

National Association of State Boards of Education

→ ESSA and Students with Disabilities

By Ace Parsi and Meghan Casey

The nation's six million students with disabilities have graduation rates nearly 25 percent lower than their general education peers and significantly lower postsecondary enrollment and completion rates.¹ For the last decade and a half, state policy leaders have decried No Child Left Behind's lack of flexibility and one-size-fits-all design for failure to meet these students' needs. With the passage of the Every Student Succeeds Act (ESSA), states will have greater flexibility and responsibility for these students' outcomes, and they should take this opportunity to better meet their needs.

ESSA is key to promoting the academic success of students with disabilities. While the Individuals with Disabilities Education Act—whose reauthorization is six years overdue—and the Americans with Disabilities Act remain important, the nation's major education law addresses the gamut of these students' needs.

More than 60 percent of students with disabilities spend 80 percent or more of their day in general education classrooms.² If a general education teacher lacks the training to address dyslexia, for example, that teacher may misinterpret a student's failure as a lack of effort. If state assessments fail to accommodate that student, then he could lose confidence and misinterpret his disability as a lack of capacity. If the accountability system fails to note this student's outcomes or the resources needed to ensure his success, then the school can readily overlook its failure to address his needs. Neither a lack of training nor improper assessment nor insufficient accountability

alone explains the student's inability to fulfill his potential, so no one policy will solve his problem.

Systemic change is required. While a one-sized-fits-all system affects many students that learn differently, it poses significant problems for students with disabilities: through its lack of personalized learning, low expectations, lack of accommodations for assessments, and gaps in accountability and educator capacity. ESSA addresses all of these and offers states and school districts opportunities to enhance their education systems in these areas.

PERSONALIZED LEARNING

ESSA opens the door for greater personalization for students with disabilities, as well as others, through a number of evidence-based strategies. In conjunction with provisions for state funds to be used for innovative assessment and for district plans to integrate technology in instruction, the law references universal design of learning (UDL), a set of principles for curriculum development that enables all students to learn in multiple ways (Title IV, part A—Student Support and Academic Enrichment Grants). Under Title I, the law promotes multitier systems of support and positive behavior interventions and supports, which emphasize using data to monitor student progress and make decisions on targeted resources and interventions. While these provisions are promoted within ESSA, it is up to each state to take full advantage of the opportunities to account for the learning needs and assets of all students..

HIGH EXPECTATIONS

Education systems do tend to differentiate between sets of students when it comes to the quality of educational experiences and the level of expectations. Too many students

with disabilities face separate, lower expectations about what they can learn and do. For example, teachers who believe that students with learning disabilities are capable of less tend to interact less and offer fewer opportunities to them.³

Conversely, when teachers believe their students are capable of more, they interact more warmly with those students and provide more feedback, more challenging material, and more opportunities to demonstrate mastery.⁴ Expectations also determine how students perceive their own abilities, which can ultimately affect achievement. ESSA establishes safeguards to ensure all students, including those with disabilities, are fully included in each state's education system, particularly in assessment and accountability frameworks.

ASSESSMENTS

ESSA limits use of the Alternate Assessment based on Alternate Achievement Standards (AA-AAS) to only those students with the most significant cognitive disabilities, capped at 1 percent of the number of students in a state assessed in each subject. Setting this cap ensures that students with disabilities are not given the AA-AAS when it is not appropriate for them, as it often precludes a student from achieving a regular high school diploma. ESSA also promotes accessibility in assessments through the incorporation of UDL principles and support for accommodations.⁵ Therefore, whether considering procurement of assessments, developing a statewide technology plan, or setting standards for student counseling and other supports, state boards of education should ask whether all students are accommodated.

ACCOUNTABILITY

Before No Child Left Behind, the performance of students with disabilities was not counted and measured in the same way as it was for students without. Yet research shows that when schools are held accountable for the performance of students with disabilities, these students are more likely to be moved from self-contained classrooms

to general education classrooms, receive two to three hours of extra instruction in reading and math per day, and gain access to general and special education educators with more professional development related to teaching students with disabilities.⁶

ESSA maintains disaggregation of outcome data by subgroups, including disability status. It also seeks evidence-based interventions in schools with large learning gaps and a new measure of accountability that addresses overall school quality such as school climate or student engagement. As they embrace the added flexibility ESSA offers, states revising their accountability plans should not step back from the expectation that all students can learn rigorous content and be prepared for college, career, and civic success.

