

Memo to Senate and Assembly Education Committee Members

January 20, 2017

We're excited about the start of the new legislative session, and wanted to update your office on the federal Every Student Succeeds Act (ESSA) law. In advance of getting together, we wanted to provide some background on the law and work to date.

### Every Student Succeeds Act (ESSA)

The federal ESSA law is the bipartisan reauthorization of the 1965 Elementary and Secondary Education Act. Most of you are familiar with the immediately preceding version, the 2001 No Child Left Behind law. The federal ESSA is broken into various titles ([click here](#) for more information):

Title I:	School Improvement, Accountability, Assessment & Student Supports
Title II:	Educator Quality
Title III:	Services for English learners & Immigrant Students
Title IV:	21 <sup>st</sup> Century Schools (community learning centers & family engagement)
Title V:	Rural Supports
Title VI:	Indian, Native Hawaiian and Alaskan Native Education
Title VII:	Impact Aid (mitigating the impact of federal property on school aids)
Title VIII:	General Provisions
Title IX:	Preschool & Head Start

Wisconsin has a strong history as a local control state. This created issues with No Child Left Behind's top down approach to school improvement and education policy. In contrast, ESSA puts local school districts back in the driver's seat around school improvement and student supports.

More information on [ESSA and the transition process](#) can be found on the Department's webpage.

### Revised Timeline

The U.S. Department of Education delayed final regulations as well as the plan template and questions until late November. The new administration will likely revise or rescind these rules, and we should have a better idea on how this process will move forward in February. Meanwhile, **the ESSA plan submission deadline has been extended to September 2017**, which will allow Wisconsin time to incorporate new federal guidance and reflect changes adopted in the 2017-19 State Budget.

### Engagement Process

The Department has put together a [multi-faceted engagement process to develop the state ESSA plan](#). Much of the writing will be done late this spring to allow for extensive review and revision this summer by the public, state policymakers and stakeholders. The process includes:

Local Engagement: ESSA requires the Department and local districts to engage with a range of stakeholders, including students, parents, school leaders, educators, community organizations, higher education, policy-makers, researchers, and private schools. An [engagement checklist](#) for local districts is available online.

Online feedback: The public can provide feedback on different provisions under ESSA directly on our website at <http://dpi.wi.gov/esea>. Different titles are featured over time and the feedback is documented as part of the process. Additional online feedback opportunities will be provided during the public review and revision process over the summer.

Public listening sessions: Last summer, the department conducted three in-person public listening sessions and two virtual sessions to gather input about the ESSA law. Feedback was collected and will be documented as part of the stakeholder process. There will be more opportunities for public input scheduled.

Stakeholder meetings: The Department conducts ongoing meetings with a range of stakeholders across Wisconsin, including organizations representing public schools, charter schools, private schools, choice schools, virtual schools, parents, disability advocates, civil rights groups, teachers, administrators, business leaders, and community groups. We have had ongoing meetings on specific topics such as school improvement, foster care, English learners, private school ombudsman and equitable participation.

Governor's office: We meet weekly with the Governor's office to discuss ESSA and other federal and state policy issues. We developed a consultation process with the Governor's office to ensure they are meaningfully engaged in all aspects of ESSA.

State Legislature: Legislative leaders are regularly briefed on ESSA and also appointed representatives to the ESSA Council in May of 2016. The Department is also meeting individually with interested legislators and Education Committee members. The Assembly and Senate Education Committees have a formal role in the process, including a briefing and public review of the draft ESSA plan. The draft plan will be sent to all legislators for feedback. Legislative leaders will be consulted on plan finalization along with the Governor.

Equity in ESSA Stakeholder Council: This large stakeholder group encompasses the Governor's Office, representatives from both parties in both houses of the Legislature (appointed by leadership), advocates from all school sectors (public, virtual, charter and choice), disability rights advocates, and civil rights groups. The Council is involved in developing and reviewing the state plan with an eye toward equity. At the first meeting, the Council identified topical areas within school improvement and accountability that drive Council agendas and discussions.

Draft Plan: Once the Council reviews a draft plan this spring, it will be posted online for public comment and review. The Assembly and Senate Education Committees will be briefed by the Department and may hold an informational hearing in addition to providing written feedback. The draft plan also will be shared with the entire legislature. Feedback will be shared with the Governor for consultation prior to finalization.

## **Early Agreement**

Some provisions of the ESSA law are statutory and must be implemented prior to the ESSA plan submission. Working with the Governor's office and stakeholders, we have reached consensus agreements in a few key areas:

- The Department of Children & Families, the Governor's Office, and the Department worked together to implement the [foster care requirements](#) under ESSA, which had to be implemented by December 10, 2016.
- Private and choice school advocates and the Department have agreed to create an independent, private school ombudsman, which must be implemented by July 2017.
  - The Department now is working with the Governor's Office and Department of Administration on implementation.
  - Stakeholders, including Wisconsin Council of Religious and Independent Schools, School Choice Wisconsin, Wisconsin Catholic Conference, Seton Schools, Choice School Association, and American Federation of Children will continue to be engaged on the ombudsman position as well as equitable participation for private schools.
- Charter advocates and the Department have worked together to ensure charter school autonomy, particularly for non-instrumentalities, is preserved under the ESSA plan.

As we continue to meet with legislators and staff around ESSA, we are happy to discuss any of these items in greater detail. Please do not hesitate to contact us.

#### **Point of Contact**

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