

Department of Education
STATE FISCAL STABILIZATION FUND
Fiscal Year 2010 Budget Request

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STATE FISCAL STABILIZATION FUND

For an additional amount for the Innovation Fund established pursuant to section 14007 of Division A of the American Recovery and Reinvestment Act of 2009, \$100,000,000.¹

NOTE

Each language provision that is followed by a footnote reference is explained in the Analysis of Language Provisions and Changes document, which follows the appropriation language.

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Analysis of Language Provisions and Changes

Language Provision	Explanation
<p><u>¹ For an additional amount for the Innovation Fund established pursuant to section 14007 of Division A of the American Recovery and Reinvestment Act of 2009, \$100,000,000.</u></p>	<p>This language would provide \$100,000,000 for the What Works and Innovation Fund.</p>

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Amounts Available for Obligation
(\$000s)

	2008	2009	2010
Discretionary appropriation:			
Appropriation	0	0	<u>\$100,000</u>
Subtotal, appropriation	0	0	100,000
Recovery Act supplemental (P.L. 111-5)	0	<u>\$53,600,000</u>	0
Subtotal, adjusted discretionary appropriation	0	53,600,000	100,000
Recovery Act unobligated balance, start of year	0	0	9,855,245
Recovery Act unobligated balance, end of year	0	<u>9,855,245</u>	0
Subtotal, direct obligations	0	0	100,000
Subtotal, Recovery Act direct obligations	0	<u>43,744,755</u>	<u>9,855,245</u>
Total, direct obligations	0	43,744,755	9,955,245

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Obligations by Object Classification
(\$000s)

	2008	2009	2010
Recovery Act personnel compensation and benefits:			
Personnel compensation:			
Full-time permanent.....	0	\$2,000	\$4,000
Civilian personnel benefits	<u>0</u>	<u>1,000</u>	<u>2,000</u>
Subtotal	0	3,000	6,000
Other contractual services:			
Advisory and assistance services	0	0	0
Recovery Act advisory and assistance services.....	0	0	6,000
Recovery Act other services	0	14,355	32,145
Peer review	0	0	1,000
Recovery Act peer review	0	0	2,000
Recovery Act maintenance and operation of equipment	0	0	2,000
Grants, subsidies, and contributions	0	0	100,000
Recovery Act grants, subsidies, and contributions	<u>0</u>	<u>43,727,400</u>	<u>9,806,100</u>
Total, direct obligations.....	0	43,744,755	9,955,245

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Summary of Changes (\$000s)

2009.....	0
2009 Recovery Act (non-add)	(\$53,600,000)
2010.....	<u>100,000</u>

Net change	+100,000
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	<u>2009 base</u>	<u>Change from base</u>
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Increases:

Program:

Increase for the What Works and Innovation Fund for academic achievement awards to local educational agencies (LEAs), as well as partnerships between nonprofit organizations and LEAs or schools, to support extraordinary achievement, demonstrated success, and promising innovation.

0	+\$100,000
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Activity	Authorizing Legislation (\$000s)			
	2009 Authorized	2009 Estimate	2010 Authorized	2010 Request
The what works and innovation fund (<i>ARRA XIV, section 14007</i>)	0	0	0	\$100,000
Recovery Act—State grants (<i>ARRA XIV (non-add)</i>)	0	(\$48,586,000)	0	(0)
Recovery Act—Race-to-the-top incentive grants (<i>ARRA XIV, section 14006 (non-add)</i>)	0	(4,350,000)	0	(0)
Recovery Act—The what works and innovation fund (<i>ARRA XIV, section 14007 (non-add)</i>)	0	(650,000)	0	(0)
Recovery Act—Administration and oversight (<i>ARRA XIV, section 14007 (non-add)</i>)	0	(14,000)	0	(0)
Total definite authorization				
Total appropriation		0		100,000
Portion of request subject to reauthorization				0
Portion of request not authorized				100,000

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Appropriations History (\$000s)

	Budget Estimate to Congress	House Allowance	Senate Allowance	Appropriation
Recovery Act Supplemental (PL 111-5)	0	\$79,000,000	\$39,000,000	\$53,600,000
2010	100,000			

