



NDSC-NDSS EDUCATION ALERT

May 17, 2016

Proposed Federal Regulations for the Every Student Succeeds Act to be Released Soon

The [Every Student Succeeds Act \(ESSA\)](#) required negotiated rulemaking on certain aspects of the law, such as assessments. Negotiated rulemaking means that a variety of stakeholders are selected to negotiate with each other about language for the proposed federal regulations on these topics. If every member of the negotiated rulemaking committee agrees with the regulatory language that has been developed, then there is consensus and that language must be used for the proposed federal regulations.

Recently a negotiated rulemaking committee reached consensus on regulations governing assessments. The deck was stacked with many more paraeducators, teachers and administrators than parents and representatives of civil rights groups. Only one person represented all students with disabilities. Ricki Sabia, NDSC's Education Policy Expert, provided significant input to the civil rights and disability members of the negotiated rulemaking committee on issues related to state alternate assessments, which are used to measure the academic achievement of most students who have Down syndrome.

Please [click here](#) for a summary and analysis of the consensus based regulatory language developed by the negotiated rulemaking committee that is most important to students who have Down syndrome. The full text of the regulatory language can be found here: <http://1.usa.gov/1XjLP7h>.

The proposed regulations on assessments (which came out of the negotiated rulemaking committee), as well as all the other ESSA federal regulations, are expected to be released in different packages for public comment over the next few months. The public comment periods will provide national advocates and families with an opportunity to support the provisions they like and ask for edits where changes should be made.

NDSC will be submitting public comments for each package of proposed regulations. Stay tuned for joint NDSC-NDSS Action Alerts encouraging you to contact the U.S. Department of Education with your support for the NDSC comments.

For more information, please contact Ricki Sabia, NDSC Senior Education Policy Advisor, at ricket@ndscenter.org or Heather Sachs, NDSS Vice President of Advocacy & Public Policy, at hsachs@ndss.org.

Recognizing the importance of education policy and how it will affect our constituents, you may receive informational emails, called Education Alerts, and Action Alerts from both the NDSC and NDSS. Our two organizations are committed to working together on education issues, including ESSA implementation, IDEA-related issues and other education matters. NDSC's Senior Education Policy Advisor, Ricki Sabia, will lead this collaboration, and will work closely with Heather Sachs, NDSS Vice President of Advocacy & Public Policy, coordinating education policy strategy to best serve the entire Down syndrome community.