



# ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell  
*Commissioner*

## **MEMORANDUM**

**TO:** District Superintendents

State Board  
of Education

**FROM:** Commissioner Tom W. Kimbrell

Dr. Naccaman Williams  
*Springdale  
Chair*

**DATE:** January 4, 2010

Jim Cooper  
*Melbourne  
Vice Chair*

**SUBJECT: Arkansas's Race to the Top Application –  
Participating Local Education Agency  
Memorandum of Understanding**

Sherry Burrow  
*Jonesboro*

Brenda Gullett  
*Fayetteville*

Sam Ledbetter  
*Little Rock*

Alice Mahony  
*El Dorado*

Dr. Ben Mays  
*Clinton*

Toyce Newton  
*Crossett*

Within two weeks, the State of Arkansas will proudly submit an application for the American Recovery and Reinvestment Act Race to the Top Fund grants, and I invite you to join us at the starting line of this once-in-a-lifetime competition.

The Race to the Top Fund represents an unprecedented amount of money – several hundred million dollars – infused into each of the winning states for the purpose of dramatically impacting the education system. Arkansas must compete with other interested States for the grants, and it is expected that fewer than five States will be selected as awardees in the first round, which is slated to be announced in April. That said, Arkansas is well positioned to be an extremely strong contender because of the effective and far-reaching past reforms implemented by the State, national initiatives in which Arkansas has not only been involved but admired as a leader and, most importantly, the impressive improvements in student achievement that have resulted from those efforts.

An integral component of this application is demonstrating our ability to work together as a State – school district and charter school leaders and Arkansas Department of Education staff – as we have done so well in recent years to improve the system of education for our children. Your signing of this memorandum of understanding (MOU) will be a strong sign of the commitment and collaboration that will propel this State forward once again as we create an education system to prepare our students to be successful and productive citizens in the 21st century.

This application represents the State's best effort to build upon past reforms and successes with strategies that will take Arkansas's education system to the next level. It contains the thoughtful input of ideas and suggestions from constituents across the state representing many sectors. As you will see, the major components of Arkansas's application address in a cohesive manner the four pillars put forth by the U.S. Department of Education as the overarching goals of all American Reinvestment and Recovery Act education funding: 1) graduating College- and

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Career-Ready students, 2) using Longitudinal Data Systems to improve instruction, 3) increasing Teacher Effectiveness and 4) providing Intensive Support and Intervention to students in lower-performing schools.

By signing this (MOU), you as a school district or charter school will commit to using your share of the Race to the Top funds to implement the strategies set forth in the State's application. Our goal is participation by every school district and charter school in the State, as we do not want any of Arkansas's students to lose out on the exciting improvements that will be developed through this initiative. Signed MOUs must be mailed to the Arkansas Department of Education no later than January 8.

Again, the Race to the Top application is an exciting endeavor for the State of Arkansas because it comes at a time when our State has already made substantive improvements for our students. Over the last decade, dedication and hard work at every level of the education system has produced growth in student achievement at rates unlike any Arkansas has witnessed in the past. We now have the amazing opportunity to obtain the funding required to quickly build upon that foundation to propel our education system to ever-higher levels – to indeed race to the top. I look forward to being in this race together with you.

Please feel free to contact Heather Gage, Special Advisor to the Commissioner, if you have any questions or concerns. You may reach her at [heather.gage@arkansas.gov](mailto:heather.gage@arkansas.gov) or (501) 683-4786.



**ARKANSAS  
DEPARTMENT  
OF EDUCATION**

## **Race to the Top Participating Local Education Agency**

### **MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding (“MOU”) is entered into by and between Arkansas Department of Education (“ADE”) and \_\_\_\_\_ (“Participating LEA”). The purpose of this agreement is to establish a framework of State collaboration. By entering into this agreement, the Participating LEA will indicate its commitment to implementing the principles and elements provided in the attached Preliminary Scope of Work. This MOU also articulates the roles and responsibilities of the ADE and the LEA in the implementation of an approved Race to the Top grant project.

**In order to participate, the LEA must agree to implement all applicable elements (B, C and D) of the State plan and return the executed MOU on or before January 8 (post-marked date). Only those LEAs with high priority schools (see Appendix B) will be required to implement the elements under the Low Performing section (E) of the MOU.**

#### **1. SCOPE OF WORK**

Exhibit I, the Preliminary Scope of Work, indicates which portions of the ADE’s proposed reform plans (“State Plan”) the Participating LEA is agreeing to implement. (In order to participate, the LEA must agree to implement all elements of the State Plan that require LEA action. Again, only those LEAs listed as high priority (attached) will be required to implement the elements under the Low Performing section of the MOU.)

