

ESSA TRANSITION: IMPLEMENTATION PRIMER

What Is Happening

During this school year, every state must prepare and submit plans for ESSA compliance to the U.S. Department of Education (ED). The most far-reaching plan will address Title I compliance, which includes big topics like annual assessment, state and school report cards, and state accountability systems. States will also prepare plans for other topics, like teacher quality (Title II) and English language proficiency (Title III), in the near future.

Once a plan is approved by ED, states will propagate laws, regulations, and policies to ensure it is implemented by the state education agency (SEA), school districts, schools, and other entities with fidelity. At the same time new policies are being debated, old NCLB-era policies are being phased out.

How It Will Impact Authorizing

In the immediate school year, the transition from old to new policies will be characterized by the phasing out of old models (like AYP, or some teacher quality initiatives) before their new alternatives are fully known. This creates a degree of ambiguity in this upcoming school year that may require temporary adjustments to authorizer practices.

In the future, the content of the new Title plans being developed will impact charter school authorizing and accountability in significant ways:

Element Being Changed	Potential Impact on Authorizing	Affected Practices and Tools
<p>Existing state metrics and charter contracts. NCLB-era metrics (like API or a state A-F ranking system) will likely be changing. This means that charter contracts that rely on those metrics may become outdated, or difficult to enforce.</p> <p><i>In the short term, the state will need to develop a plan to bridge the NCLB-era systems and the ESSA-era systems. To do this, the State will engage in activities like: issue guidance on the comparing the two systems, establishing continuity between the two systems, and accounting for any data gaps during the transition.</i></p> <p><i>In the long term, the state may redefine school quality. This includes the factors and metrics the state will use (such as new or modified assessments, or new growth or proficiency goals).</i></p>	<p><i>In the short term, this will impact if/how authorizers can continue to hold charter schools accountable for their past performance—if performance metrics change.</i></p> <ul style="list-style-type: none"> • If done right, there will be a continuity in school performance information and authorizers can keep holding schools accountable. • If done wrong, it may be difficult to enforce accountability that is based on older metrics in existing contracts, potentially giving charter schools a pass during the next several years. <p><i>In the long term, this impacts the metrics an authorizer uses—or state law references—to set charter school goals and decide if a school should stay open, including standards of renewal, revocation, or replication.</i></p>	<ul style="list-style-type: none"> • New School RFP and Evaluation • Renewal RFP and Evaluation • Content of Performance Contracts • Academic Performance Framework • Annual Report Template

Element Being Changed	Potential Impact on Authorizing	Affected Practices and Tools
<p>Systems for comprehensive or targeted support (previously known as “Program Improvement” under NCLB).</p>	<p>The responsibilities charter schools, their umbrella LEAs, or authorizers have to intervene in identified low-performing schools, close identified schools, or engage in other improvement activities.</p> <p><i>A state’s Title I plan may make it easier or harder for an authorizer to hold identified low-performing schools accountable for their performance. For example, if a state requires identified charter schools to go through a multi-year improvement process, just like a traditional low-performing school, it could be legally difficult to close that charter school.</i></p>	<ul style="list-style-type: none"> • Title I Compliance Monitoring • Probation Protocols • Renewal RFP or Protocols and Evaluation • Organization Performance Framework
<p>State report cards. The state must meet new report card requirements at the state and district level.</p>	<p><i>At the state level, the report cards may include new information on authorizers and charter school enrollment and performance. This could require states to design a system to compare charter schools with traditional public schools.</i></p> <p><i>At the district level, there will be new reporting requirements for all districts and individual schools. Charter schools will need to demonstrate compliance with their requirements.</i></p>	<ul style="list-style-type: none"> • New School RFP • Renewal RFP • Title I Compliance Monitoring • Annual Report Template
<p>The selection and use of assessments. ESSA permits states to develop systems for additional assessment flexibilities, such as electing to use a nationally-recognized high school assessment (like the SAT or ACT) instead of a state assessment.</p>	<p>A state can choose to grant LEAs this flexibility and must establish a rigorous process to screen and approve requests. For high school assessments, this must include consultation with charter school authorizers.</p>	<ul style="list-style-type: none"> • New School RFP, if assessment flexibility permitted • Contracts and Contract Modification Protocols • Renewal RFP • Annual Report Template • Academic Performance Framework
<p>State-level school improvement plans and strategies. This could include a turnaround district or other methods of charter-based school improvement.</p>	<p>This may create a new authorizer, new opportunities for successful charter school replication, or may create other state-level programs to support charter schools, such as a grant program or another replication policy.</p>	<ul style="list-style-type: none"> • Replication Policies and Procedures
<p>Teacher quality requirements, and other compliance-based policies. Charters will need to demonstrate compliance with new federal and state regulations in areas like: required LEA planning; expenditure requirements; teacher quality provisions; and reporting on special populations.</p>	<p>An authorizer will need to monitor compliance with many of these new provisions, which will involve coordination with other responsible agencies, such as the SEA.</p>	<ul style="list-style-type: none"> • Annual Reports • Performance Frameworks • Charter Contracts