

School Improvement Grants

Application for FY 2013 New Awards Competition

Section 1003(g) of the Elementary and Secondary Education Act

Fiscal Year 2013

CFDA Number: 84.377A

State Name: Oregon



U.S. Department of Education
Washington, D.C. 20202

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Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. Public reporting burden for this collection of information is estimated to average 74 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is mandatory required to obtain or retain benefit and voluntary. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Education, 400 Maryland Ave., SW, Washington, DC 20210-4537 or email ICDocketMgr@ed.gov and reference the OMB Control Number 1810-0682. Note: Please do not return the completed FY 2013 School Improvement Grant application to this address.

SCHOOL IMPROVEMENT GRANTS

Purpose of the Program

School Improvement Grants (SIG), authorized under section 1003(g) of Title I of the Elementary and Secondary Education Act of 1965 (Title I or ESEA), are grants to State educational agencies (SEAs) that SEAs use to make competitive subgrants to local educational agencies (LEAs) that demonstrate the greatest need for the funds and the strongest commitment to use the funds to provide adequate resources in order to raise substantially the achievement of students in their lowest-performing schools. Under the final requirements published in the *Federal Register* on October 28, 2010 (<http://www.gpo.gov/fdsys/pkg/FR-2010-10-28/pdf/2010-27313.pdf>), school improvement funds are to be focused on each State's "Tier I" and "Tier II" schools. Tier I schools are the lowest-achieving five percent of a State's Title I schools in improvement, corrective action, or restructuring, Title I secondary schools in improvement, corrective action, or restructuring with graduation rates below 60 percent over a number of years, and, if a State so chooses, certain Title I eligible (and participating) elementary schools that are as low achieving as the State's other Tier I schools ("newly eligible" Tier I schools). Tier II schools are the lowest-achieving five percent of a State's secondary schools that are eligible for, but do not receive, Title I, Part A funds, secondary schools that are eligible for, but do not receive, Title I, Part A funds with graduation rates below 60 percent over a number of years, and, if a State so chooses, certain additional Title I eligible (participating and non-participating) secondary schools that are as low achieving as the State's other Tier II schools or that have had a graduation rate below 60 percent over a number of years ("newly eligible" Tier II schools). An LEA also may use school improvement funds in Tier III schools, which are Title I schools in improvement, corrective action, or restructuring that are not identified as Tier I or Tier II schools and, if a State so chooses, certain additional Title I eligible (participating and non-participating) schools ("newly eligible" Tier III schools). In the Tier I and Tier II schools an LEA chooses to serve, the LEA must implement one of four school intervention models: turnaround model, restart model, school closure, or transformation model.

ESEA Flexibility

An SEA that has received ESEA flexibility no longer identifies Title I schools for improvement, corrective action, or restructuring; instead, it identifies priority schools, which are generally a State's lowest-achieving Title I schools. Accordingly, if it chooses, an SEA with an approved ESEA flexibility request may select the "**priority schools list waiver**" in Section H of the SEA application for SIG funds. This waiver permits the SEA to replace its lists of Tier I, Tier II, and Tier III schools with its list of priority schools.

Through its approved ESEA flexibility request, an SEA has already received a waiver that permits its LEAs to apply for SIG funds to serve priority schools that are not otherwise eligible to receive SIG funds because they are not identified as Tier I, Tier II, or Tier III schools. The waiver offered in this application goes beyond this previously granted waiver to permit the SEA to actually use its priority schools list as its SIG list.

Availability of Funds

The Consolidated and Further Continuing Appropriations Act, 2013, provided \$506 million for School Improvement Grants in fiscal year (FY) 2013.

FY 2013 SIG funds are available for obligation by SEAs and LEAs through September 30, 2015.

State and LEA Allocations

Each State (including the District of Columbia and Puerto Rico), the Bureau of Indian Education, and the outlying areas are eligible to apply to receive a SIG grant. The Department will allocate FY 2013 SIG funds in proportion to the funds received in FY 2013 by the States, the Bureau of Indian Education, and the outlying areas under Parts A, C, and D of Title I of the ESEA. An SEA must allocate at least 95 percent of its SIG funds directly to LEAs in accordance with the final requirements (<http://www.gpo.gov/fdsys/pkg/FR-2010-10-28/pdf/2010-27313.pdf>). The SEA may retain an amount not to exceed five percent of its allocation for State administration, evaluation, and technical assistance.

Consultation with the Committee of Practitioners

Before submitting its application for a SIG grant to the Department, an SEA must consult with its Committee of Practitioners established under section 1903(b) of the ESEA regarding the rules and policies contained therein. The Department recommends that the SEA also consult with other stakeholders, such as potential external providers, teachers' unions, and business, civil rights, and community leaders that have an interest in its application.

FY 2013 NEW AWARDS APPLICATION INSTRUCTIONS

This application is for use only by SEAs that will make new awards. New awards are defined as an award of SIG funds to an LEA for a school that the LEA was not previously approved to serve with SIG funds in the school year for which funds are being awarded—in this case, the 2014–2015 school year. New three-year awards may be made with the FY 2013 funds or any unobligated SIG funds from previous competitions not already committed to grants made in earlier competitions.

The Department will require those SEAs that will use FY 2013 funds solely for continuation awards to submit a SIG application. However, those SEAs using FY 2013 funds solely for continuation purposes are only required to complete the Continuation Awards Only Application for FY 2013 School Improvement Grants Program located at the end of this application.

SUBMISSION INFORMATION

Electronic Submission:

The Department strongly prefers to receive an SEA's FY 2013 SIG application electronically. The application should be sent as a Microsoft Word document, **not** as a PDF.

The SEA should submit its FY 2013 application to OESE.OST@ed.gov.

In addition, the SEA must submit a paper copy of the cover page signed by the SEA's authorized representative to the address listed below under "Paper Submission."

Paper Submission:

If an SEA is not able to submit its application electronically, it may submit the original and two copies of its SIG application to the following address:

Carlas McCauley, Group Leader
Office of School Turnaround
U.S. Department of Education
400 Maryland Avenue, SW, Room 3W320
Washington, DC 20202-6132

Due to potential delays in government processing of mail sent through the U.S. Postal Service, SEAs are encouraged to use alternate carriers for paper submissions.

Application Deadline

Applications are due on or before **December 2, 2013**.

For Further Information

If you have any questions, please contact Carlas McCauley at (202) 260-0824 or by e-mail at Carlas.Mccauley@ed.gov.

APPLICATION COVER SHEET
SCHOOL IMPROVEMENT GRANTS

Legal Name of Applicant: Oregon Department of Education	Applicant's Mailing Address: 255 Capitol St NE Salem, OR 97310
State Contact for the School Improvement Grant Name: Jesse Parsons Position and Office: Education Specialist, Office of Learning Contact's Mailing Address: 255 Capitol St NE Salem, OR 97310 Telephone: (503) 947-5602 Fax: (503) 378-5156 Email address: jesse.parsons@state.or.us	
Chief State School Officer (Printed Name): Rob Saxton	Telephone: (503) 947-5740
Signature of the Chief State School Officer:  X	Date: December 2, 2013
The State, through its authorized representative, agrees to comply with all requirements applicable to the School Improvement Grants program, including the assurances contained herein and the conditions that apply to any waivers that the State receives through this application.	

PART I: SEA REQUIREMENTS

As part of its application for a School Improvement Grant under section 1003(g) of the ESEA, an SEA must provide the following information.

A. ELIGIBLE SCHOOLS

Part 1 (Definition of Persistently Lowest-Achieving Schools): Along with its list of Tier I, Tier II, and Tier III schools, the SEA must provide the definition that it used to develop this list of schools. If the SEA's definition of persistently lowest-achieving schools that it makes publicly available on its Web site is identical to the definition that it used to develop its list of Tier I, Tier II, and Tier III schools, it may provide a link to the page on its Web site where that definition is posted rather than providing the complete definition. If an SEA is requesting the priority schools list waiver, it need not provide this definition, as its methodology for identifying its priority schools has already been approved through its ESEA flexibility request.

Oregon is requesting the Priority and Focus schools lists waiver(s).

Part 2 (Eligible Schools List): As part of its FY 2013 application an SEA must provide a list, by LEA, of each Tier I, Tier II, and Tier III school in the State or, if it is requesting the priority schools list waiver, of each priority school in the State. (A State's Tier I and Tier II schools are its persistently lowest-achieving schools and, if the SEA so chooses, certain additional Title I eligible schools that are as low achieving as the State's persistently lowest-achieving schools or that have had a graduation rate below 60 percent over a number of years.) In providing its list of schools, the SEA must indicate whether a school has been identified as a Tier I or Tier II school solely because it has had a graduation rate below 60 percent over a number of years.

Directions: SEAs that generate new lists should create this table in Excel using the format shown below. An example of the table has been provided for guidance.

See the Excel file, SEA Appendix A, for Oregon's Eligible Schools List.

EXAMPLE:

SCHOOLS ELIGIBLE FOR FY 2013 SIG FUNDS									
LEA NAME	LEA NCES ID #	SCHOOL NAME	SCHOOL NCES ID #	PRIORITY	TIER I	TIER II	TIER III	GRAD RATE	NEWLY ELIGIBLE
LEA 1	##	HARRISON ES	##		X				
LEA 1	##	MADISON ES	##		X				
LEA 2	##	TAYLOR MS	##				X		X

Part 3 (Terminated Awards): All SEAs are required to list any LEAs with one or more schools for which funding under previously awarded SIG grants will not be renewed for the 2014-2015 school year. For each such school, note the amount of unused remaining funds and explain how the SEA or LEA plans to use those funds.

Oregon has not terminated any awards.

B. EVALUATION CRITERIA: An SEA must provide the criteria it will use to evaluate the information set forth below in an LEA's application for a School Improvement Grant.

Part 1: The three actions listed in Part 1 are ones that an LEA must take prior to submitting its application for a School Improvement Grant. Accordingly, the SEA must describe, with specificity, the criteria the SEA will use to evaluate an LEA's application with respect to each of the following actions:

- (1) The LEA has analyzed the needs of each SIG eligible school, as applicable, identified in the LEA's application and has selected an intervention for each school.

Oregon's priority and focus schools were identified in 2012-13. The 2012-13 school year was used as a planning year for priority schools while focus schools were allowed to begin some interventions during that first year. All schools had to perform an in-depth needs assessment by assessing the 34 Comprehensive Achievement Plan (CAP) Indicators (see SEA Appendix B for a list of the 34 indicators) within the Indistar tool developed by the Academic Development Institute (ADI). The 34 CAP Indicators are grouped into five categories that align with the seven turnaround principles. The five categories are (see SEA Appendix C for a description of the five categories – Five Key Areas of Effectiveness):

- District and School Structure and Culture (DSC) – includes Turnaround principle iii) redesigning the school day, week, or year to include additional time for student learning and teacher collaboration and also includes Turnaround principle vi) establishing a safe school environment.
- Educator Effectiveness (EE) – includes Turnaround principle ii) ensuring that teachers are effective and able to improve instruction.
- Family and Community Involvement (FC) – includes Turnaround principle vii) providing ongoing mechanisms for family and community engagement.
- Teaching and Learning (TL) – includes Turnaround principle iv) strengthening the school's instructional program.
- Technical and Adaptive Leadership (LDR) – includes Turnaround principle i) provide strong leadership.

The LEA Application outlines the information each LEA funded school will need to provide to establish the need for School Improvement Grant funds for the intervention selected for that school. Those applications, once submitted by the LEA, will be reviewed in a formal review process by a trained set of readers, and each application will be rated, based upon the LEA's establishment of the need for the identified school. All applications will be read by all reviewers to avoid any bias from calibration difficulties.

Specifically:

The SEA will require evidence that the LEA has conducted needs assessments of each of its eligible

schools for which it is applying for SIG to determine which SIG model will be selected.

An acceptable needs assessment will include:

- An analysis of the school's improvement plan within the Indistar tool to identify measurable targets set, how effective the plans were in meeting targets, and other indicators (such as student growth, multiple observation-based assessments of performance, and/or ongoing collections of professional practice matched to student achievement) to determine the level of fidelity of implementation.
- An examination of such factors as governance, staffing, parent involvement, curriculum, instruction, staff capacity to meet instructional needs, facilities, and funding sources to determine areas of concern and weakness. The district may also conduct a match-gap analysis to identify any possible gaps between the existing Oregon standards (the CCSS) and actual instructional practice in the classroom. Any identified gaps can then be closely examined to improve the school curriculum and instruction to improve student achievement.

Once the LEA has examined all of the above, it will select the most appropriate SIG model for each of its eligible schools.

- (2) The LEA has demonstrated that it has the capacity to use school improvement funds to provide adequate resources and related support to each Tier I and Tier II school, or each priority school, as applicable, identified in the LEA's application in order to implement fully and effectively the selected intervention in each of those schools.

All LEAs must submit a detailed budget for Pre-implementation and for Years 1, 2 and 3 for each school for which they are applying. For an LEA with one or more current Priority (including SIG) and/or Focus schools, ODE staff will also review budgets that the LEA has previously submitted for such schools to give additional insight into its capacity to use school improvement funds to provide adequate resources and related support. Additionally the LEA must assign a point person from the LEA for technical support and assistance in implementing the selected SIG model and overcoming any district level barriers that may be encountered. The LEA point person should be involved with the school leadership team in creating a school improvement plan within the Indistar tool. The plan must align with the submitted budget and the timeline that the LEA committed to in its application in order to be approved. The plan and budget will be approved by ODE staff annually and the plan will be reviewed by ODE staff quarterly to ensure that it is being kept up to date and that progress is being made (as indicated by tasks being marked complete and new tasks being created and no tasks being past due). Sufficient feedback will be offered to each LEA so that it is able to get a solid start on the intervention progress each year.

- (3) The LEA's budget includes sufficient funds to implement the selected intervention fully and effectively in each Tier I and Tier II school, or each priority school, as applicable, identified in the LEA's application, as well as to support school improvement activities in Tier III schools in a State that is not requesting the priority schools list waiver, throughout the period of availability of those funds (taking into account any waiver extending that period received by either the SEA or the LEA).

The LEA must create a detailed pre-implementation budget which for the Transformation and Turnaround models, may include funds needed to initiate a job search for a new turnaround principal. The LEA must also submit a detailed Year 1, 2 and 3 budget by using the budget template (see LEA Appendix C). The budget template crosswalks each SIG requirement for the Transformation and

Turnaround models to Oregon's 34 Comprehensive Achievement Indicators. Also see the District Budget Table in the LEA application for the total amount of funds requested by the LEA.

LEAs will be asked to describe their needs to implement the selected intervention model(s), and they will also be asked to identify relevant areas of alignment with other federal, state and local funding sources (the budget template allows LEAs to show how other funds are aligned with the overall school improvement plan). LEAs will be required to also include information about other fiduciary resources that are allocated to the school that will be used to implement the selected intervention model. Considering the LEA's demonstrated needs and identified areas of alignment with other funding sources, the Oregon Department of Education will determine if sufficient funds (up to the maximum grant amount of \$2 million per year for each of the three years for each school) have been budgeted to fully and effectively implement the selected intervention model according to the SIG final requirements and the SIG guidance.

Part 2: The actions in Part 2 are ones that an LEA may have taken, in whole or in part, prior to submitting its application for a School Improvement Grant, but most likely will take after receiving a School Improvement Grant. Accordingly, an SEA must describe the criteria it will use to assess the LEA's commitment to do the following:

- Design and implement interventions consistent with the final requirements;
- Modify its practices or policies, if necessary, to enable it to implement the interventions fully and effectively; and,
- Align other resources with the interventions;
- Recruit, screen, and select external providers, if applicable, to ensure their quality;
- Sustain the reforms after the funding period ends.

1. Design and implement interventions consistent with the final requirements.

The factors that Oregon Department of Education will use to assess the LEAs commitment to design interventions consistent with the final requirements may include, but are not limited to:

Leadership and Decision Making:

- The LEA has implemented a comprehensive needs assessment that will inform the design and implementation of intervention strategies.
- The LEA has successfully completed a continuous improvement planning process that will guide the design of interventions (all priority and focus schools have created plans within the Indistar tool based on the 34 Comprehensive Achievement Plan Indicators and will re-assess each of these indicators each year in order to adjust their plans, if necessary).
- The LEA has plans to regularly engage the school community to inform them of progress toward the design and implementation of the interventions and to give them an opportunity to provide input (guest logins and password for all priority and focus schools have been published on the ODE website for the general public to have access to read-only copies of schools' improvement plans).

Curriculum and Instruction:

- The LEA provides direction to the school in the description, scope, focus, articulation and alignment of curriculum, instruction and assessments with state standards.

Human Capital (Personnel):

- The LEA has staff in place with the expertise and experience to research and design the selected intervention as intended while still meeting local needs (or will put such staff in place in conjunction with receiving the SIG award).

Student Support:

- The LEA will engage parents in supporting students in increased student achievement
- The LEA will describe how it will address the needs of specific student populations including, but not limited to students of poverty, English Language Learners and students with disabilities.

Budgeting:

- The LEA has set aside time and resources sufficient to facilitate the design and ongoing implementation of interventions.
- The budget request for each SIG eligible school must be of sufficient size and scope to support full and effective implementation of the selected intervention over a period of three years. The maximum amount an LEA may be awarded and subsequently spend is \$2 million annually to implement the chosen model in each school. First-year budgets may be higher than in subsequent years due to one-time start-up costs.
- The LEA has demonstrated adequate fiscal capacity to implement the selected intervention model.

Continued assessment of the LEA's commitment and sufficiency will take place by means of the Oregon Statewide System of Support (OSSS). Each district will be assigned a district liaison and each school will be assigned a leadership coach (both will be hired and supervised by Education Northwest, with which ODE has a multi-year contract). The leadership coach will spend ten hours per week working with the principal and the leadership team at the school. Each district will also be assigned an ODE team member as a single point of contact for technical assistance and related questions. School leadership coaches will be assigned to help meet and review goals. ODE team members will meet with the district and school teams, communicate, and monitor progress on an ongoing basis. ODE has also just begun a routine called "How Are Schools Doing" (HASD). This routine was developed in conjunction with the U.S. Education Delivery Institute (EDI) and is a method for tracking schools' progress on a quarterly basis using a variety of different data sources. Examples of data that are being used for this routine include:

- Each school self-reports student performance data in reading and math using their own screening/benchmarking and/or progress monitoring data
- Number of tasks being completed in each school's Improvement Plan within Indistar and number of new tasks being created
- Percent of school improvement allocation that has been claimed or left unclaimed
- Leadership coaches perception of progress, capacity and evidence on the schools' top three interventions
- Academic growth of all students in English and math, academic growth of traditionally underserved subgroups in English and math, academic achievement of all students in English and math, graduation rate of all students and graduation rate of traditionally underserved subgroups as measured by Oregon's statewide assessments.

ODE staff meet with the six regional network coordinators (RNCs – who are the people who facilitate professional development to the leadership coaches and are also hired and supervised by Education Northwest with ODE input) quarterly to identify a few bright spots in each region (schools that are excelling) and to identify schools that may need additional interventions and supports. A plan is created for schools needing additional interventions and that plan is implemented during the quarter so that it can be evaluated at the next quarterly routine.

2. Recruit, screen, and select external providers, if applicable, to ensure their quality.

The Oregon Department of Education will use the following criteria to assess the LEA's request for additional external support beyond what is available through the Oregon Statewide System of Support:

Reasonable and timely steps it will take to recruit and screen providers to be in place by the beginning of the 2014-2015 school year that may include, but are not limited to:

- Analyzing the LEA's operational needs.
- Researching and prioritizing the external providers available to serve the school.
 - Consider and analyze the external provider market.
 - Contact other LEAs currently or formerly engaged with the external provider regarding their experience.
- Engaging parents and community members to assist in the selection process.
- Delineating clearly the respective responsibilities and expectations to be assumed by the external provider and the LEA.

Detailed and relevant criteria for selecting external providers that take into account the specific needs of the schools to be served by external providers. These criteria may include, but are not limited to:

- A proven track record of success working with a particular population or type of school. For example, success in working with high schools or English Language Learners.
- Alignment between external provider services and existing LEA services.
- Willingness to be held accountable to high performance standards.
- Capacity to serve the identified school and its selected intervention model.

The SEA will assist LEAs in their review processes for selecting external providers if the LEA recruits, screens and selects any external providers for use in their implementation plan. The external providers that will be part of statewide services provided as part of the OSSS, will be recruited, screened and selected within the ODE contract and procurement process. The ODE School Improvement team will, with the assistance of the ODE Procurement Office, create contracts and requests for proposals to be put out for bid. When proposals are reviewed, a review team will be selected of ODE team members, district personnel, Educational Service District personnel, and/or other appropriate ODE partners. The review team will read and score proposals individually using procurement evaluation criteria. The review team will come together after doing individual reviews and make decisions on the external providers. Potential providers will be scrutinized by the Oregon Department of Justice and/or the Oregon Department of Administrative Services for fiscal stability and a check of references and criminal record. ODE will then negotiate further details of the contract and finish the procurement process.

