

**ARRA "Race to the Top" State Incentive Grant Program  
Notice of Proposed Priorities, Requirements, and Selection Criteria**

**INITIAL SUMMARY "BLUEPRINT" FOR STATE PLANNING AND DEVELOPMENT  
JULY 27, 2009**

The chart below presents in table form the proposed priorities, requirements, and criteria released by the U.S. Department of Education (USED) on July 24, 2009, to govern the \$4 billion state incentive "Race to the Top" (RTTT) grants, under the American Recovery and Reinvestment Act (ARRA). Under this notice, states applying for RTTT grants would have to demonstrate how they meet or will meet a detailed list of elements and evidence related to all four reform areas (or "assurances") under the ARRA State Fiscal Stabilization Fund (SFSF), including both State Reform Condition criteria, related to current conditions and prior state leadership in each area, and Reform Plan criteria, related to proposed state action if the state receives an RTTT grant. Comments on the proposed notice are due 30 days from publication in the *Federal Register*, but it is widely expected that states will begin developing applications immediately, even though the application requirements may change to some degree. The chart below is meant to inform state planning and development. *For further details, please see EducationCounsel's narrative summary and analysis of the USED RTTT notice.*

	<b>Core Points</b>	<b>Notes/Comments</b>
<b>Priorities</b>		
<input type="checkbox"/> <b>Absolute.</b> <i>States must...</i>	<input type="checkbox"/> Take a comprehensive approach to the four reform areas (standards and assessments, data systems, teacher effectiveness, and school turnaround).	
<input type="checkbox"/> <b>Competitive.</b> <i>States will receive credit for...</i>	<input type="checkbox"/> Emphasizing STEM.	
<input type="checkbox"/> <b>Invitational.</b> <i>States are invited to...</i>	<input type="checkbox"/> Address P-16 coordination (early childhood, K-12, higher education). <input type="checkbox"/> Extend statewide longitudinal data systems (including integrating LEP, SWD, early childhood data). <input type="checkbox"/> Ensure that participating LEAs provide schools with appropriate flexibility conducive to reform and innovation (e.g. selecting staff, expanding learning time, budgeting, performance based credit)	
<b>Requirements</b>		
<input type="checkbox"/> <b>Eligibility.</b> <i>To be eligible for a grant...</i>	<input type="checkbox"/> State SFS Fund phase 1 and 2 applications must be approved by the time of RTTT award. <input type="checkbox"/> States may not have any legal barriers to linking student, teacher, and principal data.	
<input type="checkbox"/> <b>Application.</b> <i>State applications must...</i>	<input type="checkbox"/> Be signed by the governor, chief, and state board president. <input type="checkbox"/> Describe progress made in the four reform areas, including through use of federal funds. <input type="checkbox"/> Include financial data showing percentage of total state revenues used for education in FY08 and 09. <input type="checkbox"/> Demonstrate statewide support from stakeholders and LEAS (including commitment letters). <input type="checkbox"/> Describe how participating LEAs propose to use funds to address reform areas. <input type="checkbox"/> Describe how funds will be used to improve student achievement, improve graduation rates, and close achievement gaps; give priority to high need LEAs; and provide an overall state-level plan. <input type="checkbox"/> Provide required evidence for each "state reform conditions criterion."	

