Overview of the *Every Child Achieves Act*

The *Every Child Achieves Act* has been introduced as a bipartisan effort between Senators Alexander (R-TN) and Murray (R-WA) of the Senate HELP committee in order to update the Elementary & Secondary Education Act (also known as “No Child Left Behind”).

The bill must first be approved by the entire Senate and then also passed by the House before it can go to the President to become law. If passed, the law would do several positive things for students with disabilities, but seriously lacks in some areas. The main provisions of the bill and how NCLD believes they will impact students with learning and attention issues are explained here.

**Title I: Improving Basic Programs Operated by State and Local Educational Agencies**

**Purpose:**
Title I provides financial assistance to local educational agencies (LEAs) and schools with high numbers or high percentages of children from low-income families to help ensure that all children receive a quality education and can meet high standards. In addition, Title I sets out a framework for state and local educational agency accountability. This accountability system requires that states administer annual assessments, but allows states to consider other measures of success as well, such as graduation rates. The accountability system also offers grants to states and districts to help improve low-performing schools.

**How Title I Impacts Students with Learning and Attention Issues:**

- **Alternate assessments:** Within the assessment system described in Title I, there is a separate test for students with the most significant cognitive disabilities (approximately 1% of the total student population) called the alternate assessment (or AA-AAS). The bill limits the number of students who may take this alternate assessment to 1% of the total student population. This is critically important because it the AA-AAS is only designed for students with the most significant cognitive disabilities (who are 1% of the student population) and taking this assessment takes a student off track to earning a regular high school diploma, thereby limiting their future college and career opportunities.

- **Annual assessments:** The bill requires annual assessments in reading and math between grades 3 through 8 and once again in high school. Annual assessment is an important tool that allows parents to see how students with disabilities are performing compared to their peers without disabilities.

- **Disaggregated data:** Title I requires that data be reported in a way that identifies the performance of various subgroups of students, one of which is students with disabilities. This reporting provides transparency for parents of children with disabilities so that parents and the public know how students with disabilities are doing in their school, in relation to students without disabilities and likewise in relation to other schools within the state. Without this information, it would be impossible to know which students or schools need more support.

- **Weak accountability system:** Holding states and schools accountable for the performance of students with disabilities matters. It has prompted students with disabilities to be included in general education classrooms alongside their peers setting them on a path for high school
graduation and it has prompted additional professional development for teachers. However, the accountability structure outlined in ECA is weak, as it establishes only a loose description of how states set goals as part of their accountability structure. These goals hold significant importance to students with disabilities as they are often when becomes a lever for change at the state and local school district level. Improvements will only occur if there is a documented challenge. Instead, if states set the bar artificially low, the public will never have an accurate sense of how students are faring. Further, the parents of children with learning and attention issues need – and expect – the State and Federal government to act if students with disabilities are not making progress in schools. The existing structure would not require any changes or interventions when schools are failing our students. States must be required to identify, in a timely fashion, and support the lowest performing schools – both schools where all students are underachieving and schools where particular subgroups of students are not meeting proficiency goals and then take steps to close the gap between the lowest performing schools and the highest performing schools and between all subgroups.

**Adopted Amendments to Title I:**
- Sen. Franken (D-MN) offered an amendment that would allow computer-adaptive testing on statewide assessments. This means that as a student makes his way through the test, the questions will adjust their level of difficulty for the student.
- Sen. Baldwin (D-WI) introduced an amendment based on the SMART Act, which would provide funds for states to audit state assessment systems, eliminate duplicative tests, and invest in high-quality assessments aligned to state content standards.

**Title II: High-Quality Teachers, Principals, and Other School Leaders**

**Purpose:**
Title II provides resources and funding to states and school districts to improve teacher and leader preparation and training, such as professional development. Title II also allows states to develop teacher evaluation systems. Title II includes a program that addresses the literacy of struggling readers.

**Impact on Students with Learning and Attention Issues:**
- **Focus on literacy:** The Literacy Education for All, Results for the Nation program outlined in Title II Part D, provides a critical framework toward supporting the academic achievement in reading and writing – the foundation for success in all academic subjects. Often, children with learning and attention issues struggle in acquiring and mastering literacy skills. This program provides key supports and investments to support all students, particularly those who may struggle.
- **Professional Development for Educators in Addressing Students with Disabilities:** ECA allows states and local school districts to use their Title II funding to invest in professional development build and sharpen the skills of educators in addressing the needs of students with disabilities. This is critically important because the majority of students with disabilities are spending most of their day in the general education classroom, though often their educators have had little formal preparation in addressing their needs.
No focus on better understand and early identification of learning and attention issues: Children with learning disabilities – like dyslexia, math disabilities and writing disabilities – spend the majority of their day in the general education classroom, though general education teachers have had minimal preparation and professional development to know how to meet their needs. The ECAA should provide educators with professional development to better understand, identify, and address the early indicators of learning disabilities, including dyslexia.