3. Align Resources with interventions.

An LEA can build capacity for a school to implement one of the intervention models through the alignment of resources with school improvement activities. In general, funding sources for LEAs come from two sources; the state general fund and federal funds. It is critical that areas for alignment of resources are identified in the LEA application. The Oregon Department of Education will carefully assess the LEA's commitment to align ALL school resources with the SIG funds by determining the extent to which it demonstrates the ability and willingness to effectively integrate various activities funded at the federal and state level with SIG-funded activities. Funding sources that may be considered when assessing the LEA's commitment to align other resources to the SIG interventions include, but are not limited to the various other Title programs and state and local revenues.

Budgeting:

- The LEA completes a thorough examination of all resources provided to school to ensure systemic efforts in fully implementing the selected intervention model.
- The LEA has set aside time and resources sufficient to facilitate the design and ongoing implementation of interventions.
- The LEA has demonstrated adequate fiscal capacity to implement the selected intervention model.
- The LEA includes provisions for sustaining support for the school when funding ends under the program.

4. Modify its practices or policies, if necessary, to enable it to implement the interventions fully and effectively.

Leadership:

- The LEA will describe development or modification of policies that will support full implementation of the intervention model.

Human Capital (Personnel):

- The LEA will describe performance incentives for personnel.
- The LEA will describe changes in policies and procedures (hiring, placing, evaluating, promoting, retaining and replacing) to ensure full implementation of the intervention model.
- The LEA will describe how it will work with local collective bargaining agreements and labor unions in order to fully implement the selected intervention model.
- The LEA will describe professional development processes and procedures that align with full implementation of the selected intervention model.

Student Support:

- The LEA will describe programs and services for any subgroups identified with achievement gaps.
- The LEA will describe its plans for extended learning time, including:
 - Additional instructional time for core subjects during the school day, week or year
 - Additional time for enrichment activities
 - Additional time for teacher collaboration

The SEA will convene a review committee comprised of ODE staff, district leaders (from districts not applying for the grant), and leaders from various educational agencies. The review committee will meet to evaluate the grant applications and to assess the LEA's commitment to design and implement interventions consistent with the final requirements. Each application will be read by all reviewers. The review committee will use a rubric created by the SEA to evaluate the extent to which the SEA exceeds, meets, or fails to meet requirements.

5. Sustain the reforms after the funding period ends.

Sustainability of practices beyond the funding period begins with careful planning of the initial implementation of the selected intervention model. LEAs will need to develop initial implementation plans for the selected model that demonstrate how School Improvement funds will be used. However, the plans LEAs submit will also need to demonstrate careful planning of how the reform efforts will continue after the SIG funds have ended. The SEA will not approve LEA applications that do not include this long-term sustainability plan. The long-term plan is described below:

The LEA will describe how it will sustain implementation of the intervention model when funding ends, that addresses and includes the following:

- Shared leadership between the school and the broader community in planning and implementation of the intervention model during and after the funding period;
- Plans for addressing staffing and funding changes including transitions in leadership;
- Long-term planning processes that will support implementation of reforms with progress monitoring levels of implementation and progress toward outcomes;
- A comprehensive system of formative and summative data collection that is in place to monitor progress and drive decision-making;
- The ability to continue offering additional instructional time and extended school year;
- Institutionalizing the measuring fidelity of implementation of research-based instructional practices;
- Protecting staff time for collaboration in order to sustain the initiatives;
- Professional development for new staff and leadership to continue implementation of the reforms;
- Job-embedded professional development to ensure high fidelity of implementation of reforms in the classroom.

B-1. ADDITIONAL EVALUATION CRITERIA: In addition to the evaluation criteria listed in Section B, the SEA must evaluate the following information in an LEA’s budget and application:

(1) How will the SEA review an LEA’s proposed budget with respect to activities carried out during the pre-implementation period² to help an LEA prepare for full implementation in the following school year?

Reviewers will assess the LEA’s budget for activities carried out during the pre-implementation period in order to determine whether they correlate appropriately with activities planned for full implementation. Each application will be read by all reviewers. The review committee will use a rubric created by the SEA (see SEA Appendix D for the rubric) to evaluate the descriptions and evidence provided to meet federal and state requirements.

Specific focus of SEA when examining the pre-implementation plan will include:

- Appropriateness of budget to accomplish plan
- Projected effectiveness of plan in bringing about desired results
- Alignment of pre-implementation plan with the rest of the school improvement plan
- Alignment of pre-implementation budget with the rest of the school improvement budget
- Impact of pre-implementation budget on grant money remaining for the 2013-14 school year

The LEAs will be required to submit a detailed pre-implementation budget for each school for which they are applying. The pre-implementation budget will be submitted with the Year 1 full implementation budget on the budget template (see LEA Appendix C for the budget template). LEAs may use the pre-implementation budget for planning activities including creating a plan using the 34 Comprehensive Achievement Plan (CAP) Indicators within Indistar (indicators can be found in SEA Appendix B).

(2) How will the SEA evaluate the LEA’s proposed activities to be carried out during the pre-implementation period to determine whether they are allowable?

The LEAs proposed pre-implementation activities will be examined in a formal review process by readers including ODE team members, district personnel, Educational Service District personnel, **and/or** other

appropriate ODE partners. The reviewers will use the official SIG guidance document to assist in determining the permissibility of the planned activities. The permissibility of activities will vary depending on the needs of a particular SIG school, but may include activities in the following areas:

- Staffing (including possible replacement of principal)
- Rigorous review of external providers (if necessary)
- Educator effectiveness (including teacher and principal evaluations and beginning talks with the union, if necessary)
- Instructional programs (including alignment to the CCSS and vertical alignment between grade levels)
- Rewarding staff based on student achievement and incentives for recruiting and retaining staff
- Extended learning time including working through the School Time Analysis Tool (STAT) developed by the National Center on Time & Learning
- Professional development and support
- Preparation for accountability measures

In general, pre-implementation funds will be allowed for any planning and preparation for the 2014-15 school year.

² “Pre-implementation” enables an LEA to prepare for full implementation of a school intervention model at the start of the 2014–2015 school year. For a full description of pre-implementation, please refer to section J of the SIG Guidance.

C. TIMELINE: An SEA must describe its process and timeline for approving LEA applications.

<u>Timeline</u>	
February 21, 2014	SIG Cohort 3 Applications Released (or as soon as ODE receives USED approval)
April 4, 2014	SIG Cohort 3 Applications Due (or approximately six weeks after release date)
April 18 – May 2, 2014	Revision Period (if necessary)
May 9, 2014	Notification of Recipients including amounts of three-year awards
May 23, 2014	Pre-implementation funds made available
September 1, 2014	Full implementation begins and Year 1 funds available by this date (at the latest)
Transformation and Turnaround models only:	
May 1, 2014	Turnaround principal job announcements posted (if necessary) Year 1 funds made available as soon as a new administrator is hired (if required), but not later than September 1, 2014

D. DESCRIPTIVE INFORMATION: An SEA must include the information set forth below.

(1) Describe the SEA’s process for reviewing an LEA’s annual goals for student achievement for its Tier I and Tier II schools, or for its priority schools, as applicable, and how the SEA will determine whether to renew an LEA’s School Improvement Grant with respect to one or more Tier I or Tier II schools, or one or more priority schools, in at LEA that is not meeting those goals and making progress on the leading indicators in section III of the final requirements.

The Oregon Department of Education (ODE) will require approved LEA SIG Applicants to articulate between three and five achievement goals, annually. One of these goals will be the growth target measure for reading

and mathematics as outlined on each school's rating detail sheet, a supplemental document to the school report card. The remaining goals will be set by the LEA and School and approved by ODE. The Oregon Department of Education (ODE) will have in place the Oregon Statewide System of Support that includes a Network and a school review to support the work of School Improvement Grant districts and schools. As part of the LEA application process, schools are to list and describe the goals they have for implementation in the selected intervention model. Over the year, the school is required to collect formative data regarding their implementation and the progress made over the year toward achievement of their goals. In May of 2015, ODE will visit each funded school to conduct a Compliance Review to see where goals were met and where further work needs to be done. Achievement and other data demonstrating progress toward stated school achievement goals in mathematics and reading/language arts will be considered for this first Compliance Review; however primary emphasis for this first year will be placed upon school efforts toward total goal accomplishment for the selected intervention model. The "quality" of their steps will be measured this first year; the second year ODE will require more specific mathematics and reading/language arts achievement goals for students at each funded school so that measurable performance becomes the focus as the school moves into the second and third years of funding. Funding in each succeeding year is dependent upon movement toward accomplishment of stated implementation goals for the selected intervention. The SEA will meet annually with the LEA to evaluate progress toward improvement goals.

(2) Describe the SEA's process for reviewing the goals an LEA establishes for its Tier III schools (subject to approval by the SEA) and how the SEA will determine whether to renew an LEA's School Improvement Grant with respect to one or more Tier III schools in the LEA that are not meeting those goals. If an SEA is requesting the priority schools list waiver, it need not provide this information, as it will have no Tier III schools.

Due to an approved ESEA Flexibility waiver, Oregon will not have any Tier III schools.

(3) Describe how the SEA will monitor each LEA that receives a School Improvement Grant to ensure that it is implementing a school intervention model fully and effectively in the Tier I and Tier II schools, or the priority schools, as applicable, the LEA is approved to serve.

The Oregon Department of Education (ODE) will monitor School Improvement Grant recipients using the current protocols and procedures for monitoring both Cohort 1 & 2 SIG recipients and Priority and Focus Schools. ODE performs this monitoring through a routine called "How Are Schools Doing" (HASD). This routine was developed in conjunction with the U.S. Education Delivery Institute (EDI) and is a method for tracking schools' progress on a quarterly basis using a variety of different data sources. Examples of data that are being used for this routine include:

- Each school self-reports student performance data in reading and math using their own screening/benchmarking and/or progress monitoring data
- Number of tasks being completed in each school's Improvement Plan within Indistar and number of new tasks being created
- Percent of school improvement allocation that has been claimed or left unclaimed
- Leadership coaches perception of progress, capacity and evidence on the schools' top three interventions (qualitative, anecdotal evidence collected internally via surveys and Leadership Coach reporting)
- Qualitative, anecdotal evidence collected externally via ODE's quarterly review of schools' plans and annual or

semi-annual school visits

- Academic growth of all students in English and math, academic growth of traditionally underserved subgroups in English and math, academic achievement of all students in English and math, graduation rate of all students and graduation rate of traditionally underserved subgroups as measured by Oregon’s statewide assessments.

ODE staff meet with the six regional network coordinators (RNCs – who are the people who facilitate professional development to the leadership coaches and are also hired and supervised by Education Northwest with ODE input) quarterly to identify a few bright spots in each region (schools that are excelling) and to identify a few schools in each region that may need additional interventions and supports. A plan is created for schools needing additional interventions and that plan is implemented during the quarter so that it can be evaluated at the next quarterly routine. This system provides more frequent opportunities to support and or intervene, increasingly the likelihood that a school meets its improvement goals.

(4) Describe how the SEA will prioritize School Improvement Grants to LEAs if the SEA does not have sufficient school improvement funds to serve all eligible schools for which each LEA applies.

In the event that ODE is unable to fund all eligible schools that apply, the scoring rubric will be used to establish the completeness of the application and the likelihood of success for each eligible school (see SEA Appendix D for the rubric). Priority will first be given to LEAs that submit complete applications (as demonstrated by the rubric) that demonstrate a sincere commitment to the SIG requirements (as evidenced by the attached letters: LEA Appendix A – Superintendent Sample Letter and LEA Appendix B – Association Sample Letter). Priority will then be given to those schools that have the lowest overall score based on Oregon’s growth model (see SEA Appendix E for the rank order of Oregon’s SIG eligible schools) which takes into account achievement, growth, subgroup growth (of a super-subgroup made by combining the traditionally underserved subgroups), graduation rate and subgroup graduation rate.

(5) Describe the criteria, if any, which the SEA intends to use to prioritize among Tier III schools. If an SEA is requesting the priority schools list waiver, it need not provide this information, as it will have no Tier III schools.

Due to an approved ESEA Flexibility waiver, Oregon will not have any Tier III schools.

(6) If the SEA intends to take over any Tier I or Tier II schools, or any priority schools, as applicable, identify those schools and indicate the school intervention model the SEA will implement in each school.

The Oregon Department of Education (ODE) does not intend to take over any priority schools.

(7) If the SEA intends to provide services directly to any schools in the absence of a takeover, identify those schools and, for Tier I or Tier II schools, or for priority schools, as applicable, indicate the school intervention model the SEA will implement in each school and provide evidence of the LEA’s approval to have the SEA provide the services directly.

The Oregon Department of Education (ODE) does not intend to provide any services directly to any schools.

³ If, at the time an SEA submits its application, it has not yet determined whether it will provide services directly to any schools in the

absence of a takeover, it may omit this information from its application. However, if the SEA later decides that it will provide such services, it must amend its application to provide the required information.

E. ASSURANCES: The SEA must provide the assurances set forth below.

By submitting this application, the SEA assures that it will do the following (check each box):

- Comply with the final requirements and ensure that each LEA carries out its responsibilities outlined in the final requirements.
- Award each approved LEA a School Improvement Grant in an amount that is of sufficient size and scope to implement the selected intervention in each Tier I and Tier II school, or each priority school, as applicable, that the SEA approves the LEA to serve.
- Monitor and evaluate the actions an LEA has taken, as outlined in its approved SIG application, to recruit, select and provide oversight to external providers to ensure their quality.
- Monitor and evaluate the actions the LEA has taken, as outlined in its approved SIG application, to sustain the reforms after the funding period ends and provide technical assistance to LEAs on how they can sustain progress in the absence of SIG funding.
- If a Tier I or Tier II school, or priority school, as applicable, implementing the restart model becomes a charter school LEA, hold the charter school operator or charter management organization accountable, or ensure that the charter school authorizer holds the respective entity accountable, for meeting the final requirements.
- Post on its Web site, within 30 days of awarding School Improvement Grants, all final LEA applications and a summary of the grants that includes the following information: name and NCES identification number of each LEA awarded a grant; total amount of the three year grant listed by each year of implementation; name and NCES identification number of each school to be served; and type of intervention to be implemented in each Tier I and Tier II school or priority school, as applicable.
- Report the specific school-level data required in section III of the final SIG requirements.

F. SEA RESERVATION: The SEA may reserve an amount not to exceed five percent of its School Improvement Grant for administration, evaluation, and technical assistance expenses.

The SEA must briefly describe the activities related to administration, evaluation, and technical assistance that the SEA plans to conduct with any State-level funds it chooses to reserve from its School Improvement Grant allocation.

The Oregon Department of Education will use the state-level funds that it reserves from its School Improvement Grant allocation (not to exceed 5%) to pay salaries (or the portion thereof that is devoted to SIG) of the employees that work with the SIG program. The work includes reading and approving applications, grant management, administering and approving claims, reading, evaluating and approving budgets, reading, evaluating and approving plans (within Indistar), tracking data, monitoring progress and compliance through budgets, plans and on-site visits and quarterly progress evaluation, and technical assistance and support. The reserved funds will also be used for state-level travel (to on-site visits of schools and for federal SIG

convenings, etc).

G. CONSULTATION WITH STAKEHOLDERS

By checking this box, the SEA assures that it has consulted with its Committee of Practitioners regarding the information set forth in its application.

Consultation occurred on November 14, 2013.

H. WAIVERS: SEAs are invited to request waivers of the requirements set forth below. An SEA must check the corresponding box(es) to indicate which waiver(s) it is requesting.

Oregon requests a waiver of the State-level requirements it has indicated below. The State believes that the requested waiver(s) will increase its ability to implement the SIG program effectively in eligible schools in the State in order to improve the quality of instruction and raise the academic achievement of students in Tier I, Tier II, and Tier III schools or in its priority schools, as applicable.

Waiver 1: Tier II waiver

In order to enable the State to generate new lists of Tier I, Tier II, and Tier III schools for its FY 2013 competition, waive paragraph (a)(2) of the definition of “persistently lowest-achieving schools” in Section I.A.3 of the SIG final requirements and incorporation of that definition in identifying Tier II schools under Section I.A.1(b) of those requirements to permit the State to include, in the pool of secondary schools from which it determines those that are the persistently lowest-achieving schools in the State, secondary schools participating under Title I, Part A of the ESEA that have not made adequate yearly progress (AYP) for at least two consecutive years or are in the State’s lowest quintile of performance based on proficiency rates on the State’s assessments in reading/language arts and mathematics combined.

Assurance

The State assures that it will include in the pool of schools from which it identifies its Tier II schools all Title I secondary schools not identified in Tier I that either (1) have not made AYP for at least two consecutive years; or (2) are in the State’s lowest quintile of performance based on proficiency rates on the State’s assessments in reading/language arts and mathematics combined. Within that pool, the State assures that it will identify as Tier II schools the persistently lowest-achieving schools in accordance with its approved definition. The State is attaching the list of schools and their level of achievement (as determined under paragraph (b) of the definition of “persistently lowest-achieving schools”) that would be identified as Tier II schools without the waiver and those that would be identified with the waiver. The State assures that it will ensure that any LEA that chooses to use SIG funds in a Title I secondary school that becomes an eligible Tier II school based on this waiver will comply with the SIG final requirements for serving that school.

Waiver 2: n-size waiver

In order to enable the State to generate new lists of Tier I, Tier II, and Tier III schools for its FY 2013 competition, waive the definition of “persistently lowest-achieving schools” in Section I.A.3 of the SIG final requirements and the use of that definition in Section I.A.1(a) and (b) of those requirements to permit the State to exclude, from the pool of schools from which it identifies the persistently lowest-achieving schools for Tier I

and Tier II, any school in which the total number of students in the “all students” group in the grades assessed is less than [Please indicate number].

Assurance

The State assures that it determined whether it needs to identify five percent of schools or five schools in each tier prior to excluding small schools below its “minimum n.” The State is attaching, and will post on its Web site, a list of the schools in each tier that it will exclude under this waiver and the number of students in each school on which that determination is based. The State will include its “minimum n” in its definition of “persistently lowest-achieving schools.” In addition, the State will include in its list of Tier III schools any schools excluded from the pool of schools from which it identified the persistently lowest-achieving schools in accordance with this waiver.

Waiver 3: Priority schools lists waiver

In order to enable the State to replace its lists of Tier I, Tier II, and Tier III schools with its lists of priority schools that meet the definition of “priority schools” in the document titled *ESEA Flexibility* and that were identified in accordance with its approved request for ESEA flexibility, waive the school eligibility requirements in Section I.A.1 of the SIG final requirements.

Assurance

The State assures that its methodology for identifying priority and focus schools, approved through its ESEA flexibility request, provides an acceptable alternative methodology for identifying the State’s lowest-performing schools and thus is an appropriate replacement for the eligibility requirements and definition of persistently lowest-achieving schools in the SIG final requirements.

Waiver 4: Period of availability of FY 2013 funds waiver

Note: This waiver only applies to FY 2013 funds for the purpose of making three-year awards to eligible LEAs.

Waive section 421(b) of the General Education Provisions Act (20 U.S.C. § 1225(b)) to extend the period of availability of FY 2013 school improvement funds for the SEA and all of its LEAs to September 30, 2017.

WAIVERS OF LEA REQUIREMENTS

Oregon does not request Waiver 5 or Waiver 6 as it has been approved for ESEA flexibility.

These waivers would allow any local educational agency (LEA) in the State that receives a School Improvement Grant to use those funds in accordance with the final requirements for School Improvement Grants and the LEA’s application for a grant.

The State believes that the requested waiver(s) will increase the quality of instruction for students and improve the academic achievement of students in Tier I, Tier II, or Tier III schools by enabling an LEA to use more effectively the school improvement funds to implement one of the four school intervention models in its Tier I, Tier II, or Tier III schools. The four school intervention models are specifically designed to raise substantially the achievement of students in the State’s Tier I, Tier II, and Tier III schools.

Waiver 5: School improvement timeline waiver

Note: An SEA that requested and received the school improvement timeline waiver for the FY 2012 competition and wishes to also receive the waiver for the FY 2013 competition must request the waiver again in this application.

An SEA that has been approved for ESEA flexibility need not request this waiver as it has already received a waiver of the requirement in section 1116(b) of the ESEA to identify schools for improvement through its approved ESEA flexibility request.

Schools that started implementation of a turnaround or restart model in the 2011-2012, 2012-2013, 2013-2014 school years cannot request this waiver to “start over” their school improvement timeline again.

Waive section 1116(b)(12) of the ESEA to permit LEAs to allow their Tier I, Tier II, and Tier III Title I participating schools that will fully implement a turnaround or restart model beginning in the 2014–2015 school year to “start over” in the school improvement timeline.

Assurances

The State assures that it will permit an LEA to implement this waiver only if the LEA receives a School Improvement Grant and requests the waiver in its application as part of a plan to implement the turnaround or restart model beginning in the 2014–2015 school year in a school that the SEA has approved it to serve. As such, the LEA may only implement the waiver in Tier I, Tier II, and Tier III schools, as applicable, included in its application.

The State assures that, if it is granted this waiver, it will submit to the U.S. Department of Education a report that sets forth the name and NCES District Identification Number for each LEA implementing a waiver.

