

Race to the Top (RTTT) Frequently Asked Questions
Florida Department of Education
December 21, 2009

Updated May 20, 2010 (new information in blue and denoted with asterisks)

SUBMITTING THE MOU TO BE A “PARTICIPATING” LEA

1. What is a Participating LEA (local education agency)?

A participating LEA agrees to implement the State Reform Plan as outlined in Florida’s Memorandum of Understanding (MOU), disseminated to LEAs on December 10, 2009. The U.S. Department of Education (ED) guidelines provide that “Each participating LEA that receives funding under Title I, Part A will receive a share of the 50 percent of a State’s grant award that the State must subgrant to LEAs, based on the LEA’s relative share of Title I, Part A allocations in the most recent year, in accordance with section 14006(c) of the ARRA.”

2. How does an LEA sign up to be a Participating LEA?

The LEA must submit a signed MOU agreeing to implement all non-negotiables as set out in the MOU to the Florida Department of Education (FDOE) by January 12, 2010. If Florida is awarded the grant, the LEA will be required to submit an implementing plan within 90 days after the award to the state. If the LEA plan is approved by FDOE, the LEA will be approved as a Participating LEA.

3. On the various sign-offs, being requested does FDOE require original blue ink signatures or are e-mail/fax copies sufficient?

We prefer original signatures in blue ink. Several LEAs have informed us that their school board is meeting to vote on the MOU on January 12, 2010. If this is the case, please fax the signed MOU on January 12, 2010, to (850) 245-5036 and overnight mail the originals.

4. What does the MOU require?

The MOU requires the parties that sign it to work in good faith to develop an LEA plan that complies with the requirements in Exhibit 1 of the MOU and the state’s plan. The MOU includes a signature block for the LEA superintendent, school board chair, and local teachers’ union representative. These signatures mean that the parties agree to work toward implementation of the elements of the state reform plan if Florida receives a Race to the Top grant award. See MOU document for list of requirements.

5. Is there flexibility with requirements of the MOU?

Yes. While all applicable elements of the MOU will need to be addressed in the LEA’s Final Scope of Work, there is significant flexibility in how the elements are implemented.

6. When a LEA turns in the MOU, must they comment as to which parts they are able to commit to and which ones they are not?

In order to be a participating LEA, you have to agree to implement all applicable items. If an LEA doesn't have a school on the persistently lowest-achieving schools list, then Section E of Exhibit I of the MOU wouldn't apply, for example. The comments column is optional. It might be used to note such facts as that the LEA does not have a persistently lowest-achieving school. However, as noted in the cover letter, most of the MOU elements can be phased-in and/or applied to certain schools of the district's choice.

7. What is the statement of intent to participate?

This is a non-binding statement from a superintendent or designee indicating a LEA's intent to sign and return the MOU. The statement of intent is due on December 18, 2009, but if one is not submitted, an LEA can still submit the MOU by January 12, 2010. It does not require school board or union approval. The purpose of the statement of intent to participate is to allow the Department to begin compiling the data relating to Participating LEAs that we will need to include in the state's application.

8. What happens if all three parties do not sign the MOU?

Florida may not receive the maximum number of points awarded in this section of the application if all three signatures are not obtained. However, the LEA is not precluded from submitting an MOU with fewer than three signatures.

9. Is the signature of the superintendent and school board chair on the MOU contingent on school board approval?

This will vary by LEA based on local policies regarding delegated authority.

10. Can an LEA submit a signed MOU but later determine that it is not possible to implement the requirements?

Yes. If a Final Scope of Work is not completed or approved by the Department, an LEA that submitted an MOU in January 2010 is no longer obligated.

11. When is the signed MOU due?

The signed MOU is due to FDOE on January 12, 2010. If you happen to have a school board meeting on this date, fax a copy of the signed MOU to (850) 245-5036 on January 12, 2010, and overnight mail the MOU with original signatures to Holly Edenfield, 325 West Gaines Street, Suite 1502, Tallahassee, Florida, 32399.