#### **2. PROJECT ADMINISTRATION**

##### ***A. PARTICIPATING LEA RESPONSIBILITIES***

To assist the ADE in implementing the tasks and activities described in the State’s Race to the Top application, the Participating LEA subgrantee will:

- I. Implement the elements if the LEA Scope of Work as identified in Exhibit I of this agreement;
- II. Participate in the development of a final detailed MOU that will be required (within 90 days) if the Race to the Top grant is received;
- III. Actively participate in all relevant convenings, communities of practice, or other practice-sharing events organized or sponsored by the ADE or by the U.S. Department of Education (“ED”);
- IV. Post to any website specified by the ADE or ED, in a timely manner, all non-proprietary products and lessons learned and developed using funds associated with the Race to the Top grant;
- V. Participate, as requested, in any evaluations of this grant conducted by the ADE or ED;
- VI. Be responsive to ADE or ED requests for information including the status of the project, project implementation, outcomes, and any problems anticipated or encountered; and
- VII. Participate in meetings and telephone conferences with the ADE to discuss (a) progress of the project, (b) potential dissemination of resulting non-proprietary products and lessons learned, (c) plans for subsequent years of the Race to the Top grant period, and (d) other matters related to the Race to the Top grant and associated plans.

### ***B. ADE RESPONSIBILITIES***

To assist Participating LEAs in implementing tasks and activities described in the ADE's Race to the Top application, the ADE will:

- I. Work collaboratively with, and support the Participating LEA in carrying out the LEA plan as identified in Exhibits I of this agreement;
- II. Timely distribute the LEA's portion of Race to the Top grant funds during the course of the project period and in accordance with the LEA Plan;
- III. Provide feedback on the LEA's status updates, annual reports, any interim reports, and project plans and products; and
- IV. Identify sources of technical assistance for the project.

### ***C. JOINT RESPONSIBILITIES***

- I. The ADE and the Participating LEA will each appoint a key contact person for the Race to the Top grant.
- II. These key contacts from the ADE and the Participating LEA will maintain frequent communication to facilitate cooperation under this MOU.
- III. ADE and Participating LEA grant personnel will work together to determine appropriate timelines for project updates and status reports throughout the whole grant period.
- IV. ADE and Participating LEA grant personnel will negotiate in good faith to continue to achieve the overall goals of the ADE's Race to the Top grant, even when the State Plan requires modifications that affect the Participating LEA, or when the LEA Plan requires modifications.

### ***D. ADE RECOURSE FOR LEA NON-PERFORMANCE***

If the ADE determines the LEA is not meeting its goals, timelines, budget, or annual targets or is not fulfilling other applicable requirements, the ADE will take appropriate action, which could include a collaborative process between the ADE and the LEA, or any of the measures that are detailed in 34 CFR section 80.43 including temporarily withholding funds or disallowing costs.

## **3. ASSURANCES**

The Participating LEA hereby certifies and represents that it:

- I. Has all requisite power and authority to execute this MOU.
- II. Is familiar with the elements of ADE's Race to the Top grant application and is supportive of the goals and plans for implementation and committed to working on all applicable elements of the State Plan.
- III. Agrees to be a Participating LEA and will implement those elements of the ADE Plan indicated in Exhibit I, if the State application is funded. Only those LEAs listed as high priority (attached) will be required to implement the elements under the Low Performing section of the MOU.)
- IV. Will provide a detailed Scope of Work in a format provided by the ADE. The final Scope of Work will describe the LEA's specific goals, activities, timelines, budgets, key personnel, and annual targets for key performance measures in a manner that is consistent with the Preliminary Scope of Work (Exhibit I) and with the State Plan. The Final Scope of Work is due no later than 90 days after the Race to the Top grant is awarded to Arkansas.
- V. Will continue to fulfill all obligations set forth in Arkansas law, including, but not limited to, those obligations related to the creation and operation of personnel policy committees (A.C.A §6-17-203 and §6-17-205).
- VI. Understands the signature of the local teachers' association president does not, nor should it be construed to, represent waiver by the union of its right to bargain (if applicable) regarding any element of the school district's LEA Plan in Exhibit I, if that element is a mandatory subject of collective bargaining or is contrary to any provision of the collective bargaining agreement between the local teacher association and the school district. This assurance is only applicable if the LEA and the local teachers' association have entered into collective bargaining agreement.

VII. Will comply with all of the terms of the Grant, the ADE's subgrant, and all applicable Federal and ADE laws and regulations, including laws and regulations applicable to the Program, and the applicable provisions of EDGAR (34 CFR Parts 75, 77, 79, 80, 82, 84, 85, 86, 97, 98 and 99).

**4. MODIFICATIONS**

This Memorandum of Understanding may be amended only by written agreement signed by each of the parties involved, and in consultation with ED.

**5. DURATION/TERMINATION**

This Memorandum of Understanding shall be effective, beginning with the date the grant is received and ending upon the expiration of the grant project period, or upon mutual agreement of the parties, whichever occurs first.

**6. SIGNATURES**

**LEA Superintendent or Director** - required:

\_\_\_\_\_

Signature/Date

\_\_\_\_\_

Print Name/Title

**President of Local School Board** (or equivalent):

\_\_\_\_\_

Signature/Date

\_\_\_\_\_

Print Name/Title

**Local Teachers' Union Leader** (if applicable):

\_\_\_\_\_

Signature/Date

\_\_\_\_\_

Print Name/Title

**Authorized State Official** - required:

By its signature below, the State hereby accepts the LEA as a Participating LEA.