Waiver 6: Schoolwide program waiver

Note: An SEA that requested and received the schoolwide program waiver for the FY 2012 competition and wishes to also receive the waiver for the FY 2013 competition must request the waiver again in this application.

An SEA that has been approved for ESEA flexibility need not request this waiver as it has already received a waiver of the schoolwide poverty threshold through its approved ESEA flexibility request.

Waive the 40 percent poverty eligibility threshold in section 1114(a)(1) of the ESEA to permit LEAs to implement a schoolwide program in a Tier I, Tier II, or Tier III participating school that does not meet the poverty threshold and is fully implementing one of the four school intervention models.

Assurances

The State assures that it will permit an LEA to implement this waiver only if the LEA receives a School Improvement Grant and requests to implement the waiver in its application. As such, the LEA may only implement the waiver in Tier I, Tier II, and Tier III schools, as applicable, included in its application.

The State assures that, if it is granted this waiver, it will submit to the U.S. Department of Education a report that sets forth the name and NCES District Identification Number for each LEA implementing a waiver.

I. ASSURANCE OF NOTICE AND COMMENT PERIOD – APPLIES TO ALL WAIVER REQUESTS

The State assures that, prior to submitting its School Improvement Grant application, the State provided all LEAs in the State that are eligible to receive a School Improvement Grant with notice and a reasonable opportunity to comment on its waiver request(s) and has attached a copy of that notice as well as copies of any comments it received from LEAs. The State also assures that it provided notice and information regarding the above waiver request(s) to the public in the manner in which the State customarily provides such notice and information to the public (e.g., by publishing a notice in the newspaper; by posting information on its Web site) and has attached a copy of, or link to, that notice.

Information was posted on the Oregon Department of Education’s website at the following link:
<http://www.ode.state.or.us/search/page/?id=2919>. (see SEA Appendices F and G for the notice and comments)

PART II: LEA APPLICATION

An SEA must develop an LEA application form that it will use to make subgrants of school improvement funds to eligible LEAs.

See Oregon’s LEA application (a separate document).

LEA APPLICATION REQUIREMENTS

The LEA application form that the SEA uses must contain, at a minimum, the information set forth below. An SEA may include other information that it deems necessary in order to award school improvement funds to its LEAs.

A. SCHOOLS TO BE SERVED: An LEA must include the following information with respect to the schools it will serve with a School Improvement Grant.

An LEA must identify each Tier I, Tier II, and Tier III school, or each priority school, as applicable, the LEA commits to serve and identify the model that the LEA will use in each Tier I and Tier II school, or in each priority school, as applicable.

SCHOOL NAME	NCES ID #	PRIORITY (if applicable)	TIER I	TIER II	TIER III	INTERVENTION (TIER I AND II/PRIORITY ONLY)			
						turnaround	restart	closure	transformation

Note: An LEA that has nine or more Tier I and Tier II schools may not implement the transformation model in more than 50 percent of those schools.

B. DESCRIPTIVE INFORMATION: An LEA must include the following information in its application for a School Improvement Grant.

- (1) For each Tier I and Tier II school, or each priority school, that the LEA commits to serve, the LEA must demonstrate that the LEA has analyzed the needs of each school, such as instructional programs, school leadership and school infrastructure, and selected interventions for each school aligned to the needs each school has identified.
- (2) The LEA must ensure that each Tier I and Tier II school, or each priority school, that it commits to serve receives all of the State and local funds it would receive in the absence of the school improvement funds and that those resources are aligned with the interventions.
- (3) The LEA must describe actions it has taken, or will take, to—
 - Determine its capacity to provide adequate resources and related support to each Tier I and Tier II school, or each priority school, identified in the LEA’s application in order to implement, fully and effectively, the required activities of the school intervention model it has selected;
 - Design and implement interventions consistent with the final requirements of the turnaround model, restart model, school closure, or transformation model;
 - Recruit, screen, and select external providers, if applicable, to ensure their quality;
 - Modify its practices or policies, if necessary, to enable its schools to implement the interventions fully and effectively; and,
 - Sustain the reforms after the funding period ends.
- (4) The LEA must include a timeline delineating the steps it will take to implement the selected intervention in each Tier I and Tier II school, or each priority school, identified in the LEA’s application.
- (5) The LEA must describe how it will monitor each Tier I and Tier II school, or each priority school, that receives school improvement funds including by-
 - Establishing annual goals for student achievement on the State’s assessments in both reading/language arts and mathematics; and,
 - Measuring progress on the leading indicators as defined in the final requirements.
- (6) For each Tier III school the LEA commits to serve, the LEA must identify the services the school will receive or the activities the school will implement.
- (7) The LEA must describe the goals it has established (subject to approval by the SEA) in order to hold accountable its Tier III schools that receive school improvement funds.
- (8) As appropriate, the LEA must consult with relevant stakeholders regarding the LEA’s application and implementation of school improvement models in its Tier I and Tier II schools or in its priority schools, as applicable.

C. BUDGET: An LEA must include a budget that indicates the amount of school improvement funds the LEA will use each year in each Tier I, Tier II, and Tier III school, or each priority school, it commits to serve.

- The LEA must provide a budget that indicates the amount of school improvement funds the LEA will use each year to—
- Implement the selected model in each Tier I and Tier II school, or priority school, it commits to serve;
 - Conduct LEA-level activities designed to support implementation of the selected school intervention models in the LEA’s Tier I and Tier II schools or priority schools; and
 - Support school improvement activities, at the school or LEA level, for each Tier III school identified in

the LEA's application.

Note: An LEA's budget should cover three years of full implementation and be of sufficient size and scope to implement the selected school intervention model in each Tier I and Tier II school the LEA commits to serve. Any funding for activities during the pre-implementation period must be included in the first year of the LEA's three-year budget plan.

An LEA's budget for each year may not exceed the number of Tier I, Tier II, and Tier III schools, or the number of priority schools, it commits to serve multiplied by \$2,000,000 (not to exceed \$6,000,000 per school over three years).

Example:

LEA XX BUDGET					
	Year 1 Budget		Year 2 Budget	Year 3 Budget	Three-Year Total
	Pre-implementation	Year 1 - Full Implementation			
Tier I ES #1	\$257,000	\$1,156,000	\$1,325,000	\$1,200,000	\$3,938,000
Tier I ES #2	\$125,500	\$890,500	\$846,500	\$795,000	\$2,657,500
Tier I MS #1	\$304,250	\$1,295,750	\$1,600,000	\$1,600,000	\$4,800,000
Tier II HS #1	\$530,000	\$1,470,000	\$1,960,000	\$1,775,000	\$5,735,000
LEA-level Activities	\$250,000		\$250,000	\$250,000	\$750,000
Total Budget	\$6,279,000		\$5,981,500	\$5,620,000	\$17,880,500

D. ASSURANCES: An LEA must include the following assurances in its application for a School Improvement Grant.

- The LEA must assure that it will—
- (1) Use its School Improvement Grant to implement fully and effectively an intervention in each Tier I and Tier II school, or each priority school, that the LEA commits to serve consistent with the final requirements;
 - (2) Establish annual goals for student achievement on the State's assessments in both reading/language arts and mathematics and measure progress on the leading indicators in section III of the final requirements in order to monitor each Tier I and Tier II school, or priority school, that it serves with school improvement funds, and establish goals (approved by the SEA) to hold accountable its Tier III schools that receive school improvement funds;
 - (3) If it implements a restart model in a Tier I or Tier II school, or priority school, include in its contract or agreement terms and provisions to hold the charter operator, charter management organization, or education management organization accountable for complying with the final requirements;
 - (4) Monitor and evaluate the actions a school has taken, as outlined in the approved SIG application, to recruit, select and provide oversight to external providers to ensure their quality;
 - (5) Monitor and evaluate the actions schools have taken, as outlined in the approved SIG application, to sustain the reforms after the funding period ends and that it will provide technical assistance to schools on how they can sustain progress in the absence of SIG funding; and,
 - (6) Report to the SEA the school-level data required under section III of the final requirements.

E. WAIVERS: If the SEA has requested any waivers of requirements applicable to the LEA's School Improvement Grant, an LEA must indicate which of those waivers it intends to implement.

The LEA must check each waiver that the LEA will implement. If the LEA does not intend to implement the waiver with respect to each applicable school, the LEA must indicate for which schools it will implement the waiver.

- “Starting over” in the school improvement timeline for Tier I and Tier II Title I participating schools implementing a turnaround or restart model.
- Implementing a school-wide program in a Tier I or Tier II Title I participating school that does not meet the 40 percent poverty eligibility threshold.

Continuation Awards Only Application for Fiscal Year (FY) 2013 School Improvement Grants (SIG) Program

In the table below, list the schools that will receive continuation awards using FY 2013 SIG funds:

LEA NAME	SCHOOL NAME	COHORT #	PROJECTED AMOUNT OF FY 13 ALLOCATION
TOTAL AMOUNT OF CONTINUATION FUNDS PROJECTED FOR ALLOCATION IN FY 13:			

In the table below, list any LEAs with one or more schools for which funding under previously awarded SIG grants will not be renewed. For each such school, note the amount of unused remaining funds and explain how the SEA or LEA plans to use those funds as well as noting the explicit reason and process for reallocating those funds (e.g., reallocate to rural schools with SIG grants in cohort 2 who demonstrate a need for technology aimed at increasing student literacy interaction).

LEA NAME	SCHOOL NAME	DESCRIPTION OF HOW REMAINING FUNDS WERE OR WILL BE USED	AMOUNT OF REMAINING FUNDS
TOTAL AMOUNT OF REMAINING FUNDS:			

School Improvement Grants (SIG) Program FY 2013 Assurances

By submitting this application, the SEA assures that it will do the following (check each box):

- Use FY 2013 SIG funds solely to make continuation awards and will not make any new awards¹ to its LEAs.
- Use the renewal process identified in [State]’s most recently approved SIG application to determine whether to renew an LEA’s School Improvement Grant.
- Monitor and evaluate the actions an LEA has taken, as outlined in its approved SIG application, to recruit, select and provide oversight to external providers to ensure their quality.
- Monitor and evaluate the actions the LEA has taken, as outlined in its approved SIG application, to sustain the reforms after the funding period ends and provide technical assistance to LEAs on how they can sustain progress in the absence of SIG funding.
- If a Tier I or Tier II school implementing the restart model becomes a charter school LEA, hold the charter school operator or charter management organization accountable, or ensure that the charter school authorizer holds the respective entity accountable, for meeting the final requirements.
- Report the specific school-level data required in section III of the final SIG requirements.

By submitting the assurances and information above, [State] agrees to carry out its most recently approved SIG application and does not need to submit a new FY 2013 SIG application; however, the State must submit the signature page included in the full application package (page 3).

¹ A “new award” is defined as an award of SIG funds to an LEA for a school that the LEA was not previously approved to serve with SIG funds in the school year for which funds are being awarded—in this case, the 2014–2015 school year. New awards may be made with the FY 2013 funds or any remaining SIG funds not already committed to grants made in earlier competitions.

OR LEA ID #	LEA Name	LEA NCES ID #	OR School ID #	School Name	School NCES ID #	Priority or Focus	Newly Eligible
1976	Bend-La Pine Administrative SD 1	4101980	245	La Pine Elementary School	410198000262	Focus	X
1976	Bend-La Pine Administrative SD 1	4101980	4793	Rosland Elementary	410198001794	Focus	X
2139	Cascade SD 5	4102780	719	Aumsville Elementary School	410278000767	Focus	X
2185	Centennial SD 28J	4102800	962	Oliver Elementary School	410280001015	Priority	
2185	Centennial SD 28J	4102800	963	Parklane Elementary School	410280001016	Focus	X
2105	Central Linn SD 552	4102910	1311	Central Linn Elementary School	410291000475	Focus	X
2191	Central SD 13J	4102840	997	Henry Hill Elementary School	410284001053	Focus	X
2253	Dayton SD 8	4103990	1211	Dayton Grade School	410399001264	Priority	X
2043	Eagle Point SD 9	4104500	390	Hillside Elementary	410450000410	Focus	X
2217	Elgin SD 23	4104590	1082	Stella Mayfield Elementary School	410459001140	Focus	
2082	Eugene SD 4J	4104740	525	River Road/El Camino del Rio Elementary	410474000550	Priority	X
2082	Eugene SD 4J	4104740	529	Spring Creek Elementary School	410474000553	Focus	X
2241	Forest Grove SD 15	4105160	3986	Fern Hill Elementary School	410516001578	Focus	X
2241	Forest Grove SD 15	4105160	1133	Joseph Gale Elementary School	410516001187	Focus	X
2137	Gervais SD 1	4100015	776	Gervais Elementary School	410001500821	Focus	X
2137	Gervais SD 1	4100015	4024	Samuel Brown Academy	410001501588	Focus	
2100	Greater Albany Public SD 8J	4101120	640	Lafayette Elementary School	410112000670	Focus	X
2183	Gresham-Barlow SD 10J	4106000	933	East Gresham Elementary School	410600000989	Focus	X
2183	Gresham-Barlow SD 10J	4106000	936	Hall Elementary School	410600001304	Priority	X
2183	Gresham-Barlow SD 10J	4106000	940	West Gresham Elementary School	410600000994	Focus	X
2014	Harney County SD 3	4102490	342	Henry L Slater Elementary School	410249000361	Focus	X
2206	Hermiston SD 8	4106300	1038	West Park Elementary School	410630001095	Focus	X
2239	Hillsboro SD 1J	4100023	1112	Brookwood Elementary School	410002301169	Focus	X
2239	Hillsboro SD 1J	4100023	1149	Reedville Elementary School	410002301200	Focus	X
2053	Jefferson County SD 509J	4106740	429	Buff Intermediate School	410674001569	Focus	
2053	Jefferson County SD 509J	4106740	432	Warm Springs Elementary School	410674000454	Priority	
2091	Junction City SD 69	4106930	595	Laurel Elementary School	410693000630	Focus	X
2057	Klamath County SD	4107020	467	Bonanza Elementary School	410702001464	Priority	X
2057	Klamath County SD	4107020	468	Chiloquin Elementary School	410702000492	Priority	X
2057	Klamath County SD	4107020	479	Stearns Elementary School	410702000504	Focus	X
2056	Klamath Falls City Schools	4107080	458	Fairview Elementary School	410708000482	Focus	X
2056	Klamath Falls City Schools	4107080	461	Mills Elementary School	410708000485	Focus	
2101	Lebanon Community SD 9	4107380	652	Cascades School	410738000682	Focus	X
2101	Lebanon Community SD 9	4107380	653	Green Acres School	410738000684	Focus	X
2097	Lincoln County SD	4107500	4038	Siletz Valley School	410750001590	Priority	X

OR LEA ID #	LEA Name	LEA NCES ID #	OR School ID #	School Name	School NCES ID #	Priority or Focus	Newly Eligible
2085	Mapleton SD 32	4107710	568	Mapleton Elementary School	410771000602	Priority	X
2205	Milton-Freewater Unified SD 7	4108160	1041	Ferndale Elementary School	410816001098	Focus	X
1924	North Clackamas SD 12	4108830	76	Riverside Elementary School	410883000084	Focus	X
4131	North Wasco County SD 21	4100048	1093	Chenowith Elementary School	410004801151	Priority	X
4131	North Wasco County SD 21	4100048	1097	Colonel Wright Elementary School	410004801155	Focus	
2093	Oakridge SD 76	4109150	600	Oakridge Elementary School	410915000635	Focus	X
2181	Parkrose SD 3	4109480	925	Prescott Elementary School	410948000979	Focus	X
2181	Parkrose SD 3	4109480	926	Russell Academy	410948000980	Focus	X
2181	Parkrose SD 3	4109480	927	Sacramento Elementary School	410948000981	Focus	X
2181	Parkrose SD 3	4109480	928	Shaver Elementary School	410948000982	Focus	
2180	Portland SD 1J	4110040	841	Cesar Chavez K-8 School	411004000884	Focus	X
2180	Portland SD 1J	4110040	913	Jefferson High School	411004000964	Focus	
2180	Portland SD 1J	4110040	1243	Lane Middle School	411004000912	Focus	X
2180	Portland SD 1J	4110040	878	Ockley Green	411004000925	Priority	X
2180	Portland SD 1J	4110040	884	Rigler Elementary School	411004000931	Focus	X
2180	Portland SD 1J	4110040	829	Rosa Parks Elementary School	411004000872	Priority	X
2180	Portland SD 1J	4110040	887	Scott Elementary School	411004000935	Focus	X
2180	Portland SD 1J	4110040	889	Sitton Elementary School	411004000937	Focus	
2180	Portland SD 1J	4110040	895	Vernon Elementary School	411004000944	Focus	X
2180	Portland SD 1J	4110040	900	Whitman Elementary School	411004000949	Focus	X
2180	Portland SD 1J	4110040	902	Woodlawn Elementary School	411004000952	Priority	X
2180	Portland SD 1J	4110040	903	Woodmere Elementary School	411004000953	Focus	X
2001	Reedsport SD 105	4110410	309	Highland Elementary School	411041000329	Focus	X
2182	Reynolds SD 7	4110520	943	Alder Elementary School	411052000997	Focus	
2182	Reynolds SD 7	4110520	949	Davis Elementary School	411052001003	Priority	X
2182	Reynolds SD 7	4110520	946	Glenfair Elementary School	411052000999	Focus	
2182	Reynolds SD 7	4110520	947	Hartley Elementary School	411052001000	Focus	X
2182	Reynolds SD 7	4110520	948	Margaret Scott Elementary School	411052001001	Focus	X
2142	Salem-Keizer SD 24J	4110820	738	Four Corners Elementary School	411082000784	Focus	
2142	Salem-Keizer SD 24J	4110820	740	Grant Community School	411082000786	Focus	X
2142	Salem-Keizer SD 24J	4110820	757	Richmond Elementary School	411082000803	Focus	X
2142	Salem-Keizer SD 24J	4110820	741	Scott Elementary School	411082000787	Focus	X
2142	Salem-Keizer SD 24J	4110820	762	Swegle Elementary School	411082000808	Focus	X
1944	Scappoose SD 1J	4110980	159	Otto Petersen Elementary School	411098000169	Focus	X
2257	Sheridan SD 48J	4111220	1235	Falconer-Chapman School	411122001285	Focus	

OR LEA ID #	LEA Name	LEA NCES ID #	OR School ID #	School Name	School NCES ID #	Priority or Focus	Newly Eligible
2204	Umatilla SD 6R	4112600	1032	McNary Heights Elementary School	411260001091	Priority	
1947	Vernonia SD 47J	4112930	177	Vernonia Elementary School	411293000187	Focus	X
2146	Woodburn SD 103	4113530	4540	Academy of International Studies	411353001714	Focus	X
2146	Woodburn SD 103	4113530	1267	Lincoln Elementary School	411353000843	Focus	X
2146	Woodburn SD 103	4113530	796	Nellie Muir Elementary School	411353000841	Focus	X
2146	Woodburn SD 103	4113530	4544	Woodburn Success	411353001715	Priority	

Oregon / Indistar

Indicator Report - School Indicators

Comprehensive Achievement Indicators

Comprehensive Achievement Indicators - District and School Structure and Culture

- DSC1.1 The school's principal and staff work together to create a safe, respectful, culturally-inclusive environment with consistent school rules and expectations. (3161)
- DSC1.2 The school's mission and goals reflect high expectations and a vision for equity for meeting the needs of all stakeholders. (3162)
- DSC1.3 The school's leadership plans for and implements professional development preparing teachers to support parents in the education of their children by providing in-classroom opportunities and at-home opportunities for parents. (3163)
- DSC1.4 School staff identify students who need additional learning time to meet standards and provides timely and effective programs of assistance. (3164)
- DSC1.5 School staff assist students in successful transitions, as applicable, from early childhood into elementary, elementary to middle school, middle school to high school, and high school to post-secondary. (3165)
- DSC1.6 School staff coordinates and integrates services and programs with the aim of optimizing the entire educational program to improve student learning. (3166)

Comprehensive Achievement Indicators - Educator Effectiveness

- EE2.1 All instructional staff at the school collaboratively plan for sound instruction in a variety of instructional modes. (3167)
- EE2.2 All teachers use instructional strategies and initiatives that are grounded in evidence-based practices, strengthen the core academic program, increase the quality and quantity of learning time, and address the learning needs of all students. (3168)
- EE2.3 Professional development activities for all staff (principals, teachers, and paraprofessionals) are aligned to ensure continued growth in content knowledge as well as in effective instructional delivery. (3169)
- EE2.4 Instructional teams use a variety of data to assess strengths and weaknesses of the curriculum and instructional strategies and make necessary changes. (3170)
- EE2.5 All instructional staff in the school use sound classroom management practices that encourage student engagement and effect student learning. (3171)
- EE2.6 Educator evaluations and support systems incorporate the elements of Oregon's framework of educator effectiveness. (3172)

Comprehensive Achievement Indicators - Family and Community Involvement

- FC3.1 School staff create and maintain a welcoming environment for all families and community members. (3173)
- FC3.2 School staff create and maintain connections between the school community and the broader community to support student learning. (3174)

- FC3.3 The school's key documents (minimally, the school's improvement plan, parent involvement plan, compact, and student/parent handbook) are annually reviewed for revision and disseminated to all families in the school and translated as needed. (3175)
- FC3.4 School staff educate families and provide needed resources for supporting their children's learning. (3176)
- FC3.5 School staff ensure families have the opportunity for meaningful involvement in the school. (3177)
- FC3.6 School leadership includes families on all decision-making and advisory committees and ensures training for such areas as policy, curriculum, budget, school reform initiatives, and safety. (3178)
- FC3.7 School staff involves parents and students in setting student goals and preparing the student for post-secondary education and careers. (3179)
- FC3.8 School staff uses a variety of tools on a regular basis to facilitate two-way communication among stakeholders. (3180)

Comprehensive Achievement Indicators - Teaching and Learning

- TL4.1 All instructional staff at the school are engaged in aligning instruction and local assessments to state standards. (3181)
- TL4.2 A system is in place for assessing and monitoring student achievement relative to state standards. (3182)
- TL4.3 All instructional staff at the school are engaged in the analysis of student assessments that are aligned with standards. (3183)
- TL4.4 All instructional staff at the school use assessment data in planning and delivering differentiated, standards based instruction. (3184)

Comprehensive Achievement Indicators - Technical and Adaptive Leadership

- LDR5.1 A distributed leadership process is used to build the capacity of others in the school. (3185)
- LDR5.2 School leadership ensures that classroom observations and other observations of teacher behaviors are aligned with evaluation criteria and professional development needs. (3186)
- LDR5.3 School leadership has established team structures with clear and specific duties. (3187)
- LDR5.4 School leadership is afforded proper authority to make necessary decisions that result in increased learning outcomes. (3188)
- LDR5.5 School leaders actively promote a shared vision for equity, cultural competence, and high expectations. (3189)
- LDR5.6 The principal has the skills to guide, direct, and motivate the staff toward increased student achievement. (3190)
- LDR5.7 The principal ensures that all teachers are highly qualified in their assignment. (3191)
- LDR5.8 School leadership has a plan to recruit and retain highly qualified staff. (3192)
- LDR5.9 School leadership facilitates an annual evaluation of the implementation and results achieved by the school's improvement plan. (3193)
- LDR5.10 School leadership facilitates a needs assessment based on student achievement and the key areas of effectiveness (technical and adaptive leadership, educator effectiveness, teaching and learning, district and school structure and culture, and family and community involvement). (3194)

December 27, 2013

ESEA Flexibility

Five Key Areas of Effectiveness Defined

Effective schools and districts perform well in each of five key areas, which closely align to the USED seven turnaround principles. Oregon's definitions of the five key areas, and corresponding turnaround principles, are provided below. Oregon educators consider it important that turnaround principle five (v) – using data to inform instruction and for continuous improvement, including providing time for collaboration on the use of data – be woven throughout all of the five key areas. Therefore, this turnaround principle is not listed separately.