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(American Recovery and Reinvestment Act of 2009, Title XIV)

FY 2010 Authorization (\$000s): 0¹

Budget Authority (\$000s):

	<u>2009</u>	<u>2010</u>	<u>Change</u>
Annual appropriation			
The what works and innovation fund	0	\$100,000	+\$100,000
Recovery Act appropriation			
State grants	\$48,586,000	0	-48,586,000
Race-to-the-top incentive grants	4,350,000	0	-4,350,000
The what works and innovation fund	650,000	0	-650,000
Administration and oversight	14,000		-14,000

¹ The Administration proposes continued funding of the What Works and Innovation Fund in FY 2010 through appropriations language.

PROGRAM DESCRIPTION

The State Fiscal Stabilization Fund (SFSF) program received a fiscal year 2009 appropriation of \$53.6 billion under the American Recovery and Reinvestment Act of 2009 (the Recovery Act). Of the amount appropriated, the Department will award States approximately \$48.6 billion in formula grants in exchange for a commitment to advancing essential education reforms that include: implementing college- and career-ready standards and high-quality, valid, and reliable assessments for all students; the development and use of pre-K-through-post-secondary-and-career data systems; increasing teacher effectiveness and ensuring an equitable distribution of qualified teachers; and turning around the lowest-performing schools. From the appropriation for the SFSF, the Secretary may reserve up to \$14 million for program administration and oversight. In addition, the Secretary must reserve \$5 billion for Race-to-the-Top (RTTT) Incentive grants and the What Works and Innovation Fund, of which up to \$650 million may be used for the latter program. The Secretary may also reserve up to 1 percent of the remaining \$4.35 billion to provide technical assistance to States to assist them in meeting the four education reform objectives.

State Grants

Funds support grants to help stabilize State and local government budgets in order to minimize and avoid reductions in education and other essential public services. To receive a grant, a Governor must assure that the State will take actions to: (a) increase teacher effectiveness and address inequities in the distribution of highly qualified teachers; (b) make progress toward the

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establishment and implementation of rigorous college- and career-ready standards and high-quality assessments (c) support targeted, intensive support and effective interventions to turn around schools identified for corrective action and restructuring under Title I of the Elementary and Secondary Education Act of 1965 (ESEA); and (d) establish and use pre-K-through-college-and-career data systems to track progress and foster continuous improvement.

Program funds are allocated by formula to States. Sixty-one percent of a State's allocation is based on the relative population of individuals aged 5 to 24, and 39 percent on its relative share of the total population. The Department is awarding SFSF funds to governors in two phases. To receive its initial SFSF allocation, a State must submit to the Department an application that provides: (1) assurances that the State is committed to advancing education reform in the four specific areas described above; (2) baseline data that demonstrate the State's current status in each of the four education reform areas; and (3) a description of how the State intends to use its allocation. Within 2 weeks of the Department's receipt of an approvable SFSF application, a State will receive 67 percent of its SFSF allocation. If a State indicates on its application that it needs additional funds in order to prevent the immediate layoff of personnel by local educational agencies (LEAs), State educational agencies, or public institutions of higher education, it may receive up to 90 percent in its initial allocation. It will receive the remaining portion of its SFSF allocation after the Department approves the State's plan detailing its strategies for addressing the four education reform objectives. This phase-two plan must also describe how the State is implementing the Recovery Act record-keeping and reporting requirements and how it will use SFSF and other funding in a fiscally prudent way that substantially improves teaching and learning. The Department anticipates awarding the phase-two funds beginning July 1, 2009, on a rolling basis.

Education Fund

Governors must use 81.8 percent of the SFSF State grant funds to support public elementary, secondary, and higher education, and, as applicable, early childhood education programs and services. These funds must be used to help restore for FY 2009, 2010, and 2011 State support for public elementary, secondary, and postsecondary education to the greater of the FY 2008 or FY 2009 level. The funds needed to restore support for elementary and secondary education must be distributed using the State's primary elementary and secondary education funding formulae. The funds for higher education must go to public institutions of higher education (IHEs). If any SFSF funds remain after the State has restored State support for elementary and secondary education and higher education, the State must award those funds to LEAs on the basis of their relative ESEA Title I shares.

