



## GUIDANCE DOCUMENT TABLE OF CONTENTS

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## COMPONENTS OF THE FINAL SCOPE OF WORK TO BE COMPLETED AND RETURNED TO THE NYS EDUCATION DEPARTMENT (Separate Documents)

- Student Outcomes and Work Plan
- Budget Worksheet
- Request to Certify A Regional Network Team Equivalent (Optional)
- Teacher and Principal Evaluation System Implementation Certifications (which can be filed anytime between 07/01/11 and 06/30/13)

## INSTRUCTIONS FOR COMPLETING THE FINAL SCOPE OF WORK

### **Intent to Submit *Final Scope of Work* – Due by October 18, 2010**

All school districts and public charter schools which plan to submit an RTTT *Final Scope of Work* must notify NYSED of your intent to do so by no later than Monday, October 18<sup>th</sup>. This notification can be sent to NYSED as an email to: [RTTT@mail.nysed.gov](mailto:RTTT@mail.nysed.gov) or fax to 518-473-4199. Sending this *Intent to Submit a Final Scope of Work* will keep your school district or public charter school on the list of participating LEAs when the Department calculates the final RTTT LEA subgrant allocations.

### **Working with the Documents and Templates**

- The Guidance Document and the four templates that are to be completed and submitted to NYSED will be posted on October 6<sup>th</sup> to the Information and Reporting Services (IRS) Portal, which can be accessed through the Department's Business Portal at <http://portal.nysed.gov>. Also, on the IRS Portal, as part of the RTTT *Final Scope of Work* file, is a student data report for your LEA which will be helpful as you complete the *Student Outcomes and Work Plan* template. The IRS portal allows for the electronic submission of your *Final Scope of Work* and will help expedite the review and approval of your plan.

- ❑ Your designated data coordinator should already be familiar with accessing files on the IRS Portal. Portal user accounts and access rights are created and maintained through the SED Delegated Account System (SEDDAS). Assistance with managing these accounts can be found at <http://www.p12.nysed.gov/irts/irs-portal/>.
- ❑ **The IRS Portal contains files with confidential data for students enrolled in your district or charter school in addition to the RTTT files. Only the superintendent/public charter school principal and his/her designees can access these files. Designee access should be granted only to individuals with a legitimate educational interest to view confidential student information.** In other words, if the person who needs to download/upload the RTTT files is not authorized to view confidential student data, that person will need to work with an authorized person to do so.
- ❑ Forms are in the Microsoft Office 2003 format and must be submitted in this (or 2000) format. Changes in the file format may lead to your submission not being automatically loaded and the LEA will be asked to resubmit them in the correct format.
- ❑ It is recommended that you download the files to your PC, work to complete the documents “off-line” and when you are finished, compile the completed files into a single ZIP file for uploading to the IRS Portal. Please ensure your entire submission is complete prior to uploading.
- ❑ Tips for creating a ZIP file can be found at:  
<http://condor.depaul.edu/~slytinen/instructions/zip.html>  
[http://www.ehow.com/how\\_5023369\\_make-zip-file-compressed-file.html](http://www.ehow.com/how_5023369_make-zip-file-compressed-file.html)  
<http://www.apple.com/pro/tips/zip.html>  
<http://office.microsoft.com/en-us/infopath-help/zip-or-unzip-a-file-HA001127690.aspx>
- ❑ If you wish to change or update an initial submission, you may do so. But, please be advised that subsequent uploads will overwrite any previously submitted files.

Deadline for submission is November 8, 2010. Notification will be sent when your application has been approved by NYSED.

### **Additional Information**

If you have questions, please send them to the Department’s RTTT mailbox at: [rttt@mail.nysed.gov](mailto:rttt@mail.nysed.gov) or check the Department’s RTTT website at <http://usny.nysed.gov/rttt/> for updates and materials.

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>

## SECTION I: INTRODUCTION

Thank you for your commitment to being a participating Local Educational Agency (LEA) in New York's Race to the Top (RTTT) plan. Strong support from more than 85% of the school districts and public charter schools across the state was a key factor in the U.S. Department of Education awarding New York nearly \$700 million in RTTT funding. Now that New York has the award, our work begins. All participating school districts and public charter schools must complete a *Final Scope of Work* which the NYS Education Department (NYSED) must approve within 90 days from the date the awards were announced:

DATE	MILESTONE
August 24	<input type="checkbox"/> U.S. Department of Education announced RTTT Round 2 Winners
October 4	<input type="checkbox"/> NYSED posts <i>Final Scope of Work</i> template and supporting guidance
October 18	<input type="checkbox"/> Last date for school districts and eligible public charter schools to become participating LEAs if they have not already done so <input type="checkbox"/> LEAs file an "intent to submit" a <i>Final Scope of Work</i> if they have not submitted their completed <i>Final Scope of Work</i> <input type="checkbox"/> NYSED locks in the list of participating LEAs needed to produce final subgrant allocations
October 22	<input type="checkbox"/> NYSED posts <u>final</u> subgrant allocations for Participating LEAs
November 8	<input type="checkbox"/> Last date for participating LEAs to file <i>Final Scope of Work</i> statements with NYSED
November 22	<input type="checkbox"/> All <i>Final Scope of Work</i> statements are due to U.S. Department of Education

This is a demanding schedule -- both in terms of the timeframe to complete the *Final Scope of Work* process and in regards to the timing within the school year calendar. LEAs will have limited time to plan out the full four years of education reform initiatives and to budget their RTTT funds accordingly. In addition, the NYSED, the Big 5 school districts and the BOCES will require sufficient time to launch the statewide projects and tools (e.g., curriculum models, new assessments, the data portal, etc.) we have committed to build in the RTTT application. For these two reasons:

- A. The Department has established a **maximum allowable expenditure level of 15% of an LEA's total four-year allocation for Year 1** (from October 1, 2010 to June 30, 2011). For subsequent years, the participating LEA may expend funds on the required and allowable activities in accordance with its four-year RTTT *Final Scope of Work* as approved by the Department.
- B. The Department will approve the first-year work plan and budget, and will conditionally approve the three additional years. Annually, the participating LEAs will be required to submit an end-of-year performance report. Based on its review of this end-of-year performance report, the Department may require LEAs to revise their coming year plans and budgets.

## Participating LEA Requirements

### Network Teams

#### SUMMARY

Who must participate:	School districts and public charter schools participating in RTTT
When can they start:	Network Teams must be in place by July 1, 2011; LEAs may choose to assemble teams before this date for planning purposes
How much can they spend:	Up to 75% of their RTTT allocation over the four-year period

Each assurance area of the State's RTTT plan includes specific initiatives of the Board of Regents statewide education reform agenda. Therefore, participating LEAs will be required to spend their RTTT local allocations on specific activities designed to better prepare students to graduate from high school so as to be college- and career-ready as described in the RTTT application. Consistent with the State's RTTT plan, the *Final Scope of Work* requires participating LEAs to purchase services from a regional Network Team (if applicable) to implement the required activities listed in the *Preliminary Scope of Work*.