RESPONSIBILITIES OF PARTICIPATING LEAs IF FLORIDA IS AWARDED A GRANT

12. What is the Final Scope of Work?

If Florida is awarded a Race to the Top grant, the Participating LEAs will have up to 90 days to complete a Final Scope of Work, which must contain detailed work plans that are consistent with the Preliminary Scope of Work (MOU elements) and with Florida's grant application, and must include the Participating LEA's specific goals, activities, timelines, budgets, key personnel, and annual targets for key performance measures. FDOE will provide a template to Participating LEAs for this purpose.

13. Does the Final Scope of Work require union ratification? If ratification is not obtained, does school board impasse serve the same purpose?

In order to be approved by the FDOE, the LEA must be able to implement the plans set forth in the Final Scope of Work. Terms of any collective bargaining agreement that impede full implementation of the Final Scope of Work must have been modified by the time the final scope of work is submitted to the Department.

14. *At what point would districts and unions have to come to agreement about all of the bargainable issues? Will an extension be allowed if the union can't get the teachers to vote until they come back in August? Will an extension be allowed for resolution of impasse?

The DOE cannot approve a district's final scope of work or plan unless the district has the capacity to implement its plan. Thus, the MOU provides that "[a]pproval of the sub grant will be based upon the scope and quality of the LEA's proposed work plans and its **capacity** to implement the plans." (Participating Local Educational Agency Memorandum of Understanding, II, A.) Where the terms of a collective bargaining agreement impede implementation of the final scope of work, the parties to the agreement must have not only negotiated, but come to agreement on the concepts and timelines by the time the final scope of work is submitted. It is not necessary to have changes to a collective bargaining agreement ratified before submission of the final scope of work; however, no funds will be distributed until the district demonstrates that it has the capacity to implement all elements of the plan.

There will be a period of time of approximately four weeks after the final scope of work is due before the applications are granted and funds are distributed. It is during this period that ratification or resolution by other means, including impasse, should occur.

15. Are all schools in a participating LEA required to implement elements of the MOU?

The LEA may phase in portions of the state plan over time. The LEA may also implement portions of the state plan in some schools and not others. However, please keep in mind that in order to be approved by the Department for participation, the Final Scope of Work submitted by the LEA must be of sufficient quality and scope to fully implement the state's plan. The instructions and format for the Final Scope of Work will contain more information about this aspect.

16. To what extent does capacity affect an LEA's ability to participate?

In order to participate in the sub-grant, the LEA must have the capacity, through existing resources or resources provided by the sub-grant, to implement the state plan. The LEA will have the opportunity to demonstrate this capacity, and identify outstanding fiscal needs, in the final scope of work.

17. Does a Participating LEA have to implement all elements of the MOU?

Yes, as applicable. For example, if your LEA does not have a school identified as persistently lowest-achieving, then the requirements related to these schools do not apply to your LEA. Again, there is flexibility in how the various elements are implemented.

18. Are LEAs required to implement every element of Exhibit 1 to the MOU or may the LEA implement significant portions of it?

An LEA must agree to implement all portions of the State Plan included in Exhibit 1 to the MOU. Each element set out in Exhibit 1 is considered to be a significant portion of the State Plan. Elements deemed not significant would only include those portions of the plan that are not applicable because, for example, the LEA does not have a school that is a persistently lowest-achieving school or the LEA has already accomplished the goal of the element. There is significant flexibility in how the elements of the State Plan may be implemented by the districts. Most of the elements can be phased in and/or applied to certain schools of the district's choice.

19. If a LEA is unable to submit the MOU with all required signatures, will the LEA ultimately have to abide by the RTTT requirements without money to assist?

A district that intends to participate will need to return the MOU to the FDOE with the signatures it can acquire. If Florida is awarded the grant by ED, a participating district will have to abide by the RTTT requirements. However, if the district does not intend to participate, the district will not have to abide by the RTTT requirements unless the requirements become mandated in statute or already are mandated by statute.

20. What happens if an LEA negotiates in good faith and does not reach agreement in year two of the grant. Does the LEA have to repay the funds? What are the consequences?

In order to participate, any impediments to implementation must be removed. Ideally, this should be done for the term of the grant through negotiation. Where this is not possible and impasse is reached, a decision through that process can still allow participation. An LEA would not be required to repay funds for any period it was eligible to participate and was performing in compliance with its approved plan.

