

**NEW YORK STATE RACE TO THE TOP GRANT PROPOSAL:  
PUBLIC COMMUNICATION AND POLICY  
RECOMMENDATIONS SUMMARY**

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**NEW YORK STATE EDUCATION DEPARTMENT**

## BACKGROUND – Race to the Top and the Four Assurances

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The Race to the Top (RTTT) is an unprecedented \$4.35 billion competitive grant program designed to encourage and reward States that are creating conditions for education innovation and reform and are achieving significant improvement in student outcomes. This program is the largest discretionary funding package for education ever offered by the US Department of Education, and New York State is among only four states eligible for the largest grants – up to \$700 million.

New York State has a rich and impressive history of educating a diverse population of students, and of promoting educational innovation, but together we can do more. RTTT presents a unique opportunity to build on the unrivaled strengths of the University of the State of New York (USNY) to bring profound changes that will make a real difference in the educational achievement of all of our State’s students. The unique Board of Regents governance structure and interconnected network of resources available to New York State provide the breadth of resources and influence needed to ensure that RTTT dollars are put to their best use to drive improved, college-ready educational achievement for all of our students, with a particular focus on historically under-served priority populations including low-income students, African American students, Hispanic students, English Language Learners (ELL), and Students With Disabilities (SWD).

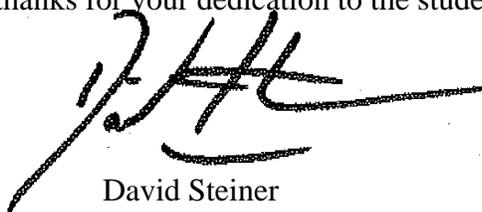
However, in order to qualify for RTTT funding we must demonstrate – across school districts, schools, communities, and education levels – a unified commitment to supporting aggressive reforms that will truly make a difference in the quality of education for our students. As Secretary Duncan emphasized in his introduction to the RTTT application, awards will be given to a select number of states that will “trail-blaze effective reforms and provide examples for States and local school districts throughout the country” by demonstrating coordinated, deep-seated commitment to education reform. That is why I am requesting that all school superintendents, district Board of Education Presidents, and local Education Union Presidents (where applicable) statewide sign a Memorandum of Understanding demonstrating their commitment to participate in all or a substantial portion of the improvement initiatives articulated in the State’s RTTT plan. Every local education agency (LEA) that signs the MOU – a copy of which is included at the end of the RTTT Summary document below – will become eligible to receive a portion of the 50% of the State’s total RTTT award that will be distributed to participating LEAs under the Title I formula as required by Race to the Top guidelines.

The U.S. Education Department has indicated that it will only consider applications defining a comprehensive and coherent set of policies and practices in four education reform areas (i.e., *The Four Assurances*). RTTT applications must describe how these policies and practices are designed to increase student achievement, reduce the achievement gap across student subgroups, and increase the rates at which students graduate from high school prepared for college and careers. The Four Assurances are:

- Adopting internationally-benchmarked standards and assessments that prepare students for success in college and the workplace
- Recruiting, developing, retaining, and rewarding effective teachers and principals
- Building instructional data systems that measure student success and inform teachers and principals how they can improve their practices
- Turning around the lowest-performing schools

The document below provides an overview of the key components of New York State's RTTT application and explains how LEAs can best support our efforts to win the Race. Although the State's application, due to the US Department of Education on January 19, continues to be refined and edited, the summary below represents the principles that will be included in the application and that will guide our State's future efforts to ensure that every student in New York State has the opportunity to excel, from pre-school to college, and beyond.

With grateful thanks for your dedication to the students of New York State,

A handwritten signature in black ink, appearing to read 'D. Steiner', with a long horizontal flourish extending to the right.

David Steiner  
Commissioner of Education and  
President of the University of the State of New York

## New York State’s RTTT Application Summary

This document summarizes the major recommendations for inclusion in New York State’s RTTT proposal. As recommendations have been developed during the past months, the Board of Regents RTTT Committee, led by Chancellor Merryl Tisch and Regent Lester Young, with participation from Education Commissioner David Steiner, and Senior Deputy Commissioner John King, has solicited input from numerous stakeholders. That input has

been invaluable in the State’s efforts to develop RTTT plans.

