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**ESEA FLEXIBILITY:  
Teacher and Principal Evaluation and  
Support Systems Flexibility  
Frequently Asked Questions Webinar**

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November 7, 2013

# TODAY'S TOPICS

- What does this additional flexibility permit?
- How does the flexibility impact timelines for the development and implementation of teacher and principal evaluation and support systems?
- How does this additional flexibility affect other federal programs or state laws?
- What is the process for requesting this additional flexibility ?
  - Amendment template
  - Deadline for submission

## WHAT IS THIS FLEXIBILITY?

*On June 18, 2013...*

Secretary Duncan sent a letter to all Chief State School Officers indicating that the U.S. Department of Education (ED) would consider requests for additional flexibility related to the timeline for using the results of new teacher and principal evaluation and support systems to **inform personnel decisions.**

## WHAT IS THIS FLEXIBILITY?

- This additional flexibility would permit SEAs to delay the timeline by one year to use evaluation and support systems to inform personnel decisions.



## WHAT STATES ARE ELIGIBLE FOR THIS PRINCIPLE 3 FLEXIBILITY?

- States approved for ESEA flexibility in **Windows 1 & 2**, *i.e.*, approved to begin implementation in the 2012–2013 school year.

## **DOES THIS ADDITIONAL FLEXIBILITY'S AFFECT THE TIMELINE FOR IMPLEMENTING NEW EVALUATION AND SUPPORT SYSTEMS?**

No. An SEA is responsible for ensuring that all local education agencies (LEAs) implement new teacher and principal evaluation and support systems that meet ESEA flexibility requirements no later than **2014–2015**.

– For example:

- All teachers must receive performance ratings that include student growth as a significant factor based on assessments and other measures of professional practice from the 2014–2015 school year
- 2014–2015 ratings are used in 2015–2016 to improve instruction and to inform professional development

## WHAT IS THE FLEXIBILITY'S EFFECT ON USING THESE SYSTEMS TO INFORM PERSONNEL DECISIONS?

- **One-year extension** for States that request this additional flexibility.
  - The SEA is responsible for ensuring the teacher and principal evaluation and support systems are used to inform personnel decisions in all LEAs by no later than **2016–2017**.

# WHAT DOES ED MEAN BY “PERSONNEL DECISIONS”?

- **Examples include:**
  - Recruitment
  - Hiring
  - Advancement & Promotion
  - Termination
  - Salaries based on performance
  - Bonuses
- **Examples do not include:**
  - Professional Development
  - Improvement Plans
  - Performance Ratings



## **ON WHAT BASIS DOES AN LEA MAKE PERSONNEL DECISIONS BEFORE 2016–2017?**

- LEAs may use a variety of approaches to make personnel decisions prior to SY 2016–2017.
- For example, an LEA may use its existing evaluation systems, measures of teacher and principal practices, or measure of student growth that are not based on statewide assessments to inform personnel decisions.

# ORIGINAL TIMELINE

<b>EXAMPLE:</b>	
<b>Summer 2015</b>	Teachers receive performance ratings based on SY 2014–2015
<b>Fall 2015/Spring 2016</b>	Teachers develop improvement plans and receive professional development based on 2014–2015 ratings
<b>Summer 2016</b>	Teachers receive performance ratings based on SY 2015–2016
<b>Fall 2016/Spring 2017</b>	Teachers develop improvement plans and receive professional development based on 2015–2016 ratings
<b>Winter/Spring 2017</b>	<b>Personnel decisions based on SY 2015–2016 performance ratings</b>

# ADDITIONAL FLEXIBILITY TIMELINE

EXAMPLE:	
Summer 2015	Teachers receive performance ratings based on SY 2014–2015
Fall 2015/Spring 2016	Teachers develop improvement plans and receive professional development based on the ratings
Summer 2016	Teachers receive performance ratings based on SY 2015–2016
Fall 2016/Spring 2017	Teachers develop improvement plans and receive professional development based on the ratings
Summer 2017	Teachers receive performance ratings based on SY 2016–2017
Fall 2017/Spring 2018	Teachers develop improvement plans and receive professional development based on the ratings
Winter/Spring 2018	<b>Personnel decisions based on SY 2016–2017 performance ratings</b>

## HOW DOES THE FLEXIBILITY AFFECT OTHER PROGRAMS AND POLICIES?

Does this flexibility affect **State or local laws** that require a different timeline?

**No.** ED can only offer flexibility with respect to Federal requirements.

## HOW DOES THE FLEXIBILITY AFFECT OTHER PROGRAMS AND POLICIES?

Does this flexibility affect a **School Improvement Grants (SIG) grantee's** timeline for implementation of evaluation systems and using the results to inform personnel decisions?

**No.** Under the final requirements for the SIG program, the LEA must have these systems in place throughout the 3 year implementation period.

## HOW DOES THE FLEXIBILITY AFFECT OTHER PROGRAMS AND POLICIES?

Does this flexibility affect a **2012 Teacher Incentive Fund (TIF) grantee's** timeline for implementation of evaluation systems and using the results to inform personnel decisions?

**No.** TIF grants were awarded based on the 2012 competition and ED expects the TIF grantee would not need additional time to carry out their plans.

## WHAT IS THE PROCESS FOR REQUESTING THIS FLEXIBILITY?

- Windows 1 & 2 States may seek additional flexibility to its ESEA Flexibility plan by submitting an amendment request.
- Race to the Top States approved in Windows 1 or 2 (in Phases 1, 2 & 3) may request this additional flexibility in conjunction with a request to amend their Race to the Top plan.

# AMENDMENT REQUEST TEMPLATE

Flexibility Element(s) Affected by the Amendment	Brief Description of Element as Originally Approved	Brief Description of Requested Amendment	Rationale	Process for Consulting with Stakeholders, Summary of Comments, and Changes Made as a Result
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This optional template is available on the *ESEA Flexibility* webpage:  
<http://www2.ed.gov/policy/elsec/guid/esea-flexibility/index.html>

Race to the Top States can use the optional template available at:  
<http://www2.ed.gov/policy/elsec/guid/esea-flexibility/college-career-ready/index.html>



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***Rationale:*** A strong request would describe what actions the SEA has taken to meet the currently required timeline, explain why those actions have resulted in the need for a delay and provide its plan for the transition to using the results of the new systems to inform personnel decisions in SY 2016–2017.

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***Consultation:*** Describe the process used by the SEA in consulting with stakeholders on the amendment request.

An SEA should indicate any **changes** it made to its amendment request as a result of this consultation and attach to the amendment request any **comments that it received from LEAs**.

# DEADLINE FOR ADDITIONAL FLEXIBILITY REQUESTS

**November 22, 2013**

Submit to: [ESEAFlexibility@ed.gov](mailto:ESEAFlexibility@ed.gov)

# RESOURCES

- ESEA Flexibility Web Site:  
<http://www.ed.gov/esea/flexibility>
- Questions? Comments? Contact us with the subject line “Flexibility Guidance”
  - Email us at [ESEAflexibility@ed.gov](mailto:ESEAflexibility@ed.gov)
  - Contact us:

**U.S. Department of Education  
Office of Elementary and Secondary Education  
Student Achievement and School Accountability Programs  
400 Maryland Avenue, SW  
Washington, D.C. 20202**

# QUESTIONS?