21. Does signing the MOU affect any of the rights or remedies available under collective bargaining?

No. Nothing in the MOU alters or affects the rights, remedies or procedures afforded LEA employees under the law or under the terms of collective bargaining agreements between employers and their employees. However, as noted earlier, in order to participate, terms of any collective bargaining agreement which impede full implementation of the RTTT requirements, will need to be modified.

22. Many of requirements in Exhibit I require expenditure of funds. Which is more important...more time for instruction, teacher professional development, or pay for performance?

All are important and the different initiatives should not be considered as competitive interests or contradictory ones but rather as a set of initiatives to address various gaps. The LEA will have the opportunity to create a workable schedule of implementation in its plan.

23. May the LEA include in its Final Scope of Work the ability to develop and implement pilot programs for certain agreed-upon high-need schools in order to concentrate the LEA's limited resources and to test new models in order to ensure the pilot programs provide the intended results, especially related to attracting and retaining high-quality teachers and principals in low-performing schools?

Significant latitude exists for most elements of the grant. For those elements, LEAs may determine how, when, and where the elements of the grant will be applied, and as long as the Final Scope of Work is of sufficient quality, LEAs may phase in portions of the State Plan over time and may implement portions of the State Plan in some schools and not others. An example of this flexibility would be the approval of a Final Scope of Work that calls for developing and implementing a quality program in high-need schools for attracting and retaining high-quality teachers so that the LEA might concentrate its resources and test new models to ensure the program provides the intended results before it is extended more broadly. On the other hand, some items such as standards must be implemented district-wide.

24. *Does the RTTT grant have a "Supplement/not Supplant" requirement?

There is no supplement/not supplant provision associated with RTTT funds.

25. *Must the goals of the LEA Plan include or be limited to the Race to the Top goals in the Federal Register of 1) increasing student achievement, 2) decreasing the achievement gaps across student subgroups, and 3) increasing the rates at which students graduate from high school prepared for college and careers?

Florida's application addresses the big-picture goals you mention below on behalf of all districts. The goals that you will have to include in your Final Scope of Work will be related to each of the elements of the MOU. For example, what is your goal for increasing the number of STEM-related accelerated courses [criterion (B)(3)], given your RTTT budget?

STANDARDS AND ASSESSMENTS

26. What is the timeline for adoption of common core standards?

We expect to see the next draft in common core standards in reading/language arts and mathematics in early January, with a final draft expected in late January. Phase 1 Race to the Top applicants are required to adopt the common core standards by August 2, 2010, and Florida has a plan to meet this timeline.

27. What is the definition of lesson study?

Lesson study is a form of long-term professional development in which a small group of teachers systematically and collaboratively conduct research on teaching and learning in classrooms. A lesson study cycle generally involves a group of teachers collaboratively planning lessons based upon research, implementing the lesson in a classroom, collecting data by observing others teach the lesson, collecting student assessment and observation data, reflecting upon and discussing the data, examining quality of student work, and developing a record of their activity to improve their practice and seek new solutions.

Resources on Lesson study include:

<http://www.tc.edu/lessonstudy/>

<http://www2.edc.org/lessonstudy/>

28. Will each teacher in every school in the LEA or just in targeted schools have to develop and implement lesson study?

LEAs should focus their initial attention in the lesson study implementation process on their lowest performing schools and then expand the process. It is required that lesson study be implemented in all Differentiated Accountability (DA) schools.

29. Will each teacher have to devote a minimum of one lesson study per week for each subject that he or she teaches?

In secondary schools where teachers often have more than one preparation, the LEA or school principal can choose the course for the teacher's lesson study.

30. If a LEA has recently implemented a career program do they have to implement another one in order to be a Participating LEA? Would it be permissible to work out a dual enrollment program with the community college to meet the requirement rather than trying to add a program, personnel, and providing a location/renovation? Will there be funds for renovation?

The MOU states that the "LEA will implement at least one *additional* high school career and technical program that provides training for occupations requiring science, technology, engineering, and/or math (STEM)." In order to meet the requirements, an LEA would need to implement another STEM program or enhance a current one to fulfill these requirements. RTTT funds would be available to assist in the implementation costs.

Yes, one solution would be to work with a Community College to implement one of these programs. Using funds for renovation is addressed in the ED FAQ document at <http://www.ed.gov/programs/racetothetop/faq.pdf>. (It is discouraged.)