1. Technical and Adaptive Leadership

Effective leaders have the technical skills needed to guide, direct, and motivate educators toward high student achievement -- using data to inform and drive improvement. Afforded the proper authority to make necessary decisions, they adapt their approach depending on context and build a collaborative and supportive environment that empowers others to broaden their skills and become more effective. High expectations are set, while productive and respectful relationships are built and maintained within the organization and with stakeholders. These leaders promote and engage in necessary mentoring, supporting other educators with continuous and constructive feedback, with the goal of creating a professional learning community that provides adequate time for improvement and implementation of changes to occur.

Turnaround principle (i) – providing strong leadership by: 1) reviewing the performance of the current principal; 2) either replacing the principal if such a change is necessary to ensure strong and effective leadership, or demonstrating to the state education agency (SEA) that the current principal has a track record in improving achievement and the ability to lead the turnaround effort; and 3) providing the principal with operational flexibility in the areas of scheduling, staff, curriculum, and budget.

2. Educator Effectiveness

Effective educators exhibit five interconnected qualities. First, in their interactions with students, effective educators inspire students to become lifelong learners. They are culturally competent and create a caring environment where connections to family and community are evident. Next, it is imperative that educators manage the classroom in such a way as to prepare the learning environment and curriculum so students feel safe and respected, and are engaged and motivated to achieve. Third, with regard to style of instruction, effective educators have extensive knowledge of the content. They deliver that content through teaching methods that approach the curriculum with fidelity and make connections to other content areas. The content is enhanced with aspects of critical thinking and problem-solving that challenges students to reach beyond their personal expectations. Fourth, effective educators use multiple assessment measures reflecting student achievement of intended outcomes to evaluate the effectiveness of

instruction and make appropriate adjustments. Last, effective educators focus on continuous improvement of practice. They reflect and collaborate with the leadership and with peers on strengths and weaknesses and use these data to make improvements as a result.

Turnaround principle (ii) – ensuring that teachers are effective and able to improve instruction by: 1) reviewing the quality of all staff and retaining only those who are determined to be effective and have the ability to be successful in the turnaround effort; 2) preventing ineffective teachers from transferring to these schools; and 3) providing job-imbedded, ongoing professional development informed by the teacher evaluation and support systems and tied to teacher and student needs.

3. Teaching and Learning

Effective teaching and learning is an interdependent compact between students, teachers, and academic content. Teachers guide and support students as they learn and apply content that is rigorous, relevant, aligned to standards, and differentiated to meet the needs of diverse learners as data are gathered and analyzed. Multiple assessment measures provide needed data in support of learning. The content includes the concepts, reasoning processes, skills, and procedures that students are expected to learn and apply. A high quality instructional program is one that cohesively spans pre-kindergarten through transition to college, is aligned to college and career ready standards, contains developmentally appropriate rigor, and consists of evidence-based elements.

Turnaround principle (iv) – strengthening the school's instructional program based on student needs and ensuring that the instructional program is research-based, rigorous, and aligned with state academic content standards.

4. District and School Structure and Culture

For district and school structure and culture to be effective, a sustainable plan for school access and student opportunity is needed. Long-term goals for improvement are created. Periodic perception checks with students and staff, as well as the gathering of other data on overall school climate, are used to evaluate progress on goals and make adjustments as necessary. Scheduling is flexible and responsive to student's needs with expanded learning options throughout the year. The curriculum is academically rigorous, with high expectations of achievement for all. A respectful environment provides safety for those who work and learn there. When needed, student discipline is reinforced with support for positive behavior. Non-academic factors such as social, emotional, and health needs are addressed to the extent possible. Cultural awareness and an understanding of diversity among students, staff, and community is an integral part of the shared vision at both district and school levels.

Turnaround principle (iii) – redesigning the school day, week, or year to include additional time for student learning and teacher collaboration.

Turnaround principle (vi) – establishing a school environment that improves school safety and discipline and addressing other non-academic factors that impact student achievement, such as students’ social, emotional, and health needs.

5. Family and Community Involvement

Successful family involvement efforts bring families and educators together in a collaborative relationship supporting student achievement. Engagement is linked to learning, addresses community and cultural differences, supports student-family-teacher communication and developing a system of sharing power and decision-making. In addition, successful family involvement efforts address equity by ensuring that the school community is accessible and engaging for all parents and students throughout the student’s educational career. Districts ensure family engagement is infused in data collection, planning, and decision-making processes. Community partners working collaboratively with districts, schools, and families provide needed external supports that build relationships and capacities that enhance student academic achievement.

Turnaround principle (vii) – providing ongoing mechanisms for family and community engagement.

SIG Rubric

District:			
School:		Score: _____	
Cover Sheet	Complete 2		Incomplete 0
Cover sheet is complete and signed by superintendent			
Section B	Evident 2	Evident with concerns 1	Not evident 0
B1	Description of results of prescribed interventions		
B2	Description of why district chose specific SIG model		
B3	Description of how other resources (State and local funds) align with the SIG interventions		
B4	Description of capacity to provide adequate resources and support		
B5	Description of design and implementation plan for interventions consistent with the turnaround model:		
B6	Description of recruitment, screening and selection of external providers		
B7	Description of alignment of resources with interventions		
B8	Description of development of modification of practices and policies		

	<ul style="list-style-type: none"> • To support school leaders in fully implementing intervention model 		
	<ul style="list-style-type: none"> • To provide performance incentives to personnel 		
	<ul style="list-style-type: none"> • To hire, place, evaluate, promote, retain and replace personnel 		
	<ul style="list-style-type: none"> • To work with collective bargaining agreements and labor unions 		
	<ul style="list-style-type: none"> • To professional development process and procedures 		
	<ul style="list-style-type: none"> • To programs and services for subgroups with achievement gaps 		
	<ul style="list-style-type: none"> • To plans for extended learning time and instructional time 		
B9	Description of efforts to sustain the reforms after the funding period ends		
	<ul style="list-style-type: none"> • Shared leadership between the school and broader community 		
	<ul style="list-style-type: none"> • Plans for addressing staffing and funding changes 		
	<ul style="list-style-type: none"> • Long-term planning processes that will support implementation of reforms 		
	<ul style="list-style-type: none"> • Comprehensive assessment systems to monitor progress and drive decision-making 		
	<ul style="list-style-type: none"> • Ability to continue offering additional instructional time 		
	<ul style="list-style-type: none"> • Measuring fidelity of implementation of research-based practices 		
	<ul style="list-style-type: none"> • Protecting staff time for collaboration 		
	<ul style="list-style-type: none"> • Professional development for new staff and leadership 		
	<ul style="list-style-type: none"> • Job-embedded professional development 		
B10	Description of the timeline and steps for implementation of selected interventions		
B11	Description of monitoring eligible schools who receive funding		
	<ul style="list-style-type: none"> • Establishing annual goals for student achievement on State assessment 		
	<ul style="list-style-type: none"> • Measuring progress on the leading indicators defined in the final requirements 		
B12	Consult with relevant stakeholders regarding the district's application and implementation of improvement model		
B13	Inclusion of appropriate letters of assurance		

Section B-1	Evident 2	Evident with concerns 1	Not evident 0
B1-1 Description of pre-implementation planning and budget			
• <i>Allocates funds to complete the needs assessment</i>			
• <i>Allocates funds to develop the CAP</i>			
• <i>Aligns to the overall turnaround intervention</i>			
• <i>Allocates funds to activities to prepare for the 2014-15 school year</i>			
• <i>Addresses additional needs or opportunities as determined by the selected turnaround model and / or needs assessment</i>			
Section C	Complete 2		Incomplete 0
C1 District budget table is complete			
C2 District submitted a copy of the budget template for each school for which it is applying and each budget references all SIG requirements corresponding to the chosen model			
Section D	Complete 2		Incomplete 0
D1 All assurance boxes are checked			

Evaluation guidance:

- Applications will be considered for funding based on the rank-ordered list of eligible schools with the lowest performing schools receiving priority
- Applications earning a score of 50 or higher on the initial submission will be eligible for the revision period; applications scoring below 50 on the initial submission will be ineligible for the revision period unless no applications score higher than 50 in which case, the five (5) highest scoring applications will be eligible for the revision period
- Applications scoring 50 points or higher with indicators determined to be “incomplete” or “not evident” must be revised to be considered for funding
- No application will be funded with indicators determined to be “incomplete” or “not evident”

Rank for SIG	Distl D	DistNm	InstID	InstNm	ESEA Designation for	Lo	Hi	Ach Pct	ALevel 3h Rating	Grwth Pct	Growth Rating	SubGr Pct	SuLevel 4Gr Rating	Grad Pct	GraLevel 2 Rating	Sub Grad Pct	SuLevel 4GraLevel 2	Total Pct	Missed Partici pation	Overall Rating
1	2137	Gervais SD 1	4024	Douglas Avenue Alter	Focus	06	12		X		X		X	20	Level 1	20	Level 1	20	P	Level 1
1	2183	Gresham-Barlow S	933	East Gresham Elemer	Focus	KG	05	20	Level 1	20	Level 1	20	Level 1					20		Level 1
1	2180	Portland SD 1J	829	Rosa Parks Elementar	Priority	PK	05	20	Level 1	20	Level 1	20	Level 1					20		Level 1
1	2182	Reynolds SD 7	943	Alder Elementary Sch	Focus	KG	05	20	Level 1	20	Level 1	20	Level 1					20		Level 1
5	2253	Dayton SD 8	1211	Dayton Grade School	Priority	KG	05	20	Level 1	20	Level 1	22.5	Level 1					20.6		Level 1
6	2053	Jefferson County S	432	Warm Springs Elemer	Priority	KG	05	20	Level 1	20	Level 1	23.3	Level 1					20.8		Level 1
7	2180	Portland SD 1J	902	Woodlawn Elementar	Priority	PK	08	20	Level 1	20	Level 1	27.5	Level 1					21.9		Level 1
8	2182	Reynolds SD 7	946	Glenfair Elementary S	Focus	KG	05	30	Level 2	20	Level 1	20	Level 1					22.5		Level 1
9	2001	Reedsport SD 105	309	Highland Elementary	Focus	KG	06	30	Level 2	20	Level 1	26.7	Level 1					24.2		Level 1
10	2182	Reynolds SD 7	949	Davis Elementary Sch	Priority	KG	05	20	Level 1	30	Level 2	20	Level 1					25		Level 1
11	2181	Parkrose SD 3	925	Prescott Elementary S	Focus	KG	05	50	Level 3	20	Level 1	20	Level 1					27.5		Level 2
12	2241	Forest Grove SD 15	3986	Fern Hill Elementary S	Focus	KG	04	60	Level 3	20	Level 1	20	Level 1					30		Level 2
13	2180	Portland SD 1J	841	Cesar Chavez K-8 Sch	Focus	KG	08	20	Level 1	40	Level 2	27.5	Level 1					31.9		Level 2
14	2204	Umatilla SD 6R	1032	McNary Heights Elem	Priority	KG	05	20	Level 1	40	Level 2	32.5	Level 2					33.1		Level 2
15	2053	Jefferson County S	429	Buff Intermediate Sch	Focus	03	05	30	Level 2	40	Level 2	25	Level 1					33.8		Level 2
15	2146	Woodburn SD 103	796	Nellie Muir Elementar	Focus	KG	05	20	Level 1	40	Level 2	35	Level 2					33.8		Level 2
17	2191	Central SD 13J	997	Henry Hill Elementary	Focus	KG	05	30	Level 2	40	Level 2	30	Level 2					35		Level 2
17	2182	Reynolds SD 7	947	Hartley Elementary S	Focus	KG	05	20	Level 1	40	Level 2	40	Level 2					35		Level 2
19	2180	Portland SD 1J	913	Jefferson High School	Focus	09	12	40	Level 2	30	Level 2	25	Level 1	40	Level 2	33.3	Level 2	35.5		Level 2
20	2146	Woodburn SD 103	4544	Woodburn Success	Priority	07	12	20	Level 1	40	Level 2	40	Level 2	40	Level 2	53.3	Level 3	37.3		Level 2
21	2183	Gresham-Barlow S	940	West Gresham Eleme	Focus	KG	05	40	Level 2	40	Level 2	30	Level 2					37.5		Level 2
21	2142	Salem-Keizer SD 24	740	Grant Community Sch	Focus	KG	05	40	Level 2	40	Level 2	30	Level 2					37.5		Level 2
23	2181	Parkrose SD 3	928	Shaver Elementary Sc	Focus	KG	05	30	Level 2	40	Level 2	42.9	Level 2					38.2		Level 2
24	2205	Milton-Freewater I	1041	Ferndale Elementary	Focus	KG	05	40	Level 2	40	Level 2	36.7	Level 2					39.2		Level 2
25	4131	North Wasco Coun	1093	Chenowith Elementar	Priority	KG	05	30	Level 2	40	Level 2	47.5	Level 2					39.4		Level 2
26	4131	North Wasco Coun	1097	Colonel Wright Eleme	Focus	KG	05	50	Level 3	40	Level 2	30	Level 2					40		Level 2
27	2056	Klamath Falls City S	461	Mills Elementary Sch	Focus	KG	06	20	Level 1	50	Level 3	45	Level 2					41.3		Level 2
28	2142	Salem-Keizer SD 24	757	Richmond Elementary	Focus	KG	05	60	Level 3	40	Level 2	26.7	Level 1					41.7		Level 2
29	2180	Portland SD 1J	887	Scott Elementary Sch	Focus	KG	08	20	Level 1	50	Level 3	47.5	Level 2					41.9		Level 2
30	2137	Gervais SD 1	776	Brooks Elementary Sc	Focus	02	05	30	Level 2	50	Level 3	40	Level 2					42.5		Level 2
30	2085	Mapleton SD 32	568	Mapleton Elementary	Priority	KG	06	50	Level 3	40	Level 2	40	Level 2					42.5		Level 2
30	2180	Portland SD 1J	878	Ockley Green	Priority	KG	08	30	Level 2	50	Level 3	40	Level 2					42.5		Level 2
33	2185	Centennial SD 28J	962	Oliver Elementary Sch	Priority	KG	06	20	Level 1	60	Level 3	32.5	Level 2					43.1		Level 2
33	2142	Salem-Keizer SD 24	738	Four Corners Element	Focus	KG	05	30	Level 2	50	Level 3	42.5	Level 2					43.1		Level 2

Rank for SIG	Distl D	DistNm	InstID	InstNm	ESEA Designation for	Lo	Hi	Ach Pct	ALevel 3h Rating	Grwth Pct	Growth Rating	SubGr Pct	SuLevel 4Gr Rating	Grad Pct	GraLevel 2 Rating	Sub Grad Pct	SuLevel 4GraLevel 2	Total Pct	Missed Participation	Overall Rating
35	2183	Gresham-Barlow S	936	Hall Elementary Sch	Priority	KG	05	40	Level 2	50	Level 3	35	Level 2					43.8		Level 2
36	2257	Sheridan SD 48J	1235	Faulconer-Chapman S	Focus	KG	08	30	Level 2	50	Level 3	47.5	Level 2					44.4		Level 2
37	2146	Woodburn SD 103	1267	Lincoln Elementary Sc	Focus	KG	05	30	Level 2	50	Level 3	48.6	Level 2					44.7		Level 2
38	2097	Lincoln County SD	4038	Siletz Valley School	Priority	KG	08	30	Level 2	50	Level 3	50	Level 3					45		Level 2
39	2181	Parkrose SD 3	926	Russell Academy	Focus	KG	05	50	Level 3	50	Level 3	35	Level 2					46.3		Level 2
	2057	Klamath County SC	468	Chiloquin Elementary	Priority	KG	06	40	Level 2	50	Level 3	50	Level 3					47.5		Level 3
	2082	Eugene SD 4J	525	River Road/El Caminc	Priority	KG	05	40	Level 2	60	Level 3	33.3	Level 2					48.3		Level 3
	2239	Hillsboro SD 1J	1149	Reedville Elementary	Focus	KG	06	20	Level 1	60	Level 3	53.3	Level 3					48.3		Level 3
	2146	Woodburn SD 103	4540	Academy of Internati	Focus	09	12	50	Level 3	60	Level 3	56.7	Level 3	40	Level 2	46.7	Level 2	48.7		Level 3
	2182	Reynolds SD 7	948	Margaret Scott Eleme	Focus	KG	05	60	Level 3	50	Level 3	35	Level 2					48.8		Level 3
	2105	Central Linn SD 55	1311	Central Linn Elementa	Focus	KG	06	60	Level 3	50	Level 3	36.7	Level 2					49.2		Level 3
	2139	Cascade SD 5	719	Aumsville Elementary	Focus	KG	05	40	Level 2	60	Level 3	37.5	Level 2					49.4		Level 3
	2239	Hillsboro SD 1J	1112	Brookwood Elementa	Focus	KG	06	60	Level 3	50	Level 3	37.5	Level 2					49.4		Level 3
	2217	Elgin SD 23	1082	Stella Mayfield Eleme	Focus	KG	08	40	Level 2	60	Level 3	40	Level 2					50		Level 3
40	2180	Portland SD 1J	889	Sitton Elementary Sch	Focus	KG	05	30	Level 2	60	Level 3	50	Level 3					50	P	Level 2
	2142	Salem-Keizer SD 24	762	Swegle Elementary Sc	Focus	KG	05	40	Level 2	60	Level 3	40	Level 2					50		Level 3
	1976	Bend-LaPine Admir	245	LaPine Elementary Sc	Focus	KG	05	60	Level 3	60	Level 3	30	Level 2					52.5		Level 3
	2241	Forest Grove SD 15	1133	Joseph Gale Elementa	Focus	KG	04	70	Level 4	50	Level 3	40	Level 2					52.5		Level 3
	2093	Oakridge SD 76	600	Oakridge Elementary	Focus	KG	06	60	Level 3	50	Level 3	50	Level 3					52.5		Level 3
41	2180	Portland SD 1J	895	Vernon Elementary S	Focus	PK	08	40	Level 2	60	Level 3	50	Level 3					52.5	P	Level 2
	2100	Greater Albany Pul	640	Lafayette Elementary	Focus	KG	05	70	Level 4	50	Level 3	45	Level 2					53.8		Level 3
	2185	Centennial SD 28J	963	Parklane Elementary	Focus	KG	06	40	Level 2	70	Level 4	37.5	Level 2					54.4		Level 3
	2142	Salem-Keizer SD 24	741	Scott Elementary Sch	Focus	KG	05	40	Level 2	60	Level 3	57.5	Level 3					54.4		Level 3
	2181	Parkrose SD 3	927	Sacramento Elementa	Focus	KG	05	60	Level 3	60	Level 3	45	Level 2					56.3		Level 3
	1924	North Clackamas S	76	Riverside Elementary	Focus	KG	05	60	Level 3	60	Level 3	48	Level 2					57		Level 3
	2091	Junction City SD 69	595	Laurel Elementary Sch	Focus	KG	04	60	Level 3	60	Level 3	50	Level 3					57.5		Level 3
	2057	Klamath County SC	467	Bonanza Elementary	Priority	KG	06	30	Level 2	70	Level 4	60	Level 3					57.5		Level 3
	2180	Portland SD 1J	1243	Lane Middle School	Focus	06	08	50	Level 3	70	Level 4	55	Level 3					61.3		Level 3
	2180	Portland SD 1J	900	Whitman Elementary	Focus	KG	05	60	Level 3	70	Level 4	45	Level 2					61.3		Level 3
	1944	Scappoose SD 1J	159	Otto Petersen Elemer	Focus	04	06	60	Level 3	70	Level 4	46.7	Level 2					61.7		Level 3
	2206	Hermiston SD 8	1038	West Park Elementar	Focus	KG	05	40	Level 2	80	Level 4	47.5	Level 2					61.9		Level 3
	2043	Eagle Point SD 9	390	Hillside Elementary	Focus	KG	05	40	Level 2	80	Level 4	50	Level 3					62.5		Level 3
	2082	Eugene SD 4J	529	Spring Creek Element	Focus	KG	05	80	Level 4	60	Level 3	53.3	Level 3					63.3		Level 3
	2014	Harney County SD	342	Henry L Slater Elemer	Focus	KG	05	70	Level 4	70	Level 4	45	Level 2					63.8		Level 3

