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DEPARTMENT OF EDUCATION

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Race to the Top Fund

Catalog of Federal Domestic Assistance (CFDA) Number:

~~XXX~~

AGENCY: Department of Education.

ACTION: Notice of proposed priorities, requirements, definitions, and selection criteria.

SUMMARY: The Secretary of Education (Secretary) proposes priorities, requirements, definitions, and selection criteria for the Race to the Top Fund. The Secretary may use these priorities, requirements, definitions, and selection criteria for competitions under this program in fiscal year (FY) 2010.

DATES: We must receive your comments on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

[XX]. We encourage you to submit comments well in advance of this date.

ADDRESSES: We encourage comments to be sent by email using the following address: [racetothetopcomments@ed.gov](mailto:racetothetopcomments@ed.gov). You must include the term "Race to the Top Fund" in the subject line of your email.

If you prefer to send your comments by mail, address them to

Office of the Secretary (Attention: Race to the Top Fund  
Comments, U.S. Department of Education, 400 Maryland Avenue,  
SW., room 3E329, Washington, DC 20202.

FOR FURTHER INFORMATION CONTACT: Jim Butler, U.S. Department of  
Education, 400 Maryland Avenue, SW., room 3E329, Washington, DC  
20202. Telephone: (to come) or by e-mail:

[racetothetopcomments@ed.gov](mailto:racetothetopcomments@ed.gov).

If you use a telecommunications device for the deaf (TDD), call  
the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

SUPPLEMENTARY INFORMATION:

Invitation to Comment: We invite you to submit comments  
regarding this notice. To ensure that your comments have  
maximum effect in developing the notice of final priorities,  
requirements, definitions, and selection criteria, we urge you  
to identify clearly the specific proposed priority, requirement,  
definition, or selection criterion that each comment addresses.  
We encourage you to submit comments in advance of the date by  
which they must be received.

We invite you to assist us in complying with the specific  
requirements of Executive Order 12866 and its overall  
requirement of reducing regulatory burden that might result from  
these proposed priorities, requirements, definitions, and  
selection criteria. Please let us know of any further ways we  
could reduce potential costs or increase potential benefits

while preserving the effective and efficient administration of the program.

During and after the comment period, you may inspect all public comments about this notice in room 3E329, Washington, DC, between the hours of 8:30 a.m. and 4:00 p.m., Eastern time, Monday through Friday of each week except Federal holidays.

Assistance to Individuals with Disabilities in Reviewing the

Rulemaking Record: On request we will provide an appropriate accommodation or auxiliary aid to an individual with a disability who needs assistance to review the comments or other documents in the public rulemaking record for this notice. If you want to schedule an appointment for this type of accommodation or auxiliary aid, please contact the person listed under FOR FURTHER INFORMATION CONTACT.

Purpose of Program: The Race to the Top Fund, authorized under the American Recovery and Reinvestment Act of 2009, provides \$4.3 billion for competitive grants to States 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 achieving 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.

Program Authority: American Recovery and Reinvestment Act of 2009, Division A, Section 14006, Pub. L. No. 111-5.

BACKGROUND FOR PROPOSED PRIORITIES, REQUIREMENTS, DEFINITIONS, AND SELECTION CRITERIA:

The Statutory Context

On February 17, 2009, President Obama signed into law the American Recovery and Reinvestment Act of 2009 (ARRA or Recovery Act), historic legislation designed to stimulate the economy, support job creation, and invest in critical sectors, including education. The Recovery Act lays the foundation for education reform by supporting investments in innovative strategies that are most likely to lead to improved results for students, long-term gains in school and school system capacity, and increased productivity and effectiveness.

The ARRA provides a total of \$97.5 billion for education; the Race to the Top Fund is a \$4.3 billion competitive grant program established within the ARRA that is designed to encourage and reward States that are implementing significant education reforms across four key reform areas. Specifically, section 14005(c)(2) of the ARRA requires that States must have made significant progress in four education reform areas in order to receive a grant: standards and assessments, improving teacher effectiveness and achieving equity in teacher distribution, improving collection and use of data, and

supporting struggling schools. In addition, as required by section 14006(c) of the ARRA, States that receive a Race to the Top grant must use at least 50 percent of the award to provide subgrants to LEAs based upon their relative shares of funding under part A of Title I of the Elementary and Secondary Education Act of 1965, as amended (ESEA).

The ARRA also requires that the Governor apply on behalf of a State seeking a Race to the Top Grant and include certain information in the State's application. Specifically, section 14005(c) of the ARRA requires that the Race to the Top application:

- Describe the status of the State's progress in each of the four reform areas and the strategies the State is employing to help ensure that students in the subgroups described in section 1111(b)(2)(C)(v)(II) of the ESEA who have not met the State's proficiency targets continue making progress toward meeting the State's student academic achievement standards;

- Describe the achievement and graduation rates (as described in section 1111(b)(2)(C)(vi) of the ESEA and as clarified in 34 CFR 200.19(b)(1)) of public elementary and secondary school students in the State, and the strategies the State is employing to help ensure that all subgroups of students identified in section 1111(b)(2)(C)(v)(II) of the ESEA in the State continue making progress toward meeting the State's

student academic achievement standards;

- Describe how the State would use its grant funding to improve student academic achievement in the State, including how it will allocate the funds to give priority to high-need local educational agencies (LEAs); and

- Include a plan for evaluating the State's progress in closing achievement gaps.

In this notice, we propose additional specific priorities, requirements, definitions, and criteria regarding the applications that individual States submit for \$4 billion of Race to the Top funds. We will announce details at a later date for a separate Race to the Top Standards and Assessment competition, for up to \$350 million, related to developing assessments for State consortia applicants.

#### Structure of Race to the Top

Race to the Top will reward States for having created the conditions for reform (via Baseline Criteria) and provide incentives for States to implement outstanding reform strategies that integrate across the four ARRA reform areas (via Plan Criteria). The Department expects successful applicants to clear a high bar on both dimensions. The Baseline Criteria and Plan Criteria will be discussed in more detail later in this notice.

To ensure that grant plans are comprehensive, coherent, and

measurable, we are proposing that States must set goals and annual targets in each reform area. The annual targets should be ambitious to support a Race to the Top and achievable to ensure States are able to demonstrate progress against them. In addition to State-level activities, fifty percent of the funds under a Race to the Top grant must be provided to LEAs based on the Title I funding formula, and more may be provided at the State's discretion. A State must incorporate into its plan the proposed activities for LEAs that will advance the four reform areas.

#### Application Timing

The Department plans to make Race to the Top grants in two phases. States that are ready may apply in Phase 1, which will open in late 2009. States that need more time - for example, to pass legislation, engage stakeholders and secure commitments, or develop thoughtful plans - may apply in Phase 2, which will open in mid-late Spring 2010. States that apply in Phase 1 but are not awarded grants may reapply for funding in Phase 2, together with States that are applying for the first time in Phase 2. We will announce specific deadlines for the submission of applications in a subsequent notice inviting applications for funds under this program.

The next sections of this notice discuss the proposed priorities, requirements, definitions, and selection criteria.

PROPOSED PRIORITIES:

The Secretary proposes the following four priorities for the Race to the Top competition in FY 2010. We are proposing to designate Proposed Priority 1 as an absolute priority and Proposed Priorities 2 through 4 as invitational priorities. We 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, in the notice of final priorities, requirements, definitions, and selection criteria.