31. Will a career and technical program currently in a planning year this year, count as an additional program?

Yes, as long as there are currently no students enrolled and the CTE program is one that provides training for occupations requiring science, technology, engineering, and/or math (STEM) leading to industry certification.

32. *What are the high school career and technical programs that provide training for occupations requiring science, technology, engineering, and or math (STEM) that result in certification and lead to a high-wage, high-skill careers and support one of the eight targeted sectors identified by Enterprise Florida?

Approved programs are as follows. Program descriptions will be posted at <http://www.fldoe.org/arra/racetothetop/stem.asp>.

Aerospace Technologies
Animal Biotechnology
Architectural Drafting
Biomedical Engineering
Building and Construction Technology
Drafting/Illustrative Design Technology
Drafting Technology
Electrical Drafting
Electronic Drafting
Engineering Technology
Environmental Resources
Industrial Biotechnology
Mechanical Drafting
Project Lead the Way – Aerospace Engineering
Project Lead the Way – Biotechnical Engineering
Project Lead the Way – Civil Engineering and Architecture
Project Lead the Way – Computer Integrated Manufacturing
Plant Biotechnology
Power and Energy Technology
Structural Drafting

33. Will FDOE provide a list of courses that will satisfy core credit requirements within the CTE Programs?

Yes, FDOE will provide a list of courses that will satisfy core credit requirements within the CTE programs. Also, LEAs can submit courses to be considered for “validation” to the respective career and technical education content specialist.

34. Will recent efforts to increase rigorous coursework (e.g., Advanced Placement) be taken into consideration?

We will consider three years of trend data submitted with your MOU if this is a special case for your LEA.

35. *What are the required STEM activities?

The district must increase the number of STEM-related career and technology academies. A list of the academies that meet this requirement can be found at www.fldoe.org/arra/racetothetop/stem.asp. If you want to submit an academy for review to determine if it meets the requirements, you can submit the name of the academy and the courses with course numbers to Jodi.Tillman@fldoe.org. Additionally, districts must increase the number of accelerated courses in the STEM area. Accelerated courses include: AP, IB, AICE, dual enrollment, and industry certification programs.

36. *Is the STEM and CTE requirement only for lowest 5 percent schools or will districts still get money to implement this requirement if it does not have any schools that fall into this category?

The STEM CTE requirement is for all districts. Districts must implement at least one additional STEM career technology program or enhance one to meet the requirements in the MOU.

37. *Will the text review described in the Standards & Assessments assurance be aligned with the College Placement Test?

The text review will include the review of commonly used 11th and 12th grade textbooks and college freshman level textbooks to determine if there is a gap in the reading complexity and quantity requirements moving from high school to college. It is not planned to include a review of the text complexity of the College Placement Test.

USING DATA TO IMPROVE INSTRUCTION

38. The LEA must provide a customer-friendly front end system that is easy for students, teachers, parents, and principals to use. Part of this system already exists in some LEAs. How much of this system will be provided by the state portion of the grant and how much of the system will an LEA need to develop?

The state will develop a customer-friendly front end system for access to state-level applications, resources, and data. For LEAs who already have a front end in place, the state will provide data to supplement local data stores for use in the front-end application or learning management system. Any development needs for the LEA will come from the LEA 50% of RTTT.

39. Is there assistance to LEAs who may struggle with the cost of purchasing an instructional improvement system?

The MOU requires that one be acquired. One option may be through a consortium. Once you review the definition of instructional improvement system, you might find that you already have some pieces in place.

40. For the professional development required around using data to improve instruction, will LEAs be able to use the FDOE 50% of RTTT funds for this?

The LEA can use its share of the LEA 50% of RTTT funds for professional development specific to local learning management systems. The FDOE will utilize its 50% to develop professional development for state-provided reports & data.

41. Will LEAs have input into which data will be made available to researchers, how it is reported, etc?

Yes, FDOE will be soliciting input from the LEAs as to which data will be made available and how it will be provided.

GREAT TEACHERS AND LEADERS

42. Can the requirements in the Great Teacher and Leaders sections be implemented in our highest need schools first in order to concentrate the financial resources in the grant?

Yes, the timeline for implementation in the LEA may include beginning with struggling schools and then working into the rest of the LEA.

