

Every Student Succeeds Act

SEC. 1111. STATE PLANS. (b) (1) CHALLENGING STATE ACADEMIC STANDARDS.

(A) IN GENERAL. Each State, in the plan it files under subsection (a), shall provide an assurance that the State has adopted challenging academic content standards and aligned academic achievement standards (referred to in this Act as ‘challenging State academic standards’), which achievement standards shall include not less than 3 levels of achievement, that will be used by the State, its local educational agencies, and its schools to carry out this part. A State shall not be required to submit such challenging State academic standards to the Secretary.

(B) SAME STANDARDS. Except as provided in subparagraph (E), the standards required by subparagraph (A) shall:

- (i) apply to all public schools and public school students in the State; and
- (ii) with respect to academic achievement standards, include the same knowledge, skills, and levels of achievement expected of all public school students in the State.

(C) SUBJECTS. The State shall have such academic standards for mathematics, reading or language arts, and science, and may have such standards for any other subject determined by the State.

(D) ALIGNMENT.

- (i) IN GENERAL. Each State shall demonstrate that the challenging State academic standards are aligned with entrance requirements for credit-bearing coursework in the system of public higher education in the State and relevant State career and technical education standards.
- (ii) RULE OF CONSTRUCTION. Nothing in this Act shall be construed to authorize public institutions of higher education to determine the specific challenging State academic standards required under this paragraph.

(E) ALTERNATE ACADEMIC ACHIEVEMENT STANDARDS FOR STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.

- (i) IN GENERAL. The State may, through a documented and validated standards-setting process, adopt alternate academic achievement standards for students with the most significant cognitive disabilities, provided those standards:
 - (I) are aligned with the challenging State academic content standards under subparagraph (A);
 - (II) promote access to the general education curriculum, consistent with the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);
 - (III) reflect professional judgment as to the highest possible standards achievable by such students;
 - (IV) are designated in the individualized education program developed under section 614(d)(3) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)(3)) for each such student as the academic achievement standards that will be used for the student; and

(V) are aligned to ensure that a student who meets the alternate academic achievement standards is on track to pursue postsecondary education or employment, consistent with the purposes of Public Law 93–112, as in effect on July 22, 2014.

(ii) PROHIBITION ON ANY OTHER ALTERNATE OR MODIFIED ACADEMIC ACHIEVEMENT STANDARDS. A State shall not develop, or implement for use under this part, any alternate academic achievement standards for children with disabilities that are not alternate academic achievement standards that meet the requirements of clause (i).

(F) ENGLISH LANGUAGE PROFICIENCY STANDARDS. Each State plan shall demonstrate that the State has adopted English language proficiency standards that

- (i) are derived from the 4 recognized domains of speaking, listening, reading, and writing;
- (ii) address the different proficiency levels of English learners; and
- (iii) are aligned with the challenging State academic standards.

(G) PROHIBITIONS.

- (i) STANDARDS REVIEW OR APPROVAL. A State shall not be required to submit any standards developed under this subsection to the Secretary for review or approval.
- (ii) FEDERAL CONTROL. The Secretary shall not have the authority to mandate, direct, control, coerce, or exercise any direction or supervision over any of the challenging State academic standards adopted or implemented by a State.

(H) EXISTING STANDARDS. Nothing in this part shall prohibit a State from revising, consistent with this section, any standards adopted under this part before or after the date of enactment of the Every Student Succeeds Act.