Consistent with 34 CFR 75.105(c)(3), under an absolute priority, we would consider only applications that meet the priority. Under a competitive preference priority, we would give competitive preference to an application by (1) awarding additional points, depending on the extent to which the application meets the priority (34 CFR 75.105(c)(2)(i)); or (2) selecting an application that meets the priority over an application of comparable merit that does not meet the priority (34 CFR 75.105(c)(2)(ii)). With an invitational priority, we would signal our interest in receiving applications that meet the priority; however, consistent with 34 CFR 75.105(c)(1), we would not give an application that meets an invitational priority preference over other applications.

Proposed Priority 1:

Absolute Priority -- Comprehensive Approach to the Four Reform Areas

To meet this priority, the State must include in its application the State's plan for comprehensively addressing each of the four reform areas specified in the Recovery Act so as to demonstrate that the State is taking a systemic approach to education reform within the State. The State's plan must describe how the State intends to use its Race to the Top funds to implement policies and practices in the four reform areas that are designed to increase student achievement, reduce the achievement gap across student subgroups (identified in section 1111(b) (2) of the ESEA), and increase rates at which students graduate from high school prepared for college and careers.

Proposed Priorities 2 through 4:

Invitational Priority -- Emphasis on Science, Technology, Engineering and Mathematics (STEM).

The Secretary is particularly interested in applications in which the State plans to address the specific academic needs of the State's students in the areas of science, technology, engineering and mathematics and/or applications in which the State plans to prepare, train, and provide ongoing content support to STEM teachers in cooperation with industry experts, museums, universities or research centers, and other STEM-capable community partners.

Invitational Priority -- P-16 Coordination.

The Secretary is particularly interested in applications in which the State plans to address how early childhood, K-12, and higher education institutions will coordinate to improve all parts of the education system and create a more seamless P-16 experience for students.

Invitational Priority - Extensions of Statewide Longitudinal Data Systems.

The Secretary is particularly interested in applications in which the State plans to extend statewide longitudinal data systems so that they include or integrate data from special education, early childhood, human resources, finance, and other relevant areas, with the purpose of allowing users to ask and answer important questions related to policy or practice.

PROPOSED REQUIREMENTS:

The Secretary of Education proposes the following requirements for this program. We may apply one or more of these requirements in any year in which this program is in effect.

I. Eligibility Requirements

Background: Section 14005(d) of the ARRA requires a State that receives funds under the State Fiscal Stabilization Fund (Stabilization) program to provide assurances in the same four education reform areas advanced by Race to the Top. We believe

that it would be inconsistent to award a Race to the Top grant, which requires a determination that a State has made significant progress in the four reform areas, to a State that has not met requirements for receiving funds under the Stabilization program.

In addition, research consistently indicates that teacher effectiveness is the greatest single contributor to student learning.<sup>1</sup> Section 14005(d)(2) of the ARRA requires a State to take actions to improve teacher effectiveness and comply with section 1111(b)(8)(C) of the ESEA. We believe the proposed eligibility requirement below provides a foundation on which to do this and that in order to implement comprehensive Race to the Top plans across the four reform areas, it is essential that progress in this particular area is not impeded by legal barriers.

#### Proposed Eligibility Requirements

We propose the following requirements that a State must meet in order to be eligible to receive funds under this

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<sup>1</sup> See e.g. Organisation for Economic Co-operation and Development, "Teachers Matter: Attracting, Developing and Retaining Effective Teachers" (2004), p. 3, [http://www.oecd-conferences-ocw.nl/congres\\_ocw-oecd/doc/executive\\_summary\\_en.pdf](http://www.oecd-conferences-ocw.nl/congres_ocw-oecd/doc/executive_summary_en.pdf); William L. Sanders and June C. Rivers, "Cumulative and Residual Effects of Teachers on Future Student Academic Achievement" (1996), <http://www.mccsc.edu/~curriculum/cumulative%20and%20residual%20effects%20of%20teachers.pdf>.

program.

(a) The State must have no legal, statutory, or regulatory barriers to linking data about student achievement (as defined in this notice) or student growth (as defined in this notice) to teachers for the purpose of teacher and principal evaluation.

(b) The State's applications for funding under Phase 1 and Phase 2 of the State Fiscal Stabilization Fund (Stabilization) program must be approved by the Department by the time an award would be made to the State under this program. If a State does not have a Stabilization Phase 2 application approved by the time awards are made for the Race to the Top Phase 1 competition, the State will be eligible to apply or reapply in the Race to the Top Phase 2 competition.

## II. Application Requirements:

Background: Section 14005(c) of the ARRA requires that certain information be included in States' Race to the Top applications. Consistent with those requirements, as well as the need for additional relevant information that will ensure a fair and accurate peer review and evaluation of the grant applications, including an applicant's capacity to implement the activities and whether the proposed activities are likely to meet the goals of the ARRA, we propose the following requirements for the application a State must submit to the Department for funding under this program.

(a) The State's application must be signed by the Governor, the State's chief State school officer, and the President of the State Board of Education.

(b) The State must describe the progress it has made to date in each of the four reform areas, including how the State has used ARRA and other Federal and State funding over the last five years to pursue reforms in these areas (as described in Overall Selection Criterion (1)).

(c) The State must demonstrate Statewide support from stakeholders and LEAs (as described in Overall Selection Criterion (3)).

(d) The State must describe how it and its participating LEAs propose to use the funds awarded under the Race to the Top competition to address the reform areas.

(e) The State must describe how it will:

(1) Use funds awarded under this program to achieve its goals for improving student achievement, graduation rates, and closing achievement gaps (as described in Overall Selection Criteria (4)).

(2) Give priority to high-need LEAs (other than allocating 50 percent of the grant to participating LEAs under the Title I formula as required under Section 14006(c) of ARRA).

(f) The State must provide an overall, State-level plan (as described in Overall Selection Criterion (5)).

(g) The State must provide, for Baseline Criteria (listed later in this notice) the information specified as evidence for the Criterion.

(h) The State must provide, for Plan Criteria (listed later in this notice) a detailed plan that includes, but need not be limited to--

(1) The activities to be undertaken;

(2) The rationale for the activities, which may include but need not be limited to, evidence of the effectiveness of those activities, as documented in research or through the effective implementation of an activity in one or more States, LEAs, or schools (including charter schools);

(3) The timeline for implementing the activities;

(4) The party or parties responsible for implementing the activities;

(5) The resources the State will use to support the activities (e.g. funding, personnel, systems); and

(6) The State's annual targets for the performance measure(s) aligned to the criterion for four school years beginning with the 2010-2011 school year. See Appendix A for a chart indicating the proposed performance measures. Peer reviewers will consider the extent to which applicants set ambitious but achievable annual targets. In addition, upon receipt of a grant, each grantee will be expected to meet its

grant goals, timelines, budget, and annual targets; adhere to an annual fund drawdown schedule that is tied to those goals, timelines, and annual targets; and fulfill other conditions for the conduct of the project.

Applications that include plans for reform efforts not covered by a performance measure specified by the Department are encouraged to propose performance measures and annual targets related to those efforts.

### III. Annual Report and Performance Measures:

The Secretary of Education proposes core measures for evaluating the overall effectiveness of the plans that States will implement under this program. The State must provide an annual report in which the State describes its progress versus its plans, and in which the State indicates its actual performance versus the annual targets it established for each performance measure in its application. See Appendix A for proposed performance measures.