\_\_\_\_\_

Signature/Date

\_\_\_\_\_

Print Name/Title

**A. EXHIBIT I – PRELIMINARY SCOPE OF WORK**

LEA hereby agrees to participate in implementing the State Plan in each of the elements identified below. The letters and numbers below correspond to the sections in the Race to the Top application.

<b>Elements of State Reform Plans</b>	
<b>B. Standards and Assessments</b>	
<u>(B)(3) Supporting the transition to enhanced standards and high-quality assessments</u>	
<ul style="list-style-type: none"> <li>• The Local Education Agency (LEA) will implement the Common Core Standards and Assessments, as adopted by the Arkansas State Board of Education.</li> <li>• The LEA will ensure that professional development programs at all schools focus on effective curriculum and instruction consistent with the new common core standards.</li> <li>• The LEA will institute Interim and Formative Assessment models to build a systemic assessment system within the LEA. The LEA will ensure teachers and principals receive professional development on the use of these assessment models.</li> <li>• The LEA agrees to participate in on-going evaluation studies of the Common Core Standards, assessments, and curriculum.</li> <li>• The LEA agrees to adopt at least one (1) STEM (Science, Technology, Engineering, Mathematics) program outlined in the State Plan.</li> <li>• The LEA will develop a plan to partner with industry experts, museums, higher education institutions, research centers and/or other STEM-capable community partners.</li> </ul>	
<b>C. Data Systems to Support Instruction</b>	
<u>(C)(3) Using data to improve instruction:</u>	
<u>(i) Use of local instructional improvement systems</u>	
<ul style="list-style-type: none"> <li>• The LEA will use computer-based applications and graphical interfaces that are easy for students, parents, teachers, principals and the general public to use and that shows the progress toward improved student learning, as defined by ADE.</li> <li>• The LEA will assist the ADE with testing and implementation of any new or improved data and instructional improvement systems provided through the Race to the Top (RTTT) grant.</li> <li>• The LEA will use data to drive instruction and improvement. This data may originate from assessments or evaluations.</li> <li>• The LEA will ensure that its instructional improvement system will conform to ADE’s requirements. The LEA will upgrade and/or customize the system as needed to ensure conformity.</li> <li>• An LEA that does not have an instructional improvement system that meets ADE requirements will be required to implement the ADE model or comparable model.</li> <li>• The LEA will provide all necessary employee information as required for the Single Sign On system.</li> </ul>	

<p><u>(ii) Professional development on use of data</u></p> <ul style="list-style-type: none"> <li>• The LEA will ensure that teachers and principals participate in effective professional development on the use of its instructional improvement system.</li> <li>• The LEA will ensure that teachers and principals participate in effective professional development on the use of state and local-level data systems developed during the term of the grant.</li> <li>• The LEA will ensure that teachers and principals participate in professional development provided or approved by the ADE in the area of drop out prevention (as related to the implementation of an ADE developed early warning system).</li> </ul>	
<p><u>(iii) Availability and accessibility of data to researchers</u></p> <ul style="list-style-type: none"> <li>• The LEA will provide requested data from its instructional improvement system to support ADE's efforts to make data available to researchers for the purpose of evaluating the effectiveness of instructional materials, strategies, and approaches for educating all students and to help drive educational decisions and policies.</li> </ul>	
<p><b>D. Great Teachers and Leaders</b></p>	
<p><u>(D)(2) Improving teacher and principal effectiveness based on performance:</u></p>	
<p><u>(i) Measure student growth</u></p> <ul style="list-style-type: none"> <li>• The LEA will use student growth data, as defined by the ADE, to inform and drive instructional practices.</li> </ul>	
<p><u>(ii) Design and implement evaluation systems</u></p> <p><u>Teachers</u></p> <ul style="list-style-type: none"> <li>• The LEA will implement a teacher evaluation system to assess the performance of teachers on an annual basis (or as prescribed).</li> <li>• If the LEA does not currently have a teacher evaluation system, then the LEA must adopt the State-developed model (or comparable model).</li> <li>• The LEA will adopt and implement (or continue to use a comparable model, if applicable) a teacher evaluation tool developed by the Arkansas Teacher Evaluation Task Force. If the LEA continues to use a similar model then the LEA will ensure that its evaluation system conforms to ADE requirements. This requirement includes, but may not be limited to, the utilization of a multi-domain, multi-component model equivalent to that developed by Charlotte Danielson.</li> <li>• The LEA will utilize the student growth measure, as defined by the ADE, on the teacher evaluation. This growth measure will be a significant factor in the overall teacher evaluation.</li> <li>• The LEA will submit its teacher evaluation system to the ADE for review and approval (unless it is using the state-approved tool).</li> </ul> <p><u>Principals</u></p> <ul style="list-style-type: none"> <li>• The LEA will implement a principal evaluation system to assess the performance of principals on an annual basis (or as prescribed).</li> </ul>	