Rank for SIG	DistID	DistNm	InstID	InstNm	ESEA Designation for	Lo	Hi	Ach Pct	A Level 3h Rating	Grwth Pct	Growth Rating	SubGr Pct	SuLevel 4Gr Rating	Grad Pct	GraLevel 2 Rating	Sub Grad Pct	SuLevel 4GraLevel 2	Total Pct	Missed Participation	Overall Rating
	2101	Lebanon Communi	653	Green Acres School	Focus	KG	05	50	Level 3	70	Level 4	65	Level 3					63.8		Level 3
	2056	Klamath Falls City S	458	Fairview Elementary S	Focus	KG	06	40	Level 2	80	Level 4	56.7	Level 3					64.2		Level 3
	2101	Lebanon Communi	652	Cascades School	Focus	KG	05	50	Level 3	70	Level 4	70	Level 4					65		Level 3
	1947	Vernonia SD 47J	177	Vernonia Elementary	Focus	KG	05	70	Level 4	70	Level 4	50	Level 3					65		Level 3
	2180	Portland SD 1J	884	Rigler Elementary Sch	Focus	KG	05	50	Level 3	80	Level 4	55	Level 3					66.3		Level 3
	2057	Klamath County SC	479	Stearns Elementary S	Focus	KG	06	50	Level 3	80	Level 4	60	Level 3					67.5		Level 3
	2180	Portland SD 1J	903	Woodmere Elementa	Focus	KG	05	40	Level 2	80	Level 4	72.5	Level 4					68.1		Level 3
	1976	Bend-LaPine Admir	4793	Rosland Elementary	Focus	KG	05	50	Level 3	80	Level 4	70	Level 4					70		Level 4



DEPARTMENT OF EDUCATION

Oregon provided all LEAs in the State that are eligible to receive a School Improvement Grant with notice and a reasonable opportunity to comment on both of its waiver requests. This was provided via an online survey. The survey was created on 11/25/2013 and is still open. Three emails were sent out to districts with eligible schools notifying them of their opportunity to comment. The survey can be viewed here:

<https://www.surveymonkey.com/s/OregonSIGComments>

As of 12/2/2013, only one comment has been received as follows. The single respondent to the survey was Mr. Ovidio Villarreal. Mr. Villarreal is a member of Oregon's Committee of Practitioners (COPs) and was made aware of the SIG Cohort 3 opportunity on November 14, 2013 during the Oregon Department of Education's (ODE's) consultation with the COPs members. He happens to also be from a district that has an eligible school. His comment below referring to the "last gathering" is referring to the COPs meeting.

Q1. If you wish to identify yourself, do so here (name, school district, or any other information you wish to disclose about yourself).

A1. Ovidio Villarreal, Director Federal Programs, Reynolds School District, ovillarreal@rsd7.net, 503-661-7200

Q2. Oregon is requesting a Priority Schools List Waiver. In order to enable the Oregon Department of Education (ODE) to replace its lists of Tier I, Tier II, and Tier III schools with its list of priority schools that meet the definition of "priority schools" in the document titled ESEA Flexibility and that were identified in accordance with its approved request for ESEA flexibility, waive the school eligibility requirements in Section I.A.1 of the SIG final requirements. Oregon's approved ESEA Flexibility can be found

here: <http://www.ode.state.or.us/search/page/?id=3475>

The SIG final requirements can be found

here: <http://www2.ed.gov/programs/sif/legislation.html>

Do you have any comments regarding this waiver?

A2. No, unless information shared at last gathering has changed.

Q3. ODE is requesting a Period of Availability of FY 2013 Funds Waiver. If approved, USED will waive section 421(b) of the General Education Provisions Act (20 U.S.C. § 1225(b)) to extend the period of availability of FY 2013 school improvement funds for ODE and all LEAs, or districts in Oregon to September 30, 2017. Do you have any comments regarding this waiver?

A3. Ok

Q4. Do you have any other comments?

A4. No



DEPARTMENT OF EDUCATION

When Oregon decided to apply for the Focus school waiver, a new survey was created on December 20th and was open for comment until December 30th. It was sent out to all school districts statewide. Four people took the survey and their responses are as follows.

The Oregon Department of Education (ODE) will request a waiver of Section I.A.1. of the School Improvement Grant (SIG) final requirements in order to use Oregon's Focus school and Priority school lists (as approved in the Oregon's ESEA flexibility request) in place of the Tier I, Tier II, and Tier III lists. See here for a list of Oregon's Priority and Focus Schools - <http://www.ode.state.or.us/search/page/?id=3742>. See here for a copy of Oregon's approved ESEA flexibility request - <http://www.ode.state.or.us/search/page/?id=3475>. See here for the method Oregon formerly used to create Tier I, Tier II and Tier III lists - <http://www.ode.state.or.us/search/page/?id=2919>.

Q1. Please identify yourself to whatever extent you wish (leave blank for full anonymity).

A1.

Respondent 1	Administrator
Respondent 2	Assistant Superintendent
Respondent 3	
Respondent 4	Melissa Goff, Executive Director, Teaching and Learning, PPS

Q2. Do you have any comments regarding this waiver request?

A2.

Respondent 1	Absolutely, I am strongly opposed to any variation of a government take over.
Respondent 2	none
Respondent 3	It should have been done long ago.
Respondent 4	I support the waiver request

Q3. Do you have any other comments?

A3.

Respondent 1	Stay on the growth model rating system. It is fair and makes more sense. The last thing that I want to have happen is to add another issue that causes anxiety to our teachers. They are already expected to do so much. Policy developers really do need to spend more time in the classroom to understand what we are dealing with.
Respondent 2	none
Respondent 3	It should have the ability to survey all students per teacher and parents.
Respondent 4	

Common Winter 2013 Prescribed Interventions

Interventions	Key Area of Effectiveness & comments about supporting areas	Talking Points
<p><u>School Turnarounds Actions & Results</u> from Center on Innovation & Improvement, 2008</p>	<p>Leadership (touches on many other essential areas)</p> <ul style="list-style-type: none"> • Collect & analyze data • Make action plans based on data • Concentrate on big, fast payoffs in year one • Implement practices even if require deviation • Require all staff to change • Focus on successful tactics • Communicate positive vision • Gain support, build buy in and silence critics • Measure and report progress frequently • Shared data analysis and problem solving 	<p>All Priority school principals are asked to read and use this information (they choose this guide or the next) to guide their improvement work along with the coach.</p> <p>Specifically designed for SIG schools using Turnaround approach and discusses replacement of principles. While this is important and may be a consideration for a particular school, the reason this guide was selected is because it details critical, vetted actions shown to have positive impacts in school improvement efforts (so our intent wasn't to suggest that a principal should be replaced – but to provide a resource of important actions that should be considered in all school improvement efforts).</p> <p>Highlights: Turnaround Leader Actions Table p6 (followed by more details for each action in the table in the remainder of the document). About 30 pages.</p>
<p><u>Turning Around Chronically Low Performing Schools</u> an Institute of Education Science (IES) Practice Guide from the National Center for Education Evaluation & Regional Assistance IES & What Works Clearinghouse, 2008</p>	<p>Leadership (touches on many other essential areas)</p> <ul style="list-style-type: none"> • Signal need for change • Instructional Leadership (in classrooms) • Consistent focus on improving instruction through data analysis and data systems, prioritizing areas needing improvement, targeting PD, aligning curriculum, etc. • Make visible improvements early on (quick wins) • Build a committed staff 	<p>All Priority school principals are asked to read and use this information (they choose this guide or the one in the line above) to guide their improvement work along with the coach.</p> <p>The guide was developed to identify practices that can quickly improve the performance of chronically low-performing schools.</p> <p>Highlights: Checklist for carrying out the recommendations on p9 (followed by more details for each listed item in the remainder of the document along w/ roadblocks and possible solutions). About 40 pages.</p>
<p>Oregon Department of Education's Educator Effectiveness Framework</p>	<p>Educator Effectiveness</p> <p>Improved teacher/leader evaluations (all districts required by state of Oregon to submit their plans by July 2013) – must be aligned to the Oregon Teaching Standards.</p> <p>Observation templates and practices become embedded in the improved educator evaluation system. Hopefully, these observations also help principals identify trends and align PD to those needs.</p>	<p>All schools will likely have this listed as an intervention.</p> <p>Historical Information: <i>As part of the Elementary and Secondary Education Act (ESEA) Flexibility Waiver process, the Oregon Department of Education with the Educator Effectiveness Workgroup, are currently developing state guidelines for local evaluation and support systems in Oregon. The Oregon Framework for Teacher and Administrator Evaluation and Support Systems incorporate the requirements found in Senate Bill 290 and the ESEA waiver criteria set forth in Oregon's ESEA Flexibility Request. The Framework was endorsed by the State Board of Education on June 28, 2012.</i></p> <p>Although observations and protocols will be defined by each district as required by ODE, principals and instructional coaches may still need other more targeted or less formal (not aligned to evaluation) observation tools. For example, literacy focused observation tools, engagement focused observation tools, etc. Their Leadership Coaches, who in turn network w/ Ed NW, who in turn network with us, can provide these sorts of tools as necessary. If schools end up contracting w/ math or literacy consultants, to help them bolster</p>

		<p>instructional pedagogy/provide PD/etc., often those people will also have a repertoire of observational tools (informal) that can be used.</p> <p>Making sure, when delivering SAT reports, that plans are in place at each district to meet this requirement is the first step. The next step is to ensure that PD is planned so that principals know how to use the district tools. The third step is to ensure that observations will be frequent enough to provide principals/leaders with data that will enable them to focus instructional efficacy (the “how” to teach) PD for individuals and groups of teachers based on trends through observations.</p>
<p>Common Core State Standards Work</p>	<p>Educator Effectiveness</p> <ul style="list-style-type: none"> • How should it be taught. • Teachers should be working collaboratively to plan instruction. • PLC type work could become a part of the conversation here. <p>Teaching & Learning</p> <ul style="list-style-type: none"> • What should be taught. • What assessments will be used and are needed to ensure students are making progress toward meeting the standards. • Teacher teams meeting regularly to analyze data. PLC type work could become a part of the conversation here. • May require PD on data analysis. • May require schools to build a more comprehensive assessment system. 	<p>All schools will have this area of work (continued alignment to the CCSS) listed as an intervention.</p> <p>ODE Website Language: The goal of the Common Core State Standards (CCSS) is to help all students become college- and career-ready by the time they leave high school. Teachers, parents, school and district administrators, and most importantly, students, need to be prepared for the implementation of the Common Core State Standards.</p> <p>See the Administrator’s, Teacher’s or Parent’s Toolkits on the ODE Web. The toolkits are designed to provide schools with the tools needed to get started.</p> <p>There are individuals, organizations and agencies that are ready to work with schools and districts to help them get aligned to CCSS and to provide PD on evidence based teaching strategies (especially reading and math while keeping the CCSS in the forefront). Many districts and schools have begun this work so the question is to what extent is this happening at the particular school.</p> <p>If a school is earnestly engaged in CCSS, completion of the Survey of Enacted Curriculum (SEC), if it’s on the interventions list, may be argued. If so, share that the SEC provides more insight around what is actually taught – so is a good exercise – especially after the initial CCSS alignment work has occurred – or right before it, to help build the “need” for continued alignment work among teachers.</p>
<p>PBIS – Systems</p>	<p>District & School Culture & Structure</p> <ul style="list-style-type: none"> • Mainly focuses on building a culture of safety with a comprehensive school-wide behavior plan, including the collection and analysis of behavior patterns, and interventions of increasingly intensive nature (on tiers) for students needing more support. • Leadership and other key areas (but to a lesser degree) are influenced by development of this system. 	<p>The PBIS approach concentrates on essential features and data based decision-making in schools. Schools apply essential features in PBIS by establishing clear social expectations and then teaching, modeling, and reinforcing behaviors that match the expectations across all school settings. Sustained use of essential PBIS features has been found to enhance the social and academic outcomes of students.</p> <p>PBIS may be a good place to start for schools interested in a tiered service delivery model, but not ready for the rigor of RTI for academics. The infrastructure can be learned/built by working through implementation of PBIS, then RTI for academics can be added later on. This may or may not be the reason PBIS gets listed as an intervention at some of our schools.</p>
<p>RTI Blueprint (School Level) from NASDSE-RTI (National Association of Directors of Special Education)</p> <p>Systems & Infrastructure</p> <p>Note: Applications for formal participation in</p>	<p>District & School Culture & Structure</p> <ul style="list-style-type: none"> • All other key areas are influenced by this system. • Note the SAT report as to whether the recommendation pertains to developing academic systems or behavioral systems first. In most cases, SAT reports will recommend academic systems as the focus for schools using the RTI Blueprint. 	<p>Going through the Blueprint is a process. The school leadership team will complete the components (there are 3 components of this tool: consensus building, infrastructure building, implementation).</p> <p>Once they go through the blueprint, they will prioritize steps and actions based on the outcomes of their assessment. Working through the process will provide schools with information about what they need to develop in the following areas:</p> <ul style="list-style-type: none"> • Mission and Vision • Leadership Team Processes • Data Systems • Core instruction with attention to curriculum alignment to standards and evidence based instructional delivery • Supplemental and Intensive Interventions for students that need additional time and support. <p>Many people say, “we are doing RTI,” and they may think that this means providing interventions to students. This is a very common misunderstanding about RTI. RTI is a preventative model, meaning Tier 1, “core instruction” is critically important. Schools moving in this direction should focus their energies on getting</p>

<p>Oregon RTI are being accepted right now (as of Feb. 5th 2013). This information is posted at: http://www.ode.state.or.us/news/announcement/announcement.aspx?ID=8852&TypeID=4</p> <p>The priority/focus schools for whom we suggest the NASDSE self-eval may be interested in this.</p>		<p>core instruction solid while building a comprehensive data system (including screening, and progress monitoring tools that are valid & reliable).</p> <p>RTI systems involve:</p> <ul style="list-style-type: none"> • A tiered service delivery model • Research based curriculum & instruction <u>across tiers</u> • A problem solving approach (this is the use of data to drive instruction and interventions). Note: PLC approaches are fine for Tier 1/Core instruction data study but problem solving for students far below level is done through a very specific multidisciplinary approach. <p>CBM assessments, or curriculum based measures, such as DIBELS, AIMs Web or Easy CBM are not tied to a particular curriculum. Rather they assess discreet skills – and use norms to compare student progress over time – against standards based points - that have been identified as predictive for future success.</p> <p>Their work around CFAs (Common Formative Assessments) is still fine as they relate to Tier 1/Standards Based Instruction – but aren't considered formal progress monitoring (which has to be administered much more frequently than CFA's allow and have to be aligned to research vetted target skills that have been identified as predictive to future outcomes). CFA's are a much less formal measure of student progress over time and are just fine – for their intended purpose of measuring a students' performance against "just taught" standards based instructional units (or they may be used as pre/post-tests).</p> <p>In the RTI Blueprint, page 49 is where the School Building Level Self-Assessment information is started. All the pages prior to p. 49 give examples, information and links to available resources (national scale) to help them build a tiered delivery approach.</p> <p>Many schools try to do too much at first when implementing RTI. They need to prioritize steps and actions planning for the process to span a few years before full implementation is established – this said – their early efforts to bolster core instruction, etc, can still have good pay-offs for kids. Often, schools are encouraged to begin their efforts in reading/literacy – as there are a plethora of resources available. Once the infrastructure is built, other content areas can be worked on. So, in other words, may not want to encourage them to try to do both math and reading at the same time. They could overload themselves.</p> <p>If we have recommended PBIS, we wouldn't also recommend RTI. They both build similar infrastructures, but PBIS has a specific bent on systems of behavioral support. There may be some schools for which this is the first appropriate step (i.e. the behavior concerns are so grave that academics would be very difficult to focus on can really until the climate is under control).</p>
<p>Oregon K-12 Literacy Framework</p>	<p>Teaching & Learning</p> <p>The process of completing the Oregon K-12 Literacy Framework (Reading) should be done using a team approach. A self-analysis is completed in the following areas:</p> <ul style="list-style-type: none"> • Goals • Assessment • Instruction • Leadership • Professional Development • Commitment 	<p>The State Board adopted the Oregon K-12 Literacy Framework (December 2009) as guidance for the State, districts, and schools to support reading proficiency, a requirement of the Oregon Diploma. Designed as a Response to Intervention (RTI) model, the Framework was developed by the Literacy Leadership State Steering Committee (LLSSC) in partnership with ODE, to prepare Oregon students to</p> <ul style="list-style-type: none"> • Meet on OAKS Reading at Grade 3 • Meet on OAKS Reading in Grades 4 - 8 & High School • Graduate with an Oregon Diploma, college and career-ready (no need of remediation) • Be able to study and train for new jobs of the future. <p>The body of the Oregon K-12 Literacy Framework, described in the Executive Summary: School-level Implementation, focuses on what schools must do to promote effective reading instruction in every classroom and across all instructional areas. It is divided into six chapters, representing six components that need to be integrated in order to implement a comprehensive reading program that will improve the reading achievement of ALL students—Goals, Assessment, Instruction, Leadership, Professional Development, and Commitment.</p> <p>“School Support for the Essential Skill of Reading” provides an overview of key topics within each component</p>

		<p>chapter as well as hyperlinks to specific passages where those topics are discussed. <u>It is also a self-audit tool for schools to assess their strengths and areas for improvement as they develop a School Reading Plan.</u></p> <p>While the school-level focus is essential, it is not sufficient. It is the state, district, and school levels working in concert that create the conditions necessary for effective reading instruction to take place in every Oregon classroom so that ALL students are able to develop the reading skills they need to do well in school, earn an Oregon Diploma, and succeed in their next steps.</p>
Surveys of Enacted Curriculum - SEC	Teaching & Learning	<p>The Surveys of Enacted Curriculum, or SEC, was developed in 1998 as a tool to measure alignment between instruction and standards. Surveys are available in mathematics, science, social studies and English language arts. A primary purpose for the development of the survey was to determine whether alignment was as important to achievement as any other indicator. In essence it asked the question: Does alignment matter? The answer was emphatically, yes.</p> <p>The survey instruments and reporting tools provide an objective approach for schools and districts to analyze instruction in relation to best practice and Oregon's content standards. This data can be used in professional learning communities to promote dialogue and discussion around effective teaching.</p> <p>Jan's comments on SEC: We would find that all districts and schools are "working toward the CCSS" this year; however, administration of the SEC could serve nicely as a baseline and could be used for comparison in the future for the impact of changes in their efforts. It also could assist them in identifying those areas where they are offering limited or no coverage. This is a very typical problem in alternative schools. Because of limited staff that the associated restrictions on their expertise, some topics simply don't get addressed or may be addressed at a lower cognitive level than is expected by the standard. All of this will be evidenced in the SEC.</p>
PLC Rubric SDCOE version is from the San Diego County Offices of Education	<p>Educator Effectiveness</p> <ul style="list-style-type: none"> • Collaborative Planning • Evidence based instructional delivery <p>Teaching & Learning</p> <ul style="list-style-type: none"> • Articulation of standards across grades • Standards driven instruction • Units of instruction • Assessment systems aligned to standards • Analysis of student performance data • Response to student performance – differentiation <p>Leadership</p> <ul style="list-style-type: none"> • Scheduling for teaming and collaboration • Aligned curriculum • Vision and focus 	<p>Conduct a self-analysis of Professional Learning Community (PLC) structures available through the San Diego County Offices of Education (SDCOE) at: http://plc.sdcoe.net/. Data obtained will be analyzed with priority steps and actions built into the plans for the 2013-14 school year.</p> <p>The SDCOE version gauges vision, focus (on learning), effective instruction, results orientation, collaboration, data-driven decision making, student support and leadership. The site has a PLC video library as well an accompanying discussion-guide for each of these components. Some of the videos are not active yet, but are being added over time (they anticipate all will be loaded by April). The video that is available is on data-driven decision making.</p> <p>SPSA is an acronym they use to ID a school wide site plan – all CA schools do this. SWD is an acronym meaning Students with Disabilities</p>
Extended Learning Time		<p>Extended learning time is required for all Priority Schools. Budget for and do a baseline analysis of the school's usage of learning time. Data compiled will be used to make adjustments as needed. A web based School Time Analysis Tool for doing a baseline data collection is located on the National Center on Time and Learning site found at: http://www.timeandlearning.org.</p> <p>An additional resource on this site that can assist in providing extended learning time as required for Priority Schools is: Time Well Spent: Eight Powerful Practices of Successful, Expanded-Time Schools.</p>
Leadership for Equity and Assessment Development	Leadership District & School Structure and Culture	<p>The LEAD Tool™ is a professional growth tool designed to support school leadership teams in developing organizational leadership capacity for equity. Through a set of rubrics, teams examine their practice with the goal of identifying and eliminating the persistent educational disparities experienced by diverse students.</p>

<p>(LEAD Tool)</p> <p>Available online through Ed NW</p>	<p>School leaders actively promote a shared vision for equity, cultural competence & high expectations.</p>	<p>The LEAD Tool is grounded in national Interstate School Leaders Licensure Consortium (ISLLC) standards and Oregon state policy standards for leadership development. Its purpose is to help leaders collectively assess and enact the 10 high-leverage equitable practices most likely to eliminate race, class, and other group-based disparities in student opportunities and outcomes.</p> <p>Participation with the LEAD Tool process will provide the school leadership team with information that guides school improvement efforts with particular emphasis on:</p> <ul style="list-style-type: none"> • Engaging in self-reflection and growth for equity • Developing organizational leadership for equity • Constructing and enacting an equity vision • Supervising for improvement of equitable teaching and learning • Fostering an equitable school culture • Collaborating with families and communities • Influencing the sociopolitical context • Allocating resources • Hiring and placing personnel • Modeling ethical and equitable behavior <p>For all the rhetoric about closing achievement and opportunity gaps for our students of color and other diverse students, our educational system continues to produce pervasive disparities. Educational leaders play a fundamental role in addressing such disparities and transforming educational contexts, yet educational leadership standards, research, and practice have made limited contributions to confronting inequities in our schools.</p>
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School Improvement Grants

Application for FY 2013 New Awards Competition

Section 1003(g) of the
Elementary and Secondary Education Act
Fiscal Year 2013

District Name:



DEPARTMENT OF
EDUCATION

Oregon Department of Education
Salem, OR 97310

SUBMISSION INFORMATION

Electronic Submission:

The Oregon Department of Education strongly prefers to receive a district's FY 2013 SIG application electronically. The application should be sent as a Microsoft Word document, **not** as a PDF.