Network Teams will consist of experts in curriculum, data analysis, and instruction. NYSED recommends that each Network Team consist of at least the equivalent of three full-time professionals. To cover the majority of the State's school district LEAs, NYSED recommends that the BOCES be staffed with three-person teams that will each provide services to as many as 25 schools within their component districts. The State's Big 5 city school districts will build and maintain Network Teams to provide services to the schools within their own districts. Network Teams will support all RTTT initiatives and will work directly with educators in schools to provide consistent, high-quality professional development and related services to ensure successful statewide implementation of our RTTT plan. The Network Teams will work closely with districts' school-based *Inquiry Teams*<sup>1</sup> to make the instructional cycle dynamic and student-focused. The teams will also assist LEAs in coordinating and aligning RTTT initiatives with the existing professional development activities and results in the schools for which they are responsible.

Each participating school district *is required* to use up to 75% of its RTTT allocation to either:

- A. Purchase services of a BOCES RTTT Network Team; or
- B. Assure NYSED that it will participate in services provided by an alternative team determined by NYSED as offering services comparable in content and quality. A BOCES, school district, or public charter school 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. The *Department encourages participating school districts and their BOCES to work together to establish effective Network Team structures and functions that align with the State's plan and are within the participating LEA school districts' RTTT budgets for this activity.*

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<sup>1</sup>School-based Inquiry Teams – comprised of teachers, teacher leaders and administrators – are charged with becoming expert in accessing, understanding and using data to identify a change in instructional practice (e.g. teaching division of fractions) that will accelerate learning for a specific group of underperforming students. Based on what is learned from that experience, teams work with school staff to implement and monitor system-level change to benefit all students. The reflective practice that is used as the basis for the Inquiry Team's work is intended to support continual, evidence-based improvement of student learning. While each school is to have at least one Inquiry Team, more teams may be put in place should the school find it valuable to do so.

Since public charter schools can purchase services from BOCES only under limited circumstances, they will not be required to participate in a BOCES-sponsored Network Team. Rather, public charter schools are required to use up to 75% of their RTTT allocation to purchase comparable services. As noted above, they may use up to 75% of their allocations as a single charter school or enter into collaborative arrangements with other public charter schools.

**Please Note**

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For additional information about Network Teams, see Appendix A: Essential Elements of the RTTT Network Teams.

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**Teacher and Principal Evaluation**

**SUMMARY**

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Who must participate:	School districts and public charter schools participating in RTTT
When can they start:	Negotiations to implement Education Law §3012-c can begin at any time; but must be completed prior to receipt of RTTT funds for Section D activities
How much can they spend:	25% of their RTTT allocation over the four-year period, funds become available to participating LEAs once they have filed the appropriate certification with the NYS Education Department

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Education Law §3012-c (added by Chapter 103 of the Laws of 2010):

- Establishes a new comprehensive annual evaluation system for classroom teachers and building principals based on multiple measures of effectiveness, including 40% student achievement measures, which would result in a single composite effectiveness score for every teacher and principal.
- Differentiates effectiveness for both tenured and probationary teachers and principals using the following four rating categories: Highly Effective, Effective, Developing, and Ineffective; uses such annual evaluations as a significant factor for employment decisions including promotion, retention, tenure determination, supplemental compensation, and professional development.
- Provides that two consecutive annual ratings of “Ineffective” constitutes a “pattern of ineffective teaching or performance,” which constitutes very significant evidence of incompetence and which may form the basis for just cause removal of tenured teachers or principals (Chapter 103 also creates an expedited tenured employee disciplinary process for teachers and principals where the charges are based solely on a “pattern of ineffective teaching or performance.”)

This new legislation ensures that all classroom teachers and their building principals (not just teachers who teach subjects in which students take a State assessment) will be evaluated based on student data, which will include assessment results and other measures of achievement, and provides a process for the development of measures beyond State assessments.

## School Districts

Because school district activities under Section D of the State's RTTT plan (*Great Teachers and Leaders*) are tied to implementation of the new evaluation law, NYSED requires that at least 25% of the four-year LEA allocation must be spent for this purpose. School districts must begin implementation of the law's provisions in order to qualify for the release of that portion of RTTT funding. Accordingly, before any RTTT monies may be spent for purposes of implementing the teacher and principal evaluation system, the school district and any 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. A school district that has both teacher and principal collective bargaining agreements must certify that contracts for both teachers and principals permit implementation of the new evaluation system before the Section D apportionment will be available to the district to spend on implementation activities. If any teachers and/or principals in a school district are not represented by a collective bargaining agent, the school district must certify that it will evaluate those teachers and principals in accordance with all applicable provisions of Education Law §3012-c and Commissioner's regulations. Once a school district provides such certifications (as applicable), the Section D apportionment will be available to the school district to spend on implementation activities. This may occur at any time after July 1, 2011, with Section D monies being potentially available for use as early as the 2011-12 school year.

These requirements also apply to school districts with schools designated as persistently lowest achieving (PLA) or in Restructuring status in the State's Differentiated Accountability system that wish to implement the Transformation Model in these schools. (See section IV for additional information on the four models for school turnaround). Those school districts must make the applicable certifications described above with respect to the classroom teachers and building principals in the schools in which the Transformation Model is to be implemented.

## Public Charter Schools

Although public charter schools are not legally required to implement Education Law §3012-c, for purposes of participation in the State's RTTT plan and receiving funds to implement Section D activities, charter schools must evaluate all classroom teachers and building principals using a comprehensive annual evaluation system that is consistent with the following elements of Education Law §3012-c: (1) is based on multiple measures of effectiveness, including 40 % student achievement measures, which would result in a single composite effectiveness score for every teacher and principal; (2) differentiates effectiveness for teachers and principals using the following four rating categories: Highly Effective, Effective, Developing, and Ineffective; and use such annual evaluations as a significant factor for employment decisions including promotion, retention, supplemental compensation, and professional development; and (3) provides for the development and implementation of improvement plans for teachers or principals rated Developing or Ineffective. If a public charter school's teachers and/or principals are represented by a collective bargaining agent, such charter school must certify that any contracts comply with the relevant provisions of Education Law §3012-c as stated above before the Section D apportionment will be available to spend on implementation activities. If a public charter school's teachers and/or principals are not represented by a collective bargaining agent, such charter school must certify that it has established a teacher and principal evaluation system that is consistent with the three elements of Education Law §3012-c described above. Once a public charter school provides such certifications (as applicable), the Section D apportionment will be available to the school to spend on implementation activities. This may occur at any time after July 1, 2011, with Section D monies being potentially available for use as early as the 2011-12 school year.