**Adopted Amendments to Title II:**

- Sen. Mikulski (D-MD) introduced an amendment to include the *Jacob K. Javits Gifted and Talented Students Education Act* in the bill. The Javits Act provides critical research and development of best practices to better identify and serve students with gifts and talents, with a focus on students with disabilities, from low-income backgrounds, or who are English language learners.
- Sen. Franken (D-MN) offered an amendment supporting accelerated learning and advanced placement (AP) programs. This amendment is a great step for students with disabilities, who enroll in AP courses at a rate of only 1%, but who should have access to these programs and can succeed in them.

**Title III: Language Instruction for English Learners and Immigrant Students**

**Purpose:**

Title III provides resources to states and school districts to establish and maintain high-quality language instruction programs for English learners. This Title seeks to ensure that students who are English learners are supported and held to the same high standards as other students and that the educators responsible for the instruction of English learners are well prepared to meet the needs of their students.

**Title IV: Safe and Healthy Students**

**Purpose:**

Title IV offers resources and support to states and school districts to implement programs that address school climate and improve the safety, health, and well-being of students. This includes conducting needs assessments and coordinate programs across the states and districts.

**Impact on Students with Learning and Attention Issues:**

Safe and Health Students allows for numerous essential programs that allow students to be ready to learn, including supporting the implementation of Positive Behavioral Interventions and Supports, school-based mental health services, mentoring programs for students who are at-risk for academic failure, among others.

**Adopted Amendments to Title IV:**

Sen. Franken offered an amendment that would reinstate the Elementary and Secondary School Counseling Program (ESSCP). ESSCP, as the only federal grant dedicated to helping school districts...
establish and enhance school counseling programs, is critical to ensuring that students with and without disabilities have access to appropriate mental health and counseling services.

Title V: Empowering Parents and Expanding Opportunity Through Innovation

Purpose:
Much of Title V focuses on charter schools and magnet schools. First, through three separate types of grant programs, the Charter Schools Program provides funding to states to replicate and expand high-quality charter schools. Second, the bill provides grants to magnet schools using evidence-based programming and seeks to expanded programs that are demonstrating success.

Adopted Amendments to Title V:
- Sen. Murray (D-WA), with the support of Sen. Isakson, offered an amendment that would allow states to use existing federal funds to improve, strengthen and expand existing high-quality early childhood programs and coordinate funding streams to improve delivery. Developing early literacy and early math skills is key to identifying learning challenges and spotting factors that may indicate a child is at-risk for having a learning disability.
- Sen. Baldwin and Sen. Hatch (R-UT) worked together to offer an amendment relating to education technology, referred to as the I-TECH amendment. This amendment would support innovation and technology, helping to push forward systems of blended learning and personalized learning.

Title VI: Innovation and Flexibility

Purpose: Title VI heavily focuses on supporting rural schools and allowing flexible use of funding to meet the needs of rural districts. This includes several different programs, such as the Small, Rural School Achievement Program (SRSA) and the Rural and Low-Income School (RLIS) program.

Title VII: Indian, Native Hawaiian, and Alaska Native Education

Purpose: Title VII supports the local development of programs for American Indian and Alaska Native students. The programs aim to increase collaboration between local communities, schools, and tribes in the delivery of services to Native American students through formula grants and competitive grants.

Title VIII: Impact Aid

Purpose: Title VIII includes the Impact Aid program, which provides assistance to local school districts with concentrations of children residing on Indian lands, military bases, low-rent housing properties, or other Federal properties. It also supports schools that have concentrations of children who have parents in the uniformed services or employed on eligible Federal properties.
Title IX: General Provisions

Purpose: Title IX governs requirements and protections to ensure that states and school districts continue to meet their financial obligations, to ensure that federal dollars supplement state and local dollars. This section also includes definitions that apply to the rest of the bill and limits the authority of the Secretary of Education in some ways.

Title X: Education for Homeless Children and Youths

Purpose: Title X focuses on youth who are homeless or unaccompanied and provides resources and supports to districts to meet the needs of and increase stability for these students. It seeks to ensure that homeless youth have access to the same services as other students, including charter schools, summer programs, career and technical education, online learning, and advanced courses.