New York’s Race to the top application will take advantage of the unique opportunity presented by RTTT to accelerate the State’s education reform strategy and introduce innovation at all levels of our system. New York’s RTTT vision includes the primary components below, aligned to the Four Assurances:

### *New York State’s Race to the Top Key Components Aligned to the Four Assurances<sup>1</sup>*

1	Standards and Assessments	<p>Reinforce New York State’s strong commitment to rigorous educational standards by taking a leadership role in the construction of rigorous Council of Chief State School Officers (CCSSO) and National Governors Association (NGA) national standards and subsequent assessments aligned to them</p> <p>Redesign the NYS Assessment Program, in alignment with the Common Core Standards, to incorporate formative and interim assessments, increase rigor, and to expand into 21st century competencies (e.g., technology, economics and the arts)</p> <p>Launch a virtual high school initiative</p>
2	Data Systems to Support Instruction	<p>Expand New York State’s current education data system to encompass P-20 longitudinal data to identify very early whether students are on track to succeed in school, help teachers and school leaders improve instruction and school climate, and identify best practices and models of excellence that can be replicated statewide</p> <p>Adopt an accountability model that includes student growth measures</p>
3	Great Teachers and Leaders	<p>Advance and accelerate the New York State Board of Regents’ agenda to transform teaching and learning, as well as school leadership in New York State, and to recruit, prepare and support skilled teachers and leaders in New York’s high need schools</p>
4	Turning Around Struggling Schools	<p>Identify the State’s lowest performing schools, focus resources where they are needed most and will provide the greatest good, and assist districts in successfully developing and implementing aggressive closure, restart, turnaround, or transformation efforts. Resources will be targeted to support innovative secondary models</p>

<sup>1</sup> Additional detail on the supporting initiatives and activities is provided in appendix 1 on page 7.

## Race to the Top and Your District

To be successful, our RTTT application needs districts/LEAs across the State to support New York State’s proposal. If we are one of the winners in the Race to the Top, our State’s school districts/LEAs will benefit significantly from RTTT award funding. New York State may qualify for up to \$700 million of funding; because ½ of the award is earmarked to districts, if the State receives \$700 million, \$350 million will be allocated among **participating** districts /LEAs according to Title I formula as required by Race to the Top.

In order to take advantage of funding through RTTT, districts/LEAs are required to sign and submit a **Memorandum of Understanding (MOU) confirming the district’s/LEA’s participation in and commitment to the State’s RTTT initiatives by January 8, 2010.**

**(Please see appendix 2 on pages 12-18 for a copy of the MOU.)** The MOU must be signed by the superintendent, and preferably also by the local school board president and the local education union president (if applicable). To be identified as a participating district/LEA in the State’s Race to the Top effort, districts/LEAs are required to indicate commitment to participate as requested in all components of the State’s Race to the Top plan as identified in the MOU. Section E of the Preliminary Scope of Work pertains only to districts with schools that qualify for the State’s RTTT school turnaround initiatives, however.

Below is an overview of the four school improvement models identified in the Race to the Top Request for Proposal:

### The Race to the Top School Intervention Models

The Models	Summary of the Required Components
Turnaround Model	<ul style="list-style-type: none"> <li>Replace the principal and replace at least 50% of the staff</li> <li>Implement incentives (financial, career) to promote recruitment and retention of high-quality staff and provide high quality professional development to staff</li> <li>Adopt a new school governance structure</li> <li>Use student performance data to inform and differentiate instruction</li> <li>Increase learning time</li> <li>Provide appropriate social-emotional supports and community-oriented services to students</li> </ul>
Restart Model	<ul style="list-style-type: none"> <li>Convert or close the school and re-open under a charter school operator, charter management organization (CMO), or education management organization (EMO) [if approved by the legislature]</li> <li>Enroll in the restart school, within the grades it serves, any former student who wishes to attend the school</li> </ul>
Transformation Model	<ul style="list-style-type: none"> <li>Similar to the Turnaround Model</li> <li>Uses a rigorous and equitable evaluation system for teachers and principals and rewards school leaders, teachers, and other staff who, in implementing this model, have increased student achievement and high school graduation rates, and identifies/removes those who, after ample professional development, have not increased student achievement</li> </ul>
School Closure	<ul style="list-style-type: none"> <li>Close the school and enroll the students who attended the school in higher-achieving schools in the LEA</li> </ul>

## Next Steps

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To win the RTTT requires bold vision and, just as importantly, bold action. In the next few weeks, local school superintendents should engage in conversations with stakeholders, including teachers, school and district administrators, parents, district boards of education, local education union leadership, and BOCES (Boards of Educational Cooperative Services) to encourage support of New York State's RTTT application and determine the desired level of district participation. **For districts/LEAs to become eligible for RTTT Funding, signed MOUs are due by 5:00 p.m. on January 8, 2010.** They will be collected and recorded for submission in New York State's Race to the Top application, which is due on or before January 19, 2010.

