

Below is a detailed summary of this legislation that makes common-sense adjustments to No Child Left Behind.

[Click here](#) to view the full text of the bill.

[Click here](#) to view the endorsement letter from the American Association of School Administrators.

DETAILED SUMMARY

Ensures schools have the flexibility to recognize students with special educational needs or extraordinary circumstance



s when calculating high school graduation rates. This legislation improves the accuracy of high school graduation rates under NCLB by ensuring states have the flexibility to count students who graduate late due to extraordinary circumstances such as a prolonged illness. Schools making exemplary efforts to help every student graduate should be recognized for their success, even if it takes five rather than four years for some students to graduate. Likewise, schools should receive credit for special education students who obtain their diplomas by

a state-established age limit, including those with severe or significant cognitive disabilities who graduate with special diplomas that meet challenging state-established standards.

Grants parents and schools the flexibility to assess students with special educational needs based on their individualized education plan (IEP) under the federal Individuals with Disabilities Education Act (IDEA). This legislation upholds standard federal IDEA practice by allowing states the choice to more accurately assess students with significant and severe cognitive disabilities by using challenging academic standards based on each student's IEP. The flexibility would be subject to parental approval to ensure close consultation between parents and teachers. Alternative testing standards could not be used unless a student has been certified by a licensed health care professional to have a severe or significant cognitive impairment that prevents learning consistent with the child's age group. Children with significant cognitive disabilities, sometimes referred to as Agap students, would need to have IEP plans that teach and assess for progressively higher levels of learning to ensure continued academic progress.

Provides greater flexibility for parents, teachers and school administrators to meet the needs of students learning the English language. Although research shows it takes at least two years of the very best instruction for a Limited English Proficient (LEP) student to learn basic English skills, and from three to five years to begin performing at grade level with their classmates, NCLB currently requires the test scores of LEP children to be counted towards a school's overall adequate yearly progress (AYP) after just one year of classroom instruction. This legislation brings NCLB in line with educational best practices research by allowing states the option of up to three years flexibility before the proficiency of LEP students would count toward AYP. Teachers and parents must agree this flexibility is in the student's best educational interest to ensure parental participation and approval of the school's learning plan for their child.

Allows states the flexibility to implement innovative localized testing systems to meet the requirements of NCLB. In Nebraska, for example, local school districts develop their own tests based on state academic guidelines, and

give multiple assessments to students throughout the school year as part of the general curriculum. While multiple assessments are not required under NCLB, states with such innovative systems should be guaranteed greater flexibility to meet federal requirements. Rather than basing AYP on just one yearly test, such systems assess student progress through multiple measures that are more statistically reliable. These types of testing systems are also seamless for students, as tests are experienced as a natural part of general classroom learning rather than as special time set aside for one high-stakes test each year.

Provides states the flexibility to consider special education and rural teachers who teach multiple subjects as a highly-qualified in all subject areas if they are working in close consultation with teachers who specialize in the additional subjects being taught.

This legislation would allow states to use online distance education to help rural teachers meet a highly-qualified requirements, and ensure that special education teachers can continue to work with other teachers within their school to develop lesson plans for disabled children. This is similar to the successful method already implemented in Nebraska to support teachers responsible for multiple subject areas, and recognizes the difficulties faced by rural schools in hiring teachers who are certified in the many academic subject areas that may be required.

Commissions a GAO study to determine whether the level of federal funding Congress has provided to states has met the costs of NCLB compliance.

The GAO has determined that NCLB does not meet the definition of an unfunded mandate since schools can choose to opt out of the law's requirements by refusing federal funding. However, that is simply an unrealistic option for most states. Congress should examine whether the more than \$12.8 billion in Title I funding has met states' needs for NCLB implementation. The GAO cost study would gain the most comprehensive information possible about the financial impact of NCLB by including at least one rural school and local educational agency (LEA), and one urban school and LEA within each state.

New Improvements This Year....

Allows all states the option to meet adequate yearly progress (AYP) requirements under NCLB by measuring the individual progress of each student. Several states now use a version of a growth model to track an individual student's academic progress from grade to grade rather than measuring the improvement of one class of students against the previous year's class of different students, as NCLB currently requires. This legislation sets forth basic standards for states to meet in order to demonstrate AYP using growth measurements, including strong student privacy protections, high quality data requirements, and goals aligned to state learning standards.

Creates state flexibility in administering teacher tests and working with institutions of higher education to improve teacher training programs to better meet NCLB standards. Rather than administering a state test to determine teacher subject-matter expertise, States would have the option to work directly with institutions of higher education to develop curricula in the teacher degree and training programs already available that meet the standards of NCLB. Associated assessments approved by the State as having met NCLB standards would be administered by institutions of higher education to assess subject-matter expertise and classroom instructional skills. This will help colleges to better prepare teachers to meet NCLB standards.

Ensures Social Studies teachers equal treatment by allowing the same standard applied to science teachers to be considered "highly qualified" under NCLB: that a general social studies degree applies to teaching sub-specialties such as geography and history, just as a general sciences degree now applies to sub-specialties such as biology and chemistry. States have had a difficult time certifying social studies teachers as highly-qualified under NCLB because specific degrees in some social studies sub-specialties are not available at many colleges and universities.

More accurately grade individual schools (A, B, C, D or F) rather than "pass/fail" to better identify schools needing improvement while upholding schools' adequate yearly progress requirements under NCLB and rewarding

schools making the most progress. NCLB currently allows only two options to identify schools needing improvement: making adequate yearly progress (AYP) or not making AYP. Schools not meeting a small minority of AYP factors are subject to the same sanctions as schools failing to meet the majority of AYP factors, creating an unfair system. Grading schools either A, B, C, D or F based on current AYP factors will help the American public to better identify those schools needing major improvements from those schools needing minor improvements to raise overall school achievement levels.

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