subgroups of students, • Assessments target both student achievement/proficiency and growth with a specific timeline/requirement for students to demonstrate grade level performance • Can be one summative assessment or multiple formative assessments that can be reliably and validly aggregated into a grade level assessment • Multiple measures of student academic achievement may include portfolios, projects, and extended performance tasks, must meet requirements of general assessment 	<ul style="list-style-type: none"> • States develop own accountability system to replace AYP provision. No specifications for reading and math targets, graduation goals or required/targeted intervention for students with academic gaps. • Assessments target both student achievement and growth; allows off grade/out of level testing with no specifications about limit or use and no required timeline for students to demonstrate achievement and growth • May be one assessment or multiple assessments that can be aggregated into a single summative score • Assessments provide for participation of all students including students with

		<ul style="list-style-type: none"> • Grants available to states to enhance quality, validity, reliability, and accessibility of assessments through collaboration with institutions of higher education and other research entities • Must be accompanied with valid and reliable use of adaptations and accommodations so the academic achievement of students with disabilities can be assessed • States/LEAs must assure teachers and administrators know how to administer assessments, adaptations, and accommodations • Requires targeted interventions/instruction to any student group not making targets [after phase in of new assessments & teacher eval. Systems] 	<p>disabilities through reasonable adaptations and accommodations</p> <ul style="list-style-type: none"> • Promotes participation of students with disabilities in grade level assessments through appropriate accommodations • States must ensure that regular and special education staff know how to administer alternate assessments and use of accommodations for students with disabilities
Alternate Assessments	<ul style="list-style-type: none"> • as many students as an LEA decides may take the alternate assessment using alternate achievement standards; only 1% of all students in a state (those students with the most significant cognitive disabilities) who are determined proficient by the alternate assessment may count in determining aggregate student proficiency 	<ul style="list-style-type: none"> • Prohibits use of Alternate Assessment on Modified Achievement Standards (2%) • Alternate assessments measuring student achievement on alternate academic achievement standards may be used with no more than 1% of all students assessed in a school district, in a subject, in a grade • AA-AAS for students with most 	<ul style="list-style-type: none"> • States may adopt Alternate Achievement Standards for students with the most significant cognitive disabilities and may adopt Modified Achievement Standards, both with no limit on the number of students who can be assessed or be determined to be proficient using these alternate and modified standards

	<ul style="list-style-type: none"> as many students as an LEA decides may take the alternate assessment measuring modified achievement standards; only 2% of all students in a state who are determined proficient by the alternate assessment may count in determining aggregate student proficiency Waivers: Requires states using 2% assessment to eliminate use by 2014-2015 school-year. 	<p>severe cognitive disabilities for whom alternate assessment is deemed appropriate based on professional judgment of IEP team separately per subject</p>	<ul style="list-style-type: none"> Participation decisions are made separately for each student to reflect professional judgment Bill does not specify that participation decisions are made by subject Silent on 2% assessment [and use of it].
Universal Design for Learning	<ul style="list-style-type: none"> Not a part of the law 	<ul style="list-style-type: none"> Requires use of principles of universal design for learning in development of curriculum, instructional materials, and assessments States must certify assessments are universally designed to be accessible to students with disabilities with reasonable adaptations and accommodations 	<ul style="list-style-type: none"> No mention within the bill
Multi-tiered Systems of Support	<ul style="list-style-type: none"> Not a part of the law 	<ul style="list-style-type: none"> Emphasis throughout the bill as a means for supporting the academic achievement and assessment of all students 	<ul style="list-style-type: none"> No mention within the bill
Data Collection and Reporting	<ul style="list-style-type: none"> States and LEAs collect and report data on student achievement, graduation rates, teacher qualifications States determine subgroup n for AYP reporting School Improvement 	<ul style="list-style-type: none"> States must have data collection systems to measure achievement and growth toward performance targets and ensuring all students are preparing to graduate college and career ready 	<ul style="list-style-type: none"> Achievement and growth data are disaggregated by state, LEA, and school and reported by subgroups No subgroup size requirement identified Teacher evaluation data rather