If New York State is identified as one of the winners in the first round of the Race to the Top, we expect to be notified in April, 2010. It will then be time for all participating districts to develop detailed scopes of work for review and approval by NYSED. Below is a summary timeline of key next steps:

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### *Timeline*

	Action Item	Date
All Participating Districts	Email signed MOU and overnight/express mail hard copy to SED	January 8, 2010
	Submit final scope of work for review and approval by SED	90 days after notification of award
Participating Districts with Schools that qualify for RTTT support to implement one of the four school intervention models	Submit scope of work for implementing one intervention model, or, for districts with multiple qualifying schools, intervention models appropriate for each school.	90 days after notification of award

## Appendix 1 – Overview of New York State’s Race to the Top Strategy

Assurance	Plan Summary	Key Activities to Achieve the Plan – New York State Will:
Standards and Assessments	<p>Reinforce New York State’s strong commitment to rigorous educational standards by taking a leadership role in the construction of rigorous Council of Chief State School Officers (CCSSO) and National Governors Association (NGA) national standards and subsequent assessments aligned to them</p> <p>Redesign the NYS Assessment Program, in alignment with the Common Core Standards, to incorporate formative and interim assessments, increase rigor, and to expand into new 21st century competencies (e.g., technology, economics and the arts)</p>	<p>Review and consider for adoption the Council of Chief State School Officers (CCSSO) and the National Governor’s Association (NGA) Center for Best Practices Common Core college- and career-readiness standards for “Mathematics” and for “Reading, Writing, and Speaking and Listening”</p> <p>Determine additional New York Mathematics and ELA content (15% as judged necessary)</p> <p>Adopt a combined set of learning standards and grade by grade performance expectations for P-12 in Mathematics and ELA</p> <p>Design ELA and Math curriculum frameworks, align professional development and pre-service education, and integrate new standards into virtual high school initiative</p> <p>Revise/create standards in other subjects (Science, Social Studies, Technology, Economics, Arts), design curriculum frameworks, align professional development and pre-service education, and integrate new standards into virtual high school initiative</p> <p>In collaboration with the teachers, principals, parents, higher education, industry, and experts in ELL and Special Education, develop a comprehensive set of formative, interim, and summative assessments in English Language Arts and Mathematics. These assessments will (1) reflect redesigned, sequenced, spiraled, content-rich curriculum frameworks that will clearly identify the knowledge and skills required at each grade level K-12 (including early literacy in grades K-2); and (2) provide teachers with timely, accurate, and actionable information they can use to design and implement differentiated instructional strategies</p> <p>Strengthen grade 3-8 English Language Arts and Mathematics testing program by incorporating a broader range of knowledge and skills, implementing vertical scaling to facilitate value-added analysis, and externally benchmarking the system through periodic audits</p> <p>Ensure that our students are prepared for higher level mathematics and science work that will prepare more graduates to pursue STEM fields by designing and implementing a blended Grades 3-8 science testing program integrating computer-based assessment, which will take advantage of advances in computer technology to stage lab simulations, do data analysis, and test scientific hypotheses</p> <p>Improve the alignment of the New York State Regents exams with college and career ready expectations by ensuring that our assessment system is vertically aligned and that successful graduates of the NYS school system are truly prepared for success in college and/or meaningful employment in the 21st century global economy</p> <p>Launch a virtual high school initiative</p>