<ul style="list-style-type: none"> <li>• The LEA will adopt the State-developed principal evaluation tool (or comparable model) when it is available. If the LEA uses a comparable model, then the LEA will ensure that its evaluation system conforms to ADE requirements (as defined through a Principal Evaluation Task Force).</li> <li>• The LEA will utilize the student growth measure, as defined by ADE, on the principal evaluation. This growth measure will be a significant factor in the overall principal evaluation.</li> <li>• The LEA will submit its principal evaluation system to the ADE for review and approval (unless they are using the state-approved tool).</li> </ul>	
<p><u>(iii) Conduct annual evaluations</u></p> <ul style="list-style-type: none"> <li>• The LEA will evaluate teachers and principals annually or as required in the State Plan.</li> </ul>	
<p><u>(iv)(a) Use evaluations to inform professional development</u></p> <ul style="list-style-type: none"> <li>• The LEA will use the results from teacher and principal evaluations, as described in the State Plan, in its professional development system to establish an Individual Professional Development Plans for each teacher and principal that is, in part, based on an analysis of student performance data and results of prior evaluations.</li> </ul>	
<p><u>(iv)(c) LEAs will use the evaluations to inform full certification.</u></p> <ul style="list-style-type: none"> <li>• The LEA will base decisions to award employment contracts to teacher and principals on based on effectiveness as demonstrated on annual evaluations.</li> </ul>	
<p><u>(iv)(d) LEAs will use evaluations to inform the removal of teachers and principals (after ample time for improvement).</u></p> <ul style="list-style-type: none"> <li>• The LEA will base decisions surrounding the removal of teachers and principals on their level of effectiveness demonstrated on their annual evaluations, of which student growth is a significant measure.</li> </ul>	
<p><u>(D)(5) Providing effective support to teachers and principals:</u></p>	
<p><u>(i) Quality professional development</u></p> <p>LEAs will ensure every teacher and principal has access to ADE’s comprehensive instructional improvement system (see below). LEAs will ensure every teacher and principal has a professional development plan that provides opportunities to address weakness areas as identified by the instructional improvement system and annual evaluations.</p> <p><u>ADE will</u> provide teachers and principals with this comprehensive instructional improvement system that includes the following online professional learning resources (please think of professional learning resources as tools, and not just online professional development):</p> <ul style="list-style-type: none"> <li>○ access to a wide range of strategies and resources;</li> <li>○ best experts in literacy, mathematics, ELL instruction, science, SPED instruction and early childhood education direct to the desktop and at the fingertips of teachers and principals;</li> <li>○ a wide range of examples of classroom practice that help teachers see research in action;</li> </ul>	

<ul style="list-style-type: none"> <li>○ a custom publishing tool that allows: <ul style="list-style-type: none"> <li>▪ instructional coaches and leaders to add content to existing resources or make new ones;</li> <li>▪ reorganization of content modules or mixing of resources from a variety of sources;</li> <li>▪ the LEA to its own cases of professional practice.</li> </ul> </li> <li>○ virtual coaching to compliment face-to-face work;</li> <li>○ professional learning groups; and</li> <li>○ online message board to facilitate conversation and reflection on practice, sharing of lesson plans and student work, and more.</li> </ul>	
<p>(ii) Measure effectiveness of professional development</p> <ul style="list-style-type: none"> <li>• The LEA will evaluate, using a state-provided evaluation process, the effectiveness of professional development provided to its teachers and principals and provide that information to the ADE for program development purposes.</li> </ul>	

\_\_\_\_\_  
Authorized LEA Signature/Date

\_\_\_\_\_  
Authorized State Signature/Date

\_\_\_\_\_  
Print Name/Title

\_\_\_\_\_  
Print Name/Title

**If an LEA has a school appearing on the attached “high priority” list (see Appendix B), the LEA is eligible to receive additional funding to implement Section E below.**

<b>E. Turning Around the Lowest-Achieving Schools</b>	
<p>(E)(2) <u>Turning around the lowest-achieving (high-priority) schools</u></p> <ul style="list-style-type: none"> <li>• If the LEA is identified by the ADE as having schools in the lowest 5% of the state (pertaining to student achievement and growth), the LEA will select and implement one of the four school intervention models described in the grant application (see Appendix A).</li> <li>• The LEA will ensure that an intervention plan, using one of the four models listed in Appendix A, is submitted to the ADE within 90 days of grant approval.</li> <li>• The LEA will work collaboratively with a State-assigned school improvement director and support team to successfully implement the school intervention model selected.</li> </ul>	

**ONLY SUPERINTENDENTS WHO HAVE SCHOOLS ON THE ATTACHED HIGH PRIORITY LIST SHOULD SIGN IN THIS SECTION.**

\_\_\_\_\_  
Authorized LEA Signature/Date

\_\_\_\_\_  
Authorized State Signature/Date

\_\_\_\_\_  
Print Name/Title

\_\_\_\_\_  
Print Name/Title

## Appendix A: School Intervention Models, as defined by the United States Department of Education

There are four school intervention models referred to in Selection Criterion (E)(2): turnaround model, restart model, school closure, or transformation model. Each is described below. **If a school identified as a persistently lowest-achieving school has implemented, in whole or in part within the last two years, an intervention that meets the requirements of the turnaround, restart, or transformation models, the school may continue or complete the intervention being implemented.**

