

# ESSA & IDEA

## *What Does It All Mean?*

### **What role does federal and state government play in the education of our children and why is this important for us to know?**

- ◆ The federal government allocates funding to school districts that follow certain federal guidelines.
- ◆ The states have the primary responsibility for the maintenance and operation of public schools following the various federal guidelines.

### What is ESSA?

ESSA, Every Student Succeeds Act, is the main federal education law for K-12 general education. ESSA was signed into law on December 10, 2015. ESSA requires all states to have a plan for education that addresses major federal requirements. The purpose of this act is to replace and update the No Child Left Behind Act (NCLB). ESSA holds schools accountable for student achievement and gives equal opportunity for students in Special Education.



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### What is IDEA?

IDEA, the Individuals with Disabilities Education Act, is a federal law. IDEA was originally passed in 1975 as the Education for all Handicapped Children Act. IDEA is our nation's federal special education law. It requires that children with disabilities receive a free, appropriate, public education (FAPE), along with providing rights and protections to children with disabilities and their families. It also requires each state to provide all the protections contained in the law.

# Why is it important I know about ESSA?

Essa requires parents to be involved. Parents can be involved in state and local plans. Parents can be involved in state and school district report cards.

To get involved:

- ◆ Reach out to your state Department of Education
- ◆ Reach out to the National Center for Learning Disabilities (NCLD)

ESSA requires all states to have a plan for education while addressing all federal requirements. Each state must develop challenging academic standards. These standards are to specify what knowledge and skills they expect their students to achieve. Also, they must administer annual tests aligned with these standards. Each state is accountable for the performance of their students on these tests. The state must have goals for academic achievement to close the achievement gap and have plans to support and improve struggling schools.

## College, Career and Life Ready

All students graduate college, career and life ready.



<https://doe.sd.gov/ESSA/documents/19-StatePlan.pdf>

## State and Local Report Cards

States must publish public information on how they are doing. Some things that must be reported are:

- ◆ test scores
- ◆ high school graduation rates
- ◆ school funding information
- ◆ teacher qualifications

The report will also give information on subgroups.

**ESSA is for all students!**



# Why is it important I know about IDEA?

- ◇ As a parent, IDEA provides you and your child rights and protections you will want to be aware of.
- ◇ A request for an evaluation from a parent or school, sets in motion your rights under IDEA.
- ◇ Schools need to provide you a copy of your Procedural Safeguards, which are your rights and protections.
- ◇ Schools are required to find and evaluate children with suspected disability through Child Find efforts.
- ◇ Parents are an equal partner with schools in determining the needs of their child with a disability.

## What does the term “special education” mean?

Special education means specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability.

The federal law promotes parent involvement in the education of their child.

The federal law also offers rights and protections for children and parents. These protections are called Procedural Safeguards.

FAPE (Free Appropriate Public Education) ensures special education and related services are provided without charge to the parents for children 0-21. These services must conform to the IEP.



**IDEA is for children in  
Special Education**

# What if my child needs special education?

Questions you may have **are covered in the federal law, IDEA.**

What are specific requirements for the evaluation process?

Are there certain requirements for re-evaluations?

What are the 13 disability categories?

Are there certain procedures for developing an IEP and who should attend?

Are there certain procedures for changing the IEP?

Are transition services a required part of every IEP?

Are there regulations for my child if I place them in a private school?

Are there regulations for my child if the school places them in a private school?

What if my child has behaviors?

How often do they review my child's IEP?

What if there's a dispute between me and the school pertaining to my child's services?

## Who To Talk To If I Have More Questions



South Dakota Statewide Family  
Engagement Center SDFEC

- ◆ <https://sdsfec.org>

South Dakota Parent Connection

- ◆ 800-640-4553
- ◆ [www.sdparent.org](http://www.sdparent.org)
- ◆ Or call your local school district

South Dakota Department of Education

- ◆ <https://doe.sd.gov/>

US Department of Education

- ◆ <https://www.ed.gov/>

Understood.org

- ◆ <https://www.understood.org/>



National Center for Learning Disabilities

- ◆ <https://nclld.org/>

Every Student Succeeds Act (A  
comprehensive guide)

- ◆ <http://www.everystudentsucceedsact.org/>

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