## Allowable Activities

If the LEA has RTTT funds in excess of what it needs to meet its obligations for the two key Required Activities described above, the participating district or public charter school must expend these funds to implement one or more activities selected from a list, or “menu,” of additional Allowable Activities. This list is a combination of proven programs and innovative reform initiatives – all designed to raise the achievement of students and help ensure that all students graduate from high school college- and career-ready. The list provides several options under each of the Assurance areas<sup>2</sup> and is intended to provide school districts and public charter schools with some flexibility in expenditure decisions. School districts and public charter schools are encouraged to choose programs and initiatives that meet the learning needs of their students and to use the RTTT monies to start a new program or build on a proven one that is aligned to the State’s plan. Because the four Assurances are designed to work together to create a comprehensive systemic approach to improving teaching and learning, a participating LEA is expected to distribute any available RTTT funds for Allowable Activities across the four Assurance areas in a manner that best addresses the LEA’s student outcome goals contained in its completed *Final Scope of Work*.

**Please  
Note**

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- ❑ NYSED will not approve a *Final Scope of Work* that replaces a current LEA expenditure made from existing funds with RTTT monies or uses RTTT funds to restore budget cuts.
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**Please  
Note**

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- ❑ Once its *Final Scope of Work* is approved, an LEA may begin local activities under Section A: State Success Factors, Section B: Standards and Assessment, Section C: Data Systems, and Section E: Turning Around Lowest-Performing Schools (unless implementing the Transformation Model) with the 75% of its allocation not set aside for Section D: Great Teachers and Leaders.
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<sup>2</sup>The four **Assurance areas** are: 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.

## SECTION II: STATE ACTIVITIES AND PARTICIPATING LEA REQUIRED ACTIVITIES

### State Success Factors (Section A)

Elements of State Reform Plan: Network Teams (including equivalent structures)			
Required LEA Activities	Timeline	State Activities	Timeline
<input type="checkbox"/> Participate in school turnaround efforts in relevant districts. <input type="checkbox"/> Provide collaborative time for school-based Inquiry Teams to the extent consistent with Article 14 of the Civil Service Law. <input type="checkbox"/> Implement enhanced New York State Standards (including the Common Core standards). <input type="checkbox"/> Participate in the Instructional Reporting and Improvement System pilot. <input type="checkbox"/> Participate in optional statewide curricula and curriculum-embedded formative assessments based on enhanced New York State Standards (including the Common Core standards). <input type="checkbox"/> Participate in Instructional Reporting and Improvement System statewide rollout. <input type="checkbox"/> Implement new teacher and principal evaluation system.	Beginning 09/2010  07/2011  Beginning 09/2011 09/2011  Beginning 09/2012  10/2012  Beginning by 07/2013	<input type="checkbox"/> Launch RTTT Network Teams (and their equivalents) to support school-based Inquiry Teams of teachers and principals who learn from network teams the best practices to analyze student data, identify and intervene to solve academic deficiencies and other challenges, and evaluate and learn from results.	07/2011

### Standards and Assessments (Section B)

Elements of State Reform Plan: (B)(3) Supporting the transition to enhanced standards and high-quality assessments		
Required LEA Activities	State Activities	Timeline
<input type="checkbox"/> Implementing the enhanced standards and high-quality assessments as described in the State's plan, including: <ul style="list-style-type: none"> <li>o Collaborating with the State regarding adoption and implementation of the Common Core Standards as required by the State;</li> <li>o Participating in professional development regarding the Common Core Standards and optional State curricula; and</li> <li>o Participating in any growth model developed and required by the State and approved by USED.</li> </ul>	<input type="checkbox"/> Regents adopt Common Core standards. <input type="checkbox"/> Regents adopt enhanced NYS standards (including Common Core Standards). <input type="checkbox"/> Implement enhanced NYS standards (including Common Core Standards). <input type="checkbox"/> Rollout NYS-sponsored professional development activities to implement optional statewide curricula and curriculum-embedded formative assessments based on enhanced New York State Standards (including the Common Core Standards). <input type="checkbox"/> Implementation of Common Core assessments from PARCC consortium (subject to Regents approval)	07/2010 12/2010 09/2011 09/2012 09/2014

## Data Systems to Support Instruction (Section C)

Elements of State Reform Plan: (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		
Required LEA Activities	State Activities	Timeline
<input type="checkbox"/> Implementing the longitudinal data system developed by the State and described in the State’s plan, including: <ul style="list-style-type: none"> <li>○ Collecting and reporting data as required by the State;</li> <li>○ Implementing or enhancing a local instructional improvement system that is aligned with the State’s instructional reporting and improvement system;</li> <li>○ Providing professional development for teachers and administrators on using data to improve instruction; and</li> <li>○ Increasing the percentage of teachers who effectively use data to improve instruction.</li> </ul>	<input type="checkbox"/> Implement Early Warning Data System. <input type="checkbox"/> Pilot instructional data portal prototype. <input type="checkbox"/> Education Data Portal rolled out for all users. <input type="checkbox"/> Statewide rollout of comprehensive instructional reporting and improvement system for all users.	09/2011 10/2011 04/2012 10/2012

## Great Teachers and Leaders (Section D)<sup>3</sup>

Elements of State Reform Plan:		
<p>(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.</p> <p>(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.</p> <p>(D)(5) Providing effective support to teachers and principals: (i) Quality professional development; (ii) Measure effectiveness of professional development.</p>		
Required LEA Activities	State Activities	Timeline
<input type="checkbox"/> Implement a comprehensive evaluation system for teachers and principals based on multiple measures of effectiveness, including student achievement measures, which would comprise 40% of teacher and principal evaluations and ratings in accordance with the following minimum requirements:	<input type="checkbox"/> Regents convene Task Force on Teacher and Principal Effectiveness. <input type="checkbox"/> Regents adopt initial student growth model for measuring educator effectiveness.	09/2010 07/2011

<sup>3</sup> Please see “Participating LEA Requirements: Teacher and Principal Evaluation” for a full description of the requirements that school districts and public charter schools must meet to be eligible for RTTT funding to implement Section D activities.

**Elements of State Reform Plan:**

**(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.**<sup>4</sup>

**(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: (i) Quality professional development; (ii) Measure effectiveness of professional development.**

Required LEA Activities	State Activities	Timeline
<ul style="list-style-type: none"> <li>○ 2011-2012: 20% student growth on state assessments or comparable measures for teachers in the common branch subjects or ELA and Math in grades four to eight only, and 20% other locally selected measures that are rigorous and comparable across classrooms;</li> <li>○ Subsequent years before Regents approval of a value-added growth model: 20% student growth on state assessments or comparable measures for all teachers, and 20% other locally selected measures that are rigorous and comparable across classrooms;</li> <li>○ Subsequent years following Regents approval of a value-added growth model: 25% student growth on state assessments or comparable measures, and 15% other locally selected measures that are rigorous and comparable across classrooms; and</li> <li>○ The remaining 60% of the evaluations and ratings would be based on locally developed measures (e.g., classroom observations by trained evaluators), according to standards prescribed by the Commissioner.</li> </ul> <p><input type="checkbox"/> Differentiate teacher and principal effectiveness using the following quality rating categories: highly effective, effective, developing and ineffective, consistent with explicit minimum and maximum bands or scoring ranges for each category as prescribed by the Commissioner.</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Network Teams provide training and coaching to evaluators on implementing performance evaluations for teachers and principals.</li> <li><input type="checkbox"/> Implement Transfer Fund which will provide financial incentives to encourage the most effective teachers in the STEM disciplines, for English Language Learners and for Students with Disabilities to take assignments in high-need schools.</li> <li><input type="checkbox"/> Implement Supplemental Compensation Incentive Fund providing the opportunity to provide outstanding teachers and principals in hard-to-staff subjects and areas with supplemental compensation based on effectiveness (as defined by the Commissioner’s Regulations) and willingness to take on additional assignments.</li> <li><input type="checkbox"/> Implement Teacher and Principal Development Continuum (based on measures of effectiveness).</li> <li><input type="checkbox"/> Public reporting of teacher and principal evaluation data linked to preparation programs as part of a preparation program performance accountability system.</li> <li><input type="checkbox"/> Regents adopt value-added student growth model for measuring educator effectiveness.</li> </ul>	<p>07/2011</p> <p>07/2011</p> <p>10/2011</p> <p>05/2012</p> <p>06/2012</p> <p>08/2012</p>