Upon receipt of a grant, each grantee must meet its grant goals, timelines, budget, and annual targets; adhere to an annual fund drawdown schedule that is tied to those goals, timelines, budget, and annual targets; and fulfill other conditions for the conduct of the project. The Department will monitor/determine a State's ongoing progress in achieving the grant's goals and annual targets established by the grantee in

its approved grant application. We anticipate that applicants that are selected to receive an award may be required to enter into a written performance or cooperative agreement with the Department. If a State is not fulfilling its commitments in its approved grant application, or if a State ceases to use the funds for allowable grant purposes, the Department will take appropriate action, which could include a collaborative process between the Department and the State or enforcement measures such as placing the State in high-risk status, putting the grantee on reimbursement payment status, or withholding funds.

#### IV. Other Program Requirements:

(a) The State must participate in a national evaluation of the program and/or conduct its own evaluation of the activities implemented in the State. As determined by the Department and announced in the final notice inviting applications, one or both of these approaches will be required. The Department is interested in comment on which evaluation(s) are most meaningful to require.

(b) The State must participate in all applicable technical assistance activities that may be conducted by the Department or its designees.

(c) 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.

(d) The State must implement the activities, and meet the timelines, goals, budget, and annual targets, set forth in its approved application.

#### V. PROPOSED DEFINITIONS:

The Secretary proposes, for the Race to the Top Fund, the following definitions for terms not defined in the ARRA (or, by reference, in the ESEA). We may apply these definitions in any year in which this program is in effect.

Student Achievement means, at a minimum--

(a) For tested grades and subjects: A student's score on the State's standardized test. *including science?*

(b) For non-tested grades and subjects: An alternative measure of a student's performance (e.g., progress on interim assessments (as defined in this notice), rate at which the student is on track to graduate from high school, a college entrance exam score, an end-of-course exam score).

Student Growth means the change in achievement data for an individual student between successive points in time, corrected for measurement error. Growth may be measured by a variety of statistically rigorous approaches based on longitudinal student achievement (as defined in this notice) data and may also include other measures of student learning.

Graduation Rate means the four-year adjusted cohort graduation rate as defined in 34 CFR 200.19(b)(1)(i)(A) Department's in 34 CFR 200.19(b)(4) (described in section 1111(b)(2)(C)(v)(II) of the ESEA), described in 34 CFR 200.19(b)(1)(i)-(iv) (i.e., the number of students who graduate in four years with a regular high school diploma divided by the number of students who form the adjusted cohort for the graduating class).

Formative Assessment means a process used by teachers and students during instruction that provides feedback to adjust ongoing teaching and learning to improve students' achievement of intended instructional outcomes.

Interim Assessment means an assessment designed to evaluate students' knowledge and skills relative to a specific set of academic standards and whose results can be aggregated (e.g., by course, grade-level, school or district) in order to inform teachers and administrators at the classroom, school, or LEA levels.

High-need LEAs and Schools are those LEAs and schools that have high numbers or proportions of students who are eligible for free- and reduced-price school lunch, limited English proficient students, or students with disabilities

Effective Teachers are teachers whose students demonstrate high rates of student achievement (as defined in this notice)

and/or student growth (as defined in this notice) of at least one grade level in an academic year; States may supplement this definition as they see fit so long as teacher effectiveness is judged, in large measure, by student achievement (as defined in this notice) and/or student growth (as defined in this notice).

Effective Principal means a principal whose school, overall and for each subgroup (described in section 1111(b)(2)(C)(v)(ii) of the ESEA), achieves high rates of student achievement (as defined in this notice) and/or student growth (as defined in this notice) of at least one grade level in an academic year.

Alternative Certification Programs mean programs that (a) limit the amount of coursework required such that a full-time professional could complete the program within two years; (b) award a standard certificate upon completion; (c) provide intensive induction support; (d) admit only candidates with strong academic backgrounds; (e) permit various types of qualified providers, not just colleges and universities; and (f) are available for all academic subjects, grades, and geographies.

High-Quality Assessments means assessments that include a variety of item types, formats, and administration conditions selected for their power to represent mastery and/or application of the central concepts being tested (e.g. open-ended responses, performance measures, use of technology), and are designed to

provide a rich and relevant picture and enable measurement of student achievement (as defined in this notice) and student growth (as defined in this notice). These assessments must follow the principles of Universal Design, as defined in section 3 of the Assistive Technology Act of 1998 (29 U.S.C. 3002), and be accessible to all students including students with disabilities and students with limited English proficiency. More specific assessment design requirements will be available as part of the separate Race to the Top Standards and Assessments competition (to be described in a subsequent notice).

Rapid-time in reference to reporting and availability of data means reported quickly enough to inform current lessons, instruction, and related supports. In most cases, this will be within 72 hours of assessment or data gathering.

The elements specified in section 6401(e)(2)(D) of the America COMPETES Act include: 1) a unique statewide student identifier that does not permit a student to be individually identified by users of the system; (2) student-level enrollment, demographic, and program participation information; (3) student-level information about the points at which students exit, transfer in, transfer out, drop out, or complete P-16 education programs; (4) the capacity to communicate with higher education data systems; (5) a State data audit system assessing data quality, validity, and reliability; (6) yearly test records of

individual students with respect to assessments under section 1111(b) of the ESEA (20 U.S.C. 6311(b)); (7) information on students not tested by grade and subject; (8) a teacher identifier system with the ability to match teachers to students; (9) student-level transcript information, including information on courses completed and grades earned; (10) student-level college readiness test scores; (11) information regarding the extent to which students transition successfully from secondary school to postsecondary education, including whether students enroll in remedial coursework; and (12) other information determined necessary to address alignment and adequate preparation for success in postsecondary education.

STEM

VI. PROPOSED SELECTION CRITERIA:

The Secretary proposes the following criteria for reviewing applications submitted under this program. We may apply one or more of these criteria in any year in which this program is in effect. In the notice inviting applications, the application package, or both, we will announce the maximum possible points assigned to each criterion.

As discussed elsewhere in this notice, we plan to use two types of selection criteria - Baseline Criteria and Plan Criteria - in rating a State's application. Baseline Criteria would be used as evidence of a State's past progress and creation of conditions for reform in specific areas related to

the four ARRA reforms areas. The Plan Criteria would be used to assess States' plans for future efforts in the four ARRA reform areas.

Under each proposed criteria, we list the evidence the Department would expect applicants to provide to assist the Department and peer reviewers in determining whether a State's application meets that criterion. Department staff will review eligibility determinations. Department staff may also review and score, if appropriate, certain priorities and criteria that are of an objective nature.

For each plan criteria, peer reviewers will also consider the extent to which states set ambitious but achievable annual targets against each performance measure to support the credibility of the goals and plans. These performance measures and annual targets will also be reported against by grantees as part of their annual reports. Upon receipt of a grant, each grantee must meet its grant goals, timelines, budget, and annual targets; adhere to an annual fund drawdown schedule that is tied to those goals, timelines, budget, and annual targets; and fulfill other conditions for the conduct of the project.

## A. Standards and Assessments

### Baseline Criteria

(1) Developing and adopting common standards:

(i) For applications under Phase 1, whether the State has demonstrated commitment to improving the quality of its standards by joining a consortium of States to jointly develop and adopt, by June 2010, a common set of internationally-benchmarked K-12 standards that build toward college- and career-readiness by the time of high school graduation, and the extent to which this consortium includes a significant number of states.

Evidence: A copy of the applicable Memoranda of Agreement among the States participating in the consortium regarding the standards being developed and adopted. Other information about the consortium including the list of participating States and how the consortium is being led and managed. A copy of the final standards, or if the standards are not yet finalized, a copy of the draft standards and anticipated date for finalizing and adopting the standards. Evidence that the standards are internationally-benchmarked and prepare students for college and careers.