### (a) Turnaround model.

(1) A turnaround model is one in which an LEA must--

(i) Replace the principal and grant the principal sufficient operational flexibility (including in staffing, calendars/time, and budgeting) to implement fully a comprehensive approach in order to substantially improve student achievement outcomes and increase high school graduation rates;

(ii) Use locally adopted competencies to measure the effectiveness of staff who can work within the turnaround environment to meet the needs of students,

(A) Screen all existing staff and rehire no more than 50 percent; and

(B) Select new staff;

(iii) Implement such strategies as financial incentives, increased opportunities for promotion and career growth, and more flexible work conditions that are designed to recruit, place, and retain staff with the skills necessary to meet the needs of the students in the turnaround school;

(iv) Provide staff with ongoing, high-quality, job-embedded professional development that is aligned with the school's comprehensive instructional program and designed with school staff to ensure that they are equipped to facilitate effective teaching and learning and have the capacity to successfully implement school reform strategies;

(v) Adopt a new governance structure, which may include, but is not limited to, requiring the school to report to a new "turnaround office" in the LEA or SEA, hire a "turnaround leader" who reports directly to the Superintendent or Chief Academic Officer, or enter into a multi-year contract with the LEA or SEA to obtain added flexibility in exchange for greater accountability;

(vi) Use data to identify and implement an instructional program that is research-based and "vertically aligned" from one grade to the next as well as aligned with State academic standards;

(vii) Promote the continuous use of student data (such as from formative, interim, and summative assessments) to inform and differentiate instruction in order to meet the academic needs of individual students;

(viii) Establish schedules and implement strategies that provide increased learning time (as defined in this notice); and

(ix) Provide appropriate social-emotional and community-oriented services and supports for students.

(2) A turnaround model may also implement other strategies such as—

i) Any of the required and permissible activities under the transformation model; or

(ii) A new school model (*e.g.*, themed, dual language academy).

**(b) Restart model.** A restart model is one in which an LEA converts a school or closes and reopens a school under a charter school operator, a charter management organization (CMO), or an education management organization (EMO) that has been selected through a rigorous review process. (A CMO is a non-profit organization that operates or manages charter schools by centralizing or sharing certain functions and resources among schools. An EMO is a for-profit or non-profit organization that provides “whole-school operation” services to an LEA.) A restart model must enroll, within the grades it serves, any former student who wishes to attend the school.

**(c) School closure.** School closure occurs when an LEA closes a school and enrolls the students who attended that school in other schools in the LEA that are higher achieving. These other schools should be within reasonable proximity to the closed school and may include, but are not limited to, charter schools or new schools for which achievement data are not yet available.

**(d) Transformation model.** A transformation model is one in which an LEA implements each of the following strategies:

(1) Developing and increasing teacher and school leader effectiveness.

(i) Required activities. The LEA must--

(A) Replace the principal who led the school prior to commencement of the transformation model;

(B) Use rigorous, transparent, and equitable evaluation systems for teachers and principals that--

(1) Take into account data on student growth (as defined in this notice) as a significant factor as well as other factors such as multiple observation-based assessments of performance and ongoing collections of professional practice reflective of student achievement and increased high-school graduations rates; and

(2) Are designed and developed with teacher and principal involvement;

(C) Identify and reward school leaders, teachers, and other staff who, in implementing this model, have increased student achievement and high-school graduation rates and identify and remove those who, after ample opportunities have been provided for them to improve their professional practice, have not done so;

(D) Provide staff with ongoing, high-quality, job-embedded professional development (*e.g.*, regarding subject-specific pedagogy, instruction that reflects a deeper understanding of the community served by the school, or differentiated instruction) that is aligned with the school’s comprehensive instructional program and designed with school staff to ensure they are equipped to facilitate effective teaching and learning and have the capacity to successfully implement school reform strategies; and

(E) Implement such strategies as financial incentives, increased opportunities for promotion and career growth, and more flexible work conditions that are designed to recruit, place, and retain staff with the skills necessary to meet the needs of the students in a transformation school.

(ii) Permissible activities. An LEA may also implement other strategies to develop teachers’ and school leaders’ effectiveness, such as--

(A) Providing additional compensation to attract and retain staff with the skills necessary to meet the needs of the students in a transformation school;

(B) Instituting a system for measuring changes in instructional practices resulting from professional development; or

(C) Ensuring that the school is not required to accept a teacher without the mutual consent of the teacher and principal, regardless of the teacher’s seniority.

(2) Comprehensive instructional reform strategies.

(i) Required activities. The LEA must--

(A) Use data to identify and implement an instructional program that is research-based and “vertically aligned” from one grade to the next as well as aligned with State academic standards; and

(B) Promote the continuous use of student data (such as from formative, interim, and summative assessments) to inform and differentiate instruction in order to meet the academic needs of individual students.

