

# Understanding the New Federal Education Law

THE REAUTHORIZED Elementary and Secondary Education Act, recently known as No Child Left Behind (NCLB) and now known as the Every Student Succeeds Act (ESSA), is a long-overdue reset of the federal role in education policy.

This new law meets the goals set forth by the AFT: continuity of targeted funding, ending the federal government's involvement in teacher evaluation, ensuring that paraprofessional requirements remain intact, and ending the test-and-punish accountability system codified by NCLB. Ultimately, it provides an opportunity for a public education system that is much more focused on teaching and learning, and that gives states and educators more latitude while maintaining federal funding for the students who need it most.

Reauthorization came about with extensive AFT lobbying and grass-roots activism. These efforts included meetings between AFT officers and members of Congress, including one-on-one meetings with education committee chairs and ranking members, House and Senate leadership, and rank-and-file members. AFT President Randi Weingarten also met with President Obama and former Secretary of Education Arne Duncan, and maintained close communication with senior White House officials.

Additionally, AFT leaders and members testified in front of Congress and at congressional district-level town hall meetings, took more than 100,000 online actions related to the reauthorization, and submitted 20,000 comments to Congress.

The results paid off. While not perfect, there is much to applaud in this overhaul. ESSA:

- Protects the Elementary and Secondary Education Act's original intent of mitigating poverty and targeting resources to students in need, and it adds an early childhood investment.
- Prohibits the federal government from mandating or prescribing the terms of teacher or principal evaluation. The receipt of federal funds can no longer be conditioned on using test scores in teacher evaluation.
- Maintains paraprofessional certification requirements, which help prevent



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school districts from hiring paraprofessionals with little educational experience or professional training.

- Ends adequate yearly progress requirements and mandatory punitive sanctions, and provides states the opportunity to improve tests and create an accountability system that is less test-based, allowing joy to return to teaching and learning.

ESSA opens the door for the following much-needed changes: putting the emphasis in student learning on the things that matter most to parents and educators, allowing for interventions that will help struggling schools succeed, and empowering and supporting teachers to stoke students' curiosity and help them gain the skills and knowledge to pursue their dreams. Just as important, this new law is an opportunity for states to reset their accountability systems so that they both measure and reflect a broader vision of learning that values not only academic outcomes but also opportunities to learn, student engagement, and supports for educators and students alike.

Within parameters, states will set their own accountability systems, which no longer have to follow a rigid "adequate yearly progress" construct. States will still have to disaggregate and report student test scores by subgroup, but accountability systems can include nontest measures like working conditions, school climate and safety, and educator engagement.

Also, English language learners can have up to three years to take the language arts assessments in their native language before taking such tests in English. States

can appropriately delay inclusion of English learners' test scores in accountability systems while they are first learning English, and can include former English learners for four years as part of the English learner subgroup.

States will set their own interventions for struggling schools. The federal government won't specify sanctions (school closings, teacher firings, forced transfers, etc.) in return for money. Also, states will set their own content standards and aligned assessments, and the federal government cannot require that states adopt the Common Core State Standards or administer PARCC or Smarter Balanced tests.

Seven states will be allowed to develop a performance assessment system like the one used by the New York Performance Standards Consortium. (For more on the Consortium, see page 4.) States will also be provided funds to audit their testing policies to decrease unnecessary tests.

In addition, ESSA expands collective bargaining protections to include both school improvement initiatives and teacher quality provisions. And class-size reduction remains an allowable use of funds, while community schools receive their own funding.

ESSA begins to take effect at the start of the 2016–2017 school year, with full implementation expected during the 2017–2018 school year.

Seeking additional information or answers to questions about the new law? Visit [www.aft.org/essa](http://www.aft.org/essa) to learn more, or email the AFT government relations department at [essafacts@aft.org](mailto:essafacts@aft.org).

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