



Illinois State Board of Education

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EVERY STUDENT SUCCEEDS ACT (ESSA)

FREQUENTLY ASKED QUESTIONS

As of 8.12.16

On December 10, 2015, President Obama signed the bipartisan Every Student Succeeds Act (ESSA), which reauthorizes the Elementary and Secondary Education Act of 1965 (ESEA). ISBE is working toward the implementation of ESSA in the 2016-17 school year. This Frequently Asked Questions (FAQ) document addresses questions about transition issues and other inquiries regarding this landmark new legislation.

If you are interested in commenting on this FAQ or if you have questions that are not answered here, please email essa@isbe.net using "FAQ" in the subject line. Please note that this FAQ will be posted at www.isbe.net/essa and updated periodically.

GENERAL

1. *Where can the public access the text of ESSA?*

The full text of ESSA is available at

<https://www.gpo.gov/fdsys/pkg/BILLS-114s1177enr/pdf/BILLS-114s1177enr.pdf>.

In addition, a bill summary compiled by ISBE staff is available at www.isbe.net/essa.

2. *What rules apply for the 2016-17 school year?*

Each district must continue to implement its programs during the 2016-17 school year in accordance with No Child Left Behind (NCLB) requirements as they existed in the 2015-16 school year. There are some specific exceptions to this general rule, as discussed below.

3. *Are there any NCLB requirements with which a district need not comply during the 2016-17 school year?*

Districts do not need to comply with the following provisions during the 2016-17 school year because they are not continued under ESSA:

- A. The requirement that each district reports performance against annual measurable objectives (AMOs) (Section 1111(h)(1)(C)(ii) and (h)(2));
- B. The requirement that a school notifies parents when their child has been assigned to, or has been taught for four or more consecutive weeks by, a teacher who is not highly qualified (Section 1111(h)(6)(B)(ii));
- C. The requirements that each district hires highly qualified teachers and that each district reports on progress toward all teachers being highly qualified (Section 1119);
- D. The requirement that a district not making progress toward all teachers being highly qualified creates and implements an improvement plan and the requirement that the state provides

technical assistance to such a district (Section 2141 Section 2141); and

- E. The requirement that each district receiving Title III funds that fails to meet one or more of the AMOs provides notice to parents of such failure (Section 3302(b)).

4. *Do these provisions identified in question 3 apply to charter school districts for the 2016-17 school year?*

Yes.

5. *All ESEA flexibility waivers are null and void on August 1, 2016, but do priority and focus schools need to continue to implement interventions beyond August 1, 2016?*

All priority and focus schools must continue to implement interventions in 2016-17.

Highly Qualified Teachers and Paraprofessionals

6. *Must a district continue to comply with the highly qualified requirements for teachers during the 2016-17 school year?*

Districts do not need to comply with the highly qualified requirements beginning in the 2016-17 school year.

7. *Must ISBE ensure that special education teachers are highly qualified in the 2016-17 school year?*

ESSA amended the Individuals with Disabilities Education Act (IDEA) by removing the definition of "highly qualified." Accordingly, districts are not required to ensure that special education teachers are highly qualified as defined in ESEA beginning with the 2016-17 school year.

However, a person employed as a special education teacher in elementary school, middle school, or secondary school must

1. Have obtained full certification as a special education teacher (including certification obtained through alternative routes to certification) **or** passed the ISBE special education teacher licensing examination **and** hold a license to teach in Illinois as a special education teacher (a special education teacher teaching in a public charter school must meet the requirements set forth in ISBE's public charter school law);
2. Not have had special education certification or licensure requirements waived on an emergency, temporary, or provisional basis; and
3. Hold at least a bachelor's degree. ISBE will continue to impose these certification requirements during the 2016-17 school year.

8. *In the 2016-17 school year, must a school continue to comply with the requirement that it notifies parents when their child has been assigned to, or has been taught for four or more consecutive weeks by, a teacher who is not highly qualified?*

The U.S. Department of Education is not requiring districts to comply with these requirements beginning with the 2016-17 school year. Districts will no longer be required to provide notice to parents related to the highly qualified status of their child's teacher.

Please note that districts are required to notify parents that they **may request and the district will provide** certain information regarding the professional qualifications of the student's teachers and paraprofessionals, as appropriate.

9. *What requirements apply to the hiring of paraprofessionals/ paraeducators to work in a Title I, Part A program in the 2016-17 school year?*

In the 2016-17 school year, ISBE and its districts must continue to ensure that each paraprofessional who is hired by the district and works in a program supported by Title I, Part A funds has

- A secondary school diploma **or** its recognized equivalent, **and**
- Has completed at least two years of study at an institution of higher education, **or** obtained an associate's or higher degree, **or** met a rigorous standard of quality and can demonstrate through a formal state or local academic assessment knowledge of, and the ability to assist in, instructing, reading, writing, and mathematics.