	designations also reported	<ul style="list-style-type: none"> • States collect, report, and disaggregate student achievement data by subgroups (established at n = 15) including disability status • State, LEA, and school report cards also include data on number of students with the most significant cognitive disabilities who participate in the AA-AAS as well as the number of students receiving early intervention services and related special education identification rates under IDEA 	than teacher qualification data reported
Early Education/ Intervention	<ul style="list-style-type: none"> • Support of early childhood literacy development based on scientifically based reading research through Early Reading First grants • Early intervention discussed as a strategy for identifying at-risk students as a strategy for preventing school dropout • Emphasis on promoting school readiness through early childhood social and emotional development 	<ul style="list-style-type: none"> • Early grade standards must be developed and aligned with 3rd-12th grade standards • Emphasis on early intervention and education as a means of reducing number of children needing special education • Emphasis on support for transition from early learning to school settings 	<ul style="list-style-type: none"> • Support for preschool programs, including Head Start, to address the learning needs of low-income, at risk, or migratory children or young English learners delineated at state discretion • LEAs may apply for grant funding to support early learning and school readiness that addresses the unique learning needs of Indian students
Culturally and Linguistically Diverse Learners	<ul style="list-style-type: none"> • Linguistically appropriate and culturally competent services emphasized in states' use of funds to provide access to mental health services for children • Cultural competence 	<ul style="list-style-type: none"> • Academic achievement and growth of this population consistently emphasized throughout the bill through evidence-based, linguistically and culturally appropriate services to meet these students' 	<ul style="list-style-type: none"> • Culturally responsive teaching and learning strategies solely emphasized in relation to Indian education

	<p>emphasized in delivery of services for promoting school readiness through early childhood social and emotional development</p> <ul style="list-style-type: none"> • Unique cultural needs of Indian populations stressed in relation to the education of these populations 	<p>unique needs</p> <ul style="list-style-type: none"> • English learners would be included in the overall accountability systems of states and districts rather than in a separate accountability process 	
School Climate	<ul style="list-style-type: none"> • Emphasis on safe and drug free schools with the purpose of supporting programs to prevent violence and illegal substance use • Data are collected on truancy rates, suspensions/expulsions resulting from violence and drug-related offenses, and types of curricula, programs, and services provided through grant funding • No mention of positive behavior intervention and supports within the bill 	<ul style="list-style-type: none"> • Emphasis on improvement of school climate through use of positive behavioral interventions and supports, school-based mental health programs, and data collection • States must report data on number of schools implementing positive behavioral interventions and supports • Explicit prohibition of discrimination of students who are lesbian, gay, bisexual, or transgender • Does not include Keeping All Students Safe Act 	<ul style="list-style-type: none"> • Local academic flexible grants available to LEAs for supporting initiatives important to their schools can be used for improving student achievement through protecting student safety • No mention of positive behavior intervention and supports within the bill • Does not include Keeping All Students Safe Act
Teacher Quality	<ul style="list-style-type: none"> • All teachers who teach core academic subjects must be highly qualified • “Highly qualified” defined as having full state certification or having passed the state licensure exam; for new teachers, must hold at least a bachelor’s degree and have demonstrated competency on a rigorous state 	<ul style="list-style-type: none"> • Emphasis on access to high quality teachers who are well trained and qualified to teach assigned subjects • Teachers can be prepared through multiple pathways • Parents have right to know teachers’ and paraprofessionals’ qualifications • Induction, mentoring support, 	<ul style="list-style-type: none"> • Highly Qualified Teacher provisions eliminated in this bill • States or school districts establish teacher evaluation systems tailored to the individual needs of their teachers and students • Student achievement data plays a significant part in teacher evaluation

	<p>assessment in the subject area(s) they will be teaching as appropriate for their teaching level (elementary, middle, high)</p> <ul style="list-style-type: none"> • Teacher and principal evaluation is not addressed in the law 	<p>and professional development for teachers stressed to improve instruction and achievement for all students</p> <ul style="list-style-type: none"> • Emphasis on recruitment, retention, and equitable distribution of teachers and principals across high-need schools and expansion of strategies to ensure most effective teachers and principals serve in lowest performing schools • Teacher and principal performance tied to data on students' achievement and growth • Teacher performance tied to preparation programs • Teachers must be technologically literate • All teachers should be prepared to teach students with disabilities and English learners 	<ul style="list-style-type: none"> • Teacher evaluation is based on multiple measures, influences personnel decisions, and uses more than two performance rating categories
Charter Schools	<ul style="list-style-type: none"> • Emphasis on the establishment of charter schools to allow for parental school choice options • No specific focus on inclusion of children with disabilities 	<ul style="list-style-type: none"> • Must provide equitable access and effective educational services to meet the needs of students with disabilities and English learners • Outreach and recruitment activities must be implemented to target families of children with disabilities and English learners 	<ul style="list-style-type: none"> • Some emphasis on increasing opportunities for students with disabilities and English learners to attend charter schools through recruitment practices and promoting their retention once enrolled • Charter schools must meet the educational needs of students, including students with disabilities and English learners

