

EVERY STUDENT SUCCEEDS ACT 2015 (ESSA): ESTIMATED IMPLEMENTATION TIMELINE

2015-16 School Year: *Bill Enactment and Initial Rulemaking*

December 2015.

ESSA signed by President Obama.

2016

January

U.S. Department of Education (ED) issues a Request for Information (RFI) requesting input on issues that require clarification through regulations or guidance.

February

ED implements a process for assembling a **negotiated rulemaking panel** through a federal register notice. The notice requests nominations of representatives to serve on the negotiated rulemaking panel by February 25.

Negotiated rulemaking panel is a committee of stakeholders that are involved in implementing, or affected by, the Title I program. The panel's role is to review draft regulations and offer feedback to ED. ESSA explicitly requires a charter school representative to serve on this panel.

ED drafts regulations for negotiated rulemaking on assessments, and supplement not supplant. It likely also begin the process of drafting any regulations on accountability and other issues that won't go through the negotiated rulemaking process. Any draft regulations require a clearance process by U.S. Office of Management and Budget (OMB), the White House and other relevant agencies as appropriate.

March/April

The negotiated rulemaking panel meets and offers comprehensive feedback to ED

Session 1: March 21–March 23, 2016; Session 2: April 6–April 8, 2016. In addition, an optional third session may be scheduled for April 18–April 19, 2016, if needed.

May

ED **drafts Notice of Proposed Rulemaking (NPRM)** that incorporates the negotiated rulemaking consensus and may add, or conduct a separate rulemaking process to address additional regulatory proposals on issues that were not required to be part of negotiated rulemaking such as accountability, private school participation, etc. Requires a clearance process by OMB, the White House and other relevant agencies as appropriate.

NPRM goes to Congress for comment if consensus is not reached through negotiated rulemaking process. (15 days)

June – July.

The **NPRM is published** and the public has **60 days** to comment.

2016-17 School Year: *Transition and Planning Year*

August – November.

ED **reviews comments and develops final regulations**. Final draft also includes a clearance process by OMB, the White House and other relevant agencies as appropriate.

*ESEA waivers and current AYP status become null and void after August 1, 2016. Schools identified for improvement however must continue to implement interventions.

ED **publishes final regulations**. ESSA requires regulations to be finalized one year from enactment of the law: Dec 10, 2016.

November – end of state legislative session / school year 2017.

ED issues any non-regulatory guidance before January 19, 2017. States make necessary legislative, regulatory, and policy change to align with ESSA and final regulations.

2017-18 School Year: *Implementation*