

Special Report:
**USED Announces Proposed Priorities, Requirements, Definitions, and
Selection Criteria and Process for Race to the Top funds and
Requests Immediate Comments for Further Refinement in Final
Guidance to States**

A Technology Monitoring and Information Service (TechMIS)
SPECIAL REPORT

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July 24, 2009

On July 24, USED posted on its website (www.ed.gov/recovery) proposed priorities, requirements, definitions, selection criteria, and process to be used in providing the \$4.35 billion Race to the Top funding under the ARRA State Incentive Grant component. For this largest-ever Secretary of Education discretionary grant program, the proposal is indeed “testing uncharted waters.” It is also defining operationally some of the Obama/Duncan priorities, strongly suggesting some of the pillars which will likely undergird the Administration’s ESEA reauthorization proposal. We highlight some of the selection criteria and process for which strong evidence must be submitted by states. The application process also suggests that the Administration is concerned, not only about the quality of proposed activities, but also the number of states that will be willing to make changes in state policies/laws to become eligible for serious consideration. Below are some of the highlights with mention of certain requirements about which some TechMIS subscribers may wish to send comments to USED immediately.

Following the ARRA legal framework under State Incentive Grants, the purpose of Race to the Top is to “encourage and reward states that are creating the conditions for innovation and reform, implementing ambitious plans in the four reform areas described in the statute and receiving dramatic improvement in student outcomes including driving substantial gains in student achievement, closing achievement gaps, improving graduation rates, and ensuring student preparation for success in college and careers.” In creating an environment conducive to innovation, the Race to the Top fund is designed to support investments in innovative strategies which will improve student results, build school system capacity, and increase education productivity and effectiveness.

The Race to the Top Absolute Priority emphasizes the four “assurances” that governors must accept -- standards and assessments, improving teacher effectiveness and equitable teacher

distribution, longitudinal data systems, and supporting struggling schools.” The program also includes three Invitational Priorities, one of which focuses on science, technology, engineering and mathematics (STEM) initiatives in which the states would prepare, train, and provide content support to teachers in cooperation with industry and “other STEM capable community partners.” Based on comments received, USED “may choose to change the designation of any of these priorities to absolute competitive preference, or invitational priorities, or to include the substance of these priorities in the selection criteria...” Some states with high-priority STEM initiatives may propose a higher priority placed upon STEM activities.

The proposed eligibility requirements for a state to receive any of the Race to the Top funds are pretty much in line with recent speeches by Secretary Duncan, including:

- No legal or regulatory barriers to linking student achievement or growth data to teachers for teacher and principal evaluation purposes must exist.
- Evidence that the state’s charter school law does not prohibit or inhibit increasing the number of charter schools or otherwise provide a cap on charter school enrollment which would restrict charter schools from being used to turn around lowest-performing schools.

States are given an opportunity to make these and other changes in state laws/policies before they apply for the first time or reapply during the second round of Race to the Top grant competitions.

Numerous requirements are emphasized under the Absolute Priority’s four reform initiatives. With respect to standards and assessment, it is important, if not critical, that a state be a member of a state consortium to develop and adopt internationally benchmarked K-12 standards, most likely under the efforts of Achieve, Inc., CCSSO, and NGA. The State must also propose an “ambitious,” but “achievable,” goal for implementing standards through curriculum frameworks and materials, formative and interim assessments, and other strategies that translate standards into the classroom instruction. Requirements for data systems to support instruction include:

- The statewide longitudinal data system must include all 12 of the elements included in the America COMPETES Act.
- Proposed development and implementation of instructional improvement systems must include formative assessments, together with “rapid time” reporting, so that teachers and principals can use information to inform and improve instructional practices and decision-making. In an earlier draft, rapid time was defined as 72 hours or less between data collection/analysis and use by teachers and/or students to inform instruction.

Several requirements or proposed developments under “teacher effectiveness and equitable distribution” assurances are worth noting. The equitable distribution requirement focuses on high-poverty schools, including low-performing schools with large portions or numbers of students with disabilities, LEP students, or students from low-income families. The requirement here is to increase the number and percent of “effective” teachers who teach hard-to-staff subjects such as mathematics, science, special education, and English language learning. Implementation would focus on incentives and strategies. Pre-service teacher training should

include information systems which link students' achievement data to teachers and principals and allow for tracking that information back to the program where the teachers were credentialed. Evaluation of teachers and principals should be coupled with timely and constructive feedback and "targeted professional development," implying the use of online, on-demand instructional support through the use of professional learning communities.

State plans to turn around the lowest-performing schools must identify any existing barriers such as:

- lack of state authority to initiate interventions, including takeover or closing down such schools which is among Secretary Duncan's often-mentioned options;
- limits on charter schools and charter school enrollments which would inhibit their being part of transformation interventions; and
- lack of equity in state per pupil funding for charter schools versus non-charter schools.

