



NEW YORK STATE RACE TO THE TOP (RTTT) LEA Allocations and Final Scope of Work Statements ANSWERS TO FREQUENTLY ASKED QUESTIONS

This RTTT Frequently Asked Questions document provided by NYSED is based upon guidance provided by the U.S. Department of Education and other currently-available information. The information contained in this document is subject to change.

1. What is the time line for a participating LEA to submit its *Final Scope of Work* statement in order to receive its RTTT subgrant allocations?

DATE	MILESTONE
Tuesday August 24	U.S. Department of Education (USED) announced RTTT Round 2 Winners Clock began: 90 days until the NYS Education Department (NYSED) must submit all participating LEA <i>Final Scope of Work</i> statements to USED
Monday October 4	NYSED posts <i>Final Scope of Work</i> template and supporting guidance
No later than Monday October 18	LEAs file an “intent to submit” a <i>Final Scope of Work</i> if they have not already submitted their completed <i>Final Scope of Work</i> NYSED locks in the list of participating LEAs needed to produce final subgrant allocations
No later than Friday October 22	NYSED posts <u>final</u> subgrant allocations for participating LEAs
Monday November 8	Last date for participating LEAs to file <i>Final Scope of Work</i> statements with NYSED
Monday November 22	All approved <i>Final Scope of Work</i> statements are due to USED

2. How are the RTTT LEA subgrant allocations calculated?

Each State receiving an RTTT grant is required by section 14006(c) of the American Recovery and Reinvestment Act (ARRA) to award 50% of its total grant funds to participating LEAs based on their relative shares of funding under Part A of Title I of the ESEA for the most recent year (“the 14006(c) subgrant”). Since all RTTT grants will be made in 2010, USED has determined that Fiscal Year (FY) 2009 is the most recent year and will be the basis for calculating RTTT allocations.

3. Should a participating LEA expect to receive its entire RTTT LEA subgrant in a lump sum once its *Final Scope of Work* has been approved?

No. Participating LEAs must use the 14006(c) subgrant funds in a manner consistent with the State plan and the *Final Scope of Work* (see Q16), and will be required to document, prior to payment, that funds will be used only for expenditures on activities that are authorized by the State plan and the *Final Scope of Work*. Because the RTTT grant is funded from ARRA, there are strict limitations on the amount of funds that can be advanced based on anticipated expenditures (see Q4).

4. What percentage or amount of my RTTT LEA subgrant can I access immediately?

Districts may only request as much cash as is necessary to meet the immediate needs of a grant project and must minimize the time between receipt of the funds and disbursing them for grant activities. Please see:

<http://www.oms.nysed.gov/cafe/guidance/payments.html>

5. Will each participating LEA's relative share be based on the regular fiscal year (FY) 2009 appropriation only or based on both the regular 2009 appropriation and the ARRA Title I allocations?

USED has directed states to use the sum of the Title I, Part A funding that LEAs received through the regular FY 2009 appropriation and the supplement they received through the ARRA as additional Title I, Part A funds to determine their participating LEAs' relative shares.

6. Will RTTT LEA subgrant allocations awarded in 2010 be adjusted in subsequent years of the grant due to changes in LEAs' relative share of the Title I, Part A annual allocations?

No. Changes in the relative share of an LEA's subsequent-year Title I, Part A funding will not cause changes in an LEA's RTTT subgrant allocation.

7. Will LEAs receive this allocation each year for the four years of the grant?

No. The amount listed on the preliminary allocations list is the full amount that will be allocated to the LEA for the entire period of the grant.

8. Can a district or public charter school still become a "participating LEA" if they did not sign an MOU in May 2010 that was submitted as part of New York's Round 2 RTTT application?

According to previously issued guidance from USED, if a state wishes, it may add participating LEAs up until 90 days after it has been awarded a grant. If a state needs to add a participating LEA after this 90-day window, the state must obtain approval from USED. Such requests will be handled in writing on a case-by-case basis.

The Department is allowing additional school districts and public charter schools to become participating LEAs until October 18, 2010. To do so, they must complete, sign and submit the *Memorandum of Understanding* (MOU) and the *Preliminary Scope of Work* which are posted on the RTTT website at:

<http://usny.nysed.gov/rttt/MASTERMOUFinal052610.pdf>.