<sup>4</sup> Please see “Participating LEA Requirements: Teacher and Principal Evaluation” for a full description of the requirements that school districts and public charter schools must meet to be eligible for RTTT funding to implement Section D activities.

**Elements of State Reform Plan:**

**(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.<sup>5</sup>

**(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:** (i) Quality professional development; (ii) Measure effectiveness of professional development.

Required LEA Activities	State Activities	Timeline
<ul style="list-style-type: none"> <li><input type="checkbox"/> Develop a single composite effectiveness score for every teacher and principal which incorporates multiple measures of effectiveness, including student achievement measures as set forth above.</li> <li><input type="checkbox"/> Using such annual evaluations as a significant factor for employment decisions including but not limited to, promotion, retention, tenure determination, termination and supplemental compensation, and also for teacher and principal professional development.</li> <li><input type="checkbox"/> Develop and implement improvement plans for teachers and principals rated “ineffective” or “developing.”</li> <li><input type="checkbox"/> Pursue the removal of teachers and principals receiving two consecutive annual ratings of “ineffective” after receiving supports from improvement plans.</li> <li><input type="checkbox"/> Use the comprehensive system for teachers and principals to ensure an equitable distribution of qualified and effective teachers and principals within a district.</li> </ul>		

<sup>5</sup> Please see “Participating LEA Requirements: Teacher and Principal Evaluation” for a full description of the requirements that school districts and public charter schools must meet to be eligible for RTTT funding to implement Section D activities.

## Turning around the lowest achieving schools (Section E)

### Elements of State Reform Plan: (E)(2) Turning around the lowest-achieving schools

In order to be eligible for RTTT funding to implement the Transformation Model in any school identified as persistently lowest achieving (PLA), the school district must, prior to the first day of the school year in which implementation of the Transformation Model would begin, provide any applicable certifications relating to implementation of the comprehensive annual evaluation system as described in “Participating LEA Requirements: Teacher and Principal Evaluation” above.

**Please Note:** Public charter schools are not permitted to spend their RTTT subgrant funds for Section E activities.

Required LEA Activities	State Activities	Timeline
<ul style="list-style-type: none"> <li><input type="checkbox"/> As required by Commissioner's regulations, in schools that have been identified as persistently lowest-achieving/schools under registration review in 2010 through 2014, LEAs commit to implementing one of the four intervention models outlined in the State's plan.<sup>6</sup></li> <li><input type="checkbox"/> Participate fully in Annual Review of Plan Effectiveness for persistently lowest achieving schools as described in the State's plan; and</li> <li><input type="checkbox"/> For persistently lowest-achieving schools, establish annual goals for student achievement on the State's assessments in both reading/language arts and mathematics. LEAs must also report and measure progress on several indicators as described in the State's plan.</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> First cohort of persistently lowest achieving schools identified.</li> <li><input type="checkbox"/> First cohort of persistently lowest-achieving schools begin model implementation.</li> <li><input type="checkbox"/> Subsequent annual identification of persistently lowest achieving schools.</li> <li><input type="checkbox"/> Completion of annual evaluation report of intervention efforts by participating LEAs with persistently lowest achieving schools.</li> </ul>	<ul style="list-style-type: none"> <li>01/2010</li> <li>09/2010 and annually thereafter</li> <li>10/2010 and annually thereafter</li> <li>03/2012 and annually thereafter</li> </ul>

<sup>6</sup>Evaluation of whether implementation of one of the four turnaround models is consistent with the State's plan will be conducted by NYSED consistent with Commissioner's regulations and New York State's implementation of the federal §1003g School Improvement Grant program, including the requirement that the LEA and its local collective bargaining agent(s) have successfully negotiated the full implementation of Education Law section 3012-c in transformation schools. (See Appendix B for a description of the four Turnaround models.)

## SECTION III: MENU OF ALLOWABLE ACTIVITIES

If your school district or public charter school has funds remaining once you have budgeted for the required activities, you may choose to use those RTTT funds to support any of the following activities. As you consider which Allowable Activities to support, please review your Student Outcome Goals in your *Final Scope of Work* plan and select those activities which are most likely to cause positive changes in those metrics.

### Standards and Assessments (Section B)

NYS Plan Element	Activity Code	Allowable Activity	Required Performance Metric(s) for the Activity
(B)(3)	B-1	Costs (e.g., substitutes, stipends) associated with participation in NYS-sponsored professional development activities to implement optional statewide curricula and curriculum-embedded formative assessments based on enhanced New York State Standards (including the Common Core Standards), including professional development in using information systems that track assessment outcomes.	<p>Percentage of historically underserved students who achieve college and career-ready performance levels on 3<sup>rd</sup> – 8<sup>th</sup> grade (Proficient or Advanced) and high school (75 or above in high school English Language Arts, 80 or above in high school Math) assessments;</p> <p><i>Disaggregate for:</i> Black or African-American students, Hispanic or Latino students, Students with Disabilities, English Language Learners, and Economically Disadvantaged students.</p>
(B)(3)	B-2	Costs (e.g., substitutes, stipends) associated with participation in NYS-sponsored professional development activities to implement Positive Behavioral Interventions and Supports (PBIS).	
(B)(3)	B-3	Costs (e.g., substitutes, stipends) associated with participation in NYS-sponsored professional development activities to implement Response to Intervention (RtI).	
(B)(3)	B-4	Development of local and formative assessments across all grade levels and subject areas to meet student instructional needs (consistent with New York State Standards) and the provisions of Education Law § 3012-c, consistent with Commissioner's regulations.	
(B)(3)	B-5	Professional development for teachers (and their principals/ instructional supervisors) who will implement CTE courses in which increased percentages of historically underserved students will enroll.	<p>Percentage of historically underserved students who graduate from high school with a high school diploma and Career and Technical Education certifications or credentials sufficient for high-wage, high-skill employment or admission to 2-or-4 year higher education technical training programs.<sup>7</sup></p> <p><i>Disaggregate for:</i> Black or African-American students, Hispanic or Latino students, Students with Disabilities, English Language Learners, and Economically Disadvantaged students.</p>
(B)(3)	B-6	Equipment and other curricular materials for CTE courses in which increased percentages of historically underserved students will enroll.	