(ii) Permissible activities. An LEA may also implement comprehensive instructional reform strategies, such as--

(A) Conducting periodic reviews to ensure that the curriculum is being implemented with fidelity, is having the intended impact on student achievement, and is modified if ineffective;

(B) Implementing a schoolwide “response-to-intervention” model;

(C) Providing additional supports and professional development to teachers and principals in order to implement effective strategies to support students with disabilities in the least restrictive environment and to ensure that limited English proficient students acquire language skills to master academic content;

(D) Using and integrating technology-based supports and interventions as part of the instructional program; and

(E) In secondary schools--

(1) Increasing rigor by offering opportunities for students to enroll in advanced coursework (such as Advanced Placement or International Baccalaureate; or science, technology, engineering, and mathematics courses, especially those that incorporate rigorous and relevant project-, inquiry-, or design-based contextual learning opportunities), early-college high schools, dual enrollment programs, or thematic learning academies that prepare students for college and careers, including by providing appropriate supports designed to ensure that low-achieving students can take advantage of these programs and coursework;

(2) Improving student transition from middle to high school through summer transition programs or freshman academies;

(3) Increasing graduation rates through, for example, credit-recovery programs, re-engagement strategies, smaller learning communities, competency-based instruction and performance-based assessments, and acceleration of basic reading and mathematics skills; or

(4) Establishing early-warning systems to identify students who may be at risk of failing to achieve to high standards or graduate.

(3) Increasing learning time and creating community-oriented schools.

(i) Required activities. The LEA must--

(A) Establish schedules and implement strategies that provide increased learning time (as defined in this notice); and

(B) Provide ongoing mechanisms for family and community engagement.

(ii) Permissible activities. An LEA may also implement other strategies that extend learning time and create community-oriented schools, such as--

(A) Partnering with parents and parent organizations, faith- and community-based organizations, health clinics, other State or local agencies, and others to create safe school environments that meet students’ social, emotional, and health needs;

(B) Extending or restructuring the school day so as to add time for such strategies as advisory periods that build relationships between students, faculty, and other school staff;

(C) Implementing approaches to improve school climate and discipline, such as implementing a system of positive behavioral supports or taking steps to eliminate bullying and student harassment; or

(D) Expanding the school program to offer full-day kindergarten or pre-kindergarten.

(4) Providing operational flexibility and sustained support.

(i) Required activities. The LEA must--

(A) Give the school sufficient operational flexibility (such as staffing, calendars/time, and budgeting) to implement fully a comprehensive approach to substantially improve student achievement outcomes and increase high school graduation rates; and

(B) Ensure that the school receives ongoing, intensive technical assistance and related support from the LEA, the SEA, or a designated external lead partner organization (such as a school turnaround organization or an EMO).

(ii) Permissible activities. The LEA may also implement other strategies for providing operational flexibility and intensive support, such as--

(A) Allowing the school to be run under a new governance arrangement, such as a turnaround division within the LEA or SEA; or

(B) Implementing a per-pupil school-based budget formula that is weighted based on student needs.

## **RACE TO THE TOP** **FEDERAL DEFINITIONS**

**Alternative routes to certification** means pathways to certification that are authorized under the State's laws or regulations, that allow the establishment and operation of teacher and administrator preparation programs in the State, and that have the following characteristics (in addition to standard features such as demonstration of subject-matter mastery, and high-quality instruction in pedagogy and in addressing the needs of all students in the classroom including English language learners<sup>1</sup> and student with disabilities): (a) can be provided by various types of qualified providers, including both institutions of higher education and other providers operating independently from institutions of higher education; (b) are selective in accepting candidates; (c) provide supervised, school-based experiences and ongoing support such as effective mentoring and coaching; (d) significantly limit the amount of coursework required or have options to test out of courses; and (e) upon completion, award the same level of certification that traditional preparation programs award upon completion.

**College enrollment** refers to the enrollment of students who graduate from high school consistent with 34 CFR 200.19(b)(1) and who enroll in an institution of higher education (as defined in section 101 of the Higher Education Act, P.L. 105-244, 20 U.S.C. 1001) within 16 months of graduation.

**Common set of K-12 standards** means a set of content standards that define what students must know and be able to do and that are substantially identical across all States in a consortium. A State may supplement the common standards with additional standards, provided that the additional standards do not exceed 15 percent of the State's total standards for that content area.

**Effective principal** means a principal whose students, overall and for each subgroup, achieve acceptable rates (*e.g.*, at least one grade level in an academic year) of student growth (as defined in this notice). States, LEAs, or schools must include multiple measures, provided that principal effectiveness is evaluated, in significant part, by student growth (as defined in this notice). Supplemental measures may include, for example, high school graduation rates and college enrollment rates, as well as evidence of providing supportive teaching and learning conditions, strong instructional leadership, and positive family and community engagement.