The district or public charter school would then also need to complete the *Final Scope of Work*.

Additions to the list of participating LEAs after October 18, 2010 will be considered on a case-by-case basis.

9. Can a public charter school opening for the first time in September 2010, or after, become a participating LEA and receive funding under the subgrant allocations?

No. According to guidance from USED, funding for the LEA subgrants under section 14006(c) is based on the share of funding received by the LEA under Title I, Part A of the ESEA for FY 2009. A public charter school opening for the first time in September 2010 -- or later -- did not receive Title I, Part A funding in 2009 and therefore is not eligible for an LEA subgrant. However, see response to Q25 for information on available funding from the State's share of the RTTT grant.

10. Can a school district that did not receive Title I, Part A funds in FY 2009 become a participating LEA and receive funding under the 50% subgrant allocations?

No. According to guidance from USED, funding for the LEA subgrants under section 14006(c) is based on the share of funding received by the LEA under Title I, Part A of the ESEA for FY 2009. School districts, which did not receive Title I, Part A funding in 2009 are not eligible for an LEA subgrant. However, see response to Q25 for information on available funding from the State's share of the RTTT grant.

11. Can a Special Act school district that did not receive Title I, Part A funds in FY 2009 become a participating LEA and receive funding under the subgrant allocations?

No. According to guidance from USED, funding for the LEA subgrants under section 14006(c) is based on the share of funding received by the LEA under Title I, Part A of the ESEA for FY 2009. A Special Act school district that did not receive Title I, Part A funding in 2009 is therefore not eligible for an LEA subgrant. However, see response to Q25 for information on available funding from the State's share of the grant.

12. If the State adds new participating LEAs before October 18, 2010, what is the impact on my LEA's preliminary subgrant allocation?

If the State adds a participating LEA that receives funding under Title I, Part A, it will need to recalculate its section 14006(c) subgrant allocations to all participating LEAs. For this reason, USED strongly encourages states to establish and maintain their group of participating LEAs as soon as possible, but no later than within the first 90 days of the grant period.

13. If a participating LEA included in the State's RTTT application chooses to withdraw, what is the impact on my LEA's preliminary subgrant allocation?

If the number of participating LEAs increases or decreases, the State will need to recalculate its section 14006(c) subgrant allocations to all participating LEAs. LEAs should

note that, pursuant to USED guidance, “States must inform [USED] of any substantive changes in their approved grant application, including the withdrawal of any participating LEAs.” *LEAs should also note that the State’s RTTT activities are largely required by regulation or law.*

Section II-C (Joint Responsibilities) of the MOU signed by participating LEAs prior to the submission of the State’s application commits NYSED and the participating LEA to negotiate in good faith to continue to achieve the overall goals of the State’s RTTT grant, even when the State plan requires modifications that affect the LEA, or the LEA’s plan requires modifications. If the good faith negotiations on the *Final Scope of Work* are unsuccessful, the LEA may withdraw as a participating LEA, with the resulting loss of RTTT funding. The MOU also provides that it may be amended by written agreement signed by the parties and in consultation with USED.

14. If a public charter school or school district which is a participating LEA that received Title I, Part A funds in FY 2009 closes during the four-year grant period, what happens to its subgrant allocation?

RTTT funds which are unexpended at the time of school or district closure must be returned to NYSED for reallocation to all other participating LEAs.

15. What must a participating LEA do to receive its share of the local subgrant allocation?

An LEA will receive its subgrant allocation, provided that the LEA submits a *Final Scope of Work* that is consistent with the State plan and approved by NYSED.

16. My district is a participating LEA. What will we be required to do in the *Final Scope of Work*? Are there any restrictions on the allowable uses of these funds?

NYSED expects to post the *Final Scope of Work* on October 4, 2010. This document will provide more detailed information for LEAs. USED’s RTTT reform elements – commonly referred to as the *Four Assurances* – are designed to work together to create a comprehensive systemic approach to improving teaching and learning:

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

Each assurance area of the State’s RTTT plan includes specific initiatives included in the Board of Regents statewide education reform agenda. Therefore, participating LEAs will be required to spend their RTTT local subgrant allocations on activities designed to better prepare students to graduate from high school college- and career-ready as described in the RTTT application.