<sup>7</sup> RTTT funds can only be expended to implement a new CTE credential or certification program that is NYS-approved.

NYS Plan Element	Activity Code	Allowable Activity	Required Performance Metric(s) for the Activity
(B)(3)	B-7	Training and professional development for teachers (and their principals/instructional supervisors) who will implement Advanced Placement (AP), International Baccalaureate (IB), and/or Cambridge (Advanced International Certificate of Education [AICE] or International General Certificate of Secondary Education [IGCSE]) courses in the subjects for which, as of September 30, 2010, the Department has approved an alternative assessment pursuant to 8 NYCRR §100.2(f), in which increased percentages of historically underserved students will enroll.	<p>Percentage of historically underserved students who graduate from high school with International Baccalaureate diplomas.</p> <p><i>Disaggregate for:</i> Black or African-American students, Hispanic or Latino students, Students with Disabilities, English Language Learners, and Economically Disadvantaged students.</p> <p>Percentage of historically underserved students who earn 3s or higher on Advanced Placement exams in the core subjects (English, Mathematics, Science, History).</p>
(B)(3)	B-8	Virtual AP, IB, and/or Cambridge (AICE or IGCSE) courses and related training and professional development for teachers (and their principals/instructional supervisors) in the subjects for which, as of September 30, 2010, the Department has approved an alternative assessment pursuant to 8 NYCRR §100.2(f), in which increased percentages of historically underserved students will enroll.	<p><i>Disaggregate for:</i> Black or African-American students, Hispanic or Latino students, Students with Disabilities, English Language Learners, and Economically Disadvantaged students.</p> <p>Percentage of historically underserved students who obtain a minimum score of E on the AICE in core subjects (English, Mathematics) or an A on the IGCSE.</p> <p><i>Disaggregate for:</i> Black or African-American students, Hispanic or Latino students, Students with Disabilities, English Language Learners, and Economically Disadvantaged students.</p>
(B)(3)	B-9	Development of data systems, aligned course sequences and early college and career school models, between postsecondary institutions and P-12 systems	<p>Percentage of historically underserved students who graduate from high school with a high school diploma and Career and Technical Education certifications or credentials sufficient for high-wage, high-skill employment or admission to 2-or-4 year higher education technical training programs.<sup>8</sup></p> <p><i>Disaggregate for:</i> Black or African-American students, Hispanic or Latino students, Students with Disabilities, English Language Learners, and Economically Disadvantaged students.</p> <p>Percentage of historically underserved students who achieve college and career-ready performance levels on 3<sup>rd</sup> – 8<sup>th</sup> grade (Proficient or Advanced) and high school (75 or above in high school English Language Arts, 80 or above in high school Math) assessments;</p> <p><i>Disaggregate for:</i> Black or African-American students, Hispanic or Latino students, Students with Disabilities, English Language Learners, and Economically Disadvantaged students.</p>

<sup>8</sup> RTTT funds can only be expended to implement a new CTE credential or certification program that is NYS-approved.

## Data Systems to Support Instruction (Section C)

The State will be launching an educational data portal and comprehensive instructional reporting and improvement system to be used by all LEAs. LEAs are encouraged to avoid long-term investments in infrastructure or system development that will duplicate the functionality of the planned statewide system (See Sections (C)(2) and (C)(3) of the Race to the Top application for a detailed description of these statewide systems).

NYS Plan Element	Activity Code	Allowable Activity	Required Performance Metric(s) for the Activity
(C)(3)	C-1	Costs associated with implementing school-based Inquiry Teams.	Same metrics as for Allowable Activities B-1 through B-4.
(C)(3)	C-2	Develop, implement or enhance a local instructional improvement system or best practice sharing system that is aligned with the State's instructional reporting and improvement system, including costs associated with training and professional development.	Increased LEA capacity to collect, report, and analyze student performance data, and integrate these data into the LEA's professional development initiatives.
(C)(3)	C-3	Costs associated with training and materials to help parents and students use performance data to improve student learning.	Increased rate of parent and student participation in conversations with school personnel regarding student performance data.
(C)(3)	C-4	Non-capital expenditures to build/expand enterprise data system, aligned with the State's data system, to support teacher and principal evaluation/performance management, and student learning.	Increased data system capacity to collect, report, and analyze student performance data, and integrate these data into the LEA's performance management system, including teacher/principal evaluation.
(C)(3)	C-5	Evaluation trainer/coach on Network Teams to implement and sustain performance management, consistent with the provisions of Education Law § 3012-c.	Same metrics as for Allowable Activities D-1 and D-4.
(C)(3)	C-6	Develop technology, decision making tools, data systems, rubrics and measures of effectiveness to support Network Teams, principals and teachers in implementing the provisions of Education Law §3012-c.	Increased staff capacity to collect, report, and analyze student performance data, and integrate these data into the LEA's performance management system, including teacher/principal evaluation.
(C)(3)	C-7	Develop local technology systems for delivering online curriculum content and sharing student work, including performance assessments.	Increased staff and data system capacity to coordinate performance management and instructional delivery reform efforts and integrate and analyze results.

## Great Teachers and Leaders (Section D)<sup>9</sup>

NYS Plan Element	Activity Code	Allowable Activity	Required Performance Metric(s) for the Activity
(D)(2)	D-1	Costs associated with training of teacher evaluators (inc. principals, instructional supervisors, peer evaluators, etc.) to implement locally negotiated evaluation systems consistent with Education Law § 3012-c.	<p>Percentage of effective and highly effective teachers as identified through a comprehensive evaluation system for teachers based on multiple measures of effectiveness (including student achievement measures, which would comprise 40% of teacher evaluations and ratings) as described in Education Law section 3012-c.</p> <p><i>Disaggregate</i> by: the 4 Rating Categories: Ineffective, Developing, Effective, and Highly Effective.</p> <p>AND</p> <p>Explain your methodology for estimating the 2010-11 percentages of teachers in each performance category.</p>
(D)(2)	D-2	Costs associated with implementing teacher evaluation systems and providing coaching, induction support, and differentiated professional development to implement teacher improvement plans for teachers identified as ineffective or developing.	
(D)(2)	D-3	Providing supplemental compensation, consistent with local collective bargaining agreements, through a career ladder program to highly effective teachers who mentor, coach, or provide professional development to student teachers, new teachers, or teachers rated as ineffective, developing, or effective.	
(D)(2)	D-4	Costs associated with training of principal evaluators (including superintendents, assistant superintendents, etc.) to implement locally negotiated evaluation systems consistent with Education Law § 3012-c.	<p>Percentage of effective and highly effective principals as identified through a comprehensive evaluation system for principals based on multiple measures of effectiveness (including student achievement measures, which would comprise 40% of principal evaluations and ratings) as described in Education Law section 3012-c.</p> <p><i>Disaggregate</i> by: the 4 Rating Categories: Ineffective, Developing, Effective, and Highly Effective.</p> <p>AND</p> <p>Explain your methodology for estimating the 2010-11 percentages of principals in each performance category.</p>
(D)(2)	D-5	Costs associated with providing coaching, induction support, and differentiated professional development to implement principal improvement plans for principals identified as ineffective or developing.	
(D)(2)	D-6	Providing supplemental compensation, consistent with local collective bargaining agreements (where applicable), through a career ladder program to highly effective principals who mentor, coach, or provide professional development to principal interns, new principals, or principals rated ineffective, developing, or effective.	