	<input type="checkbox"/> Provide detailed plans for each "reform plan criterion," including activities undertaken and rationale; implementation timeline and parties responsible for implementation; resources state will use to support activities (e.g., funding, personnel, systems); and annual targets for the performance measures for four school years. <input type="checkbox"/> Submit certification from state attorney general supporting state statements and conclusions of law.		
<input type="checkbox"/> <b>Other.</b> <i>Funded states must...</i>	<input type="checkbox"/> Report annually on performance measures. <input type="checkbox"/> Participate in national evaluation and/or self evaluation. <input type="checkbox"/> Participate in all technical assistance activities conducted by USED. <input type="checkbox"/> Make freely available all outputs (materials, tools, process, systems) related to program by posting the output on any website identified by USED. <input type="checkbox"/> States <i>may</i> need to enter into a written cooperative or performance agreement with USED.		
Criteria	Summary	Evidence	Notes/Comments
<b>1. Standards/Assessments.</b> <i>State applications should address the following criteria...</i>			
<input type="checkbox"/> State Reform Condition Criteria	<input type="checkbox"/> Developing and adopting common standards. Join state consortium to develop/adopt common, college/career-ready, internationally benchmarked standards. For phase 2 applications, state must adopt these common standards. <input type="checkbox"/> Developing and implementing common, high-quality assessments. Participate in state consortium on developing/implementing assessments aligned with the common core.	<input type="checkbox"/> Common core standards consortia MOA; copy of final, or as needed draft, standards; evidence of international benchmarking. For phase 2, a copy of adopted standards and relevant policies. <input type="checkbox"/> Statement of intent to join state consortium on development/implementation of standardized assessments. For phase 2, a copy of MOA among states participating in the assessments consortia and document application for assessment grant.	
<input type="checkbox"/> Reform Plan Criterion	<input type="checkbox"/> Supporting transition to enhanced standards and high-quality assessments. High quality plan to implement standards and aligned assessments (including curriculum frameworks, professional development, etc.).		
<b>2. Data Systems.</b> <i>State applications should address the following criteria...</i>			
<input type="checkbox"/> State Reform Condition Criterion	<input type="checkbox"/> Fully implementing a statewide longitudinal data system. Extent to which state has statewide data system that includes America COMPETES Act elements.	<input type="checkbox"/> Description of state data system, including elements in place or when they will be in place.	
<input type="checkbox"/> Reform Plan Criterion	<input type="checkbox"/> Accessing and using State data. Extent to which the State has a high-quality plan to ensure that data are accessible to key stakeholders. <input type="checkbox"/> Using data to improve instruction. Extent to which the State, with LEAs, has a plan to		i

Criteria	Summary	Evidence	Notes/Comments
	increase the use of instructional improvement systems to provide data to teachers/principals to improve practices and make data available to researchers.		
<b>3. Teachers and Leaders.</b> <i>State applications should address the following criteria...</i>			
<input type="checkbox"/> State Reform Condition Criterion	<input type="checkbox"/> Providing alternative pathways for aspiring teachers/principals. Extent to which state permits alternative certification.	<input type="checkbox"/> Copy of applicable statutes/policy documents on alternate certification; lists of alternative certification programs; numbers of teachers/principals who completed programs in prior academic year.	
<input type="checkbox"/> State Reform Plan Criteria	<input type="checkbox"/> Differentiating teacher/principal effectiveness based on performance. Plan for measuring student growth, employ processes for differentiating the effectiveness of teachers/principals; use data for decisions re evaluating /developing teachers/principals, grant tenure/dismiss teachers/principals. <input type="checkbox"/> Ensuring equitable distribution of effective teachers and principals. Extent to which State has a plan to increase the number/percentage of highly effective teachers/principals in high poverty schools, and effective teachers for hard to staff subjects. <input type="checkbox"/> Reporting the effectiveness of teacher/principal preparation programs. The extent to which the State has a plan to link a student’s achievement data to the student’s teachers/principals, to link this information to the programs where each of those teachers/principals was prepared, and to publicly report the findings for each credentialing program that has twenty or more graduates annually. <input type="checkbox"/> Providing effective support to teachers/principals. The extent to which the State with participating LEAs, has a plan to use rapid time student data to inform and guide the support provided to teachers/principals in order to improve the overall effectiveness of instruction.	.	