Assurance	Plan Summary	Key Activities to Achieve the Plan – New York State Will:
Data Systems to Support Instruction	<p>Expand New York State’s current education data system to encompass P-20 longitudinal data to identify very early whether students are on track to succeed in school, help teachers and school leaders improve instruction and school climate, and identify best practices and models of excellence that can be replicated statewide</p> <p>Adopt an accountability model that includes student growth measures</p>	<p>Develop a single flexible P-20 Instructional Reporting and Improvement System leveraging the best of such systems already in use in New York State, that will provide standard, customized, real-time reports (for formative, interim, and summative data) and analysis to teachers, school officials, and parents</p> <p>Reform the current P-12 data system so it is faster, more efficient, and easier to use for LEAs, regional centers, and NYSED</p> <p>Establish links to higher education data systems, including CUNY and SUNY</p> <p>Add data elements needed to make the system more complete and useful (e.g., unique educator identifiers, unique course identifiers)</p> <p>Provide extensive and ongoing professional development for educators in using the instructional reporting system to analyze data and then, once student deficiencies are identified, to take the appropriate, research-driven actions to improve student achievement or school climate</p> <p>Establish a Statewide Comprehensive Instructional Reporting and Improvement Center and Regional Implementation Teams to coordinate and provide training and technical assistance to educators, workforce leaders, policymakers, and the public who are using the system to obtain information on the performance of students over time</p>
Great Teachers and Leaders	<p>Advance and accelerate the New York State Board of Regents’ agenda to transform teaching and learning, as well as school leadership in New York State, and to recruit skilled teachers and leaders in New York’s high need schools</p>	<p>On a pilot basis, authorize colleges and universities, cultural institutions, research centers, non-profit organizations, and others with demonstrated results in raising the achievement of high need students, through the RFP process, to recommend for certification both teachers and principals for placement in high need schools through clinically based graduate programs. The Board of Regents will award master’s degrees to those students who successfully complete registered teacher training pilot programs offered by non-collegiate institutions</p> <p>Create new incentives to recruit and retain teachers in STEM (Science, Technology, Engineering and Math) areas in high need schools including:</p> <ul style="list-style-type: none"> <li>– An expedited pathway to encourage scientists, engineers, and mathematicians with doctoral or master’s degrees with higher education teaching experience to teach in our State’s high need middle and high schools</li> <li>– A new differential incentive to recruit and retain teachers to support the learning needs of students in STEM disciplines in the State’s high need schools. Effective teachers in high need schools certified in a STEM discipline (or teachers of English language learners or students with disabilities supporting teachers in STEM disciplines) would be eligible to receive as much as a \$30,000 total bonus over the course of five years</li> </ul> <p>Create transparent data profiles for all institutions that prepare school teachers and school leaders</p>

