



Every Student Succeeds Act (ESSA) Regulations Update

Ensuring Equity and Excellence for Every Oregon Learner

What We Know at this Time

On January 20th, federal executive branch agencies were directed to freeze for 60 days the implementation of all published regulations not yet in effect. See memo from White House Chief of Staff Reince Priebus [here](#). This delay impacts the Every Student Succeeds Act (ESSA) regulations (intended to clarify ESSA's statutory language) that were scheduled to go into effect on January 30th. The effective date for those regulations is now late March. Some of the ESSA guidelines, however, were not affected by this directive because they have been in effect since early January.

ESSA Regulations and How They are Impacted by the Freeze/Delay

1. The [academic assessment regulations](#) remain in place since they went into effect in early January. These regulations outline the statewide assessment requirements under Title I, Part A of the Elementary and Secondary Education Act.
2. The [Statewide Accountability System, State Plans and Data Reporting](#) regulations are delayed until late March. These regulations address using multiple measures of school success, (i.e., academic outcomes, student progress, and school quality) and ESSA's flexibility around school improvement and intervention processes (e.g., locally-designed solutions, community engagement, etc.). Also included is information regarding state report cards (design and usability) and the timeline for submitting ESSA Consolidated State Plans.
3. The [Supplement, Not Supplant regulation](#), as proposed last fall by former US Secretary of Education John King was withdrawn in late December 2016. The proposed regulation would have significantly changed the current federal funding formula for schools that serve low-income students.

What This All Means for Oregon

Delays of this nature are common practice for new presidential administrations and it is possible these regulations could be revised in the coming weeks. As to be expected, there is much speculation regarding what *could* happen between now and late March. The following outlines the approach we are currently taking as a state:

- **Stay the current course.** Despite the delays and uncertainties, Oregon is moving ahead with the drafting of our State Plan and April 3rd submission timeline (see the timeline question in our [online FAQ](#)). Oregon's plan reflects widespread stakeholder input and falls within the parameters established by the proposed ESSA accountability regulations. Our state, therefore, has full authority under the law to proceed with our



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plan as scheduled. In addition, the nominee for Education Secretary, Betsy DeVos, stated during her confirmation hearing that she would honor the ESSA State Plan submission dates originally set under the Obama administration.

- **Use the law itself as a reference.** ESSA resulted from a bipartisan, carefully negotiated effort. Its specificity and attention to detail allows for guidance, even in the absence of additional regulation. As one national association recommends, “Look to the law for guidance, and, given that it puts so much power in the hands of state leaders, consider it a floor rather than a ceiling for efforts to advance equity in schools.”

This document can be accessed electronically at the following link:

<http://www.oregon.gov/ode/rules-and-policies/ESSA/ESSAResources/Pages/default.aspx>