Subject to limited restrictions in the Recovery Act, LEAs may use their share of the SFSF education funds for any activity authorized under the ESEA (including the modernization, renovation, or repair of public school facilities), the Individuals with Disabilities Education Act (IDEA), the Adult Education and Family Literacy Act (Adult Education Act), or the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins Act). Public IHEs may use their share of the funds for education and general expenditures to mitigate the need to raise tuition and fees for in-State students, or for modernization, renovation, or repair of higher education facilities that are primarily used for instruction, research, or student housing.

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Government Services Fund

Governors must use 18.2 percent of the SFSF State grant funds for public safety and other government services, which may include assistance for early learning, elementary and secondary education, and public IHEs. In addition, States may use these funds for modernization, renovation, or repair of public schools and public or private college facilities.

Race-to-the-Top Incentive Grants

In fiscal year 2010, the Department will award competitive grants to States on the basis of their plans for and progress on the objectives described in the four reform areas discussed above, in addition to other factors such as the thoughtfulness and viability of their overall State plan to dramatically improve student achievement and close achievement gaps, and how well the four reforms described above are integrated within that agenda. This program will lay the foundation for dramatic, sustained progress in student achievement by supporting a vanguard of States that will adopt “fewer, clearer, higher” standards reflecting college and career readiness along with aligned assessments and data systems; adopt bold strategies and make systems changes so as to dramatically increase the number and percentage of effective teachers and principals and decrease the number and percentage of ineffective teachers and principals; close the gap in teacher effectiveness that hurts high-need and heavily minority schools and students; and turn around the lowest-achieving schools, including through actions that attract and support very effective teachers and principals. The Secretary’s expectation is that recipients of RTTT awards will have exhibited significant progress, and exemplify best practices and, therefore, serve as models for other States.

To receive grants, States will be required to submit applications that describe, at a minimum: (1) the status of the State's progress toward the objectives embedded in the four SFSF assurances; (2) the strategies the State is employing to help ensure that students from key groups, including economically disadvantaged students, students from major racial or ethnic groups, students with disabilities, and students with limited English proficiency, who have not met the State's proficiency targets continue making progress toward meeting the State's student academic achievement standards; (3) the achievement and graduation rates of public elementary and secondary school students in the State, and the strategies the State is employing to help ensure that all groups of students continue making progress toward meeting the State's student academic achievement standards; (4) how the State would use its RTTT funding to improve student academic achievement in the State, including how it will allocate the funds to give priority to high-need local educational agencies; and (5) a plan for evaluating the State's progress in closing achievement gaps.

Each State receiving an RTTT grant will be required to allocate at least 50 percent of the funds to LEAs in the State based on their relative share of funding under part A of title I of the ESEA for the most recent year.

The What Works and Innovation Fund

The Department will make academic achievement awards to LEAs, as well as partnerships between nonprofit organizations and LEAs or schools, to support extraordinary achievement,

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demonstrated success, and promising innovation. In order to receive an award, applicants must have made significant progress in closing educational achievement gaps; exceeded the State's annual measurable objectives under ESEA Title I for 2 consecutive years (or demonstrated success in increasing the achievement of all the groups of students for whom schools and LEAs are held accountable under Title I); have made significant improvement in other areas (such as improving the graduation rate or recruiting effective teachers and school leaders); and have established partnerships with private entities that will match, at some level, the funding provided through the grant. These grants will enable the recipients to expand their work and serve as models of best practices, work in partnership with the private sector and the philanthropic community, and identify and document best practices that can be shared and "taken to scale."

The Department is launching this program as a vehicle for providing the education field with replicable and scalable models for driving dramatic gains in student achievement in schools, districts, and community colleges. In particular, the Department will encourage LEAs receiving funds to become "Model Districts," the core elements of which could be adopted by districts throughout the Nation.

This summer, the Department will issue a notice requesting applications for assistance through the Fund, and will begin making awards in the fall. The application requirements will call for each applicant to demonstrate a significant investment in its project by providing evidence of its commitment and capacity to fund and maintain its proposed activity, intervention, or solution once the grant ends. Through this mechanism the Department intends to ensure that the projects supported are sustained over the long term.

