

ESSA Implementation Timeline

(*Dates are estimates)

December 10, 2015: President Obama signed the Every Student Succeed Act (ESSA) into law.

December 22, 2015: The U.S. Department of Education (USED) published its first request for public advice and recommendations regarding implementation of Title I of ESSA.

- Federal departments and agencies develop regulations to help clarify or implement significant legislation passed by Congress. Regulations help to define and explain the processes and requirements of enacted laws, particularly where federal funding or punitive actions are involved.

January 11, 2016: First public meeting on regulations in Washington, DC on the issues and provisions within Title I that the Department should or should not address through regulations.

January 19, 2016: Second public meeting on regulations in Los Angeles, CA.

January 21, 2016: USED deadline for the public to submit written advice and recommendations regarding what provisions within Title I need regulatory clarification. Public comments may be viewed [here](#).

- Only those individuals and organizations that submit comments to USED will be considered for participation on the negotiated rulemaking panel.

January 2016*: USED identifies and invites individuals to the negotiated rulemaking panel to address Title I standards, assessments, and supplement not supplant regulations.

- Negotiated rulemaking is a process by which representatives of federal agencies work together with stakeholders to reach consensus on what may ultimately become a proposed rule. This process can expedite the development of federal regulations and, because it provides for the input of affected parties, can generate more creative and effective regulatory solutions and prevent future litigation.

February 2016*: Negotiated rulemaking panel first meets in Washington, DC.

March 2016*: USED drafts negotiated rules as well as other proposed regulations on issues not covered in negotiated rulemaking—other Title I provisions and those under other titles that are subject to regulations (professional development, charter schools, etc.)—and submits language to the Office of Management and Budget (OMB) and other agencies charged with regulatory review.

EVERY STUDENT SUCCEEDS ACT

April–May 2016*: Administrative reviews conducted by OMB and Office of Information and Regulatory Affairs (OIRA), USED then approves and drafts final language.

➤ Additional reviews are required by law to provide a second opinion and ensure alignment of proposed regulatory language with the administration’s policy priorities. OMB undertakes a cost-benefit analysis to ensure that the benefits of proposed rules outweigh potential costs. OIRA review is triggered for proposed regulations that may impact the economy by \$100 million or more, provides a second layer of oversight focusing more on policy implications, and provides another opportunity for stakeholder input.

May 2016*: Regulatory language submitted to Congress for congressional review (as required in ESSA); USED makes adjustments per congressional comments.

May–June 2016*: USED publishes final Notice of Proposed Rulemaking in the Federal Register, allowing 60 days for public comment.

July–August 2016*: USED begins reviewing all comments and is required by law to respond to the comments. Final language must undergo reviews by USED, OMB, and OIRA.

July 1, 2016: Effective date for the changes to all formula programs under ESSA (e.g., Title I funding for disadvantaged students and Title II funding for educator supports).

August 1, 2016: NCLB waivers end, and states will not be required to deliver follow-up actions previously required under waivers, unless related to areas covered by both NCLB and ESSA.

October 1, 2016: Effective date for changes to the funding for competitive grant programs in ESSA.

➤ If a competitive grant program is reauthorized or is “substantially similar to a previous program” that is in the middle of a multiyear grant cycle, then the funding of the grant will continue for the length of the grant award, subject to annual appropriations. A program that is no longer authorized in the conference report will get only one more year of funding in FY16 (subject to appropriations) and then it will end, even if there are years left in grants made by the program prior to reauthorization.

October 1, 2016: Effective date for Impact Aid (currently funded in FY17).

October 2016*: Final regulations are published and go into effect.

School Year 2017-2018: All other ESSA provisions go into effect.