**Effective teacher** means a teacher whose students achieve acceptable rates (*e.g.*, at least one grade level in an academic year) of student growth (as defined in this notice). States, LEAs, or schools must include multiple measures, provided that teacher effectiveness is evaluated, in significant part, by student growth (as defined in this notice). Supplemental

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<sup>1</sup>The term English language learner, as used in this notice, is synonymous with the term limited English proficient, as defined in section 9101 of the ESEA

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measures may include, for example, multiple observation-based assessments of teacher performance.

**Formative assessment** means assessment questions, tools, and processes that are embedded in instruction and are used by teachers and students to provide timely feedback for purposes of adjusting instruction to improve learning.

**Graduation rate** means the four-year or extended-year adjusted cohort graduation rate as defined by 34 CFR 200.19(b)(1).

**Highly effective principal** means a principal whose students, overall and for each subgroup, achieve high rates (*e.g.*, one and one-half grade levels in an academic year) of student growth (as defined in this notice). States, LEAs, or schools must include multiple measures, provided that principal effectiveness is evaluated, in significant part, by student growth (as defined in this notice). Supplemental measures may include, for example, high school graduation rates; college enrollment rates; evidence of providing supportive teaching and learning conditions, strong instructional leadership, and positive family and community engagement; or evidence of attracting, developing, and retaining high numbers of effective teachers.

**Highly effective teacher** means a teacher whose students achieve high rates (*e.g.*, one and one-half grade levels in an academic year) of student growth (as defined in this notice). States, LEAs, or schools must include multiple measures, provided that teacher effectiveness is evaluated, in significant part, by student growth (as defined in this notice). Supplemental measures may include, for example, multiple observation-based assessments of teacher performance or evidence of leadership roles (which may include mentoring or leading professional learning communities) that increase the effectiveness of other teachers in the school or LEA.

**High-minority school** is defined by the State in a manner consistent with its Teacher Equity Plan. The State should provide, in its Race to the Top application, the definition used.

**High-need LEA** means an LEA (a) that serves not fewer than 10,000 children from families with incomes below the poverty line; or (b) for which not less than 20 percent of the children served by the LEA are from families with incomes below the poverty line.

**High-need students** means students at risk of educational failure or otherwise in need of special assistance and support, such as students who are living in poverty, who attend high-minority schools (as defined in this notice), who are far below grade level, who have left school before receiving a regular high school diploma, who are at risk of not graduating with a diploma on time, who are homeless, who are in foster care, who have been incarcerated, who have disabilities, or who are English language learners.

**High-performing charter school** means a charter school that has been in operation for at least three consecutive years and has demonstrated overall success, including (a)

substantial progress in improving student achievement (as defined in this notice); and (b) the management and leadership necessary to overcome initial start-up problems and establish a thriving, financially viable charter school.

**High-poverty school** means, consistent with section 1111(h)(1)(C)(viii) of the ESEA, a school in the highest quartile of schools in the State with respect to poverty level, using a measure of poverty determined by the State.

**High-quality assessment** means an assessment designed to measure a student's knowledge, understanding of, and ability to apply, critical concepts through the use of a variety of item types and formats (*e.g.*, open-ended responses, performance-based tasks). Such assessments should enable measurement of student achievement (as defined in this notice) and student growth (as defined in this notice); be of high technical quality (*e.g.*, be valid, reliable, fair, and aligned to standards); incorporate technology where appropriate; include the assessment of students with disabilities and English language learners; and to the extent feasible, use universal design principles (as defined in section 3 of the Assistive Technology Act of 1998, as amended, 29 U.S.C. 3002) in development and administration.

**Increased learning time** means using a longer school day, week, or year schedule to significantly increase the total number of school hours to include additional time for (a) instruction in core academic subjects, including English; reading or language arts; mathematics; science; foreign languages; civics and government; economics; arts; history; and geography; (b) instruction in other subjects and enrichment activities that contribute to a well-rounded education, including, for example, physical education, service learning, and experiential and work-based learning opportunities that are provided by partnering, as appropriate, with other organizations; and (c) teachers to collaborate, plan, and engage in professional development within and across grades and subjects.<sup>2</sup>

**Innovative, autonomous public schools** means open enrollment public schools that, in return for increased accountability for student achievement (as defined in this notice), have the flexibility and authority to define their instructional models and associated curriculum; select and replace staff; implement new structures and formats for the school day or year; and control their budgets.

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<sup>2</sup> Research supports the effectiveness of well-designed programs that expand learning time by a minimum of 300 hours per school year. (See Frazier, Julie A.; Morrison, Frederick J. "The Influence of Extended-year Schooling on Growth of Achievement and Perceived Competence in Early Elementary School." *Child Development*. Vol. 69 (2), April 1998, pp.495-497 and research done by Mass2020.) Extending learning into before- and after-school hours can be difficult to implement effectively, but is permissible under this definition with encouragement to closely integrate and coordinate academic work between in-school and out-of school. (See James-Burdumy, Susanne; Dynarski, Mark; Deke, John. "When Elementary Schools Stay Open Late: Results from The National Evaluation of the 21st Century Community Learning Centers Program." <[http://www.mathematica-mpr.com/publications/redirect\\_PubsDB.asp?strSite=http://epa.sagepub.com/cgi/content/abstract/29/4/296](http://www.mathematica-mpr.com/publications/redirect_PubsDB.asp?strSite=http://epa.sagepub.com/cgi/content/abstract/29/4/296)> *Educational Evaluation and Policy Analysis*, Vol. 29 (4), December 2007, Document No. PP07-121.)