Consistent with the State’s RTTT plan, the *Final Scope of Work* will require participating LEAs to purchase services from a regional Network Team (if applicable) to implement the

required activities listed in the *Preliminary Scope of Work*. The *Final Scope of Work* will also require that a portion of each LEA's allocation be set aside for implementation of the new statewide teacher and principal evaluation system. If any additional RTTT monies remain, LEAs will be allowed to use the remaining funds to implement one or more activities selected from a list, or "menu," of additional allowable activities.

17. The State's RTTT application describes a role for Network Teams. What are they? Are participating LEAs required to use them?

Network Teams are three person teams of experts in curriculum, data analysis, and instruction. To cover the majority of the State's school district LEAs, the BOCES will be staffed with Network Teams that will each provide services to up to 25 schools within their component districts. The State's Big 5 city school districts will build and/or maintain Network Teams to provide services to the schools within their own districts. Network Teams will support all RTTT initiatives, providing consistent, high-quality services to ensure successful statewide implementation of our RTTT plan. Specifically, Network Teams will work directly with educators in schools to provide comprehensive, ongoing support throughout the grant period once they are phased in.

In addition to providing ongoing guidance and support, the Network Teams will monitor the RTTT-related professional development activities and results in the schools for which they are responsible. The Teams may also assist districts and their PDP Committees in the adaptation or development of the Professional Development Plan to reflect these new priorities.

18. My public charter school is a participating LEA. Is our charter school required to establish, participate in and/or purchase services from a Network Team?

No. Because charter schools may be unable to contract for the full range of Network Team services offered by BOCES, they are not required to participate in a Network Team. However, charter schools may elect to purchase certain services from a Network Team or participate in a Network Team equivalent. A consortium of public charter schools with sufficient capacity to provide comparable services could be another approvable equivalent team. Regardless of the specific mechanism chosen, public charter schools will be required to provide support to its teachers and leaders that is consistent with the definition and expectations of the Network Teams.

19. My BOCES or school district has an existing professional development infrastructure similar to an RTTT Network Team. Does my BOCES or school district have to create a new team that I have to help pay for with my RTTT allocation?

A BOCES or school district will not have to create a new Network Team if it can demonstrate that its existing system provides services of an equivalent quality and range to those provided by RTTT Network Teams as outlined in the State's plan.

Each participating LEA school district will need to either: a) take part in the services of a BOCES RTTT Network Team; or b) assure NYSED that it will participate in services provided by an alternative structure determined by NYSED as offering services comparable in content and quality.

Whether in a BOCES, local school district or public charter consortium, Network Teams (or their equivalents) will be accountable to achieve specific performance targets as stated in the relevant LEAs' *Final Scope of Work* statements.

20. If my BOCES or school district can demonstrate that its existing system provides services equivalent to those of an RTTT Network Team, how can I spend my RTTT allocation?

If a BOCES (on behalf of its component districts) or a school district can demonstrate that its existing system provides services equivalent to those of an RTTT Network Team, the school district can instead use its RTTT allocation to support activities from a menu of allowable activities listed in the *Final Scope of Work*. This list will consist of initiatives that are consistent with, and aligned to, the goals of the State's RTTT plan – improving teaching and learning through the four reform areas. The menu will include activities and initiatives designed to better prepare students to graduate from high school college- and career-ready as described in the RTTT application and the *Preliminary Scope of Work*.

21. If my district is required to purchase the services of an RTTT Network Team and has RTTT funds left over after doing so, how can we spend the rest of our RTTT allocation?

If a district which is required to purchase the services of an RTTT Network Team has funds remaining after paying its equitable share of the Network Team cost, then the district must use those funds to support activities from the menu of allowable activities to be included in the *Final Scope of Work*.

22. How long do LEAs have to spend these funds? And, when does the clock start on this timeframe?

Participating LEAs have until September 30, 2014 to obligate their funds and until December 31, 2014 to liquidate them.

23. Are there any rules regarding when, within the four years of the grant period, my LEA must spend its allocation?

NYSED will provide guidance on the allowable schedule for annual spending over the four-year period as part of the *Final Scope of Work*. It is important to note that a number of the resources the State will build with its share of the RTTT grant will be phased in over the course of the four years. Each new resource (e.g., curriculum models, formative assessments, teacher and principal evaluations, Data Portal, etc.) will require an investment of time, and possibly funding, to implement at the local level. Participating LEAs will be required to plan their budgets accordingly.

