

Without 'No Child Left Behind', How Does the New Law Ensure my Child Won't be Left Behind?

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In December, President Barack Obama signed a bipartisan bill called the 'Every Student Succeeds Act', overhauling the No Child Left Behind (NCLB) education law that expired in 2007. This new bill will reauthorize the Elementary and Secondary Education Act (ESEA), the federal law overseeing public education across the country.

The bill intends to usher in a new approach for K-12 education in regards to accountability, teacher evaluations and the way the most poorly-performing schools are pushed to improve.

For over a decade, NCLB was highly critiqued as a "one-size fits all" federal policy that dictated accountability and improvement for public schools across the country, but ultimately failed to produce the intended results. While the new bill will still require students to take federally-required statewide reading and math exams, it encourages states to limit the time students spend on testing and diminishes the high stakes testing for underperforming schools.

"With this bill, we reaffirm that fundamentally American ideal - that every child, regardless of race, gender, background, the zip code where they live, deserves the chance to make out of their lives what they want," Obama said. "This is a big step in the right direction."

Accountability provisions within NCLB have been maintained, such as tracking the progress of students in poverty and access to progress monitoring for children with disabilities, but states and local school districts now have the ability to address problems in a way that best meets the children and community they are uniquely serving.

Specifically, the new bill ensures alignment with Individuals with Disabilities Act (IDEA) and does the following for children with disabilities:

- Limits the use of alternate assessments to the 1% of students with the most significant cognitive disabilities. The majority of students with disabilities (excluding the approximately 10 percent of students with disabilities, or the 1 percent of all students, with the most significant cognitive disabilities) are able to achieve when held to college and career-ready standards and should be included in the general assessment. Allowing states to use alternate assessments on alternate achievement standards for students other than those with the most significant cognitive disabilities would remove far too many students with disabilities from the path to a standard high school diploma. Alternate assessments often include substantially simplified content and are not aligned to grade-level achievement standards, diluting expectations for students with disabilities.

- Requires states to hold all students to high achievement standards. The vast differences between graduation rates and test scores for students with disabilities pre- and post-NCLB highlight the necessity of holding traditionally underserved subgroups of students to the same rigorous achievement standards as their peers. Prior to NCLB, students with disabilities were often held to alternate, lower achievement standards, and many students with disabilities failed to graduate from high school with a standard diploma.
- Provide the necessary instructional supports and services to students with disabilities. While dropout rates have decreased and more students with disabilities are graduating with standard high school diplomas, schools need to ensure that these students receive the supports and services they need to master grade-level curriculum content as required by IDEA. States must strive to increase the percentage of students with disabilities who graduate with a standard high school diploma by continuing to provide supports and services that help prevent students with disabilities from leaving the conventional academic track.

The jury is still out as to how each state will ensure progress of students while eliminating some federal requirements which claimed to have held them back.

Colorado Department of Education (CDE) Interim Commissioner of Education Elliott Asp stated, “We have already started conversations with districts across Colorado about different ways of assessing students’ mastery of the standards and adding additional components to our accountability system. Through the assessment pilot project and new requirements for accountability, ESSA is opening a door for us to continue on this path and explore new and meaningful ways of implementing assessments that are more timely and informative for teachers, students and parents and incorporate critical aspects of schooling that go beyond student achievement in our accountability system.”

While Asp also noted that schools, districts and parents in Colorado won’t see an immediate difference, it would be good for the community to continue following this subject and its progress through CDE and the upcoming legislative session.

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