<sup>9</sup> Please see “Participating LEA Requirements: Teacher and Principal Evaluation” above for a full description of the requirements school districts and public charter schools must meet to be eligible for RTTT funding to implement section D activities.

NYS Plan Element	Activity Code	Allowable Activity	Required Performance Metric(s) for the Activity
(D)(3)	D-7	Provide supplemental compensation, consistent with local collective bargaining agreements (where applicable), through a career ladder program to highly effective principals who transfer from low or moderate needs schools to high needs schools.	<p>Percentage of highly effective principals in high needs schools.</p> <p><i>Disaggregate</i> by: the 4 Rating Categories: Ineffective, Developing, Effective, and Highly Effective.</p> <p>AND</p> <p>Explain your methodology for estimating the 2010-11 percentages of principals in each performance category.</p>
(D)(3)	D-8	Provide supplemental compensation, consistent with local collective bargaining agreements, through a career ladder program to highly effective teachers in high needs schools who mentor, coach, or provide professional development to student teachers, new teachers, or teachers rated as ineffective, developing, or effective in high needs schools.	<p>Percentage of highly effective teachers teaching in high needs schools.</p> <p><i>Disaggregate</i> by: the 4 Rating Categories: Ineffective, Developing, Effective, and Highly Effective.</p> <p>AND</p>
(D)(3)	D-9	Provide supplemental compensation, consistent with local collective bargaining agreements, through a career ladder program to effective or highly effective teachers or principals who transfer from low or moderate needs schools to high needs schools.	<p>Explain your methodology for estimating the 2010-11 percentages of principals in each performance category.</p>
(D)(5)	D-10	Partner with higher education institutions to conduct rigorous, random assignment studies of the effectiveness of sustained professional development activities (minimum 40 hours/school year of instruction or active coaching and aligned with enhanced New York State Standards [including the Common Core Standards]) in raising student achievement as measured by performance on state tests, CTE certification/credential assessments, and those assessments which, as of September 30, 2010, the Department has approved pursuant to 8 NYCRR §100.2(f).	<p>Using professional development to increase the percentage of effective and highly effective teachers.</p> <p><i>Disaggregate</i> by: the 4 Rating Categories: Ineffective, Developing, Effective, and Highly Effective.</p> <p>AND</p> <p>Explain your methodology for estimating the 2010-11 percentages of teachers in each performance category.</p>

NYS Plan Element	Activity Code	Allowable Activity	Required Performance Metric(s) for the Activity
(D)(3)	D-11	Provide supplemental compensation, consistent with local collective bargaining agreements, through a career ladder program to highly effective teachers in hard-to-staff subjects or specialty areas in high needs schools who mentor, coach, or provide professional development to student teachers, new teachers, or teachers rated as ineffective, developing, or effective in high needs schools.	Percentage of effective and highly effective teachers teaching hard-to-staff subjects and specialty areas, including STEM fields and special education, and teachers of English Language Learners, in high needs schools.  Specify each hard-to-staff or specialty area in high needs schools selected as a focus for LEA RTTT initiatives.
(D)(3)	D-12	Provide supplemental compensation, consistent with local collective bargaining agreements, through a career ladder program to effective or highly effective teachers in hard-to-staff subjects or specialty areas who transfer from low or moderate needs schools to high needs schools.	AND <i>Disaggregate</i> by: the 4 Rating Categories: Ineffective, Developing, Effective, and Highly Effective.  AND Explain your methodology for estimating the 2010-11 percentages of teachers in each performance category.

### Turning Around the Lowest Achieving Schools (Section E)

NYS Plan Element	Activity Code	Allowable Activity	Required Performance Metric(s) for the Activity
<p><i>The following two allowable activities are applicable for chronically under-performing schools not participating in the School Improvement Grant (SIG) program (i.e., schools in the Restructuring phase of the NYS Differentiated Accountability System that are not identified as "Persistently Lowest-Achieving School").</i></p> <p><b>Please Note:</b> Public charter schools are not permitted to spend their RTTT subgrant funds for Section E activities.</p>			
(E)(2)	E-1	Implementation of one of the four school intervention models (turnaround model, restart model, school closure, or transformation model) <sup>10</sup> consistent with the requirements of the New York State School Improvement Grant application.	<i>For each school selected</i> , percentage of students currently meeting State proficiency standards (Proficient or Advanced in ELA and Math in Grades 3-8, or % of entering freshman that earn Regents diplomas, score over 75 on the ELA Regents, and score over 80 on the Algebra Regents).
(E)(2)	E-2	LEA and State-approved partner organization (EPO, CMO, charter school operator) planning activities for implementation of one of the four school intervention models in the following school year.	AND Identify the intervention goals.

<sup>10</sup> In order to be eligible for RTTT funding to implement the Transformation Model as an allowable activity, participating school districts must comply with the applicable requirements described in "Participating LEA Requirements: Teacher and Principal Evaluation" above.

## APPENDIX A: ESSENTIAL ELEMENTS OF THE RTTT NETWORK TEAMS

Each assurance area of the State's RTTT plan includes specific initiatives of the Board of Regents statewide education reform agenda. Therefore, participating LEAs will be required to spend their RTTT local allocations on specific activities designed to better prepare students to graduate from high school so as to be college- and career-ready as described in the RTTT application. Consistent with the State's RTTT plan, the *Final Scope of Work* requires participating LEAs to purchase services from a regional Network Team (if applicable) to implement the required activities listed in the *Preliminary Scope of Work*.

Network Teams will consist of experts in curriculum, data analysis, and instruction. NYSED recommends that each Network Team consist of at least the equivalent of three full-time professionals. To cover the majority of the State's school district LEAs, NYSED recommends that the BOCES be staffed with three-person teams that will each provide services to as many as 25 schools within their component districts. The State's Big 5 city school districts will build and maintain Network Teams to provide services to the schools within their own districts. Network Teams will support all RTTT initiatives and will work directly with educators in schools to provide consistent, high-quality professional development and related services to ensure successful statewide implementation of our RTTT plan. The Network Teams will work closely with districts' school-based *Inquiry Teams*<sup>11</sup> to make the instructional cycle dynamic and student-focused. The teams will also assist LEAs in coordinating and aligning RTTT initiatives with the existing professional development activities and results in the schools for which they are responsible.

