

## THE NO CHILD LEFT BEHIND ACT OF 2001

*This act is a reauthorization of the Elementary and Secondary Education Act intended to insure that all children will meet state academic achievement standards to reach their full potential through improved programs.*



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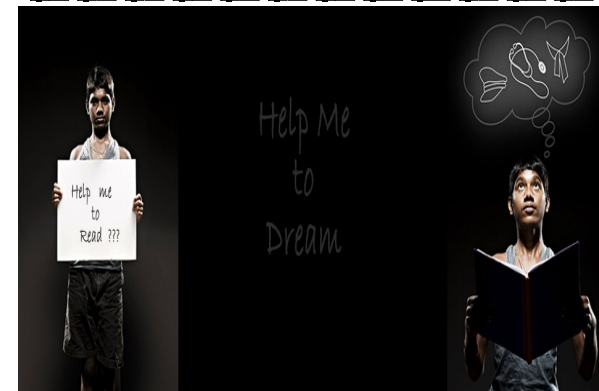
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### References

Mastropieri, M. & Scruggs, T. (2010). *The Inclusive Classroom: Strategies for Effective Differentiated Instruction*, (pp. 15-17). Upper Saddle River, NJ: Pearson Education

Yell, M. L., Katsiyannas, A., Shiner, J. G. (2006). *The No Child Left Behind Act, Adequate Yearly Progress, and Students with Disabilities*. *Teaching Exceptional Children*, 38 (4), 32-39.



How does it effect our students with disabilities?

# The No Child Left Behind Act and Special Education

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This legislation funds a number of federal programs aiming at improving the performance of U.S. schools by increasing the standards of accountability for states, school districts, and schools, as well as providing parents more flexibility in choosing which schools their children will attend.

## Adequate Yearly Progress

Schools must demonstrate AYP towards meeting the goal of %100 proficiency in reading, math, and science for all students within 12 years. Those schools failing to meet this goal for two consecutive years must offer parents to transfer their children to another public school while the district provides transportation. After those two years, if the school fails to make AYP, more corrective measures will be taken such as replacing staff, new curricula, state take over, hiring private contractors, or conversion to a charter school.

If students with disabilities fail to meet AYP towards %100 proficiency in reading and math by 2012, the school will be held accountable, just as they are with students in the regular education program.

## Accommodations

If students with disabilities receive accommodations for state assessments, and they are deemed unreliable, the students will not be counted for taking the test.

NCLB allows students with “significant cognitive disabilities” to take alternate achievement assessments and to be held accountable to these alternate standards. Neither NCLB nor its implementing regulations define what “significant cognitive disabilities” are. NCLB puts a cap on the number of students who can take an alternative assessment and still be counted in AYP calculations. Any number of students above this cap—currently set at 1% at each grade level that is tested—will be counted as not meeting minimum proficiency standards (Yell, Katsiyannas, & Shiner, 2006, p. 35-36).

## Participation

If the overall participation rate in state assessments is lower than the minimum requirement, the state can consider the state can be considered out of compliance and will be subject to sanctions.

## Highly Qualified Teachers

Teachers must hold full state certification or licensure. Because of personnel shortages in the area of special education, this is a difficult area for districts and schools to comply. Schools must allocate their Title II funds in order to prepare, train, and recruit high-quality

teachers and principals that can meet the needs of all learners.

## IEP Team

The role of the IEP team is to fulfill the accountability and assessment mandates of NCLB. The IEP team decides the level of access a student has to the general curriculum, the kinds of accommodations that will be provided for the student in all aspects of her or his education, including all assessments, and the level and mode of participation relative to grade-level standards or alternative standards (Yell, Katsiyannas, & Shiner, 2006, p. 36).

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