(ii) For applications under Phase 2, whether the State has demonstrated commitment to improving the quality of its standards by adopting, as part of a multi-State consortium, a

common set of internationally-benchmarked K-12 standards that build toward college- and career-readiness by the time of high school graduation, and the extent to which this consortium includes a significant number of states.

Evidence: A copy of the adopted standards and relevant statutes or policies, if any. A list of the other States that have adopted the same common standards. Evidence that the standards are internationally-benchmarked and prepare students for college and careers.

(2) Developing and implementing standardized assessments aligned to common standards:

(i) Whether the State has demonstrated a commitment to improving the quality of its assessments by joining a consortium of States to jointly develop and implement high-quality standardized assessments aligned with the consortium's common set of college- and career-ready, internationally benchmarked standards, and the extent to which this consortium includes a significant number of states.

Evidence for applications under Phase 1: A statement of intention to join a consortium to apply for a grant under the separate Race to the Top Standards and Assessments competition (to be described in a subsequent notice), or other evidence of the State's commitment to developing and adopting common standardized assessments.

Evidence for applications under Phase 2: A copy of the applicable Memoranda of Agreement among the States participating in the consortium regarding the assessments being developed and implemented. Other information about the consortium, including the list of participating States and how the consortium is being led and managed. Documentation of the State's membership in a consortium that has applied for a grant through the separate Race to the Top Standards and Assessment competition (to be described in a subsequent notice) or other evidence of the State's plan to develop and adopt common standardized assessments.

Plan Criteria

(3) Implementing standards: The extent to which the State, in collaboration with its participating LEAs, has a high-quality plan and ambitious but achievable annual targets for the statewide implementation of internationally-benchmarked K-12 standards that build toward college- and career-readiness by the time of high school graduation, through such activities as the development, dissemination, and implementation of curricular frameworks, curriculum materials, formative and interim assessments (as defined in this notice), and professional development materials, and through other strategies that translate the standards into classroom instruction.

(4) Implementing standardized assessments aligned to standards:

(i) The extent to which the State, in collaboration with its participating LEAs, has a high-quality plan and ambitious but achievable annual targets for training and preparing teachers and principals to implement high-quality assessments (as defined in this notice) tied to college- and career-ready, internationally-benchmarked standards. Such implementation activities might include, for example, plans for staff training on the assessment system, methods for connecting the assessments and results back to instruction, and for the development and use of other professional development materials and supports.

(ii) The extent to which the State has a comprehensive and high-quality plan for including in its assessment system the assessment of students with disabilities and limited English proficient students.

#### B. Data Systems to Support Instruction

##### Baseline Criteria

(1) Statewide longitudinal data system: The extent to which the State has a statewide longitudinal data system that fully includes all 12 of the elements specified in section 6401(e) (2) (D) of the America COMPETES Act.

Evidence: A description of the extent to which the State's statewide longitudinal data system includes all 12 elements,

including which elements are currently in place, and for those that are under development, when they will be in place. (States that have submitted such descriptions to the Department for other programs are welcome to simply verify that the previous submission is still accurate, or to update it as applicable.) In addition, the data from the Data Quality Campaign survey will be provided to peer reviewers.

#### Plan Criteria

(2) Use of data: The extent to which the State has a high-quality plan and ambitious but achievable annual targets to ensure that data from the State's statewide longitudinal data system are accessible to, and are used to inform and engage, as appropriate, different types of stakeholders (e.g. parents, students, teachers, principals, school/district leaders, community members, unions, researchers, and policymakers) in a manner that complies with the applicable requirements of the Family Educational Rights and Privacy Act (FERPA).

(3) Instructional improvement systems: The extent to which the State, in collaboration with participating LEAs, has a high-quality plan and ambitious but achievable annual targets to increase the use of assessment systems, including formative and interim assessments (as defined in this notice), together with rapid-time (as defined in this notice) reporting so that teachers and principals can use this information to inform and

improve their instructional practices, decision-making, and overall effectiveness.

(4) Research: The extent to which the State, in collaboration with participating LEAs, has a plan and ambitious but achievable annual targets to provide education researchers and practitioners with access to both instructional improvement and State longitudinal data systems so they have the detailed information they need to evaluate the effectiveness of instructional materials, strategies, and approaches for different types of students (e.g., students with disabilities, limited English proficient students, students whose achievement is well below or above grade level), in a manner that complies with the applicable requirements of FERPA.

### C. Great Teachers and Leaders

#### Baseline Criteria

(1) Alternative certification: The extent to which the State has in place legal, statutory, or regulatory structures that permit alternative certification programs (as defined in this notice) for teachers and for principals.

Evidence: A copy of the State's applicable statutes and other appropriate policy documents. A list of the alternative certification programs in the State that meet the definition of Alternative Certification Program. The numbers of teachers and principals that each program certified in the previous year. The

total numbers of teachers and principals certified statewide in the previous year. In addition, the analysis done by the National Center on Teacher Quality will be provided to peer reviewers.

#### Plan Criteria

(2) Student growth: The extent to which the State, in collaboration with participating LEAs, has a high-quality plan and ambitious but achievable annual targets to measure student growth (as defined in this notice), and to share the information with teachers, principals, students and their families in a manner that complies with the applicable requirements of FERPA.

(3) Equitable distribution: The extent to which the State has a high-quality plan and ambitious but achievable annual targets to increase the number and percent of teachers and principals in high-need schools (as defined in this notice) who are effective (as defined in this notice in relation to teachers and principals) and to increase the number and percent of teachers who teach hard-to-staff subjects and are effective (as defined in this notice in relation to teachers), such as teachers of science, mathematics, special education, and limited English proficient students; plans may include, but are not limited to, the implementation of incentives and strategies in areas such as recruitment, compensation, career development, and human resources practices and processes.

Evidence: Evidence of State's and LEAs' legal or other authority to implement the activities proposed in the plan.

(4) Pre-service: The extent to which the State has a high-quality plan and ambitious but achievable annual targets to link student's achievement data to the student's teachers and principals, to track that information back to the programs where each of those teachers and principals was credentialed, and to publicly report the findings for each credentialing program attended by at least twenty teachers in the state.

(5) Differentiating teacher and principal effectiveness based on performance: The extent to which the State, in collaboration with participating LEAs, has a high-quality plan and ambitious but achievable annual targets to employ robust, transparent, and equitable processes for differentiating the effectiveness of teachers and principals using multiple rating categories that take into account student achievement (as defined in this notice) and/or student growth (as defined in this notice) as primary factors, that provide to each teacher and principal his or her own data and rating, and that use this information when making decisions to:

(i) Evaluate and develop teachers and principals, including by providing timely and constructive feedback and targeted professional development.

(ii) Compensate and advance teachers and principals, including by providing opportunities for teachers and principals who have demonstrated their effectiveness to obtain additional pay and responsibilities.

(iii) Tenure and dismiss teachers and principals, based on rigorous and transparent procedures for awarding tenure (where applicable) and for removing teachers and principals after they have had ample opportunities to improve but have not done so.

Evidence: Evidence of State's and LEAs' legal or other authority to implement the activities proposed in the plan.

(6) Ongoing support: The extent to which the State, in collaboration with participating LEAs, has a high-quality plan and ambitious but achievable annual targets to increase the use of rapid-time (as defined in this notice) student progress and performance data to inform the supports (e.g., professional development, time for common planning and collaboration) provided to teachers and principals, with a goal of continuously improving both the effectiveness and efficiency of those supports and the overall effectiveness of the instruction.