		<p>Establish performance-based assessments for initial certification for teachers and for principals</p> <p>Establish performance-based assessments (including student performance data) for professional certification of new teachers</p> <p>Develop a more rigorous Content Specialty Test to assess new teachers' mastery of knowledge in the content area in which they will be teaching</p> <p>Allow secondary-level certification applicants to use alternative means to demonstrate content-knowledge with work experience and acceptable rigorous examinations in combination with undergraduate/graduate level coursework</p> <p>Create a rich clinically-based undergraduate teacher preparation model focused on serving the needs of students in the performance gap in high need schools</p> <p>Create a model induction program for new teachers designed to create "teacher leaders" (i.e., teachers who are skilled at collaboratively using data to drive improved instruction, teachers who seek out continuous feedback on their instruction, etc.)</p> <p>Create a statewide teacher career ladder for school districts to utilize to compensate teachers for improving their teaching practice and statewide principal career continuum for school districts to utilize to compensate principals for demonstrating progressive improvement throughout their careers</p> <p>Develop an enhanced Annual Professional Performance Review (APPR) for teachers grounded in newly developed teacher standards and designed to more clearly differentiate teacher effectiveness (e.g., highly effective, effective, developing, and ineffective) employing multiple measures, including student achievement and student growth data</p> <p>Develop a school leader Annual Professional Performance Review (APPR) focused on strengthening student performance, feedback from multiple sources and aligning professional growth with areas that need improvement.</p> <p>Establish a formative assessment model of professional development for improving teaching and learning in high need schools</p> <p>Expand the leadership academies across New York State ensuring that all of the Big 5 cities and all regions of the State have access to professional development through these leadership academies</p> <p>Incorporate the equitable distribution of effective teachers into district score cards and district accountability measures</p> <p>Streamline the §3020-a process [if approved by the Legislature]</p>
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Assurance	Plan Summary	Key Activities to Achieve the Plan – New York State Will:
Turning Around Struggling Schools	Identify the State’s lowest performing schools, focus resources where they are needed most and will provide the greatest good, and assist districts in successfully developing and implementing aggressive closure, turnaround, restart, or transformation efforts. Resources will be targeted to support new school models in replacement schools, schools and programs for overage and under-credited students and STEM replacement schools	<p>Leverage external leader partners (e.g., education management organizations, CUNY, SUNY, etc.) to assist districts with implementing the school change strategies</p> <p>Target resources to support innovative secondary models. These models could be centered on themes, including (but not limited to):</p> <ul style="list-style-type: none"> <li>-secondary schools focused on science, technology, engineering, &amp; math</li> <li>-virtual/blended secondary schools;</li> <li>-secondary schools for the arts;</li> <li>-career and technical secondary schools;</li> <li>-museum secondary schools;</li> <li>-language acquisition secondary schools; and</li> <li>-full service secondary schools supported by cross-agency partnerships and community-based organizations (CBOs)</li> </ul> <p>Use a Request for Proposal (RFP) process to create a statewide Technical Assistance Center for Innovation and Turnaround (TACIT) to support the implementation of Race to the Top school intervention models</p> <p>Expand the use of federal school improvement funds (1003(g) funds [20 USC §6303(g)]) to support LEAs that voluntarily opt-in to use of the four intervention models before schools are identified as persistently lowest-achieving</p> <p>Support the implementation of this plan by establishing the following legislative priorities:</p> <ul style="list-style-type: none"> <li>– Authorizing educational management organizations (EMOs) with demonstrated results in raising the achievement of high need students to directly manage schools (including budget, staffing decisions, the daily schedule and yearly calendar, etc.)</li> <li>– Raising the charter school cap to facilitate the creation of new charter schools, particularly secondary schools, focused on serving high need populations of students (i.e., low-income students, students at Level 1 or Level 2 performance on the NY State assessments, over-age and under-credited high school students, English language learners (ELLs), and students with disabilities (SWDs))</li> <li>– Authorizing the Commissioner to order – in extraordinary circumstances – an LEA to convert a struggling school into a charter school</li> <li>– Authorizing charter schools access to BOCES services</li> </ul> <p>Establish as a legislative priority expansion of the authority of the Board of Regents to intervene in LEAs that have been declared chronically under-performing and give the Regents the authority to designate a three- member team who would assume the responsibilities of an Education Oversight Board of the district with all the powers of the School Board</p>

		<p>Amend Commissioner’s regulations to:</p> <ul style="list-style-type: none"><li>– Allow newly created schools to seek operational waivers at the time of registration;</li><li>– Align the process for identification of the Schools Under Registration Review and persistently lowest achieving schools;</li><li>– Ensure that each LEA’s annual professional performance review plan requires timely and constructive feedback and that the evaluation include performance data for that teacher’s students; and</li><li>– Expand the means by which students can earn high school credit (or receive a high school diploma) based on completion of competencies, including the achievement of credit through successful virtual/on-line course completion</li></ul>
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## Appendix 2 - Draft Memorandum of Understanding for Districts to Participate in RTTT Plan

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Draft Memorandum of Understanding for Districts to Participate in RTTT Plan

***N.B.: Signed MOUs from School Superintendents (and wherever possible, Board of Education Presidents,, and local Education Union Leadership) are due by 5 p.m. on January 8, 2010. Please:***

*a) Scan the signed document and email to [RTTT@mail.nysed.gov](mailto:RTTT@mail.nysed.gov) and include in the subject line of the email "Signed MOU" or you may fax it to 518-486-9070.*

***AND***

*b) Send hard copy with original signatures by overnight/express mail to Rebecca Kennard, Attn: RTTT, Room 152 Education Building, New York State Education Department, 89 Washington Avenue, Albany, NY 12234*

### Participating LEA Memorandum of Understanding and Preliminary Scope of Work

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This Memorandum of Understanding ("MOU") is entered into by and between the \_\_\_\_\_ School District/Charter School ("Participating LEA"), the teachers' collective bargaining representative serving the Participating LEA, if any, and the State of New York ("State") through the New York State Education Department ("Department"). The purpose of this agreement is to establish a framework of collaboration, as well as articulate specific roles and responsibilities, in support of the State in its implementation of an approved Race to the Top grant project. If the State is awarded a Race to the Top grant, a subgrant will be provided to the Participating LEA.