Criteria	Summary	Evidence	Notes/Comments
<b>4. School Turnaround.</b> <i>State applications should address the following criteria...</i>			
<input type="checkbox"/> State Reform Condition Criteria	<input type="checkbox"/> Intervening in the lowest-performing schools and LEAs. The extent to which the State has the authority to intervene directly in the State’s lowest-performing schools and in LEAs in improvement and corrective action. <input type="checkbox"/> Increasing the supply of high-quality charter schools. The extent to which the State has a charter school law that does not prohibit or inhibit increasing the number of charter schools or otherwise restrict student enrollment in charters, or state guidelines regarding how charter school authorizers approve, hold charters accountable. The extent to which the State’s charter schools receive equitable/commensurate funding. The extent to which the State provides charter schools with facilities funding, assistance with facilities acquisition, access to public facilities and other facilities factors.	<input type="checkbox"/> Description of state's intervention authority and copy of relevant authority. <input type="checkbox"/> Description of state charter school law and copy of relevant authority. <input type="checkbox"/> Number and types of charter schools operating in state. <input type="checkbox"/> Description of state approach to charter school authorization and accountability, including relevant documents. <input type="checkbox"/> Number of charter schools closed or not renewed in past five years, and reasons for such closures. <input type="checkbox"/> Analysis of funding allocations passed through to charters per student and comparison with other non-charter districts. <input type="checkbox"/> Description of facilities supports provided to charters compared to non-charters.	
<input type="checkbox"/> State Reform Plan Criteria	<input type="checkbox"/> Turning around struggling schools. The extent to which the State has a plan to identify at least the lowest-performing 5% of schools, or five lowest performing schools, whichever is larger and support LEAs in turning around these schools through specified strategies e.g. closing or converting to charter schools, new leadership/majority of new staff, new governance, providing the school with flexibility (e.g. the ability to select staff, control budget, expand student learning time and community/family engagement). To the extent that these strategies are not possible, implementing a school transformation model.	<input type="checkbox"/> Restructuring/turn-around data for past five years, including number closed, number converted to charters, etc.	
<b>5. Overall.</b> <i>State applications should address the following criteria...</i>			
<input type="checkbox"/> State Reform Condition Criteria	<input type="checkbox"/> Demonstrating significant progress. Evidence of state progress to date in the four reform areas; extent of use of federal funds for reform; improving student achievement and	<input type="checkbox"/> Detailed description by reform area of the state's goals, activities, and reform conditions. <input type="checkbox"/> Description of how the state has used noted funding sources to accomplish reform goals.	

Criteria	Summary	Evidence	Notes/Comments
	<p>closing achievement gaps; creating conditions favorable to reform.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Making education funding a priority.</li> <li><input type="checkbox"/> Enlisting statewide support and commitment. Commitment of stakeholders, including state leaders, LEAs and charters, grant making foundations.</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Description of whether the state has used SFSF funds for new construction (a negative consideration).</li> <li><input type="checkbox"/> Description of laws and policies that have helped reform and innovation.</li> <li><input type="checkbox"/> Successes and challenges faced by the state over the past several years in increasing student achievement and graduation rates and narrowing achievement gaps.</li> <li><input type="checkbox"/> Financial data regarding increase, decrease, or stability of funding.</li> <li><input type="checkbox"/> Letters of support from union, civil rights, business, and foundation leaders.</li> <li><input type="checkbox"/> Lists and number of LEAs/charters participating in the state plan; documentation of local commitments, including president of school board, teacher union leader.</li> </ul>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> State Reform Plan Criteria</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Raising achievement and closing gaps. Annual targets for increasing overall and subgroup student achievement, decreasing achievement gaps, and increasing graduation rates.</li> <li><input type="checkbox"/> Building strong statewide capacity to implement, scale, and sustain proposed plans. Plan for building capacity to oversee and administer this grant, supporting success of participating LEAs, using economic/political capital to continue reforms, collaborate with other States, and coordinate with other education funding.</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Estimated future performance on NAEP and with regard to graduation rates were the state not to receive funds.</li> <li><input type="checkbox"/> Description of how past state performance supports plan credibility.</li> </ul>	

EducationCounsel provides education strategy, policy, advocacy, and legal support to state and national education leaders across the country. Our goal is to help transform education policies to help dramatically improve student achievement and close achievement gaps. This summary and analysis is provided for policy planning purposes, and does not constitute specific legal advice.

If you have questions about USED's ARRA RTTT notice, or other ARRA issues, please contact **Scott Palmer**, Managing Partner, at [scott.palmer@educationcounsel.com](mailto:scott.palmer@educationcounsel.com) or (202) 545-2916; **Reg Leichty**, Partner, at [reg.leichty@educationcounsel.com](mailto:reg.leichty@educationcounsel.com) or (202) 545-2918; or **Steve Winnick**, Senior Counsel, at [steve.winnick@educationcounsel.com](mailto:steve.winnick@educationcounsel.com) or (202) 545-2913. [www.EducationCounsel.com](http://www.EducationCounsel.com)