Administration

The Department will reserve \$14 million for the administration and oversight of the State Fiscal Stabilization Fund, including for the salaries of staff required to implement the SFSF programs.

In addition, as described earlier, the Department will reserve \$43.5 million for technical assistance to States on the four areas of education reform identified in the Recovery Act. Specific activities will include: identification of effective practices, models, and tools in each of these areas; and data collection and analysis to track and inform State progress.

FY 2010 BUDGET REQUEST

For fiscal year 2010, the Administration requests \$100 million to continue the What Works and Innovation Fund. The request would support new and continuation grant awards to: (1) scale up proven approaches that can be used to improve student achievement across districts and States; (2) evaluate promising new initiatives and approaches to determine if they are suitable for scaling up; (3) support the development of "model districts" that implement multiple evidence-based strategies that have been proven to increase student achievement, and the core elements of which could be adopted by districts throughout the Nation; and (4) leverage partnerships with the private sector and the philanthropic community to develop, scale up, document, and disseminate best practices that have demonstrated success in improving student achievement. In particular, \$5 to \$10 million from the 2010 request would be available

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to districts that received 2009 funds, wish to become “models,” and seek to overcome unforeseen barriers or pursue unanticipated opportunities that arise during their first year of operating their What Works and Innovation Fund project. The Department would also reserve \$5 million for technical assistance, evaluation, dissemination, and peer review of applications, and the budget request includes bill language to permit that set-aside of funds.

A major purpose of the What Works and Innovation Fund will be to assist recipients to identify and document best practices that can be shared and “taken to scale” based on demonstrated success in improving student achievement, and to address barriers they may face in accomplishing this goal. These barriers include a lack of information about which practices and products have been proven to be effective; lack of capital to support the scaling up of effective approaches; and a diffuse market that does not always place a priority on demonstrated effectiveness when education officials purchase programs or interventions. The Fund would also stimulate further development and adoption of innovative and effective products and practices. In addition, continued support for the Fund would help increase the number of LEAs and nonprofit organizations that have the capacity to serve large numbers of students with effective and innovative practices and products; stimulate additional private-sector investment in scaling up effective approaches or in expanding the operations of organizations that already use such approaches; and expand the infrastructure for research and evaluation activities so as to validate and improve promising approaches, which would be reinforced over the long term by continued demand.

The Department will encourage recipients to use comprehensive approaches to improving student performance that draw on multiple strategies for improving the quality of teachers and principals, curriculum and assessments, and student support services. Criteria for making grant awards to eligible applicants (LEAs or nonprofits that work in partnership with schools and LEAs) will include:

- A demonstrated record of success in improving student achievement, in particular for students who are educationally disadvantaged (such as students from low-income families, students with disabilities, and limited English proficient students);
- Whether the proposed approach or practice lends itself to being replicated or scaled up, and the cost of doing so;
- The readiness and capacity of the applicant to scale up the proposed educational approach practice;
- The prospect of long-term sustainability, from both an economic and a leadership perspective;
- A demonstrated understanding of current relevant research;
- Commitment of significant resources by local public and private organizations and the availability of other sources of funding;

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- The level of commitment and capacity to support evaluation and documentation of the proposed activities;
- The quality of the strategies for scaling up, adopting, and disseminating approaches or practices; and
- The quality of the plans to learn from experience implementing the project and to adjust when needed.

Other criteria for making grant awards to LEAs may include:

- The stability of the leadership in an LEA and the extent to which grant activities are aligned with LEA and State policies;
- The commitment of local educators and the organizations that represent them;
- Strong partnerships with community organizations and other nonprofit partners; and
- Connections to social service agencies.