#### **I. SCOPE OF WORK**

In order to be eligible to participate in the State's Race to the Top grant project, an LEA must agree to implement all or significant portions of the State's proposed reform plan ("State Plan"). Exhibit I, the Preliminary Scope of Work, indicates which portions of the State Plan the Participating LEA is agreeing to implement.

As described below in "Section III: Assurances," the Participating LEA hereby agrees to provide a Final Scope of Work ("LEA Plan," which will be appended to this MOU as Exhibit II) no later than 90 days after a grant is awarded to the State. The LEA Plan will describe the Participating 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 LEA Plan shall be subject to the approval of the Commissioner of Education, including but not limited to the activity or activities to be implemented as part of "Element E – Turning Around the Lowest-Achieving Schools."

## **II. PROJECT ADMINISTRATION**

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

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

- 1) Implement all or significant portions of the State Plan as set forth in Exhibits I and II of this agreement;
- 2) Actively participate in all relevant convenings, communities of practice, or other practice-sharing events that are organized or sponsored by the State or by the U.S. Department of Education (“ED”);
- 3) Collaborate with other LEAs to share best practice and develop mentor relationships;
- 4) Post to any website specified by the State or ED, in a timely manner, all non-proprietary products and lessons learned developed using funds associated with the Race to the Top grant;
- 5) Participate, as requested, in any evaluations of this grant conducted by the State or ED;
- 6) Be responsive to State or ED requests for information including the status of the project, project implementation, outcomes, and any problems anticipated or encountered;
- 7) Participate in meetings and telephone conferences with the State 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.

8) With respect to the four assurance areas outlined in Exhibit I, the participating LEA subgrantee also agrees to engage in the following activities:

#### Standards and Assessments:

- Collaborate with the State regarding adoption and implementation of the common core standards;
- Participate in professional development regarding the common core standards and State curriculum frameworks;
- Participate in any growth model developed by the State and approved by USED.

#### Data Systems to Support Instruction:

- Implement the longitudinal data system developed by the State;
- Collect data as required by the State, including but not limited to, teacher and student absences and ACT/SAT scores;
- Implement or enhance a local instructional improvement system and make data from such system available to researchers, consistent with FERPA and other applicable confidentiality and privacy mandates;
- Use formative assessments, as developed and/or approved by the State, that are aligned to State standards and collect and use data from such formative assessments to inform instruction;
- Provide professional development for teachers and administrators on using data to improve instruction.

#### Great Teachers and Leaders:

- Develop teacher and principal evaluation and compensation systems, which will include annual evaluations using various measures including student achievement and/or growth data, consistent with any applicable collective bargaining requirements;

- Conduct the new APPRs for teachers and principals (as required);
- Use the APPRs to report on the equitable distribution of effective teachers and principals;
- Ensure the equitable distribution of effective teachers and principals, consistent with any applicable collective bargaining requirements;
- Provide ongoing programs of professional development for teachers and principals aligned with the common core standards and State curriculum framework; and
- Participate in any State and/or federal evaluations of such professional development programs.

Turning Around the Lowest-Achieving Schools:

- In schools that have been identified as persistently lowest-achieving, implement one of the four turnaround models outlined in the State Plan and approved by the Commissioner;
- Participate in any State and/or federal evaluations of the effectiveness of LEA turnaround efforts.

**B. STATE RESPONSIBILITIES**

In assisting Participating LEAs in implementing their tasks and activities described in the State’s Race to the Top application, the State grantee will:

- 1) Work collaboratively with, and support the Participating LEA in carrying out the LEA Plan as identified in Exhibit II of this agreement;
- 2) 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 identified in Exhibit II;
- 3) Provide feedback on the LEA’s status updates, annual reports, any interim reports, and project plans and products; and
- 4) Identify sources of technical assistance for the project.