The inference here is that if such barriers exist, the state must take action to reduce these factors that could inhibit turning around the lowest-performing Title I schools in improvement, corrective action or restructuring status, or the lowest-performing, Title I-eligible middle and high schools that are not receiving Title I funding . In addition to the restructuring interventions specified in NCLB, the notice states that, to the extent that these NCLB interventions are not feasible, a school could implement a school transformation model or intervention that includes: a new principal; measuring teacher and principal effectiveness and rewarding effective teachers; an improved instructional program using differentiated instruction; improved strategies for recruiting, retaining, training teachers; extended learning time; and community-oriented supports. This alternative prescribed intervention could provide some of the greatest opportunities for firms to partner with lowest-performing schools (see TechMIS Stimulus Funding Alert -- July 21st). The notice also specifies a number of required school-level flexibilities necessary for implementing plans to turn around lowest-performing schools, including:

- flexibility to select all staff;
- flexibility to implement a new structure and format for scheduling that expands learning time;
- flexibility to delegate budgetary decision-making to the schools' control; and
- a new flexibility to "award credit to students based on student performance instead of instructional time" -- which likely means the use of project- or portfolio-based assessments, mastery tests related to online instruction, and related non-seat time activities.

These school flexibilities are also listed as an Invitational Priority indicating its importance.

While many TechMIS subscribers have products and/or services which could fit into a "transformation intervention" or otherwise be used in a turnaround effort, some may be asked to develop customized solutions for a specific district participating in Race to the Top. These firms should be aware of one of the proposed requirements: "The State must make freely available all outputs (e.g., materials, tools, processes, systems) it produces related to this program, including

(but not limited to) by posting the outputs on any Web site identified or sponsored by the Department.” This requirement deserves comment directly from firms and/or associations representing them.

Overall, the notice includes 19 selection criteria that states may address when submitting their applications. Some of the selection criteria could be considered “conditions” that must be met by states to be eligible or which they must meet during the earliest phases of the four-year grant; these include:

- the state must be able to link individual student performance or growth measures to individual teachers for evaluation purposes or to remove the existence of any “firewalls” in current state longitudinal data systems which limit such linkages (California and New York are among the states which have such firewalls);
- state laws and/or policies must not inhibit opportunities for charter schools to effectively participate in turning around lowest-performing schools under the School Improvement Grant initiative (States that do not have charter schools laws according to the Education Commission of the States are Alabama, Kentucky, Maine, Montana, Nebraska, North Dakota, South Dakota, Vermont, Washington, and West Virginia; states with state-imposed “caps” on either the number of charter schools or student enrollment include Alaska, Arkansas, California, Connecticut, District of Columbia, Delaware, Hawaii, Idaho, Iowa, Illinois, Indiana, Louisiana, Massachusetts, Michigan, Missouri, Mississippi, North Carolina, New Hampshire, New Mexico, New York, Ohio, Oklahoma, Rhode Island, Tennessee, Texas, Utah, and Wisconsin);
- the state’s applications must be signed by the Governor, the State CSSO, and the President of the State Board of Education, and must include letters or other demonstrations of stakeholder support, including state teacher organizations (which could be politically difficult in some states);
- an agreement/commitment from the state, initially or by June 2010, to join the consortium of states (most likely headed by Achieve, CCSSO, and NGA) to develop high standards and standardized assessments aligned to common standards;
- the state must agree to remove/reduce barriers which inhibit implementation of differentiating teachers’ and principals’ “effectiveness” and related differentiated pay, bonuses, incentives, rewards, etc.; these barriers might include state tenure and dismissal laws, and collective bargaining agreements, which will have to be modified to implement certain requirements in the application;
- the state must have laws and policies which permit state interventions in the lowest-performing schools and/or mandatory implementation of allowable types of “transformation” interventions beyond those in NCLB;
- the state must Maintain (education funding) Effort (MOE) for FY 2009 which must be greater than, or maintained at, the supported level of effort in FY 2008 (this MOE requirement is more strict than that under the State Fiscal and Stabilization Fund);
- the application must include letters of commitment from participating districts, charter schools, and other entities receiving at least 50 percent of the Race to the Top funding;

the district letters must come from the superintendent, the school board president, and the teachers union leader (if the district is in a collective bargaining state) indicating support for the state plan and confirming its willingness to participate accordingly.

One can assume that many of the above eligibility criteria and/or conditions which have to be met or made by states will be the topic for comments. Indeed, creating a state environment conducive to the implementation of innovative strategies leading to reform may be even more important than whose implementation those initiatives lack “fidelity.” It is likely that a large number of states will decide to submit Race to the Top applications for two reasons: (a) not wanting to be accused of not attempting to get additional Federal funding; or (b) being able to “point fingers” at the legislature or other groups which support barriers and roadblocks or otherwise will not remove them.