Each participating school district *is required* to use up to 75% of its RTTT allocation to either:

- A. Purchase services of a BOCES RTTT Network Team; or
- B. Assure NYSED that it will participate in services provided by an alternative team determined by NYSED as offering services comparable in content and quality. A BOCES, school district, or public charter school 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. The *Department encourages participating school districts and their BOCES to work together to establish effective Network Team structures and functions that align with the State's plan and are within the participating LEA school districts' RTTT budgets for this activity.*

Since public charter schools can purchase services from BOCES only under limited circumstances, they will not be required to participate in a BOCES-sponsored Network Team. Rather, public charter schools are required to use up to 75% of their RTTT allocation to purchase comparable services. As noted above, they may use up to 75% of their allocations as a single charter school or enter into collaborative arrangements with other public charter schools.

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<sup>11</sup>School-based Inquiry Teams – comprised of teachers, teacher leaders and administrators – are charged with becoming expert in accessing, understanding and using data to identify a change in instructional practice (e.g. teaching division of fractions) that will accelerate learning for a specific group of underperforming students. Based on what is learned from that experience, teams work with school staff to implement and monitor system-level change to benefit all students. The reflective practice that is used as the basis for the Inquiry Team's work is intended to support continual, evidence-based improvement of student learning. While each school is to have at least one Inquiry Team, more teams may be put in place should the school find it valuable to do so.

## Essential Functions of the Network Teams

The Network Teams will provide direct professional development, technical assistance and follow-up support to participating LEAs across the four RTTT assurance areas. The specific functions of the Network Team will fit within the following RTTT categories and include the following activities:

### Standards and Assessment

Provide professional development, technical assistance and follow-up support in:

- Implementing the Common Core standards and aligning instruction to the new standards and curricula.
- Implementing the State's comprehensive assessment program and adapting to more rigorous performance-based assessments.
- Building and functioning of the school-based inquiry teams to analyze student performance data (both quantitative and qualitative), make adjustments to instructional practices based on that data, and access instructional resources that will assist in instructional improvement.
- Developing effective instructional strategies for English language learners and students with disabilities.

### Data Systems to Support Instruction

Provide professional development, technical assistance and follow-up support in:

- Administrators' use of the e-portal for data entry, reporting, and analysis to support organizational and instructional decision-making and evaluation.
- Teachers' use of the e-portal for data entry, reporting, and analysis to support organizational and instructional decision-making and evaluation.
- Schools use of school-based *Inquiry Teams* which are comprised of teachers, teacher leaders and administrators who, with the assistance of the Network Team, make the instructional cycle dynamic and student focused. While each school is to have at least one inquiry team, more teams may be put in place should the school find it valuable to do so. Specifically, each Inquiry Team is charged with becoming expert in accessing, understanding and using data to identify a change in instructional practice (e.g.: teaching division of fractions) that will accelerate learning for a specific group of underperforming students. Based on what is learned from that experience, teams work with school staff to implement and monitor system-level change to benefit all students. The reflective practice that is used as the basis for the Inquiry Team's work is intended to support continual, evidence-based improvement of student learning.

### Great Teachers and Leaders

Provide professional development, technical assistance and follow-up support in:

- School-level implementation of the comprehensive evaluation system for teachers and principals.
- Using teacher and leader evaluation data from the comprehensive evaluation system for decision-making.
- Developing and implementing improvement plans for teachers and leaders based on evaluation system-data.
- Ensuring compliance with the State-Plan for the equitable distribution of highly qualified and effective teachers.

### Turning Around Lowest Achieving Schools

- Implementing one of the four turnaround models outlined in the State's plan.

## Essential Structures of the Network Teams

Each Network Team will possess professional expertise in building school and district capacity for curriculum and instruction; building and administering assessments; and data collection, analysis and use. The specific expertise of the Network Teams must be directly related to the RTTT assurance areas and goals. NYSED recommends that:

1. Each Network Team consist of at least the equivalent of three full-time professionals
2. Participating LEAs define the roles and responsibilities of each team member, based on the essential functions of the Network Teams and consistent with the particulars of the local setting.
3. LEAs not repurpose existing staff from RSC-TASCs, BETACs and other such organizations to fill these roles

Additionally, the Department will require all Network Teams to participate in NYSED-sponsored professional development activities.

There are three types of Network Teams throughout New York State: BOCES-based; Big 5-based; and Network Team Equivalents (NTEs).

BOCES-based Network Teams: New York State's 37 BOCES and their affiliated Regional Information Centers will house Network Team services for component participating LEAs. The Network Team services in each BOCES will be integrated into a single coordinated effort, and aligned with other professional development and capacity building initiatives that are themselves aligned to the RTTT initiatives and Regents policy directions. Each BOCES will form a pre-determined number of Network Teams, each serving roughly 25 schools, based upon the total number of component schools within its service region.

The District Superintendents who head each BOCES will report to the NYSED Associate Commissioner for District Services (acting for the Commissioner of Education) in carrying out all Network Team essential functions. The District Superintendent in each BOCES will work with superintendents of the component school districts to ensure that the network teams and other BOCES experts in data, curriculum, and instruction help to build district capacity to support schools for continuous student improvement.

Big 5-based Network Teams: The Big 5 school districts are larger than all other districts and have greater proportions and concentrations of at-risk students and low achieving schools. In addition, these districts maintain a different funding and service relationship with the BOCES than other participating LEAs. Based on these unique features, which warrant more specialized, site-specific, and intensive involvement, the Big 5 school districts will house and maintain district-based Network Teams.

NYSED will work directly with the Big 4 school districts (Buffalo, Rochester, Syracuse, and Yonkers) to create local systems of Network Teams and continue to support the development of the NYC DOE school inquiry team model. NYSED leaders will work directly with the superintendents and the leaders in curriculum, assessment, and data within each of the Big 5 districts to evaluate and improve upon the local Network Teams.

Network Team Equivalentents (NTEs): The Department recognizes there may be participating LEAs that have an existing local or regional infrastructure (within a single LEA, in a consortium of LEAs, or in a BOCES) with the capacity for delivering the functions of the Network Teams. In such cases, a Superintendent of a participating LEA will be asked to sign an assurance which certifies to NYSED that:

1. The LEA's schools will receive the services and essential functions from the Network Team as outlined in this document. Individuals providing these services must be described and resumes including relevant experience must be submitted with the assurance.
2. The LEA will agree to implement and report the required performance metrics and outcome measures associated with Network Teams to NYSED on a regular basis.

### **Cost Structure for Network Teams**

Because of regional cost differences and because not all areas/LEAs will require a network team purchased with RTTT allocations, it would be impossible for NYSED to determine with accuracy the exact cost of these teams. LEAs and BOCES should work together determine if they: 1) have network team equivalence; 2) need only a portion of a network team (e.g., a regional data person); or 3) a full Network Team. Once this decision is made, budgets can be built accordingly based on the regional costs and characteristics sought by each LEA/region.

## APPENDIX B: U.S. DEPARTMENT OF EDUCATION DESCRIPTION OF FOUR SCHOOL TURNAROUND MODELS

( [http://www.ed.gov/programs/racetothetop/application.doc#\\_Toc245553795](http://www.ed.gov/programs/racetothetop/application.doc#_Toc245553795) )

School Improvement grant guidelines highlight four models for dramatic school intervention in persistently lowest-achieving schools: the turnaround model; the restart model; school closure; and the transformation model. Districts with schools that have been identified as persistently lowest achieving will be required to select one of the four models and submit an intervention plan to the Commissioner for approval. These same models must also be used by districts since New York received Race to the Top funding. These models all include elements of intervention strategies that have already been implemented in New York State. Below are the models as described in the Race to the Top application:

- (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.

