

**U.S. Department of Education
Negotiated Rulemaking Committee — Title I, Part A of the ESEA
as Amended by the Every Student Succeeds Act**

Scope of Issues to be Negotiated

Supplement, Not Supplant -- Section 1118(b) of the ESEA

Assessment -- Section 1111(b)(2) of the ESEA

1. Computer-adaptive assessments
2. Exception for advanced mathematics assessments in 8th grade
3. Locally selected nationally recognized high school assessments
4. Inclusion of students with disabilities in academic assessments, including alternate assessments based on alternate academic achievement standards for students with the most significant cognitive disabilities, subject to a cap of 1.0% of students assessed for a subject
5. Inclusion of English learners in academic assessments and English language proficiency assessments
6. Updating existing regulations to reflect statutory changes