24. What are the reporting requirements related to the RTTT funds provided to LEAs?

RTTT funds are subject to the reporting requirements of section 1512 of the American Recovery and Reinvestment Act (ARRA). This requires quarterly reporting of jobs saved and created, payment to vendors, and the expenditure of funds. RTTT funds will have their own fund code and must be tracked separately.

25. If my LEA did not get Title I, Part A funding in FY 2009, how are we able to participate?

Although your LEA will not receive a subgrant allocation from the 50% of the State's RTTT grant that must go to "participating LEAs" based on the FY 2009 Title I, Part A formula, your school district or public charter school can benefit from State-level initiatives intended to support all LEAs which are to be funded from the other 50% of the State grant (e.g., an enhanced data system, formative assessments, optional curriculum models, and professional development opportunities with colleagues from around the State). In addition, the State plans to use a portion of its share of the funds to issue competitive RFPs for which your LEA may be eligible.

26. The State's RTTT plan relies heavily on recently enacted legislation requiring a new statewide system for teacher and principal evaluations. What will an LEA be required to do to in relation to this system for purposes of RTTT funding?

The new teacher and principal evaluation law (Education Law §3012-c) establishes a new statewide comprehensive evaluation system for classroom teachers and building principals based on multiple measures of effectiveness, including student achievement. The law provides for a phase-in of the new comprehensive system, including prescribed student achievement measures, beginning with the 2011-2012 school year. Implementing regulations are being developed and are anticipated by Spring 2011.

Section D of the State's RTTT application (Great Teachers and Leaders) requires LEAs to conduct annual evaluations using the new statewide evaluation system, then use the results of these evaluations to inform employment decision-making including but not limited to promotion, retention, tenure determinations, termination and supplemental compensation. Such evaluations shall also be used to inform professional development of teachers and principals.

In order to secure the release of funding for LEA activities under Section D of the State's plan implementing the new evaluation law, where applicable, an LEA and its teacher and principal collective bargaining agents must certify to the Department that their contracts comply with the provisions of Education Law §3012-c and the Commissioner's regulations. Once an LEA provides, where applicable, such a certification that their contracts permit implementation of the new system, the relevant apportionment will be available to the LEA to spend on implementation activities. That may occur at any time during the life of the RTTT grant period with relevant monies being potentially available for use as early as 2011-2012.

Additional information on the new teacher and principal evaluation law is available at:

<http://www.p12.nysed.gov/memos/performeval/memo.html> and
<http://www.p12.nysed.gov/memos/performeval/memo083110.html>

27. The new law mentions an advisory committee. Who will be on the committee and what will they be doing?

The new law requires that implementing regulations be developed in consultation with an advisory committee.

The advisory committee is known as the Regents Task Force on Teacher and Principal Effectiveness (“Task Force”) and will be responsible for providing recommendations to the Commissioner and the Board of Regents on certain components of the new teacher and principal evaluation law in accordance with Education Law §3012-c. The Task Force is comprised of representatives of teachers, principals, superintendents of schools, school boards, school districts and board of cooperative educational services officials, and other interested parties, including research advisors.

It is anticipated that proposed regulations will be presented to the Board of Regents in late spring 2011.

28. Whose signature is required on the Final Scope of Work? Will additional signatures and/or assurances be required at a later date?

The Final Scope of Work must be signed and dated by the Superintendent of the LEA or an equivalent authorized signatory (e.g. chief school officer of charter school). Upon its acceptance by the Department, it will be co-signed and dated by a state official.

Additional assurances may be required for the receipt of RTTT funds. For example, as described above (Q26), in order to spend funds on Section D implementation activities the LEA and its teacher and principal collective bargaining agents (where applicable) must certify to the Department that their contracts comply with the provisions of Education Law §3012-c and the Commissioner’s regulations.

29. How can I get additional questions answered?

Questions can be submitted to NYSED’s RTTT mailbox at: rttt@mail.nysed.gov

Also check the Department’s RTTT website: <http://usny.nysed.gov/rttt/> regularly as all informational updates and guidance documents will be posted there.

Visit the U.S. Department of Education’s RTTT website:
<http://www2.ed.gov/programs/racetothetop/index.html>

See <http://usny.nysed.gov/arra/> for a summary of Section 1512 reporting requirements.