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.

## **APPENDIX C: TERMS AND CONDITIONS, ASSURANCES AND CERTIFICATIONS FOR FEDERAL PROGRAM FUNDS UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA)**

The following terms and conditions, assurances and certifications are intended to facilitate the release of newly awarded federal funds under the American Recovery and Reinvestment Act (ARRA). By signing the certification on the application cover page, the District Superintendent, Superintendent or Chief Executive Officer of the sub-grantee is ensuring:

- required accountability and compliance with all applicable federal and State laws, regulations, and grants management requirements including ARRA Public Law 111-5 including the reporting requirements outlined in Section 1512 of the Act,
- maintenance and availability of records and information required for fiscal audit and program evaluation including, but not limited to an inventory of equipment purchased with funds under this Part, documentation of the fair market value of required in-kind contribution, if any; and data that documents progress toward the performance indicators,
- funds will be used only for activities and items authorized by section 14003 of ARRA and outlined in the approved Final Scope of Work,
- funds will be accounted for separately,
- title to materials and equipment obtained with these funds will be retained by the sub grantee to support grant activities or returned to the State Education Department,
- funds will not be used to provide financial assistance to students to attend private elementary or secondary schools in violation of section 14011 of ARRA,
- adequate space will be available to fully implement activities as described in the application and such space is in compliance with all applicable safety standards, and
- services provided with this grant will be physically and programmatically accessible to individuals with disabilities and their families.

### **Terms and Conditions**

Sub-grantees shall administer each ARRA sub-grant in accordance with the Act to the extent consistent with State Laws and regulations and use the funds in a highly cost effective manner consistent with The American Recovery and Reinvestment Act of 2009 and the United States Education Department principals and guidelines. Sub-grantees will also register on line with the United States Government's *Central Contractors Registration* at <http://www.ccr.gov>.

Sub-grantees shall report quarterly certain required standard data elements pertaining to the use of ARRA funds on time in a manner prescribed by the State and the New York State Education Department.

### **Buy American - Use of American Iron, Steel, and Manufactured Goods**

Sub-grantees may not use any funds obligated under this award for the construction, alteration, maintenance, or repair of a public building or public work unless all of the iron, steel, and manufactured goods used in the project are produced in the United States.

## **Wage Rate Requirements**

*[This term and condition shall not apply to tribal contracts entered into by the Indian Health Service funded with this appropriation. (ARRA Title VII—Interior, Environment, and Related Agencies, Department of Health and Human Services, Indian Health Facilities)]*

Subject to further clarification issued by the Office of Management and Budget, and notwithstanding any other provision of law and in a manner consistent with other provisions of ARRA, all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the Federal Government pursuant to this award shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code. With respect to the labor standards specified in this section, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code. (ARRA Sec. 1606)

## **Limit on Funds (ARRA)**

None of the funds appropriated or otherwise made available in ARRA may be used by any State or local government, or any private entity, for any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool. (ARRA Sec. 1604)

## **Disclosure of Fraud or Misconduct**

Each recipient or sub-recipient awarded funds made available under the ARRA shall promptly refer to the Office of Inspector General any credible evidence that a principal, employee, agent, contractor, sub-recipient, subcontractor, or other person has submitted a false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving those funds. The Office of Inspector General can be reached at <http://www.oig.gov/fraud/hotline/>

## **ARRA: One-Time Funding**

Unless otherwise specified, ARRA funding to existent or new awardees should be considered one-time funding.

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## **ASSURANCES - NON-CONSTRUCTION PROGRAMS**

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As the duly authorized representative of the applicant, and by signing the application cover page, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-2), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328), which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §§874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction sub agreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance

with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1721 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.), which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, Audits of States, Local Governments, and Non-Profit Organizations.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

**Standard Form 424B (Rev. 7-97), Prescribed by OMB Circular A-102, Authorized for Local Reproduction, as amended by New York State Education Department**

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### **CERTIFICATIONS AGAINST LOBBYING**

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Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of the Application Cover Page provides for compliance with certification requirements under 34 CFR Part 82, "New Restrictions on Lobbying," and 34 CFR Part 85, "Government-wide Debarment and Suspension (Nonprocurement)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Education determines to award the covered transaction, grant, or cooperative agreement.

#### **1. LOBBYING**

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 34 CFR Part 82, Sections 82.105 and 82.110, the applicant certifies that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
- (c) The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers (including sub grants, contracts under grants and cooperative agreements, and subcontracts) and that all sub recipients shall certify and disclose accordingly.

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**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION —  
LOWER TIER COVERED TRANSACTIONS**

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This certification is required by the Department of Education regulations implementing Executive Order 12549, Debarment and Suspension, 34 CFR Part 85, for all lower tier transactions meeting the threshold and tier requirements stated at Section 85.110.

**Instructions for Certification**

1. By signing the Application Cover Page, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion-Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

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### **Certification**

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

***ED 80-0014, as amended by the New York State Education Department***

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### **GENERAL EDUCATION PROVISIONS ACT ASSURANCES**

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These assurances are required by the General Education Provisions Act for certain programs funded by the U.S. Department of Education.

As the authorized representative of the applicant, by signing the application cover page, I certify that:

- (1) that the local educational agency will administer each program covered by the application in accordance with all applicable statutes, regulations, program plans, and applications;
- (2) that the control of funds provided to the local educational agency under each program, and title to property acquired with those funds, will be in a public agency and that a public agency will administer those funds and property;
- (3) that the local educational agency will use fiscal control and fund accounting procedures that will ensure proper disbursement of, and accounting for, Federal funds paid to that agency under each program;
- (4) that the local educational agency will make reports to the State agency or board and to the Secretary as may reasonably be necessary to enable the State agency or board and the Secretary to perform their duties and that the local educational agency will maintain such records, including the records required under section [1232f](#) of this title, and provide access to those records, as the State agency or board or the Secretary deem necessary to perform their duties;
- (5) that the local educational agency will provide reasonable opportunities for the participation by teachers, parents, and other interested agencies, organizations, and individuals in the planning for and operation of each program;
- (6) that any application, evaluation, periodic program plan or report relating to each program will be made readily available to parents and other members of the general public;
- (7) that in the case of any project involving construction –
  - (A) the project is not inconsistent with overall State plans for the construction of school facilities, and
  - (B) in developing plans for construction, due consideration will be given to excellence of architecture and design and to compliance with standards prescribed by the Secretary under section [794](#) of title [29](#) in order to ensure that facilities constructed with the use of Federal funds are accessible to and usable by individuals with disabilities;
- (8) that the local educational agency has adopted effective procedures for acquiring and disseminating to teachers and administrators participating in each program significant information from educational research, demonstrations, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects; and
- (9) that none of the funds expended under any applicable program will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity or its employees or any affiliate of such an organization.