#### D. Turning Around Struggling Schools

##### Baseline Criteria

(1) Barriers to turning around schools: Whether the State has the legal, statutory or regulatory authority to intervene

directly in the State's persistently lowest-performing schools and in LEAs that are in corrective action.

Evidence: A description of the State's intervention authority and copy of applicable statutes.

(2) Charter schools:

(i) The extent to which the State has a charter school law that does not prohibit or effectively inhibit increasing the number of charter schools in the State or otherwise restrict student enrollment in charter schools.

Evidence: A description of the State's charter school laws and a copy of the State's applicable statutes and other applicable policy documents. In addition, the number and types of charter schools currently operating in the State will be provided to peer reviewers.

(ii) The extent to which the State has statutes and guidelines regarding how charter school authorizers approve, monitor, hold accountable, reauthorize, and close charter schools.

Evidence: A copy of the State's applicable statutes and other applicable policy documents. The number of charter schools that have been closed or not renewed annually for each of the last five years, and the reasons for each of these closures.

(States that have submitted such information to the Department for other programs are welcome to simply verify that the

previous submission is still accurate, or to update it as applicable.)

(iii) The extent to which the State's charter schools receive equitable funding with non-charter schools and a commensurate share of local, State, and Federal program and revenue sources.

Evidence: A copy of the State's applicable statutes and other applicable policy documents. An analysis of the funding allocations passed through to charters per student and how those compare with district per student funding allocations.

(iv) The extent to which the State provides charter schools with equitable access to facilities by providing them with facilities funding (for leasing facilities, purchasing facilities, or making tenant improvements), assistance with facilities acquisition, access to public facilities, the ability to share in bonds and mill levies, and/or other supports.

Evidence: A copy of the State's applicable statutes and other applicable policy documents. A description of the facilities supports provided to charter schools, if any.

#### Plan Criteria

(3) Plans for struggling schools: The extent to which the State has a high-quality plan and ambitious but achievable annual targets to identify at least the lowest-performing five percent of schools in improvement, corrective action, or

restructuring in the State (or the lowest-performing five schools, whichever number is larger) and support its LEAs in transforming these schools by turning them around with new leadership and a majority of new staff, new governance, and improved instructional programs; converting them to charter schools or contracting with an education management organization (EMO); closing and serving students by placing them in higher-performing schools; or, to the extent that these strategies are not feasible, implementing a comprehensive intervention that includes a new principal, measuring teacher and principal effectiveness (as defined in this notice) and rewarding effective teachers (as defined in this notice), an improved instructional program, extended learning time and community-oriented supports.

Evidence: The total number of schools in restructuring in each of the last five years, and of those, the number each year that have been turned around with new leadership and a majority of new staff and new governance; the number that have been converted to charter schools or have contracted with an EMO; and the number that have been closed and the students placed in high-performing schools. (States that have submitted such information to the Department for other programs are welcome to simply verify that the previous submission is still accurate, or to update it as applicable.) In addition, evidence of State's

and LEAs' legal or other authority to implement the activities proposed in the plan.

(4) Flexibility for struggling schools: The extent to which the State has a high-quality plan and ambitious but achievable annual targets to support LEAs in providing the schools being transformed with coherent turnaround plans and a designated leadership team that has at least the following school-level flexibilities needed to implement that plan:

(i) Selection of personnel: Flexibility to select all staff.

(ii) Organization of instructional time: Flexibility to implement a new structure and format for the school day or year that expands learning time.

(iii) Control of spending: Flexibility to place the budget under the school's control.

(iv) Awarding of credit: Flexibility to award credit to students based on student performance instead of instructional time.

Evidence: Evidence of State's and LEAs' legal or other authority to implement the activities proposed in the plan.

#### E. Overall Selection Criteria

##### Baseline Criteria

(1) Significant Progress: The extent to which the State has made progress to date in each of the four reform areas and

the extent to which the State has used ARRA and other Federal and State funding over the last five years to pursue reforms in these areas.

Evidence: A detailed description, by reform area, of the State's activities over the past five years. A description of how it has used its funding to accomplish these goals.

(2) Maintenance of education funding: The extent to which the percent of the total State revenues used to support elementary, secondary, and public higher education for FY 2009 was greater than, or was maintained at the level of, the percent of the total State revenues used to support elementary, secondary, and public higher education for FY 2008.

Evidence: Financial data to show whether and to what extent expenditures increased, decreased, or remained the same.

(3) Statewide Support: The extent to which the State has demonstrated commitment from key stakeholders.

(i) The extent to which leadership of the State's teachers' union or association has demonstrated strong commitment to this application.

Evidence: Letter of commitment from the State's union leadership.

(ii) The extent to which the State's business, community, and civil rights leaders have demonstrated support for the State's application.

Evidence: Letters of support or commitment from business, community, and civil rights leaders in the State.

(iii) The extent to which grant-making foundations and other funding sources have demonstrated support for the State's application.

Evidence: Letters of support, funding, or commitment from grant-making foundations and other funding sources.

(iv) The extent to which LEAs and charter schools in the State have strongly committed to participating in the State's plan.

Evidence: The number and percent of the State's LEAs and charter schools that are participating in the State's plan, the number and percent of K-12 public school students represented by these LEAs and charter schools, and the number and percent of K-12 public school students in poverty represented by these LEAs and charter schools. For each participating LEA and charter school, the Memorandum of Understanding signed by the superintendent (or equivalent), the president of the school board (if relevant), and the teachers' union leader (if a collective bargaining state), affirming the LEA's commitment to the goals, activities, and performance measures outlined in the State's plan.

## Plan Criteria

(4) Raising achievement and closing gaps: The extent to which the State has set ambitious but achievable annual targets for each of the areas listed below.

(i) Achievement gains: The extent to which the State has set ambitious but achievable annual targets for increasing its students' achievement results overall and by student subgroup (described in section 1111(b)(2)(C)(v)(II) of the ESEA) (as reported, for example, by NAEP).

(ii) Gap closing: The extent to which the State has set ambitious but achievable annual targets for decreasing the gaps in achievement between subgroups (described in section 1111(b)(2)(C)(v)(II) of the ESEA) (as reported, for example, on NAEP).

(iii) Graduation Rate: The extent to which the State has set ambitious but achievable annual targets for graduation rate (as defined in this notice) overall and by student subgroup (consistent with section 1111(b)(2)(C)(v)(II) of the ESEA) using a four-year adjusted cohort graduation rate as required by 34 CFR 200.19(b)(1)(i).

Evidence for each area above: Data on historical performance for each of the last five years, and an estimate of the State's expected levels of future performance were the State not to receive funds under this program.

(5) State Plan: The extent to which the State has a high-quality overall plan that demonstrates how it will build capacity to:

(i) Effectively and efficiently oversee the grant, including administering, disbursing, and if necessary withholding funds for participating LEAs and charter schools;

(ii) Support the success of participating LEAs; ensure the dissemination of effective practices; and hold participating LEAs accountable for progress;

(iii) Use the economic, political, and human capital resources of the State to continue the reforms funded under the grant after the period of funding has ended;

(iv) Collaborate with other States on key elements of or activities in this application; and

(v) Coordinate, reallocate, or repurpose education funds from other sources to align with the State's Race to the Top goals as outlined in its plan.

Evidence: Description of how the State's past performance supports the credibility of this plan.