The district should submit its FY 2013 application to elisa.rodriguez@state.or.us.

The cover page must be signed by the superintendent, or school board chairperson. It can be electronically signed and submitted with the application, or the district may submit a paper copy of the cover page signed by the district superintendent to the address listed below under "Paper Submission."

Paper Submission:

If a district is not able to submit its application electronically, it may submit the original and two copies of its SIG application to the following address:

Elisa Rodriguez
Oregon Department of Education
255 Capitol St NE
Salem, OR 97310

Due to potential delays in government processing of mail sent through the U.S. Postal Service, districts are encouraged to use alternate carriers for paper submissions.

Application Deadline

Applications are due on or before February 15, 2014.

For Further Information

If you have any questions, please contact Jesse Parsons at (503) 947-5602 or by e-mail at jesse.parsons@state.or.us.

APPLICATION COVER SHEET
SCHOOL IMPROVEMENT GRANTS

Legal Name of Applicant:	Applicant's Mailing Address:
<p>District Contact for the School Improvement Grant</p> <p>Name:</p> <p>Position and Office:</p> <p>Contact's Mailing Address:</p> <p>Telephone:</p> <p>Fax:</p> <p>Email address:</p>	
District Superintendent (Printed Name):	Telephone:
Signature of the District Superintendent: X	Date:
<p>The district agrees to comply with all requirements applicable to the School Improvement Grants program, including the assurances contained herein and the conditions that apply to any waivers that the State and/or District receives through this application.</p>	

DISTRICT APPLICATION REQUIREMENTS

A. SCHOOLS TO BE SERVED: A district must include the following information with respect to the schools it will serve with a School Improvement Grant.

A district must identify each school that it is applying to serve and that it commits to serve, and the district must identify the model that it will use in each school as applicable. Enter school information in the table below.

SCHOOL NAME	NCES ID #	STATE SCHOOL ID #	INTERVENTION: Select Turnaround, Restart, Closure or Transformation

B. DESCRIPTIVE INFORMATION: A district must include the following information in its application for a School Improvement Grant.

(B1) For each 2013-14 SIG eligible school, that the district commits to serve, the district must demonstrate that the district has analyzed the needs of each school, such as instructional programs, school leadership and school infrastructure, and selected interventions for each school aligned to the needs each school has identified.

- The district must complete the needs assessment by *re-assessing* the 34 Comprehensive Achievement Plan (CAP) Indicators within Indistar for each school for which it is applying. Each school's School Appraisal Team Report with its prescribed interventions and its CAP within Indistar will all be reviewed for additional background information to help the reviewers understand more fully where the school is at in its improvement process.
- For prescribed interventions that were deeper diagnostic in nature and that the school has already completed, please describe the results. Such diagnostic interventions include the Surveys of Enacted Curriculum (SEC), the School Time Analysis Tool, the Leadership for Equity and Assessment Development (LEAD) Tool, the Professional Learning Community (PLC) rubric, the School Turnarounds Actions and Results Turnaround Leader Actions Table, etc.

[Enter response here. Describe results of prescribed interventions, needs identified from working through prescribed interventions and next steps identified as a result.]

(B2) Describe why the LEA chose the specific SIG model for each school for which it is applying. What information from the needs assessment caused the LEA to select the model indicated in the table above for each school?

[Enter response here.]

(B3) The district must ensure that each 2013-14 SIG eligible school that it commits to serve receives all of the State and local funds it would receive in the absence of the school improvement funds and that those resources are aligned with the interventions. Please describe how State and local funds will be used to support the interventions as related to the selected SIG model chosen for each school.

[Enter response here.]

(B4) The district must describe actions it has taken, or will take, to:

- Determine its capacity to provide adequate resources and related support to each 2013-14 SIG eligible school identified in the district's application in order to implement, fully and effectively, the required activities of the school intervention model it has selected.

[Enter response here.]

(B5) Design and implement interventions consistent with the final requirements of the turnaround model, restart model, school closure, or transformation model, which include, but are not limited to:

- Leadership and Decision Making efforts to conduct a comprehensive needs assessment, complete the continuous improvement planning process that will guide the design of the interventions, and engage and inform the school community with regards to design and implementation of the interventions.
- Curriculum and Instruction analysis to ensure scope, focus, articulation and alignment to state standards.
- Human Capital analysis and evaluation to recruit and retain staff with the expertise and experience necessary to design and implement interventions.
- Student Support is enhanced by engaging parents in supporting student achievement and by addressing the needs of specific student populations.

[Enter response here.]

(B6) Recruit, screen, and select external providers, if applicable, to ensure their quality that include, but are not limited to:

- Descriptions of reasonable and timely steps it will take to recruit and screen providers to be in place by the beginning of the 2014-2015 school year.
- Inclusion of detailed and relevant criteria for selecting external providers that take into account the specific needs of the schools to be served by external providers.

[Enter response here.]

(B7) Align resources with interventions, including, but not limited to:

- Completing a thorough examination of all resources provided to each school to ensure systemic efforts in fully implementing the selected intervention model.
- Setting aside time and resources sufficient to facilitate the design and ongoing implementation of interventions.
- Demonstrating adequate fiscal capacity to implement the selected intervention model.
- Including provisions for sustaining support for the school when funding ends under the program.

[Enter response here.]

(B8) Develop or modify its practices or policies, if necessary, to enable its schools to implement the interventions fully and effectively, which include, but are not limited to:

- Development or modification of policies that will support school leaders in fully implementing the intervention model.
- Development or modification of:
 - policies to provide performance incentives for personnel,

- procedures for hiring, placing, evaluating, promoting, retaining and replacing personnel to ensure full implementation of the intervention model,
 - strategies to work with local collective bargaining agreements and labor unions in order to fully implement the selected intervention model, and
 - professional development processes and procedures that align with full implementation of the selected intervention model.
- Development or modification of:
 - programs and services for any subgroups identified with achievement gaps;
 - plans for extended learning time, including additional instructional time for core subjects during the school day, week or year, additional time for enrichment activities, and additional time for teacher collaboration.

[Enter response here.]

(B9) Describe efforts to sustain the reforms after the funding period ends and address:

- Shared leadership between the school and the broader community in planning and implementation of the intervention model during and after the funding period;
- Plans for addressing staffing and funding changes including transitions in leadership;
- Long-term planning processes that will support implementation of reforms with progress monitoring levels of implementation and progress toward outcomes;
- A comprehensive system of formative and summative data collection that is in place to monitor progress and drive decision-making;
- The ability to continue offering additional instructional time and extended school year;
- Institutionalizing the measuring fidelity of implementation of research-based instructional practices;
- Protecting staff time for collaboration in order to sustain the initiatives;
- Professional development for new staff and leadership to continue implementation of the reforms;
- Job-embedded professional development to ensure high fidelity of implementation of reforms in the classroom.

[Enter response here.]

(B10) The district must include a timeline delineating the steps it will take to implement the selected intervention in each 2013-14 SIG eligible school identified in the district's application.

[Insert timeline here.]

(B11) The district must describe how it will monitor each 2013-14 SIG eligible school that receives school improvement funds including by:

- Establishing annual goals for student achievement on the State's assessments in both reading/language arts and mathematics that are consistent with the school's growth targets as reported on the school's Report Card Rating Detail Sheet; and by,
- Measuring progress on the leading indicators as defined in the final requirements.

[Enter response here.]

(B12) As appropriate, the district must consult with relevant stakeholders regarding the district's application and implementation of school improvement models in its 2013-14 SIG eligible schools as applicable.

[Describe any consultation with stakeholders here.]

(B13) If the district selects the turnaround or transformation model for any of its 2013-14 SIG eligible schools, the district must submit a letter signed by the superintendent agreeing to the job search requirements regarding replacing the principal (see Appendix A for a sample letter), if applicable and must submit a letter from the union or association in support of the SIG requirements associated with the selected model (see Appendix B for a sample letter).

B – 1. PRE-IMPLEMENTATION PLANNING & BUDGET

(B-1 1) For each 2013-14 SIG eligible school that the district commits to serve, the district must develop a pre-implementation budget that engages appropriate members of the school community who might be involved in the design and implementation of the turnaround intervention. Pre-implementation planning will:

- Allocate funds to complete the needs assessment
- Allocate funds to develop the Continuous Achievement Plan
- Align to overall turnaround intervention
- Allocate funds to activities to prepare for the 2014-15 school year

Additionally, based on the results of the re-assessment and CAP development, the pre-implementation budget might:

- Allocate funds for the recruitment of new staff and leadership
- Allocate funds to provide incentives for new leadership and rewards for staff based on student achievement
- Allocate funds to improve educator effectiveness including negotiations with classroom teacher associations
- Allocate funds to extend learning time
- Allocate funds for professional development and support
- Allocate funds to develop systems for accountability and support

C. BUDGET: A district must include a budget that indicates the amount of school improvement funds the district will use each year in each 2013-14 SIG eligible school it commits to serve.

The district must provide a budget that indicates the amount of school improvement funds the district will use each year to:

- Implement the selected model in each 2013-14 SIG eligible school it commits to serve; and,
- Conduct district-level activities designed to support implementation of the selected school intervention models in the district's 2013-14 SIG eligible schools.

Fill in the Table below and submit a copy of the Budget Template for each school for which the district is applying (see LEA Appendix C for the budget template). The budget template aligns the SIG requirements with the 34 CAP Indicators. Each SIG requirement must be present in the budget as it will be the starting point for the school's improvement plan (CAP) for the 2014-15 school year. If funds other than SIG funds will be used for a SIG requirement, indicate the source of funds in the budget template. If the district expects a school will meet one or more SIG requirements without any associated costs (from SIG funds or other funds), or will not expend any funds on a particular requirement during Year 1, indicate as much on the budget template on an expenditure line with a cost of zero. All SIG requirements, as listed on the indicator sheet of the budget template, must appear on the expenditure sheet of the budget template.

Note: A district's budget should cover three years of full implementation and be of sufficient size and scope to implement the selected school intervention model in each 2013-14 SIG eligible school the district commits to serve. Any funding for activities during the pre-implementation period must be included in the first year of the district's three-year budget plan.

A district's budget for each year may not exceed the number of 2013-14 SIG eligible schools it commits to serve multiplied by \$2,000,000 (not to exceed \$6,000,000 per school over three years).

Example:

DISTRICT BUDGET					
	Year 1 Budget		Year 2 Budget	Year 3 Budget	Three-Year Total
	Pre-implementation	Year 1 - Full Implementation			
School #1	\$57,000	\$460,000	\$325,000	\$300,000	\$1,142,000
School #2	\$25,500	\$490,500	\$346,500	\$195,000	\$1,057,500
School #3	\$83,250	\$765,750	\$460,000	\$275,000	\$1,584,000
District-level Activities		\$25,000	\$25,000	\$25,000	\$75,000
Total Budget		\$1,907,000	\$1,156,500	\$795,000	\$3,858,500

[DISTRICT NAME] BUDGET					
	Year 1 Budget		Year 2 Budget	Year 3 Budget	Three-Year Total
	Pre-implementation	Year 1 - Full Implementation			
[School Name]					
[School Name]					
[School Name]					
District Indirect					
Total Budget					

D. ASSURANCES: A district must include the following assurances in its application for a School Improvement Grant.

- By submitting this application, the district assures that it will do the following (check each box):
- Ensure that each 2013-14 SIG eligible school that it commits to serve receives all of the State and local funds it would receive in the absence of the school improvement funds and that those resources are aligned with the interventions;
 - Modify its practices or policies, if necessary, to enable it to implement the interventions fully and effectively;
 - Use its School Improvement Grant to design and implement fully and effectively interventions in each 2013-14 SIG eligible school that the district commits to serve consistent with the SIG final requirements (see LEA Appendix D);
 - Establish annual goals for student achievement on the State's assessments in both reading/language arts and mathematics and measure progress on the leading indicators in section III of the final requirements

in order to monitor each 2013-14 SIG eligible school that it serves with school improvement funds;

- Include in its contract or agreement terms and provisions to hold a charter operator, charter management organization, or education management organization accountable for complying with the final requirements (if it implements a restart model in a 2013-14 SIG eligible school);
- Monitor and evaluate the actions a school has taken, as outlined in the approved SIG application, to recruit, select and provide oversight to external providers to ensure their quality;
- Monitor and evaluate the actions schools have taken, as outlined in the approved SIG application, to sustain the reforms after the funding period ends and that it will provide technical assistance to schools on how they can sustain progress in the absence of SIG funding; and,
- Report to the SEA the school-level data required under section III of the SIG final requirements (see LEA Appendix D).

E. WAIVERS: A district must indicate if it intends to implement the following waiver, if applicable.

The district must check the following waiver if the district will implement it in any of its schools. If the district does not intend to implement the waiver with respect to each applicable school, the district must indicate for which schools it will implement the waiver.

- Implementing a school-wide program in a 2013-14 SIG eligible school that does not meet the 40 percent poverty eligibility threshold.

[If the district checks the above box, and is applying on behalf of more than one school, please specify for which school(s) it will implement the waiver here.]

A complete application includes:

- Completely fill out cover sheet with superintendent's signature.
- Part A of application: Fill in the Schools to be Served table.

Part B of application:

- Complete self-assessment of 34 Comprehensive Achievement Indicators within Indistar.
- For the Transformation and Turnaround Models only, submit a letter of support from the Superintendent regarding hiring a turnaround principal.
- Respond to Part B, numbers one through six.
 - For the Transformation and Turnaround Models only, number six includes a letter of support from the Association regarding support for the SIG requirements.

Part C of application:

- Fill in the District Budget table.
 - Submit a budget for each school by completing a separate SIG Budget Template for each school.
- Part D: Check the assurance boxes.
 - Part E: Check the waiver box, if applicable and specify for which school(s), if necessary.

[School District Letterhead]

Sample Letter (this letter may be modified to reflect the district's actual commitment)

[Date]

Greetings SIG Cohort 3 Application Reviewers;

I understand that the Oregon Department of Education (ODE) and the U.S. Education Department (USED) believe that a certain set of dispositions and skills are required to transform chronically underperforming schools. [The letter may continue in either of the following two directions.]

1. As such and as part of the School Improvement Grant (SIG) process, I, Superintendent of [school district], agree to solicit applicants for Turnaround Principal candidates for schools for which the district receives a SIG award to implement either the SIG turnaround model or the SIG transformation model, where required to do so. Job postings for positions will be differentiated from other administrator postings and will align to both the specific SIG requirements and the turnaround principles outlined by ODE.

[School district] will seek to recruit and interview no fewer than three (3) external candidates. Since the district believes that it may be a significant challenge to attract three or more highly qualified candidates with experience turning around schools, the district will arrange for and will advertise one or more incentives (funded by the SIG award) possibly including a substantially higher salary, a hiring bonus, paid moving expenses, paid housing, or bonuses contingent upon the school achieving certain goals after certain spans of time [please be specific about incentives the district is considering offering, including amounts – feel free to consult ODE staff, if desired].

2. The current principal of [school] is [name of principal] and was hired on [date]. [School district] specifically hired [name of principal] to implement interventions aimed at turning around [school]. The following statements of evidence [and or attachments] are being provided to demonstrate that (a) the prior principal in the school was replaced as part of a broader reform effort, and (b) the new principal has the experience and skills needed to implement successfully a turnaround or transformation model. [See sections G-1, G-1a and G-1b of the SIG guidance for more information regarding this option.]
 - a. [Evidence]
 - b. [Evidence]
 - c. [Evidence, etc.]

Thank you for considering [school name] as a Cohort 3 SIG school.

Sincerely,

[School District Letterhead]

[Superintendent's signature]

[Association Letterhead]

Sample Letter (this letter may be modified to reflect the Association's actual commitment)

[Date]

Greetings SIG Cohort 3 Application Reviewers;

We understand that the U.S. Education Department (USED) has created specific School Improvement Grant (SIG) requirements and that school districts receiving SIG funds must comply with the following list of required activities, depending on which SIG model is selected:

SIG Requirements for the Turnaround and Transformation Models KEY: X = Required O = Permissible	Turnaround	Transformation
Replace the principal.	X	X
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.	X	O
Use rigorous, transparent, and equitable evaluation systems for principals and teachers that take into account data on student growth as a significant factor as well as other factors and are designed and developed with teacher and principal involvement.	O	X
Identify and reward school leaders, teachers and other staff who, in implementing this model, have increased student achievement and high school graduation rates.	O	X
Remove school leaders, teachers and other staff who, after ample opportunities have been provided for them to improve their professional practice, have not done so.	O	X
Using locally adopted competencies to measure the effectiveness of staff who can work within the turnaround environment to meet the needs of students, screen all existing staff and rehire no more than 50 percent, and select new staff.	X	
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.	X	X
Establish schedules and implement strategies that provide increased learning time (that is available to all students).	X	X

[Association Letterhead]

SIG Requirements for the Turnaround and Transformation Models KEY: X = Required O = Permissible	Turnaround	Transformation
Provide staff ongoing, high-quality, job-embedded professional development 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.	X	X
Provide appropriate social-emotional and community-oriented services and supports for students.	X	O
Provide ongoing mechanisms for family and community engagement.	O	X
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.	X	X
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.	X	X
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.	X	X
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).		X

This letter serves as acknowledgement of the expectations of the SIG program and denotes Oregon Education Association’s support of [school district]’s application on behalf of [school]. We agree to support the district and the school in fulfilling the aforementioned requirements during and throughout implementation of the School Improvement Grant.

Thank you for considering [school name] as a Cohort 3 SIG school.

Sincerely,

[Association Representative’s signature]

If there are questions about this template, please contact Jesse Parsons at (503) 947-5602 or jesse.parsons@state.or.us

Enter School's State School ID Number Here ==>	
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School Information:	
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TI	School's 2013-14 T itle I Allocation:	
PI	SIG P re-Implementation Budget (Year 1 only)	
SI	School I mprovement Allocation (including SIG funds for SIG schools)	
SA	Amount from District's 'up to 20%' S et A side of 2013-14 Title IA that has been allocated to school (if any - priority and focus schools only):	
OF	O ther F ederal Funds Available to School:	
GF	G eneral F unds Allocated to School:	
OT	O ther Funds (PTA, Private Donations, Foundations, etc.) Available to School:	
Total Funds Available:		\$ -

\$ -	Total annual SIG Budget (Pre- Implementatio n plus Full Implementatio n)
------	--

District staff member who reviewed this budget prior to submission to ODE (or prior to upload into Indistar):	
Name:	
Phone:	
email:	

Object Code Key - If the Fund Code is TI, PI, or SA, then one of the below Object Codes must be used. Object codes should be used, if applicable, with other fund codes.

