



EDUCATION ISSUE

EVERY STUDENT SUCCEEDS ACT (ESSA) AND INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA)

THE ISSUE

Before the Individuals with Disabilities Education Act (IDEA), children with disabilities did not have a right to an education. Those with more extensive behavior support and academic instruction needs were least likely to be in a public school, but IDEA changed that. While there are still struggles at times to find the right interventions or figure out how to design school services to meet the needs of everyone who lives in the school community, we all know that children with disabilities have a right to be educated in public schools! While most students with disabilities are served by IDEA, all students are general education students first. To reach the goal of ensuring every student is taught to state standards, held to high expectations and given every chance to achieve a high school diploma schools are more than ever assuring that children have a right to a free appropriate education (FAPE). The federal, state, and local governments each play a role in ensuring that every child with a disability obtains FAPE. IDEA ensures that children with disabilities not only have the right to attend public schools but have access to the general education curriculum, meaningful educational experiences, and ensures that the rights of children with disabilities and their parents are protected.

Building Better Accountability: Congress wanted to align the Elementary and Secondary Education Act (ESEA) (renamed the Every Student Succeeds Act (ESSA) in 2015) and IDEA. ESSA requires that students with disabilities be assessed along with their peers who do not have disabilities. Under ESSA, new accountability reporting requirements put the power in states' hands to improve results. States, districts, and schools must raise achievement for all groups of students and must make more progress for students who may be behind, including students with autism. The accountability system

Nicholas' Education Story

Nicholas was diagnosed with autism just before his third birthday. He had regressive autism, or in other words, he had language but then lost skills. Nicholas' parents researched everything about autism and in their findings discovered the Individuals with Disabilities Education Act (IDEA). The one dream Nicholas' parents had for his life was that he would obtain a free appropriate public education (FAPE); unfortunately, the school had other ideas. Nicholas' parents eventually sued the school system and ultimately won under the protections of IDEA. With the help of teachers and Nicholas' parents as equal partners in the IEP process, Nicholas went on to achieve great success in the classroom. He learned alongside his nondisabled peers, with the proper supports, and gained expressive language and learning skills to thrive in the general education setting.

Congress must ensure access, equity and opportunity for all students, including students with autism. Education is the backbone of our society.

must also be transparent, so the outcomes for students with disabilities are clear and easily obtainable thus making it possible for families, community members, teachers, and school leaders to determine the impact of educational practices and track their effectiveness. ESSA reaches the widest range of students, including those with autism.

Special Education Funding: IDEA requires public schools to offer services to eligible students at no cost to their parents and provide families and students with important rights to ensure students receive an education. Additionally, the overwhelming majority of students with disabilities are served in public schools that rely on federal IDEA funds. We believe increasing investment in IDEA and Title I and fully funding special education is critical to a school's ability to serve students with disabilities.

Transition: IDEA requires schools to provide transition services for students so that they will be prepared to enter the adult world, including continuing their education and employment. However, transition planning and services for students with disabilities frequently begins in some states at age 16, but it is critical that transition planning starts as early as 14 in all states. Many of these students transition from the public school system to the adult world finding themselves with no services and outcomes. We believe starting transition planning earlier at age 14 will bring better outcomes.

LEGISLATIVE RECOMMENDATIONS

- Fully fund all components of IDEA and provide increased funding for Part C, Head Start, and other early intervention programs.
- Align the age of transition services to be consistent across states to begin at age 14 instead of 16.
- Develop and require implementation of policies that support portability and continuity of student IEP's across jurisdictions.
- Make certain that parents are equal partners and engaged fully as they are the experts on their children.
- Ensure monitoring and enforcement of the major components of IDEA, including least restrictive environment (LRE), due process, transition, cultural competence, and individualized education programs (IEPs), are properly and fully implemented, and ensure authorized penalties for noncompliance are enforced.

AUTISM SOCIETY ASKS

- Congress is urged to fully fund IDEA and to protect the rights and remedies afforded to students under IDEA.
- Work to ensure a smooth and coordinated transition planning that begins in all states at the age of 14.
- Parents must be engaged in the conversation around IDEA and seen as an equal partner in the IDEA process.

FOR MORE INFORMATION

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