Final Priorities, Requirements, Definitions, and Selection Criteria:

We will announce the final priorities, requirements definitions, and selection criteria, in a notice in the Federal

Register. We will determine the final priorities, requirements, definitions, and selection criteria after considering responses to this notice and other information available to the Department. This notice does not preclude us from proposing additional priorities, requirements, definitions, or selection criteria, subject to meeting applicable rulemaking requirements.

Note: This notice does not solicit applications. In any year in which we choose to use one or more of these priorities, requirements, definitions, and selection criteria, we invite applications through a notice in the Federal Register.

Executive Order 12866:

Under Executive Order 12866, the Secretary must determine whether this regulatory action is "significant" and therefore subject to the requirements of the Executive Order and subject to review by OMB. Section 3(f) of Executive Order 12866 defines a "significant regulatory action" as an action likely to result in a rule that may (1) have an annual effect on the economy of \$100 million or more, or adversely affect a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local or tribal governments, or communities in a material way (also referred to as an "economically significant" rule); (2) create serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) materially alter the budgetary

impacts of entitlement grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive order. Pursuant to the Executive order, it has been determined that this regulatory action will have an annual effect on the economy of more than \$100 million because the amount of government transfers provided through the Race to the Top Fund will exceed that amount. Therefore, this action is "economically significant" and subject to OMB review under section 3(f)(1) of the Executive order.

The potential costs associated with this proposed regulatory action are those resulting from statutory requirements and those we have determined as necessary for administering this program effectively and efficiently.

In assessing the potential costs and benefits--both quantitative and qualitative--of this proposed regulatory action, we have determined that the benefits of the proposed priorities, requirements, definitions, and selection criteria justify the costs.

We have determined, also, that this proposed regulatory action does not unduly interfere with State, local, and tribal governments in the exercise of their governmental functions.

[More detailed Economic Analysis to be inserted]

Accounting Statement

As required by OMB Circular A-4 (available at <http://www.Whitehouse.gov/omb/Circulars/a004/a-4.pdf>), in the following table, we have prepared an accounting statement showing the classification of the expenditures associated with the provisions of this proposed regulatory action. This table provides our best estimate of the Federal payments to be made to States under this program as a result of this proposed regulatory action. Expenditures are classified as transfers to States.

Table - Accounting Statement Classification of Estimated Expenditures

(In millions)

Category	Transfers
Annual Monetized Transfers	[amount to be inserted]
From Whom to Whom	Federal Government to States

Paperwork Reduction Act of 1995:

The application requirements and selection criteria proposed in this notice will require the collection of information that is subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520). As the Department is seeking comments for the development of the information collection in

this notice, it is our plan to offer a comment period for the information collection at the time of the notice of final priorities, requirements, definitions, and selection criteria. At that time, the Department will submit the information collection to OMB for its review and provide the specific burden hours associated with each of the requirements and selection criteria for comment. However, because it is likely that the information collection will be reviewed under emergency OMB processing, the Department encourages the public to comment on the estimates we are providing for the burden hours associated with the requirements and selection criteria proposed in this notice.

#### Proposed Application Requirements

There are eight application requirements that the Department proposes States must meet when submitting their applications. These are:

(a) The State's application must be signed by the Governor, the State's chief State school officer, and the President of the State Board of Education.

(b) The State must describe the progress it has made to date in each of the four reform area, including how the State has used ARRA and other Federal and State funding over the last five years to pursue reforms in these areas (as described in Overall Selection Criterion (1)).

(c) The State must demonstrate Statewide support from stakeholders and LEAs (as described in Overall Selection Criterion (3)).

(d) The State must describe how it and its participating LEAs propose to use the funds awarded under the Race to the Top competition to address the reform areas.

(e) The State must describe how it will:

(1) Use funds awarded under this program to achieve its goals for improving student achievement, graduation rates, and closing achievement gaps (as described in Overall Selection Criteria (4)).

(2) Give priority to high-need LEAs (other than allocating 50 percent of the grant to participating LEAs under the Title I formula as required under Section 14006(c) of ARRA).

(f) The State must provide an overall, State-level plan (as described in Overall Selection Criterion (5)).

(g) The State must provide, for each Baseline Criterion (listed later in this notice) the information specified as evidence for the Criterion.

(h) The State must provide, for each Plan Criterion a detailed plan that includes the activities to be undertaken, the rationale for the activities, the timeline, the party responsible for implementing the activities, the resources the State will use to support the activities, and the state's annual

targets for the performance measures aligned to the criterion. See the "Proposed Application Requirements" section for a detailed description of this proposed requirement.

We estimate that it will take on average 86 hours at a cost of \$2,580 for a State to meet these requirements. Thus we estimate the total burden to be up to 4,472 hours at a cost of \$134,160 for all States.

#### Proposed Selection Criteria

There are 22 selection criteria that the Department proposes States may address when submitting their applications. These are:

- (a) Developing and adopting common standards;
- (b) Developing and implementing standardized assessments aligned to common standards;
- (c) Implementing standards;
- (d) Implementing standardized assessments aligned to standards;
- (e) Statewide longitudinal data system;
- (f) Use of data;
- (g) Instructional improvement systems;
- (h) Research;
- (i) Alternative certification;
- (j) Student growth;
- (k) Equitable distribution;

- (l) Pre-service;
- (m) Differentiating teacher and principal effectiveness based on performance;
- (n) Ongoing support
- (o) Barriers to turning around schools;
- (p) Charter schools;
- (q) Plans for struggling schools;
- (r) Flexibility for struggling schools;
- (s) Significant Progress;
- (t) Maintenance of education funding;
- (u) Statewide Support;
- (v) Raising achievement and closing gaps; and
- (w) State Plan.

We estimate that it will take on average 128 hours at a cost of \$3,840 for a State to meet these requirements. Thus we estimate the total burden to be up to 6,656 hours at a cost of \$199,680 for all States.

Please see the "Proposed Selection Criteria" section for detailed descriptions.

Regulatory Flexibility Act Certification:

The Secretary certifies that this proposed regulatory action will not have a significant economic impact on a substantial number of small entities.

Intergovernmental Review: This program is subject to Executive

Order 12372 and the regulations in 34 CFR part 79. One of the objectives of the Executive order is to foster an intergovernmental partnership and a strengthened federalism. The Executive order relies on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

This document provides early notification of our specific plans and actions for this program.

Accessible Format: Individuals with disabilities can obtain this document in an accessible format (e.g., Braille, large print, audiotape, or computer diskette) on request to the program contact person listed under FOR FURTHER INFORMATION CONTACT.

Electronic Access to This Document: You can view this document, as well as all other documents of this Department published in the Federal Register, in text or Adobe Portable Document Format (PDF) on the Internet at the following site:

[www.ed.gov/news/fedregister](http://www.ed.gov/news/fedregister).

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

Note: The official version of this document is the document

published in the Federal Register. Free Internet access to the official edition of the Federal Register and the Code of Federal Regulations is available on GPO Access at:  
[www.gpoaccess.gov/nara/index.html](http://www.gpoaccess.gov/nara/index.html).

Dated:

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Arne Duncan,  
Secretary of Education.

Appendix A

The chart below presents the proposed performance measures for each plan criterion. When evaluating applications, peer reviewers will consider the extent to which applicants set ambitious but achievable annual targets for each plan. In addition, grantees will report annually their actual data versus these targets.