43. In the “Measurement of Student Growth” section, is the reference to assessing content areas and grade levels specifically addressing the core content subjects – English, math, science, reading, social studies – or is it for all electives and any other content that will be specifically named by FDOE?

There are essentially two categories of content area courses for this purpose, those associated with the state assessment system (FCAT), and those that are not. All teachers are included in the LEA’s evaluation system.

44. What are the core instructional practices?

The core instructional practices will be the revised Florida Educator Accomplished Practices, which are currently adopted in Rule 6A-5.065. F.A.C. We will begin the rule revision process in January, which will include ample opportunities for input, and anticipate that it will be completed by July at the latest, so LEAs will have the revised core to use when developing their appraisal systems during the 2010-11 school year.

45. Will the state provide any assistance in developing assessments for areas and grade levels not in the statewide assessment program for the purposes of teacher compensation?

Yes. State assistance may include an item bank for development of social studies assessments and a methodology and software that LEAs may use to calculate student growth in courses where LEA assessments are used. In addition, the state's plan includes development of interim assessments for use in science grades 5-8, which would be applicable to determining student growth in these courses.

46. What other evaluation components will the state provide in (D)(2)(ii)?

The state will provide the calculation for the effectiveness level for teachers of courses associated with the state assessment system as well as identification of the core practices. Additional supports for LEAs in determining student growth for all teachers are listed in the previous question.

47. Will the Department negotiate with an LEA regarding a student growth component that is at least 40% of the evaluation and greater than any other single component on the evaluation?

Flexibility exists in the timing of this component of the plan. A Final Scope of Work may begin at a 40% student growth element, and the Department will negotiate how this element will be implemented but will require that before the end of the grant term, the student growth element must be at least 50%.

48. Can the 51% of the evaluation based on student performance be a variety of "evidences" including best practices, i.e. teacher analysis of data, or must the entire section be based solely on student growth evidenced by FCAT or LEA assessment? Is the intent for a teacher to receive an unsatisfactory rating if the performance piece is not met?

The >50% of the evaluation on student growth is intended to be the calculation of achievement growth of that teacher's students. Other assessment and instructional practices would be considered in the other portion of the evaluation. Section 1012.34, Florida Statutes, indicates that student performance is the primary component of the evaluation. However, both the statute and the grant provide flexibility in how final ratings are determined and what evidence is used.

49. In (D)(2)(ii), bullet 1 describes utilizing a Department-selected student growth measure. How is this timing impacted by the new FCAT and EOC assessments and will prior problems with reading cut scores be addressed? Will value added calculations account for need of student or school?

We will be presented with options (including how the methods work and pros and cons for using the types of measures for decision making) for selecting a student growth measure that is more accurate in determining value added by teachers, and we will include participating LEAs in this presentation on the options. Concerns regarding scoring and application in various school circumstances will be considered in these discussions. The new FCAT II will be in place next year and scaled by 2011-12. When new achievement level standards are set in the fall of 2011, between grade alignment problems will be addressed.”

50. In (D)(2)(ii) bullet 5, LEAs are asked to report the evaluations of teachers, principals, and LEA leaders to the Department. A teacher, because of hearing procedural requirements, may receive a marginally satisfactory evaluation and either resign or not be reappointed. A mechanism is needed to account for these events.

The department’s reporting of evaluation and dismissal results will need to be revised to include these kinds of circumstances. Participating LEAs will be convened to assist in creating standard reporting definitions for these.

51. Section D(2)(iv)(b) bullet 2 – Is this section referencing “performance-based pay” on top of the salary schedule or an actual revision to established salary schedules?

This bullet specifies that the salary schedule needs to be addressed. FDOE will provide models of how this can be defined so that LEAs can study.

52. In (D)(2)(IV)(b), bullet 2 reads “ties the most significant gains in salary to effectiveness demonstrated by annual evaluations as described in (D)(2)(ii) rather than to degree or years of experience.” Can a modified salary scale with added bonus money still be maintained and meet this criteria?

LEAs have flexibility in how these amounts are set to reach the goal of the greatest gains in salary for all teachers and principals being tied to effectiveness. Models will be developed to show examples of how this can be accomplished.

53. Section D(2)(iv)(d) – How can timelines be met for evaluations when FCAT scores are not released until late spring?

LEAs have flexibility deciding how to meet this requirement. Some suggestions have been to look at three years of student data, in each annual evaluation, or complete the observation portion of the evaluation sooner and delay the final determination for some teachers based on available data until the student data become available.