111	Licensed Salaries
112	Classified Salaries
113	Administrative Salaries
12x	Substitute Salaries
13x	Additional Salaries
2xx	Benefits
31x	Instructional, Technical and Professional Services
33x	Transportation
34x	Travel
35x	Communication
4xx	Instructional Supplies and Materials
64x	Dues and Fees

Fund Code Key

TI	School's T itle I Allocation
PI	SIG P re- I mplementation Budget
SI	S chool I mprovement Allocation (including SIG funds for SIG schools)
SA	District's "up to 20%" S et A side of Title I Funds Allocated to this School
OF	O ther F ederal Funds
GF	G eneral F unds
OT	O ther (all other funds not included in any of the above)

Five Key Areas of Effectiveness

DSC	D istrict and S chool Structure and C ulture
EE	E ducator E ffectiveness
FC	F amily and C ommunity Involvement
TL	T eaching and L earning
LDR	Technical and Adaptive L ea D e R ship

Indicator ID	Indicators grouped by the Five Key Areas of Effectiveness	SIG Requirements for the Turnaround and Transformation Models
District and School Structure and Culture		
DSC 1.1	The school's principal and staff work together to create a safe, respectful, culturally-inclusive environment with consistent school rules and expectations.	
DSC 1.2	The school's mission and goals reflect high expectations and a vision for equity for meeting the needs of all stakeholders.	
DSC 1.3	The school's leadership plans for and implements professional development preparing teachers to support parents in the education of their children by providing in-classroom	
DSC 1.4	School staff identify students who need additional learning time to meet standards and provides timely and effective programs of assistance.	Establish schedules and implement strategies that provide increased learning time (that is available to all students). (Turnaround and Transformation Models)
DSC 1.5	School staff assist students in successful transitions, as applicable, from early childhood into elementary, elementary to middle school, middle school to high school, and high school to post-	
DSC 1.6	School staff coordinates and integrates services and programs with the aim of optimizing the entire educational program to improve student learning.	Provide appropriate social-emotional and community-oriented services and supports for students. (Turnaround Model)
Educator Effectiveness		
EE 2.1	All instructional staff at the school collaboratively plan for sound instruction in a variety of instructional modes.	
EE 2.2	All teachers use instructional strategies and initiatives that are grounded in evidence-based practices, strengthen the core academic program, increase the quality and quantity of learning time, and address the learning needs of all students.	
EE 2.3	Professional development activities for all staff (principals, teachers, and paraprofessionals) are aligned to ensure continued growth in content knowledge as well as in effective instructional delivery.	Provide staff ongoing, high-quality, job-embedded professional development 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. (Turnaround and Transformation Models)

Indicator ID	Indicators grouped by the Five Key Areas of Effectiveness	SIG Requirements for the Turnaround and Transformation Models
EE 2.4	Instructional teams use a variety of data to assess strengths and weaknesses of the curriculum and instructional strategies and make necessary changes.	
EE 2.5	All instructional staff in the school use sound classroom management practices that encourage student engagement and effect student learning.	
EE 2.6	Educator evaluations and support systems incorporate the elements of Oregon's framework of educator effectiveness.	Use rigorous, transparent, and equitable evaluation systems for teachers that take into account data on student growth as a significant factor as well as other factors and are designed and developed with teacher and principal involvement. (Transformation Model)
Family and Community Involvement		
FC 3.1	School staff create and maintain a welcoming environment for all families and community members.	
FC 3.2	School staff create and maintain connections between the school community and the broader community to support student learning.	
FC 3.3	The school's key documents (minimally, the school's improvement plan, parent involvement plan, compact, and student/parent handbook) are annually reviewed for revision and disseminated to all families in the school and translated as needed.	
FC 3.4	School staff educate families and provide needed resources for supporting their children's learning.	
FC 3.5	School staff ensure families have the opportunity for meaningful involvement in the school.	Provide ongoing mechanisms for family and community engagement. (Transformation Model)
FC 3.6	School leadership includes families on all decision-making and advisory committees and ensures training for such areas as policy, curriculum, budget, school reform initiatives, and safety.	

Indicator ID	Indicators grouped by the Five Key Areas of Effectiveness	SIG Requirements for the Turnaround and Transformation Models
FC 3.7	School staff involves parents and students in setting student goals and preparing the student for post-secondary education and careers.	
FC 3.8	School staff uses a variety of tools on a regular basis to facilitate two-way communication among stakeholders.	
Teaching and Learning		
TL 4.1	All instructional staff at the school are engaged in aligning instruction and local assessments to state standards.	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. (Turnaround and Transformation Models)
TL 4.2	A system is in place for assessing and monitoring student achievement relative to state standards.	
TL 4.3	All instructional staff at the school are engaged in the analysis of student assessments that are aligned with standards.	
TL 4.4	All instructional staff at the school use assessment data in planning and delivering differentiated, standards based instruction.	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. (Turnaround and Transformation Models)
Technical and Adaptive Leadership		
LDR 5.1	A distributed leadership process is used to build the capacity of others in the school.	
LDR 5.2	School leadership ensures that classroom observations and other observations of teacher behaviors are aligned with evaluation criteria and professional development needs.	
LDR 5.3	School leadership has established team structures with clear and specific duties.	

Indicator ID	Indicators grouped by the Five Key Areas of Effectiveness	SIG Requirements for the Turnaround and Transformation Models
LDR 5.4	School leadership is afforded proper authority to make necessary decisions that result in increased learning outcomes.	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. (Turnaround and Transformation Models)
LDR 5.5	School leaders actively promote a shared vision for equity, cultural competence, and high expectations.	
LDR 5.6	The principal has the skills to guide, direct, and motivate the staff toward increased student achievement.	Identify and reward teachers and other staff who, in implementing this model, have increased student achievement and high school graduation rates. (Transformation Model)
LDR 5.7	The principal ensures that all teachers are highly qualified [and can effectively work within the school environment to meet the needs of students] in their assignment.	Using locally adopted competencies to measure the effectiveness of staff who can work within the turnaround environment to meet the needs of students, screen all existing staff and rehire no more than 50 percent, and select new staff. (Turnaround Model) Remove teachers and other staff who, after ample opportunities have been provided for them to improve their professional practice, have not done so. (Transformation Model)
LDR 5.8	School leadership has a plan to recruit and retain highly qualified [and highly effective] staff.	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. (Turnaround and Transformation Models)
LDR 5.9	School leadership facilitates an annual evaluation of the implementation and results achieved by the school's improvement plan.	

Indicator ID	Indicators grouped by the Five Key Areas of Effectiveness	SIG Requirements for the Turnaround and Transformation Models
LDR 5.10	School leadership facilitates a needs assessment based on student achievement and the key areas of effectiveness (technical and adaptive leadership, educator effectiveness, teaching and learning, district and school structure and culture, and family and community involvement).	

	For expenditures associated with these district level requirements, leave the indicator column blank.	District Level SIG Requirements for the Turnaround and Transformation Models
		Replace the principal. (Turnaround and Transformation Models)
		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. (Turnaround Model)
		Use rigorous, transparent, and equitable evaluation systems for principals that take into account data on student growth as a significant factor as well as other factors and are designed and developed with principal involvement. (Transformation Model)
		Identify and reward school leaders who, in implementing this model, have increased student achievement and high school graduation rates. (Transformation Model)
		Remove school leaders who, after ample opportunities have been provided for them to improve their professional practice, have not done so. (Transformation Model)
		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). (Transformation Model)

	DSC	EE	FC	TL	LDR	Not Associated with an Indicator	Totals
	District and School Structure and Culture	Educator Effectiveness	Family and Community Involvement	Teaching and Learning	Technical and Adaptive Leadership		
111 Licensed Salaries							\$ -
112 Classified Salaries							\$ -
113 Administrative Salaries							\$ -
12x Substitute Salaries							\$ -
13x Additional Salaries							\$ -
2xx Benefits							\$ -
31x Instructional, Technical and Professional Services							\$ -
33x Transportation							\$ -
34x Travel							\$ -
35x Communication							\$ -
4xx Instructional Supplies and Materials							\$ -
64x Dues and Fees							\$ -
Other Object Codes (non-Federal Funds only)							\$ -
Totals	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total FTE:	0.00	0.00	0.00	0.00	0.00	0.00	0.00
District Indirect (%) - Enter the percent for your district in the yellow box (only taken from SI and PI funds).							\$ -

		Allocation	Amount Budgeted	Amount Still Available
TI	School Level Title I Allocation	\$ -	\$ -	\$ -
PI	SIG Pre-Implementation Budget	\$ -	\$ -	\$ -
SI	School Improvement Allocation (including SIG funds for SIG schools)	\$ -	\$ -	\$ -
SA	Amount of District's Up-To 20% Set Aside Allocated to this School	\$ -	\$ -	\$ -
OF	Amount of Other Federal Funds Available to this School	\$ -	\$ -	\$ -
GF	Amount of General Funds Allocated to this School	\$ -	\$ -	\$ -
OT	Amount of Other Funds Available to this School	\$ -	\$ -	\$ -
Totals		\$ -	\$ -	\$ -

GUIDANCE
ON
FISCAL YEAR 2010 SCHOOL IMPROVEMENT GRANTS
UNDER SECTION 1003(g) OF THE ELEMENTARY AND SECONDARY EDUCATION
ACT OF 1965



U.S. Department of Education
Office of Elementary and Secondary Education

March 1, 2012

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School Improvement Grants Under Section 1003(g) of the Elementary and Secondary Education Act of 1965

PURPOSE OF THIS GUIDANCE

The School Improvement Grants (SIG) program is authorized by section 1003(g) of the Elementary and Secondary Education Act of 1965 (ESEA). Under section 1003(g)(1) of the ESEA, the Secretary must “award grants to States to enable the States to provide subgrants to local educational agencies for the purpose of providing assistance for school improvement consistent with section 1116.” From a grant received pursuant to that provision, a State educational agency (SEA) must subgrant at least 95 percent of the funds it receives to its local educational agencies (LEAs) for school improvement activities. In awarding such subgrants, an SEA must “give priority to the local educational agencies with the lowest-achieving schools that demonstrate — (A) the greatest need for such funds; and (B) the strongest commitment to ensuring that such funds are used to provide adequate resources to enable the lowest-achieving schools to meet the goals under school and local educational agency improvement, corrective action, and restructuring plans under section 1116.” The regulatory requirements implement these provisions, defining LEAs with the “greatest need” for SIG funds and the “strongest commitment” to ensure that such funds are used to raise substantially student achievement in the persistently lowest-achieving schools in the State.

The Consolidated Appropriations Act, 2010, which was signed into law by President Obama on December 16, 2009, included two critical changes to the SIG program that apply to fiscal year (FY) 2010 SIG funds, including any FY 2009 SIG funds that SEAs, in accordance with the SIG final requirements, carry over and combine with FY 2010 SIG funds for award in the FY 2010 SIG competition. First, the Consolidated Appropriations Act, 2010 allows SEAs and LEAs to use SIG funds to serve certain “newly eligible” schools (*i.e.*, certain low-achieving schools that are not Title I schools in improvement, corrective action, or restructuring). Second, the law increases the amount that an SEA may award for each school participating in the SIG program from \$500,000 annually to \$2 million annually.

The final requirements for the SIG program, set forth in 75 FR 66363 (Oct. 28, 2010) (final requirements), implement both the requirements of section 1003(g) of the ESEA and the flexibilities for the SIG program provided through the Consolidated Appropriations Act, 2010. The Department issued guidance to provide assistance to SEAs, LEAs, and schools in implementing the final requirements on January 20, 2010 and updated that guidance to include addenda that were released in February, March, May, and June 2010, respectively (collectively, FY 2009 guidance).

The FY 2009 guidance focused on the implementation of the SIG program using FY 2009 funds. This guidance contains many of the same questions as the FY 2009 guidance but focuses on implementation of the SIG program using FY 2010 funds and FY 2009 carryover funds. In particular, the following questions were newly added for this guidance: A-30a, A-30b, A-30c, A-30d, A-30e, A-30f, A-30g, A-30h, A-30i, A-30j, A-30k, C-10, D-1a, E-10a, E-11a, F-7a, G-1c, G-6a, G-6b, H-4a, H-12a, H-12b, H-19a, H-21a, I-20a, I-24a, J-1, J-2, J-3, J-4, J-5, J-6, J-7, J-8, J-9, J-10, J-11, J-12, J-13, and J-14. The following questions that were included in the FY 2009 guidance have been removed: G-11, I-22a, I-22b, I-23, J-1, J-2, and J-3. The following questions that were included in the FY 2009 guidance have been modified: A-17a, A-17b, A-18, A-30, B-2, B-3, B-8, E-16, F-1, F-2,

G-1a, G-3, G-4, G-5, G-6, G-7, G-8, H-3, H-4, H-6, H-7, H-13, H-18, H-21, H-25, I-1, I-3, I-10a, I-10b, I-15, I-20, I-21, I-22, I-26, I-29, and K-4.

On February 16, 2011, the Department issued additional guidance as an addendum to the November 1, 2010 guidance. This document incorporates the revisions in the addendum to questions F-5 and H-21. The addendum also included the following new questions, which are also now added to this document: F-5a, H-21b, I-31, and J-1a.

The Department may supplement this document with additional guidance in the future. This guidance does not impose any requirements beyond those required to comply with applicable law or regulations. It does not create or confer any rights for or on any person. If you are interested in commenting on this guidance, please e-mail us your comments at OESEGuidanceDocument@ed.gov or write to us at the following address:

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A. DEFINITIONS

“Persistently Lowest-Achieving Schools” (Schools that an SEA Must Identify as Tier I and Tier II Schools)

A-1. What is the definition of “persistently lowest-achieving schools”?

“Persistently lowest-achieving schools” means, as determined by the State:

- (a) Any Title I school in improvement, corrective action, or restructuring that —
 - (i) Is among the lowest-achieving five percent of Title I schools in improvement, corrective action, or restructuring or the lowest-achieving five Title I schools in improvement, corrective action, or restructuring in the State, whichever number of schools is greater; or
 - (ii) Is a high school that has had a graduation rate as defined in 34 C.F.R. § 200.19(b) that is less than 60 percent over a number of years;

and

- (b) Any secondary school that is eligible for, but does not receive, Title I funds that —
 - (i) Is among the lowest-achieving five percent of secondary schools or the lowest-achieving five secondary schools in the State that are eligible for, but do not receive, Title I funds, whichever number of schools is greater; or
 - (ii) Is a high school that has had a graduation rate as defined in 34 C.F.R. § 200.19(b) that is less than 60 percent over a number of years.

A school that falls within the definition of (a) above is a “Tier I” school and a school that falls within the definition of (b) above is a “Tier II” school for purposes of using SIG funds under section 1003(g) of the ESEA. At its option, an SEA may identify additional schools as Tier I or Tier II schools (see A-20 through A-29).

A-2. Does a Title I high school need to meet both the requirements in paragraphs (a)(i) and (a)(ii) of the definition of “persistently lowest-achieving schools” set forth in A-1 to be identified?

No. In fact, the requirements in paragraphs (a)(i) and (a)(ii) of the definition of “persistently lowest-achieving schools” are mutually exclusive. In other words, paragraph (a)(ii) is intended to capture those Title I high schools that have a graduation rate that is less than 60 percent over a number of years that are not among the lowest-achieving Title I schools in the State in terms of the academic achievement of their students. As a result, in identifying the State’s persistently lowest-achieving Title I schools, an SEA would first determine its lowest-achieving five percent of such schools, or lowest-achieving five schools, and then add to that list any Title I high schools that have a graduation rate less than 60 percent over a number of years. (See A-11 and A-17, Steps 10-11.) An SEA would apply a similar analysis to secondary schools that are eligible for, but do not receive, Title I funds. (See A-17, Steps 15-16.)

A-3. What factors must an SEA consider to identify the persistently lowest-achieving schools in the State?

To identify the persistently lowest-achieving schools in the State, an SEA must take into account both—

- (a) The academic achievement of the “all students” group in a school in terms of proficiency on the State’s assessments under section 1111(b)(3) of the ESEA in reading/language arts and mathematics combined; and
- (b) The school’s lack of progress on those assessments over a number of years in the “all students” group.

A-4. For purposes of identifying the persistently lowest-achieving schools in the State, what assessments does an SEA use to determine academic achievement and lack of progress?

An SEA must use the State’s assessments in reading/language arts and mathematics required under section 1111(b)(3) of the ESEA. This includes the State’s general assessments, alternate assessments based on alternate academic achievement standards, and, if it has them, alternate assessments based on modified academic achievement standards in those subjects.

A-5. For purposes of identifying the persistently lowest-achieving schools in a State, what is the “all students” group?

The “all students” group is those students who take the State’s assessments in reading/language arts and mathematics required under section 1111(b)(3) of the ESEA—*i.e.*, students in grades 3 through 8 and high school. The “all students” group includes limited English proficient (LEP) students and students with disabilities, including students with disabilities who take an alternate assessment based on alternate academic achievement standards or modified academic achievement standards.

A-6. For purposes of identifying the persistently lowest-achieving schools in a State, which students does an SEA include to determine the percentage of students who are proficient in a school?

For purposes of identifying the persistently lowest-achieving schools in the State, an SEA may use the assessment results of all tested students in the “all students” group or the SEA may use only assessment results of tested students in the “all students” group who were enrolled in the same school for a “full academic year” as that term is defined in the State’s Accountability Workbook under section 1111 of the ESEA.

A-7. In determining proficiency of the “all students” group, does an SEA include students who are above proficient?

Yes. Proficiency includes any student who is proficient or above proficient. With respect to students with disabilities who take an alternate assessment based on alternate academic achievement standards or modified academic achievement standards, an SEA would include all students who score proficient on those assessments; the caps that apply to counting proficient scores on alternate assessments for purposes of adequate yearly progress determinations do not apply to the

determination of proficiency of the “all students” group for purposes of identifying the persistently lowest-achieving schools.

A-8. For purposes of identifying the persistently lowest-achieving schools in a State, what is a secondary school?

A secondary school is a school that provides “secondary education, as determined under State law, except that the term does not include any education beyond grade 12.” ESEA section 9101(38). Thus, whether a school is a secondary school is dependent on how State law defines secondary education. Depending on State law, a secondary school most certainly would be any high school or K-12 school and might include a middle school or a K-8 school if grades 6 through 8 are part of secondary education under State law. An SEA may use whatever definition of secondary school it normally uses consistent with its State law.

A-9. For purposes of identifying the persistently lowest-achieving schools in a State, what does it mean to be a secondary school “that is eligible for” Title I funds?

A secondary school is “eligible” to receive Title I funds if it is eligible to receive such funds under section 1113(a) or 1113(b) of the ESEA. In other words, a secondary school can be eligible if its poverty percentage is above the district-wide poverty average, above the appropriate grade-span poverty average, or 35 percent or more. An SEA would most likely use an LEA’s ranking of its schools, by poverty, set forth in the LEA’s Title I, Part A plan to determine which secondary schools are eligible for, but do not receive, Title I, Part A funds.

A-10. As used in the definition of “persistently lowest-achieving schools,” how many years make up a “number of years”?

An SEA has discretion in determining how it will define a “number of years.” An SEA may use as few as two. Moreover, an SEA need not define a “number of years” the same for purposes of determining whether a high school has had a graduation rate of less than 60 percent over “a number of years” as it does for purposes of considering a school’s lack of progress on the State’s assessments over “a number of years.”

A-11. From among which sets of schools must an SEA identify the lowest-achieving five percent or the lowest-achieving five schools?

To identify the persistently lowest-achieving schools in the State, an SEA must select two sets of schools—(a) Title I schools at any grade level that are in improvement, corrective action, or restructuring as defined in section 1116 of the ESEA; and (b) secondary schools that are eligible for, but do not receive, Title I, Part A funds—and identify the lowest-achieving five percent or lowest-achieving five schools in each set, whichever is greater. For example, if a State has 2000 schools, including 400 Title I schools, 200 of which are in improvement, corrective action, or restructuring, an SEA would identify the persistently lowest-achieving five percent of those 200 Title I schools—*i.e.*, the persistently lowest-achieving ten Title I schools in improvement, corrective action, or restructuring. Similarly, if a State has 1000 schools, including 100 Title I schools, 50 of which are in improvement, corrective action, or restructuring, an SEA would identify the persistently lowest-achieving five schools of those 50 Title I schools in improvement, corrective action, or restructuring.

(because five is greater than five percent of 50 schools). An SEA would do the same for the set of secondary schools that are eligible for, but do not receive, Title I, Part A funds.

Note that, in addition to the lowest-achieving five percent of schools (or lowest-achieving five schools) identified in this manner, an SEA must identify as persistently lowest-achieving schools any high schools in each set of schools that are not captured on the basis of academic achievement but that have had a graduation rate of less than 60 percent over a number of years.