As a preliminary plan, the Department would seek to fund evaluation, enhancement, and expansion of promising and proven solutions, across early childhood, elementary and secondary, and community college education, in several areas, including:

- *Teachers and Leaders* – Models for recruiting, training, and retaining outstanding teachers and principals (and removing ineffective ones);
- *Uses of Data* – Approaches to using data to improve classroom practice, inform performance management, increase transparency and engage parents, and significantly increase teacher and administrator productivity;
- *Schools and Academic Programs* – Organizations that manage outstanding schools (or intervene in failing schools), academically rich extensions of learning time (such as after-school and summer programs), and proven curricula with aligned assessments and student and teacher supports;
- *Student Support and Recovery Programs* – Organizations and programs that successfully identify and intervene with high-risk or “off-track” students or provide integrated social services;
- *Effective Early Reading Programs* – Programs that successfully prepare young children to become proficient readers when they enter elementary school;
- *College Access and Success Supports* – Approaches to preparing students to successfully pursue, enter and graduate from college; and

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- *Community College Retention and Transition Support* – Community college programs that can demonstrate a significant impact on pass rates, retention, and transition to 4-year college.

PROGRAM OUTPUT MEASURES (\$000s)

	<u>2009</u>	<u>2010</u>
<u>State grants</u>		
<i>Education Fund</i>		
Amount available for awards	\$39,743,348	0
Number of awards	52-56	0
Average award	\$760,079	0
<i>Government Services Fund</i>		
Amount available for awards	\$8,842,652	0
Number of awards	52-56	0
Average award	\$169,113	0
<u>Race-to-the-Top Incentive Grants</u>		
Amount available for awards	\$4,304,500	0
Technical assistance	\$43,500	0
Peer review of new award applications	\$2,000	0
<u>What Works and Innovation Fund</u>		
Amount available for new awards	\$648,000	\$85,000
Number of new awards	75-400	50-100
Range of awards	\$1,000-\$5,000	\$1,500-\$4,200
Amount available for continuation awards	0	\$10,000
Number of continuation awards	0	5-10
Range of awards	0	\$500-\$1,000
Technical assistance and evaluation	\$1,000	\$4,500
Peer review of new award applications	\$1,000	\$500
<u>Administration and Oversight</u>	\$14,000	0

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PROGRAM PERFORMANCE INFORMATION

Performance Measures

As a preliminary plan, the Department has established two performance measures for the What Works and Innovation grants: (1) the number of new solutions validated through rigorous evaluations; and (2) improvements in the achievement of students, schools or districts receiving funds or participating in solutions.

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Education State Grants

State or Other Area	2008 Actual	Recovery Act Estimate	2009 Estimate	2010 Estimate	Change from 2009 Estimate
Alabama	0	596,355,871	0	0	0
Alaska	0	93,043,162	0	0	0
Arizona	0	831,869,331	0	0	0
Arkansas	0	363,053,019	0	0	0
California	0	4,875,498,758	0	0	0
Colorado	0	621,878,397	0	0	0
Connecticut	0	443,251,855	0	0	0
Delaware	0	110,320,067	0	0	0
District of Columbia	0	73,110,444	0	0	0
Florida	0	2,208,839,244	0	0	0
Georgia	0	1,260,799,095	0	0	0
Hawaii	0	157,201,741	0	0	0
Idaho	0	201,699,682	0	0	0
Illinois	0	1,681,130,685	0	0	0
Indiana	0	823,661,223	0	0	0
Iowa	0	386,373,745	0	0	0
Kansas	0	367,422,833	0	0	0
Kentucky	0	532,797,583	0	0	0
Louisiana	0	579,592,482	0	0	0
Maine	0	158,250,330	0	0	0
Maryland	0	719,676,984	0	0	0
Massachusetts	0	813,303,212	0	0	0
Michigan	0	1,302,368,992	0	0	0
Minnesota	0	667,888,144	0	0	0
Mississippi	0	392,067,945	0	0	0
Missouri	0	753,172,335	0	0	0
Montana	0	121,628,250	0	0	0
Nebraska	0	233,955,926	0	0	0
Nevada	0	324,404,728	0	0	0
New Hampshire	0	164,243,954	0	0	0
New Jersey	0	1,088,335,774	0	0	0
New Mexico	0	260,436,399	0	0	0
New York	0	2,468,557,791	0	0	0
North Carolina	0	1,161,931,564	0	0	0
North Dakota	0	85,644,337	0	0	0
Ohio	0	1,463,709,963	0	0	0
Oklahoma	0	472,820,714	0	0	0
Oregon	0	466,461,533	0	0	0
Pennsylvania	0	1,558,797,939	0	0	0
Rhode Island	0	134,912,142	0	0	0
South Carolina	0	567,741,302	0	0	0
South Dakota	0	104,292,688	0	0	0
Tennessee	0	775,135,036	0	0	0
Texas	0	3,250,272,133	0	0	0
Utah	0	392,581,821	0	0	0
Vermont	0	77,150,071	0	0	0
Virginia	0	983,865,903	0	0	0
Washington	0	819,946,848	0	0	0
West Virginia	0	217,970,970	0	0	0
Wisconsin	0	717,336,999	0	0	0
Wyoming	0	67,620,197	0	0	0
American Samoa	0	0	0	0	0
Guam	0	0	0	0	0
Northern Mariana Islands	0	0	0	0	0
Puerto Rico	0	529,741,859	0	0	0
Virgin Islands	0	0	0	0	0
Freely Associated States	0	0	0	0	0
Indian set-aside	0	0	0	0	0
Undistributed (non-State allocations)	0	219,224,000	0	0	0
Total	0	39,743,348,000	0	0	0