	<u>Proposed Plan Criteria</u>	<u>Proposed Performance Measures</u>	Annual Targets (Applicant to complete)				
			Current School Year (SY) (if available)	End of SY 2010-2011	End of SY 2011-2012	End of SY 2012-2013	End of SY 2013-2014
Implementing Standards	The extent to which the State, in collaboration with its participating LEAs, has a high-quality plan and ambitious but achievable annual targets for the statewide implementation of internationally-benchmarked K-12 standards that build toward college- and career-readiness by the time of high school graduation, through such activities as the development, dissemination, and implementation of curricular frameworks, curriculum materials, formative and interim assessments (as defined in this notice), and professional development materials, and through other strategies that translate the standards into classroom instruction.	The number and percent of all LEAs statewide that are implementing the standards per the State's plan.					

		Annual Targets (Applicant to complete)				
		Current School Year (SY) (if available)	End of SY 2010- 2011	End of SY 2011- 2012	End of SY 2012- 2013	End of SY 2013- 2014
Implementing standardized assessments aligned to standards	<u>Proposed Plan Criteria</u>  (i) The extent to which the State, in collaboration with its participating LEAs, has a high-quality plan and ambitious but achievable annual targets for training and preparing teachers and principals to implement high-quality assessments (as defined in this notice) tied to college- and career-ready, internationally benchmarked standards. Such implementation activities might include, for example, plans for staff training on the assessment system, methods for connecting the assessments and results back to instruction, and for the development and use of other professional development materials and supports. (ii) The extent to which the State has a comprehensive and high-quality plan for including in its assessment system the assessment of students with disabilities and limited English proficient students.	<u>Proposed Performance Measures</u>  The number and percent of all LEAs statewide that are implementing the assessment training and preparation, per the State's plan.				
Use of Data	The extent to which the State has a high-quality plan and ambitious but achievable annual targets to ensure that data from the State's statewide	State to propose metric here				

		Annual Targets (Applicant to complete)				
		Current School Year (SY) (if available)	End of SY 2010- 2011	End of SY 2011- 2012	End of SY 2012- 2013	End of SY 2013- 2014
	<u>Proposed Plan Criteria</u>	<u>Proposed Performance Measures</u>				
	longitudinal data system are accessible to, and are used to inform and engage, as appropriate, different types of stakeholders (e.g. parents, students, teachers, principals, school/district leaders, community members, unions, researchers, and policymakers) in a manner that complies with the applicable requirements of the Family Educational Rights and Privacy Act (FERPA).	The number and percent of schools in participating LEAs in the State that use formative and interim assessment (as defined in this notice) systems in a manner that is consistent with the State's plan.				
Instructional Improvement Systems	The extent to which the State, in collaboration with participating LEAs, has a high-quality plan and ambitious but achievable annual targets to increase the use of assessment systems, including formative and interim assessments(as defined in this notice), together with rapid-time (as defined in this notice) reporting so that teachers and principals can use this information to inform and improve their instructional practices, decision-making, and overall effectiveness.					

		Annual Targets (Applicant to complete)				
		Current School Year (SY) (if available)	End of SY 2010- 2011	End of SY 2011- 2012	End of SY 2012- 2013	End of SY 2013- 2014
Research	<p><u>Proposed Plan Criteria</u></p> <p>The extent to which the State, in collaboration with participating LEAs, has a plan and ambitious but achievable annual targets to provide education researchers and practitioners with access to both instructional improvement and State longitudinal data systems so they have the detailed information they need to evaluate the effectiveness of instructional materials, strategies, and approaches for different types of students (e.g., students with disabilities, limited English proficient students, students whose achievement is well below or above grade level), in a manner that is compliant with the applicable requirements of FERPA.</p>	<p><u>Proposed Performance Measures</u></p> <p>The number of research institutions actively engaged with the State or its LEAs in using data to evaluate instructional effectiveness</p>				
Student Growth	<p>The extent to which the State, in collaboration with participating LEAs, has a high-quality plan and ambitious but achievable annual targets to measure student growth (as defined in this notice), and to share the information with teachers, principals, students and their families</p>	<p>The number and percent of participating LEAs in the State that use such student growth (as defined in this notice) measurements.</p> <p>The number and percent of teachers in the state who receive this information.</p>				

		Annual Targets (Applicant to complete)				
	Proposed Plan Criteria	Proposed Performance Measures	Current School Year (SY) (if available)	End of SY 2011-2012	End of SY 2012-2013	End of SY 2013-2014
Equitable Distribution	<p>in a manner that complies with the applicable requirements of FERPA.</p> <p>The extent to which the State has a high-quality plan and ambitious but achievable annual targets to increase the number and percent of teachers and principals in high-need schools (as defined in this notice) who are effective (as defined in this notice) in relation to teachers and principals) and to increase the number and percent of teachers who teach hard-to-staff subjects and are effective (as defined in this notice in relation to teachers), such as teachers of science, mathematics, special education, and limited English proficient students; plans may include, but are not limited to, the implementation of incentives and strategies in areas such as recruitment, compensation, career development, and human resources practices and processes.</p>	<p>The number and percent of students and their families in the state who receive this information.</p> <p>The number and percent of teachers in high-need schools (as defined in this notice) who are effective (as defined in this notice).</p> <p>The number and percent of principals in high-need schools (as defined in this notice) who are effective (as defined in this notice).</p> <p>The number and percent of science teachers who are effective (as defined in this notice).</p> <p>The number and percent of mathematics teachers who are effective (as defined in this notice).</p> <p>The number and percent of teachers in other hard-to-staff subjects who are effective. (Please specify the subjects).</p>				

	<u>Proposed Plan Criteria</u>	<u>Proposed Performance Measures</u>	Annual Targets (Applicant to complete)				
			Current School Year (SY) (if available)	End of SY 2010-2011	End of SY 2011-2012	End of SY 2012-2013	End of SY 2013-2014
Pre-Service	The extent to which the State has a high-quality plan and ambitious but achievable annual targets to link student's achievement data to the student's teachers and principals, to track that information back to the programs where each of those teachers and principals was credentialled, and to publicly report the findings for each credentialing program attended by at least twenty teachers in the state.	The number and percent of teachers in the State whose data are aggregated to produce publicly available reports on the State's credentialing programs.  The number and percent of principals in the State whose data are aggregated to produce publicly available reports on the State's credentialing programs.  The number and percent of teacher credentialing programs in the State for which the information (as described in the criterion) is reported.  The number and percent of principal credentialing programs in the State for which the information (as described in the criterion) is reported.					
Differentiating teacher and principal effectiveness based on performance:	The extent to which the State, in collaboration with participating LEAs, has a high-quality plan and ambitious but achievable annual targets to employ robust, transparent, and equitable processes for	The number and percent of participating LEAs that differentiate teachers using multiple rating categories (as described in the criterion) and provide the teachers with that information.					