54. In (D)(iv)(d) bullet 1, “reductions in staff” is used. Is this intended as a “surplussing” from a school, especially a high need school, or is it intended to mean a “reduction in force” where some may no longer be employed?

This bullet is primarily intended for situations where the LEA's overall teaching workforce is reduced. However, there may be other sections of the grant and state statute that pertain to struggling schools that would apply in those circumstances.

55. In (D)(3)(i), bullet 1 describes efforts to attract teachers to schools that are high poverty, high minority, and in persistently low performing schools. Is the intent that the schools have to meet all three criteria or only one of these? Can LEAs prioritize the schools based on performance?

LEAs have flexibility in prioritizing these schools from among this list of three as they develop their work plans. However, the RTTT grant is clear in that with each of these school types there should be an overall LEA and state priority in staffing when considering all schools.

56. How will the non-load bearing teachers in an LEA fit into the teacher evaluation system (e.g., psychologists, school counselors, program specialists, teachers on special assignment)?

All instructional personnel are included in the LEA's evaluation system based on current statute (s.1012.34, F.S.). However, LEAs have flexibility in determining how to assess student performance for personnel who are not directly assigned to students.

57. Has the state set implementation timelines for LEAs (e.g., recruitment, placement, career progression, tenure, dismissal, and compensation) or are LEAs free to design their own timelines for implementation?

The state application will set some parameters for timelines that LEAs may work within or can accelerate. At this time the state is considering that the first full year of the grant will be devoted to LEAs reviewing and re-developing their evaluation systems and receiving training on the state models for measuring student growth, evaluation system development and the core practices. It is also anticipated that LEA plans will reflect implementation of the evaluation system prior to implementing compensation tied to system results. LEAs will need to develop their own plans for implementation of these components and describe them in their scope of work to be submitted 90 days after the grant is awarded.

58. Can salary gains be tied to both annual evaluations and seniority?

Nothing in the MOU excludes seniority (or honoring/retaining those who have been loyal to a LEA or school). What it does is (1) require that most significant gains in salary are based on student performance and the rest can be on something else and (2) the first consideration in reduction in force (RIF) must be effectiveness; then from all those that are effective, you look at loyalty/retention/other contributions, whatever else is in the agreement.

These changes cannot be made all in year one. A LEA will have to revise its evaluation system, and we have to utilize our new effectiveness measures before we make these decisions based on the new system. The LEA implementation plan should account for that.

59. *What is the “dual level” certification program for school principal described in the grant?

The state will issue a competitive grant for model programs in leadership certification that will take high performing teachers or executives through an intensive, job-embedded fast-track program that will complete both Educational Leadership (Level I) and School Principal (Level II) certifications in one program.

TURNING AROUND THE LOWEST-ACHIEVING SCHOOLS

60. If a LEA does not have a school on the Title I persistently lowest-achieving schools list, would the LEA still be able to use Race to the Top funds with their Title I schools in need of improvement?

Yes. Please note that RTTT funding is not limited to use with Title I schools

61. If a LEA does not have a school on the lists in the MOU, must it present a plan for Section E?

The list of schools will not change during the grant period for the purposes of grant implementation, so you do not need to present a plan for Section E if you do not have a school on the list now.

62. Do LEAs have authority to implement their own programs?

Yes, if such programs are supported by positive data results and research, and address the needs of struggling schools.

63. Can schools (especially high schools) that have already implemented the transformation model be given sufficient time (3 years) beginning August 2009, to reach a “C” grade category assuming they are making progress as determined by the local school board? Constant changes create a lack of confidence and make it hard to gain commitment of parents and community partners so critical to long-term success.

Goals will need to be established and met each year to continue funding. Therefore, if these goals are reached, the same option can be implemented. At the same time, the turnaround options do not supersede DA requirements, especially pertaining to the Intervene category.

64. In (E)(2), bullet 2 describes a requirement that LEAs with more than nine persistently low-performing schools will not select the Transformational model for more than half of the schools. Will FDOE use 2008-09 data or 2009-10 data to determine? To what extent will changes already made in principal and teaching staff count toward the Turnaround model if that is used?