**Instructional improvement systems** means technology-based tools and other strategies that provide teachers, principals, and administrators with meaningful support and actionable data to systemically manage continuous instructional improvement, including such activities as: instructional planning; gathering information (*e.g.*, through formative assessments (as defined in this notice), interim assessments (as defined in this notice), summative assessments, and looking at student work and other student data); analyzing information with the support of rapid-time (as defined in this notice) reporting; using this information to inform decisions on appropriate next instructional steps; and evaluating the effectiveness of the actions taken. Such systems promote collaborative problem-solving and action planning; they may also integrate instructional data with student-level data such as attendance, discipline, grades, credit accumulation, and student survey results to provide early warning indicators of a student's risk of educational failure.

**Interim assessment** means an assessment that is given at regular and specified intervals throughout the school year, is designed to evaluate students' knowledge and skills relative to a specific set of academic standards, and produces results that can be aggregated (*e.g.*, by course, grade level, school, or LEA) in order to inform teachers and administrators at the student, classroom, school, and LEA levels.

**Involved LEAs** means LEAs that choose to work with the State to implement those specific portions of the State's plan that necessitate full or nearly-full statewide implementation, such as transitioning to a common set of K-12 standards (as defined in this notice). Involved LEAs do not receive a share of the 50 percent of a State's grant award that it must subgrant to LEAs in accordance with section 14006(c) of the ARRA, but States may provide other funding to involved LEAs under the State's Race to the Top grant in a manner that is consistent with the State's application.

**Low-minority school** is defined by the State in a manner consistent with its Teacher Equity Plan. The State should provide, in its Race to the Top application, the definition used.

**Low-poverty school** means, consistent with section 1111(h)(1)(C)(viii) of the ESEA, a school in the lowest quartile of schools in the State with respect to poverty level, using a measure of poverty determined by the State.

**Participating LEAs** means LEAs that choose to work with the State to implement all or significant portions of the State's Race to the Top plan, as specified in each LEA's agreement with the State. Each participating LEA that receives funding under Title I, Part A will receive a share of the 50 percent of a State's grant award that the State must subgrant to LEAs, based on the LEA's relative share of Title I, Part A allocations in the most recent year, in accordance with section 14006(c) of the ARRA. Any participating LEA that does not receive funding under Title I, Part A (as well as one that does) may receive funding from the State's other 50 percent of the grant award, in accordance with the State's plan.

**Persistently lowest-achieving schools** means, as determined by the State: (i) Any Title I school in improvement, corrective action, or restructuring that (a) Is among the lowest-achieving five percent of Title I schools in improvement, corrective action, or restructuring or the lowest-achieving five Title I schools in improvement, corrective action, or restructuring in the State, whichever number of schools is greater; or (b) Is a high school that has had a graduation rate as defined in 34 CFR 200.19(b) that is less than 60 percent over a number of years; and (ii) Any secondary school that is eligible for, but does not receive, Title I funds that (a) Is among the lowest-achieving five percent of secondary schools or the lowest-achieving five secondary schools in the State that are eligible for, but do not receive, Title I funds, whichever number of schools is greater; or (b) Is a high school that has had a graduation rate as defined in 34 CFR 200.19(b) that is less than 60 percent over a number of years. To identify the lowest-achieving schools, a State must take into account both (i) The academic achievement of the “all students” group in a school in terms of proficiency on the State’s assessments under section 1111(b)(3) of the ESEA in reading/language arts and mathematics combined; and (ii) The school’s lack of progress on those assessments over a number of years in the “all students” group.

**Rapid-time**, in reference to reporting and availability of locally-collected school- and LEA-level data, means that data are available quickly enough to inform current lessons, instruction, and related supports.

**Student achievement** means—

(a) For tested grades and subjects: (1) a student’s score on the State’s assessments under the ESEA; and, as appropriate, (2) other measures of student learning, such as those described in paragraph (b) of this definition, provided they are rigorous and comparable across classrooms.

(b) For non-tested grades and subjects: alternative measures of student learning and performance such as student scores on pre-tests and end-of-course tests; student performance on English language proficiency assessments; and other measures of student achievement that are rigorous and comparable across classrooms.

**Student growth** means the change in student achievement (as defined in this notice) for an individual student between two or more points in time. A State may also include other measures that are rigorous and comparable across classrooms.

**Total revenues available to the State** means either (a) projected or actual total State revenues for education and other purposes for the relevant year; or (b) projected or actual total State appropriations for education and other purposes for the relevant year.

**America COMPETES Act elements** means (as specified in section 6401(e)(2)(D) of that Act): (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

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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.