		Annual Targets (Applicant to complete)					
	Proposed Plan Criteria	Proposed Performance Measures	Current School Year (SY) (if available)	End of SY 2010-2011	End of SY 2011-2012	End of SY 2012-2013	End of SY 2013-2014
	<p>differentiating the effectiveness of teachers and principals using multiple rating categories that take into account student achievement (as defined in this notice) and/or student growth (as defined in this notice) as primary factors, that provide to each teacher and principal his or her own data and rating, and that use this information when making decisions to:</p> <p>(i) Evaluate and develop teachers and principals, including by providing timely and constructive feedback and targeted professional development.</p> <p>(ii) Compensate and advance teachers and principals, including by providing opportunities for teachers and principals who have demonstrated their effectiveness to obtain additional pay and responsibilities.</p> <p>(iii) Tenure and dismiss teachers and principals, based on rigorous and transparent procedures for awarding tenure (where applicable) and for removing teachers and principals after they have had ample</p>	<p>The number and percent of teachers in participating LEAs that receive differentiated ratings using multiple rating categories (as described in the criterion).</p> <p>The number and percent of teachers in participating LEAs who are effective teachers (as defined in this notice).</p> <p>The number and percent of participating LEAs that differentiate principals using multiple rating categories (as described in the criterion) and provide the principals with that information.</p> <p>The number and percent of principals in participating LEAs that receive differentiated ratings using multiple rating categories (as described in the criterion).</p> <p>The number and percent of principals in participating LEAs who are effective principals (as defined in this notice).</p> <p>Effectiveness information is used as a primary factor when making evaluation decisions</p> <p>- By what number and percent of LEAs</p> <p>- For what number and</p>					

		Annual Targets (Applicant to complete)				
		Current School Year (SY) (if available)	End of SY 2010- 2011	End of SY 2011- 2012	End of SY 2012- 2013	End of SY 2013- 2014
<u>Proposed Plan Criteria</u>	<u>Proposed Performance Measures</u>					
opportunities to improve but have not done so.	<ul style="list-style-type: none"> <li>- percent of teachers in participating LEAs</li> <li>- For what number and percent of principals in participating LEAs</li> </ul> <p>Effectiveness information is used as a primary factor when making professional development decisions</p> <ul style="list-style-type: none"> <li>- By what number and percent of LEAs</li> <li>- For what number and percent of teachers in participating LEAs</li> <li>- For what number and percent of principals in participating LEAs</li> </ul> <p>Effectiveness information is used as a primary factor when making compensation decisions</p> <ul style="list-style-type: none"> <li>- By what number and percent of LEAs</li> <li>- For what number and percent of teachers in participating LEAs</li> <li>- For what number and percent of principals in participating LEAs</li> </ul> <p>Effectiveness information is used as a primary factor when making advancement decisions</p> <ul style="list-style-type: none"> <li>- By what number and percent of LEAs</li> <li>- For what number and percent of teachers in participating LEAs</li> <li>- For what number and percent of principals in participating LEAs</li> </ul>					

		Annual Targets (Applicant to complete)					
	Proposed Plan Criteria	Proposed Performance Measures	Current School Year (SY) (if available)	End of SY 2010-2011	End of SY 2011-2012	End of SY 2012-2013	End of SY 2013-2014
		percent of principals in participating LEAs					
		Effectiveness information is used as a primary factor when making tenure decisions					
		- By what number and percent of LEAs					
		- For what number and percent of teachers in participating LEAs					
		- For what number and percent of principals in participating LEAs					
		Effectiveness information is used as a primary factor when making dismissal decisions					
		- By what number and percent of LEAs					
		- For what number and percent of teachers in participating LEAs					
		- For what number and percent of principals in participating LEAs					
Ongoing Support	The extent to which the State, in collaboration with participating LEAs, has a high-quality plan and ambitious but achievable annual targets to increase the use of rapid-time (as defined in this notice) student progress and performance data to inform the supports (e.g., professional development, time for common planning and collaboration) provided to	The number and percent of schools in participating LEAs that use rapid-time (as defined in this notice) data to inform support.					
		The number and percent of schools in participating LEAs that measure the effectiveness and efficiency of their support activities.					

		Annual Targets (Applicant to complete)					
	<u>Proposed Plan Criteria</u>	<u>Proposed Performance Measures</u>	Current School Year (SY) (if available)	End of SY 2010-2011	End of SY 2011-2012	End of SY 2012-2013	End of SY 2013-2014
Plans for Struggling Schools	<p>teachers and principals, with a goal of continuously improving both the effectiveness and efficiency of those supports and the overall effectiveness of the instruction.</p> <p>The extent to which the State has a high-quality plan and ambitious but achievable annual targets to identify at least the lowest-performing five percent of schools in improvement, corrective action, or restructuring in the State (or the lowest-performing five schools, whichever number is larger) and support its LEAs in transforming these schools by turning them around with new leadership and a majority of new staff, new governance, and improved instructional programs; converting them to charter schools or contracting with an education management organization (EMO); closing and serving students by placing them in higher-performing schools; or, to the extent that these strategies are not feasible, implementing a comprehensive intervention that includes a new principal, measuring</p>	<p>The number of schools - from among the lowest-performing five percent of schools (or five schools, whichever number is larger) in improvement, corrective action, or restructuring in the State - for which one of the four school transformation strategies described in the criteria will be implemented each year.</p>					

		Annual Targets (Applicant to complete)					
		Proposed Performance Measures	Current School Year (SY) (if available)	End of SY 2010-2011	End of SY 2011-2012	End of SY 2012-2013	End of SY 2013-2014
	<b>Proposed Plan Criteria</b>						
	teacher and principal effectiveness (as defined in this notice) and rewarding effective teachers (as defined in this notice), an improved instructional program, extended learning time and community-oriented supports.						
Flexibility for Struggling Schools	<p>The extent to which the State has a high-quality plan and ambitious but achievable annual targets to support LEAs in providing the schools being transformed with coherent turnaround plans and a designated leadership team that has at least the following school-level flexibilities needed to implement that plan:</p> <ul style="list-style-type: none"> <li>(i) Selection of personnel: Flexibility to select all staff.</li> <li>(ii) Organization of instructional time: Flexibility to implement a new structure and format for the school day or year that expands learning time.</li> <li>(iii) Control of spending: Flexibility to place the budget under the school's control.</li> <li>(iv) Awarding of credit:</li> </ul>	The number and percent of turnaround schools in the State that have the named flexibilities (as described in the criterion).					

		Annual Targets (Applicant to complete)					
		Proposed Performance Measures	Current School Year (SY) (if available)	End of SY 2010-2011	End of SY 2011-2012	End of SY 2012-2013	End of SY 2013-2014
	<b>Proposed Plan Criteria</b>						
	Flexibility to award credit to students based on student performance instead of instructional time.						
Raising achievement and closing gaps	<p>The extent to which the State has set ambitious but achievable annual targets for each of the areas listed below:</p> <p>(i) Achievement gains: The extent to which the State has set ambitious but achievable annual targets for increasing its students' achievement results overall and by student subgroup (described in section 1111(b)(2)(C)(v)(II) of the ESEA) (as reported, for example, by NAEP).</p>	<p>Number and percent of students in the State who score at or above basic on NAEP in mathematics, reading, and writing.</p> <p>[In addition, attach a separate sheet for annual targets by student subgroup.]</p> <p>[In addition, attach a separate sheet, as desired, for any other tests or subject areas on which the State plans to report]</p>					
	(ii) Gap closing: The extent to which the State has set ambitious but achievable annual targets for decreasing the gaps in achievement between subgroups (described in section 1111(b)(2)(C)(v)(II) of the ESEA) (as reported, for example, on NAEP).	[The Department will use the information provided above to calculate gap closing.]	NA	NA	NA	NA	

Annual Targets (Applicant to complete)					
Current School Year (SY) (if available)	End of SY 2010- 2011	End of SY 2011- 2012	End of SY 2012- 2013	End of SY 2013- 2014	
<b>Proposed Plan Criteria</b>					
(iii) Graduation Rate: The extent to which the State has ambitious but achievable targets for graduation rate (as defined in this notice) overall and by student subgroup (consistent with section 1111(b)(2)(C)(v)(II) of the ESEA) using a four-year adjusted cohort graduation rate as required by 34 CFR 200.19(b)(1)(i)					
<b>Proposed Performance Measures</b>					
Overall Statewide graduation rate (as described in the criterion)  [In addition, attach a separate sheet for annual targets by student subgroup]					