EDUCATOR CAPACITY

None of these ESSA provisions will increase opportunities for students with disabilities absent skilled educators who can balance common high expectations and personalized supports. Educators, especially those not trained as special education teachers, are often not equipped to meet the individual learning needs of these students. But all teachers will need this training as students with disabilities spend more time in general education settings. Professional learning must include a focus on the particular needs of students with disabilities and how to implement strategies such as UDL to better support them.

ESSA provides flexible funding for professional development that can help general and special educators improve instruction for students with disabilities. Title II funding can be used for professional development on the effective integration of technology in curriculum and instruction, and Title IV allows funding for professional development on the use of technology, particularly related to implementing personalized learning and UDL. Other Title II opportunities for professional development are the new state literacy grant program, the LEARN program, and the first-of-its-kind comprehensive literacy center. LEARN program grantees can offer high-quality, research-based professional development for instructional staff and finan-

cial support for literacy coaches. The literacy center will offer resources and promote professional development and best practices on screening and educational tools for students with disabilities.

FAMILY ENGAGEMENT

ESSA underscores the importance of parents' and families' participation in their children's education through its Title I provisions for increased capacity building for states and districts to carry out family engagement policies and initiatives. State and local education agencies must also involve parents in the development of their plans in order to receive Title I funding. To facilitate this greater engagement, student data and outcomes should be transparent, and states should ensure districts know how to engage families and communities.

In these and other areas, ESSA emphasizes the success of all students, including those with disabilities, but provides states greater flexibility in determining how to achieve this success. Rather than focusing on any individual policy, states can leap forward to create teaching, learning, and support systems that prepare all students for success in college, careers, and civic life.

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RESOURCES

CAST, a Wakefield, MA, nonprofit that provides resources on UDL, <http://www.cast.org>.

National Center for Learning Disabilities' RTI Network, for resources on multitiered systems of supports, <http://www.rtinetwork.org/essential/tieredinstruction/tier1/accurate-decision-making-within-a-multi-tier-system-of-supports-critical-areas-in-tier-1>.

Linda P. Blanton et al., "Preparing General Education Teachers to Improve Outcomes for Students with Disabilities," (Washington, DC: American Association of Colleges for Teacher Education and the National Center for Learning Disabilities, 2011), http://www.nclld.org/wp-content/uploads/2014/11/aacte_nclld_recommendation.pdf.

National Center for Learning Disabilities, "Personalized Learning: Meeting the Needs of Students with Disabilities," <http://www.nclld.org/archives/reports-and-studies/personalizedlearning>.

NOTES

1. M. Stetser and R. Stillwell, "Public High School Four-Year-on-Time Graduation Rates and Event Dropout Rates: School Years 2010–11 and 2011–12," (Washington, DC: US Department of Education, Institute for Education Sciences, 2014).
2. Institute for Education Sciences, National Center for Education Statistics, "Inclusion of Students with Disabilities," <https://nces.ed.gov/fastfacts/display.asp?id=59>.
3. L. Hornstra et al., "Teacher Attitudes toward Dyslexia: Effects on Teacher Expectations and the Academic Achievement of Students with Dyslexia," *Journal of Learning Disabilities* 43, no. 6 (2010): 515–29.
4. L. Jussim and K. Harber, "Teacher Expectations and Self-Fulfilling Prophecies: Knowns and Unknowns, Resolved and Unresolved Controversies," *Personality and Social Psychology Review* 9, no. 2 (2005): 131–55.
5. See section 1111(b)(2)(D)(i) on alternative assessments and Title I, part B, section 1201(a) on accommodations.
6. J. Harr-Robins et al., "School Practices and Accountability for Students with Disabilities," (Washington, DC: National Center for Education Evaluation and Regional Assistance, Institute of Education Sciences, US Department of Education, 2015), <https://ies.ed.gov/ncee/pubs/20154006/pdf/20154006.pdf>.