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Government Services

State or Other Area	2008 Actual	Recovery Act Estimate	2009 Estimate	2010 Estimate	Change from 2009 Estimate
Alabama	0	132,685,536	0	0	0
Alaska	0	20,701,535	0	0	0
Arizona	0	185,085,841	0	0	0
Arkansas	0	80,777,078	0	0	0
California	0	1,084,768,673	0	0	0
Colorado	0	138,364,142	0	0	0
Connecticut	0	98,620,828	0	0	0
Delaware	0	24,545,540	0	0	0
District of Columbia	0	16,266,627	0	0	0
Florida	0	491,453,230	0	0	0
Georgia	0	280,520,092	0	0	0
Hawaii	0	34,976,427	0	0	0
Idaho	0	44,876,946	0	0	0
Illinois	0	374,041,302	0	0	0
Indiana	0	183,259,587	0	0	0
Iowa	0	85,965,797	0	0	0
Kansas	0	81,749,334	0	0	0
Kentucky	0	118,544,206	0	0	0
Louisiana	0	128,955,784	0	0	0
Maine	0	35,209,731	0	0	0
Maryland	0	160,123,730	0	0	0
Massachusetts	0	180,954,993	0	0	0
Michigan	0	289,769,140	0	0	0
Minnesota	0	148,601,030	0	0	0
Mississippi	0	87,232,721	0	0	0
Missouri	0	167,576,241	0	0	0
Montana	0	27,061,542	0	0	0
Nebraska	0	52,053,764	0	0	0
Nevada	0	72,178,069	0	0	0
New Hampshire	0	36,543,276	0	0	0
New Jersey	0	242,148,057	0	0	0
New Mexico	0	57,945,507	0	0	0
New York	0	549,239,019	0	0	0
North Carolina	0	258,522,671	0	0	0
North Dakota	0	19,055,342	0	0	0
Ohio	0	325,666,520	0	0	0
Oklahoma	0	105,199,719	0	0	0
Oregon	0	103,784,840	0	0	0
Pennsylvania	0	346,823,013	0	0	0
Rhode Island	0	30,017,127	0	0	0
South Carolina	0	126,318,970	0	0	0
South Dakota	0	23,204,486	0	0	0
Tennessee	0	172,462,807	0	0	0
Texas	0	723,165,683	0	0	0
Utah	0	87,347,055	0	0	0
Vermont	0	17,165,419	0	0	0
Virginia	0	218,904,149	0	0	0
Washington	0	182,433,162	0	0	0
West Virginia	0	48,497,209	0	0	0
Wisconsin	0	159,603,097	0	0	0
Wyoming	0	15,045,080	0	0	0
American Samoa	0	0	0	0	0
Guam	0	0	0	0	0
Northern Mariana Islands	0	0	0	0	0
Puerto Rico	0	117,864,326	0	0	0
Virgin Islands	0	0	0	0	0
Freely Associated States	0	0	0	0	0
Indian set-aside	0	0	0	0	0
Undistributed (non-State allocations)	0	48,776,000	0	0	0
Total	0	8,842,652,000	0	0	0