**C. JOINT RESPONSIBILITIES**

- 1) The State and the Participating LEA will each appoint a key contact person for the Race to the Top subgrant.
- 2) These key contacts from the State and the Participating LEA will maintain frequent communication to facilitate cooperation under this MOU.
- 3) The State and Participating LEA grant personnel will work together to determine appropriate timelines for project updates and status reports throughout the whole grant period.
- 4) The State and Participating LEA grant personnel will negotiate in good faith to continue to achieve the overall goals of the State’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. STATE RECOURSE FOR LEA NON-PERFORMANCE**

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

**III. ASSURANCES**

The Participating LEA hereby certifies and represents that it:

- 1) Has all requisite power and authority to execute this MOU;
- 2) Is familiar with the State’s Race to the Top grant application and is supportive of and committed to working on all or significant portions of the State Plan;
- 3) Agrees to be a Participating LEA and will implement those portions of the State Plan indicated in Exhibit I, if the State application is funded. Nothing in this MOU shall be construed to override any applicable State or local collective bargaining requirements. The LEA and local collective bargaining representative agree to negotiate in good faith over any terms and conditions necessary for full implementation of the State Plan (indicated in Exhibit I).
- 4) Will provide a Final Scope of Work to be attached to this MOU as Exhibit II only if the State’s application is funded; will do so in a timely fashion but no later than 90 days after a grant is awarded to the State; and will describe in Exhibit II the LEA’s specific goals, activities, timelines, budgets, key personnel, and annual targets for key performance measures (“LEA Plan ”) in a manner that is consistent with the Preliminary Scope of Work (Exhibit I) and with the State Plan; and
- 5) Will comply with all of the terms of the Grant, the State’s subgrant, and all applicable Federal and State 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).

**IV. MODIFICATIONS**

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

**V. DURATION/TERMINATION**

This MOU shall be effective, beginning with the date of the last signature hereon and, if a grant is received, ending upon the expiration of the grant project period, or upon mutual agreement of the parties, whichever occurs first.

**VI. SIGNATURES**

**LEA Superintendent** (or equivalent authorized signatory) - required:

\_\_\_\_\_  
Signature/Date

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

**President of Local School Board** (or equivalent, if applicable):

\_\_\_\_\_  
Signature/Date

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

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

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Signature/Date

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Print Name/Title

**Authorized State Official** - required:

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

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Signature/Date

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Print Name/Title

## A. EXHIBIT I – PRELIMINARY SCOPE OF WORK

The \_\_\_\_\_ School District/Charter School (“Participating LEA”) hereby agrees to participate in implementing all or significant portions of the State Plan as indicated in “Section II: Project Administration; A. Participating LEA Responsibilities” and as outlined below. As indicated in “Section I: Scope of Work,” the Final Scope of Work (“LEA Plan,” which will be appended to this Memorandum of Understanding as Exhibit II) must be consistent with the Preliminary Scope of Work and shall be subject to the approval of the Commissioner of Education, including but not limited to the activity or activities to be implemented as part of “Element E – Turning Around the Lowest-Achieving Schools.”

Elements of State Reform Plans	LEA Participation (Y/N)	Comments from LEA (optional)
<b>B. Standards and Assessments</b>		
(B)(3) Supporting the transition to enhanced standards and high-quality assessments		
<b>C. Data Systems to Support Instruction</b>		
(C)(3) Using data to improve instruction:		
(i) Use of local instructional improvement systems		
(ii) Professional development on use of data		
(iii) Availability and accessibility of data to researchers		
<b>D. Great Teachers and Leaders</b>		
(D)(2) Improving teacher and principal effectiveness based on performance:		
(i) Measure student growth		
(ii) Design and implement evaluation systems		
(iii) Conduct annual evaluations		
(iv)(a) Use evaluations to inform professional development		
(iv)(b) Use evaluations to inform compensation, promotion, and retention		
(iv)(c) Use evaluations to inform tenure and/or full certification		
(iv)(d) Use evaluations to inform removal		
(D)(3) Ensuring equitable distribution of effective teachers and principals:		
(i) High-poverty and/or high-minority schools		
(ii) Hard-to-staff subjects and specialty areas		
(D)(5) Providing effective support to teachers and principals:		

<b>Elements of State Reform Plans</b>	<b>LEA Participation (Y/N)</b>	<b>Comments from LEA (optional)</b>
(i) Quality professional development		
(ii) Measure effectiveness of professional development		
<b>E. Turning Around the Lowest-Achieving Schools</b>		
(E)(2) Turning around the lowest-achieving schools		

**For the Participating LEA**

**For the State**

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

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

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

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