If schools implemented one of the four turnaround options through DA requirements during the 2009-2010 school year and improvement was achieved, then personnel changes would not be required for subject areas that demonstrated marked improvement. This refers to the leadership team as well.

65. Is an LEA required to replace a principal? What if principal has only been in position for one or two years and has seen improvement? Is there any discretion on part of LEA?

If the current principal has demonstrated marked academic improvement at the school then the principal would not be removed.

66. Reporting to a “turnaround office” and establishing schedules and strategies that increase learning time have a fiscal impact. Will an LEA be able to use any of the FDOE 50% RTTT funds to help with this?

This will be considered through a review of special needs and bold plans implemented by LEAs.

67. May an LEA make its own determination about whether sufficient time for academic improvement has been provided to an Intervene school so the Department will permit the LEA to continue with its chosen federal school intervention model for the Intervene schools?

The requirements of Differentiated Accountability are set out in statute (s. 1008.33, F.S.).

68. *How will the three districts be chosen for the community compacts proposal?

Our application is written so that only districts with Intervene high schools could work with a community-based organization or government entity on the compact. The detailed description can be found starting on p. 192 at: <http://www.fldoe.org/ARRA/pdf/rttt-apbud.pdf>.

CHARTER AND LAB SCHOOLS

69. If a charter school does not wish to participate in parts of the LEA’s plan, do they still receive funding? Who will determine the amount that each charter school receives if they do wish to fully participate?

Unlike programs such as Title I funding, there is no formula distribution of RTTT funds at the LEA level. The amount of funding received for any school in the LEA, including charter schools, will depend on what needs are identified relative to the LEA’s plan for implementation. The detailed instructions for completing the LEA implementation plan and budget will specify the parameters and requirements regarding the participation of charter schools and will include requirements designed to ensure that charter schools are appropriately involved.

70. Must a LEA meet with its charter schools before signing the MOU? Do LEAs need participation forms signed by its charter schools before moving forward on the LEA's signature on the MOU? Must the MOU include the names its charter schools that wish to participate?

While LEAs should be communicating with their charter schools regarding RTTT, it is premature to require a charter school to sign an MOU or otherwise bind itself regarding whether or not it wishes to participate and agree to be a part of its LEA's RTTT plan when no plan has been developed. LEAs may request feedback from its charters as to whether they intend to participate, but such feedback should not be binding at this time as it is not a requirement for the state's grant application.

71. Can charter schools or consortia apply as a Participating LEA?

No. Only LEAs with a Title I, Part A allocation are eligible to apply.

72. How do charter schools interact with Participating LEAs?

Two of the MOU non-negotiables deal with charter schools. First, the LEA will offer charter schools located within their LEA the opportunity to participate in the grant on the same terms as any other LEA school. Second, consistent with federal requirements, the LEA will ensure that participating charter schools receive an appropriate share of any grant funds and services funded by the grant. The relationship should be similar to that of the K-12 Reading Plan requirements. LEAs should collaborate with their charter schools that wish to participate in RTTT and should allow them similar flexibility to that which the LEA has in determining how to meet the state and federal requirements for RTTT.

73. Could charter schools apply for this funding as just charter schools? Do they apply through their LEA? Will LEAs automatically include them and, therefore, include funds allocated for them?

Charter schools cannot participate on their own since they are not LEAs. Charter schools must be included in participating LEAs, and LEAs must ask charter schools if they will opt in or out.

74. Can lab schools apply as a Participating LEA?

Yes, as they have a Title I, Part A allocation.

75. How does a lab school deal with alternative certification if they do not have anyone out of field?

Alternative certification does not only apply to out of field teachers.

76. What does a lab school do if it is unable to reassign teachers and principals to other "low achieving, high-poverty, high minority" schools since a lab school is one school/LEA?

As a single school, it will be important to ensure that the teachers working with your struggling students are your highly effective teachers. Statewide data using learning gains shows in the vast majority of classes only 50% of the students make learning gains, so there is likely room for improvement within a single school.

77. How do lab schools address (D)(3) and (E)(2) because of their unique situation?

(D)(3) See previous question.

(E)(2) If a lab school is not on that list, then (E)(2) does not apply to you.

FUND DISTRIBUTION/GRANT PROCESS

78. A number of requirements of the LEA are fairly broadly worded and it is unclear as to what costs the LEA may incur to implement them.

Participating LEAs will need to budget for these initiatives based on their share of the 50% of a state's award. In addition, other federal funds (e.g., Title I, IDEA, School Improvement) should be aligned with these requirements. The ED is clear about the need for alignment.

79. What is the plan for continuity of funding after four years?

The RTTT application requires us to address issues of sustainability. To the extent possible, we are encouraging LEAs to use their funds for transitional and supplemental activities so that the initiatives supported by RTTT funds can be continued after four years. LEA plans should reflect the thought that has been given to how the initiatives can be sustained.

80. Does FDOE have the authority to unilaterally change a LEA's plan to comply with the Grant's specifications?

No. The FDOE's approval of the LEA's plan will constitute an agreement just as with any other grant application. If the FDOE has concerns about any portion of a LEA's plan, staff will work with the LEA to resolve the issue(s). Any changes would be made by consensus.

81. What authority does DOE maintain to divert funding from other entitlement sources to support Race to the Top?

FDOE does not have authority to "divert" funding from other entitlement sources. All entitlement programs funds must continue to be used in compliance with the federal program and fiscal requirements. However, because RTTT funding is intended to support the same kinds of goals and initiatives as most other federal programs, it is unlikely that alignment of the federal entitlement programs to RTTT would be in conflict with any of the federal requirements for entitlement programs. FDOE staff will work with LEAs to ensure that all available fund sources are appropriately leveraged to maximize the shared goals

relative to student achievement. New rules and regulations, including the reauthorization of ESEA, are being defined by ED. FDOE strongly senses that they will continue the emphasis on RTTT requirements.

82. Who can apply for competitive grants from FDOE's 50% of Race to the Top money?

The answer to this question will depend on the nature and specified purpose for any competitive grants. For example, there may be some competitive grants for which universities might apply while others might be available to charter schools. There will also be additional consideration for struggling schools. Such determinations will not be made until later in the application and planning processes.

83. If not all LEAs are Participating, will their share of the award be reallocated to other Participating LEAs?

Yes, per guidance from ED.

84. What assurance do we have that the legislature will not come in with something different during the four years of the grant?

FDOE staff will continue to work closely with Legislators and their staff to ensure that all involved parties are knowledgeable and in agreement with the initiatives being undertaken by the state with regard to RTTT.

85. If the grant goes through, what is the guarantee that the state will not supplant the funds?

The general definition of supplanting usually addresses concerns where federal funds are inappropriately used to replace non-Federal funds such as FEFP dollars. The state does not have the authority to use federal funds to supplant state funds, and doing so would be in violation of federal law and regulation.

86. If the grant proceeds to the LEA for its Final Scope of Work are reduced at any time, whether upon initial award or thereafter during the term of the grant, may the LEA amend its Final Scope of Work commensurate to the then-level of grant proceeds? May the LEA terminate its participation in the grant without prejudice?

This is a funded federal grant and it is unlikely the amount awarded will be reduced as long as Florida and its LEAs comply with the terms of the State's Plan. However, in the unlikely event that there is a reduction that affects an LEA's ability to perform all elements of its Final Scope of Work, then a concomitant reduction in performance requirements will be negotiated. An LEA may instead exit the grant program if Race to the Top funds are reduced; indeed LEAs may exit at any time.

87. If an LEA terminates its participation in the RTTT program, will there be any liability to repay funds received?

An LEA would not be required to repay funds for any period in which it was eligible to participate and was performing in compliance with its approved plan. LEA's would only be required to return any sums for which they received funds but did not perform.

88. Can the LEA be required to expend funds in excess of Race to the Top grant award proceeds to implement its Final Scope of Work beyond those funds that the LEA has previously budgeted for requirements now found in Race to the Top?

There is no requirement that an LEA must expend funds in excess of the RTTT grant proceeds to implement the Final Scope of Work beyond funds that the LEA has previously budgeted for requirements now found in RTTT. Of course, approval of the Final Scope of Work will be dependent upon the overall quality of the plan, which includes an adequate budget to implement the plan. An approvable Final Scope of Work will need to demonstrate that the District will align local, state, and federal funds, as appropriate, in order to maximize the District's capacity to implement the plan.