A-12. May an SEA weight differently the two factors it must consider in identifying the persistently lowest-achieving schools (*i.e.*, academic achievement of the “all students” group and lack of progress on the State’s assessments)?

An SEA has discretion to determine the weight it gives to these two factors in identifying the persistently lowest-achieving schools. For example, an SEA might weight them 50-50 or it might weight achievement or lack of progress more heavily. The goal is for the SEA to identify the persistently lowest-achieving schools in the State based on proficiency in reading/language arts and mathematics and lack of progress in order to best represent the persistently lowest-achieving schools in the State that will benefit most from the rigorous interventions required for those schools.

A-13. In ranking its schools on the basis of each school’s academic achievement results of the “all students” group and lack of progress on the State’s assessments for purposes of identifying the persistently lowest-achieving schools in the State, may an SEA give different weight to its secondary schools and its elementary schools?

An SEA has discretion to determine the proper weight to give to the academic achievement or lack of progress of secondary schools and elementary schools. The goal is for the SEA to identify, on a fair and objective basis, the persistently lowest-achieving schools in the State. If the SEA believes that there are factors that contribute to a particular category of schools—*e.g.*, secondary schools—ranking lower than the SEA believes is warranted, perhaps because it is more difficult to show progress or to demonstrate proficiency at the secondary level, the SEA may take these factors into consideration in assigning weight to secondary schools. The SEA, however, should be able to justify any differential weights it assigns.

A-14. May an SEA take into account other factors in addition to those that it must consider in identifying the persistently lowest-achieving schools?

No. For example, an SEA may not also consider attendance rates or retention rates.

A-15. How can an SEA determine academic achievement in terms of proficiency of the “all students” group on the State’s reading/language arts and mathematics assessments combined to develop one list of schools that will enable it to identify the persistently lowest-achieving schools in the State?

To determine the persistently lowest-achieving schools in the State in terms of academic achievement, an SEA must rank each set of schools—*i.e.*, Title I schools in improvement, corrective action, or restructuring and secondary schools eligible for, but that do not receive, Title I funds—from highest to lowest in terms of proficiency of the “all students” group on the State’s reading/language arts and mathematics assessments combined. Accordingly, the SEA must have a

way to combine different proficiency rates between reading/language arts and mathematics for each school. There are likely a number of ways an SEA may do this. Below, we give two examples.

EXAMPLE 1

Single Percentage Method

Numerator:

Step 1: Calculate the total number of proficient students in the “all students” group in reading/language arts by adding the number of proficient students in each grade tested in a school. Calculate the total number of proficient students in the “all students” group in mathematics by adding the number of proficient students in each grade tested in the school.

Step 2: Add the total number of proficient students in reading/language arts and mathematics.

Denominator:

Step 3: Calculate the total number of students in the “all students” group in the school who took the State’s reading/language arts assessment and the total number of students in the “all students” group who took the State’s mathematics assessment.

Step 4: Add the total number of students in the “all students” group in the school who took the State’s reading/language arts assessment and the total number of students in the “all students” group who took the State’s mathematics assessment.

Note: In counting the total number of students who are proficient and the total number of students assessed, include the number of proficient students with disabilities who took an alternate assessment (based on alternate academic achievement standards or modified academic achievement standards) and the total number of students with disabilities who took an alternate assessment.

Step 5: Divide the numerator by the denominator to determine the percent proficient in reading/language arts and mathematics in the school.

Step 6: Rank the schools in each relevant set of schools from highest to lowest using the percentages in Step 5.

EXAMPLE 2

Adding Ranks Method

- Step 1: Calculate the percent proficient for reading/language arts for every school in the relevant set of schools using the most recent assessment data available. (Use the same data that the State reports on its report card under section 1111(h)(1)(C)(i) of the ESEA for the “all students” group.)
- Step 2: Calculate the percent proficient for mathematics for every school in the relevant set of schools using the most recent assessment data available. (Use the same data that the State reports on its report card under section 1111(h)(1)(C)(i) of the ESEA for the “all students” group.)
- Step 3: Rank order schools based on the percent proficient for reading/language arts from the highest percent proficient to the lowest percent proficient. The highest percent proficient would receive a rank of one.
- Step 4: Rank order schools based on the percent proficient for mathematics from the highest percent proficient to the lowest percent proficient. The highest percent proficient would receive a rank of one.
- Step 5: Add the numerical ranks for reading/language arts and mathematics for each school.
- Step 6: Rank order schools in each set of schools based on the combined reading/language arts and mathematics ranks for each school. The school with the lowest combined rank (*e.g.*, 2, based on a rank of 1 for both reading/language arts and mathematics) would be the highest-achieving school within the set of schools and the school with the highest combined rate would be the lowest-achieving school within the set of schools.

A-16. For purposes of identifying the persistently lowest-achieving schools, how can an SEA determine whether a school has demonstrated a “lack of progress over a number of years” on the State’s assessments?

An SEA has discretion in how it determines whether a school has demonstrated a “lack of progress” on the State’s assessments. Below are three examples of how an SEA can determine “lack of progress.” An SEA may use other reasonable approaches.

EXAMPLE 1

Lowest Achieving Over Multiple Years

An SEA repeats the steps in Example 1 or Example 2 in A-15 for two previous years for each school. Then, it selects the five percent of schools with the lowest combined percent proficient or highest numerical rank based on three years of data to define the persistently lowest-achieving schools in the State.

This same methodology could also be applied using other numbers of years (*e.g.*, two out of the last three years; three out of the last four years, etc.).

EXAMPLE 2

Lack of Specific Progress

An SEA establishes an amount of progress below which a school would be deemed to be demonstrating a “lack of progress.” For example, an SEA might determine that a school has demonstrated a lack of progress on the State’s assessments if its number of non-proficient students in the “all students” group in reading/language arts and mathematics combined has not decreased by at least 10 percent over the previous two (or three) years. The SEA would apply this standard to each school in its ranking in A-15 until the SEA had identified the lowest-achieving five percent or lowest-achieving five schools in the State in each relevant set of schools. Under this example, there are only two options: a school makes progress, as defined by the SEA, or the school does not.

EXAMPLE 3

Lack of Relative Progress

An SEA repeats the steps in Example 1 in A-15 for the previous year (or other number of previous years, as the SEA determines appropriate) for each school in each set of schools and compares the results to the ranking obtained for the most recent year to obtain the difference, which determines the school’s progress, or lack thereof. The SEA ranks those differences from highest to lowest. It then determines the lowest-achieving five percent or lowest-achieving five schools based on the combination of their percent proficient as well as their relative lack of progress. Under this example, two schools with similar proficiency percentages in the most recent year could rank differently depending on their relative amount of progress.

A-17. May an SEA exclude categories of schools in identifying the persistently lowest-achieving schools in the State?

Generally, no. An SEA may not exclude categories of schools in identifying the persistently lowest-achieving schools in the State, particularly if those categories would exclude whole subgroups of students. For example, it would be unacceptable for an SEA to exclude schools that are designed to serve students with disabilities or schools that serve only Native Americans. The goal of requiring an SEA to identify its persistently lowest-achieving schools is to include those schools in the State that have persistently failed to provide a quality education for their students, including schools serving special populations of students.

Within the definition of “persistently lowest-achieving schools,” however, an SEA has some flexibility in identifying those schools that are the lowest-achieving and for whom the school intervention models would hold the promise of significantly improving student achievement. For example, an SEA has flexibility with respect to how it defines “lack of progress,” the number of years over which lack of progress is determined, whether to include only students who attend a school for a full academic year, whether to apply an extended-year graduation rate definition, and how to weight the various elements that go into identifying the persistently lowest-achieving schools. (See A-6, A-12, A-13, and A-16.) Within the bounds of the flexibility provided, the goal is for an SEA to identify, on a fair and objective basis, the persistently lowest-achieving schools in the State.

One narrow exception to the general rule above may be a category consisting of schools specifically designed to serve over-age, under-credited students—*i.e.*, schools designed to re-engage students who have dropped out of high school and who, by definition, cannot graduate within the standard number of years. Such a category would include schools that might automatically be identified as among the persistently lowest-achieving schools by virtue of the 60 percent graduation rate prong of the definition. Within this category, an SEA may decide, on a case-by-case basis, giving careful consideration to the mission of a particular school, student performance, and the intent of the SIG final requirements, to exclude such a school from its list of persistently lowest-achieving schools.

In developing its list of persistently lowest-achieving schools, an SEA should bear in mind that the Department will make the list and the factors the SEA used to develop the list available to the public through the Department’s Web site.

A-17a. What may an SEA do if the secondary schools the SEA is identifying as Tier II schools are significantly higher achieving than Title I-participating secondary schools that the SEA cannot identify as Tier I schools?

In promulgating the definition of “persistently lowest-achieving schools” in section I.A.3 of the final requirements, the Department intended to capture the lowest-achieving secondary schools in each State, including Title I-participating secondary schools (*i.e.*, Tier I schools) as well as secondary schools that are eligible for, but do not receive, Title I, Part A funds (*i.e.*, Tier II schools). With this definition, the Department believed that an SEA would identify the secondary schools with the greatest need for funds to implement one of the four school intervention models, regardless of the schools’ participation in Title I.

If an SEA finds that its initial Tier II list includes secondary schools that are significantly higher achieving than many Title I-participating secondary schools that are not among the persistently lowest-achieving schools in Tier I but are nevertheless in tremendous need of the whole-school reform contemplated by the four school intervention models, the SEA has two options. First, the SEA may exercise the flexibility offered in the final requirements to identify additional Tier II schools—*i.e.*, a school that is eligible to receive Title I, Part A funds, is no higher achieving than the highest-achieving Tier II school that the SEA identified as a persistently lowest-achieving school under the definition in section I.A.3 of the final requirements, and has missed adequate yearly progress (AYP) for at least two consecutive years or is in the lowest quintile of schools in the SEA in terms of proficiency rates on the SEA’s reading/language arts and mathematics assessments combined. A Title I participating secondary school in improvement, corrective action, or restructuring that is not identified as a Tier I school but is lower-achieving than the highest-achieving Tier II school would meet these criteria; thus, an SEA may add that school to its list of Tier II schools.

Second, an SEA may request a waiver of the regulatory definition of Tier II schools in section I.A.1(b) and paragraph (a)(2) in the definition of “persistently lowest-achieving schools” in section I.A.3 of the final requirements in order to include Title I-participating secondary schools that either have missed AYP for two consecutive years or are in the lowest quintile of schools in the State in terms of proficiency and are not identified as persistently lowest-achieving schools in Tier I (Tier II waiver). In effect, the Department would waive the restriction in the definition of “persistently

lowest-achieving schools” that secondary schools identified under paragraph (a)(2) are schools that “do not receive Title I, Part A funds,” and, thus, permit the SEA to expand the pool of secondary schools from which it selects its persistently lowest-achieving schools (*i.e.*, the lowest-achieving five percent or five schools). In other words, an SEA receiving such a waiver would be permitted to include in Tier II those Title I-participating secondary schools made eligible to receive SIG funds by the Consolidated Appropriations Act, 2010 and the Department’s final SIG requirements. In requesting such a waiver, an SEA must provide data that demonstrates 1) that the SEA is including all the newly eligible schools in its pool of secondary schools from which it will identify those that are persistently lowest-achieving, and 2) that doing so results in identification of the State’s lowest-achieving secondary schools. An SEA that is generating new lists of Tier I, Tier II, and Tier III schools for purposes of its FY 2010 SIG competition may request this waiver through its application for FY 2010 SIG funds. However, an SEA that received this waiver for FY 2009 and is using its FY 2009 lists of Tier I, Tier II, and Tier III schools to award FY 2010 SIG funds does not need to request this waiver again (see A-30i). (Modified for FY 2010 Guidance)

A-17b. May an SEA exclude very small schools from its list of persistently lowest-achieving schools?

The definition of “persistently lowest-achieving schools” in the final requirements presumes that an SEA will identify its lowest-achieving schools, regardless of their size. If an SEA finds, in doing so, that its list includes very small schools whose identification as persistently lowest achieving may be invalid or unreliable due to the small number of students on whom that identification is based, the SEA may request a waiver of the definition in section I.A.3 of the final requirements in order to apply a “minimum n” below which the SEA would not identify a school (n-size waiver). A “minimum n” would be based on the number of students in the “all students” group in all the grades assessed and may include only those students that have been in the school for a “full academic year” as the SEA defines that term in its State Accountability Workbook. If an SEA requests such a waiver, we would expect the SEA’s “minimum n” to be no larger than the “minimum n,” if any, it is approved to use for subgroup accountability in determining AYP. Moreover, the SEA must include its “minimum n” in its definition of “persistently lowest-achieving schools” and explain why it believes excluding small schools furthers the intent and purposes of the SIG program. The SEA must include in its waiver request the name, size, and proficiency rate of each school that it proposes to exclude from its list of persistently lowest-achieving schools, and, as a condition of receiving the waiver, must post this information on its Web site along with its definition and list of persistently lowest-achieving schools. In addition, the SEA must include any schools that are excluded from Tier I or Tier II due to a “minimum-n” requirement in its list of Tier III schools, and we encourage the SEA to give priority in awarding SIG funds to LEAs that apply to serve such schools. An SEA that is generating new lists of Tier I, Tier II, and Tier III schools for purposes of its FY 2010 SIG competition may request this waiver through its application for FY 2010 SIG funds. However, an SEA that received this waiver for FY 2009 and is using its FY 2009 lists of Tier I, Tier II, and Tier III schools to award FY 2010 SIG funds does not need to request this waiver again (see A-30i). (Modified for FY 2010 Guidance)

A-17c. If an SEA does not have sufficient data to implement its definition of “persistently lowest-achieving schools” with respect to a particular school, may the SEA exclude that school from its list?

Yes. There may be factors in an SEA’s definition of “persistently lowest-achieving schools” that require the SEA to have multiple years of data. For example, of its lowest-achieving schools based on proficiency, an SEA must determine which of those schools also has demonstrated a “lack of progress...over a number of years.” See paragraph (b)(ii) in the definition of “persistently lowest-achieving schools” in section I.A.3 of the final requirements. If a school lacks part of the data necessary for the SEA to apply its definition to the school, for example because the school does not have any students who have attended the school for a full academic year, the SEA may exclude the school from its list of persistently lowest-achieving schools. Such a school would still be taken into consideration as part of the base on which the five percent is calculated.

A-17d. If an SEA or LEA has initiated steps to close a school, must the SEA include the school on its list of persistently lowest-achieving schools?

No. An SEA is not required to include on its list of persistently lowest-achieving schools a school that an SEA or LEA has initiated steps to close.

A-18. What is the complete sequence of steps an SEA should use to develop its final list of the persistently lowest-achieving schools in the State?

The precise sequence of steps an SEA should use to develop its final list of persistently lowest-achieving schools in the State may depend on the methods it is using for combining proficiency rates in reading/language arts and mathematics and for determining lack of progress. In general, however, an SEA should follow these steps:

Step 1: Determine all relevant definitions—*i.e.*, the definition of “secondary school,” the definition of a “number of years” for purposes of determining whether a high school has a graduation rate less than 60 percent, and the definition of a “number of years” for purposes of determining “lack of progress” on the State’s assessments.

Step 2: Determine the number of schools that make up five percent of schools in each of the relevant sets of schools (*i.e.*, five percent of Title I schools in improvement, corrective action, or restructuring and five percent of the secondary schools that are eligible for, but do not receive, Title I funds) (for FY 2010, see A-30d and A-30g); determine whether that number or the number five should be used to determine the lowest-achieving schools in each relevant set of schools, depending on which number is larger.

Step 3: Determine the method for calculating combined English/language arts and mathematics proficiency rates for each school (see A-15).

Step 4: Determine the method for determining “lack of progress” by the “all students” group on the State’s assessments (see A-16).

Step 5: Determine the weights to be assigned to academic achievement of the “all students” group and lack of progress on the State’s assessments (see A-12).

Step 6: Determine the weights to be assigned to elementary schools and secondary schools (see A-13).

- Step 7: Using the process identified in Step 3, rank the Title I schools in improvement, corrective action, or restructuring from highest to lowest based on the academic achievement of the “all students” group.
- Step 8: Using the process identified in Step 4, as well as the relevant weights identified in steps 5 and 6, apply the second factor—lack of progress—to the list identified in Step 7.
- Step 9: After applying lack of progress, start with the school at the bottom of the list and count up to the relevant number determined in Step 2 to obtain the list of the lowest-achieving five percent (or five) Title I schools in improvement, corrective action, or restructuring (for FY 2010, see A-30h).
- Step 10: Identify the Title I high schools in improvement, corrective action, or restructuring that have had a graduation rate of less than 60 percent over a number of years (as defined in Step 1) that were not captured in the list of schools identified in Step 9.
- Step 11: Add the high schools identified in Step 10 to the list of schools identified in Step 9.
- Step 12: Using the process identified in Step 3, rank the secondary schools that are eligible for, but do not receive, Title I funds from highest to lowest based on the academic achievement of the “all students” group.
- Step 13: Using the process identified in Step 4, as well as the relevant weights identified in steps 5 and 6, apply the second factor—lack of progress—to the list identified in Step 12.
- Step 14: After applying lack of progress, start with the school at the bottom of the list and count up to the relevant number determined in Step 2 to obtain the list of the lowest-achieving five percent (or five) secondary schools that are eligible for, but do not receive, Title I funds (for FY 2010, see A-30h).
- Step 15: Identify the high schools that are eligible for, but do not receive, Title I funds and that have had a graduation rate of less than 60 percent over a number of years (as defined in Step 1) that were not captured in the list of schools identified in Step 14.
- Step 16: Add the high schools identified in Step 15 to the list of schools identified in Step 14.

As exemplified in the table below, together, the two lists of schools resulting from Steps 11 and 16 make up the State’s persistently lowest-achieving schools. The list of schools resulting from Step 11 will constitute the Tier I schools and the list of schools resulting from Step 16 will constitute the Tier II schools for purposes of using SIG funds under section 1003(g) of the ESEA. Except as explained in A-22, all Title I participating schools in improvement, corrective action, or restructuring that are not on the list resulting from Step 11 will constitute Tier III schools for purposes of using SIG funds under section 1003(g) of the ESEA.

<u>List Resulting from Step 11 (Tier I)</u>	<u>List Resulting from Step 16 (Tier II)</u>
Lowest-achieving five percent (or five) of Title I	Lowest-achieving five percent (or five) of

<u>List Resulting from Step 11 (Tier I)</u>	<u>List Resulting from Step 16 (Tier II)</u>
<p>schools in improvement, corrective action, or restructuring, obtained by:</p> <ul style="list-style-type: none"> • Ranking the Title I schools in improvement, corrective action, or restructuring from highest to lowest based on the academic achievement of the “all students” group; • Applying lack of progress to the rank order list; and • Counting up from the bottom of the list. <p>Plus</p> <p>Title I high schools in improvement, corrective action, or restructuring that have had a graduation rate less than 60 percent over a number of years (to the extent not already included).</p>	<p>secondary schools that are eligible for, but do not receive, Title I funds, obtained by:</p> <ul style="list-style-type: none"> • Ranking the secondary schools that are eligible for, but do not receive, Title I funds from highest to lowest based on the academic achievement of the “all students” group; • Applying lack of progress to the rank order list; and • Counting up from the bottom of the list. <p>Plus</p> <p>High schools that are eligible for, but do not receive, Title I funds and that have had a graduation rate less than 60 percent over a number of years (to the extent not already included).</p>

(Modified for FY 2010 Guidance)

A-19. Do provisions related to SIG funds in the Consolidated Appropriations Act, 2010 affect the definition of “persistently lowest-achieving schools” or the school intervention models?

No. The definition of “persistently lowest-achieving schools” and the school intervention models in the December 10, 2009 SIG final requirements have not changed. The provisions related to SIG funds in the Consolidated Appropriations Act, 2010, expand the group of schools that an SEA *may* identify as Tier I, Tier II, or Tier III schools *in addition to* the schools that the SEA *must* identify. See A-20 through A-30 for additional information about the schools an SEA may identify as Tier I, Tier II, or Tier III schools under the Consolidated Appropriations Act, 2010.

“Newly Eligible Schools” Under the Consolidated Appropriations Act, 2010 (Schools that An SEA May Identify as Tier I, Tier II, or Tier III Schools)

A-20. What is a “newly eligible school,” as that phrase is used in this guidance?

A “newly eligible school” is a school that was made eligible to receive SIG funds by the Consolidated Appropriations Act, 2010.

A-21. Which newly eligible schools may an SEA identify as Tier I schools?

In addition to the list of schools resulting from Step 11 in A-18, at its option, an SEA may identify as a Tier I school an elementary school that is eligible for Title I, Part A funds and that:

- (A)(1) Has not made adequate yearly progress (AYP) for at least two consecutive years; or
- (2) Is in the State's lowest quintile of performance based on proficiency rates on the State's assessments under section 1111(b)(3) of the ESEA in reading/language arts and mathematics combined; and
- (B) Is no higher achieving than the highest-achieving school identified by the SEA under paragraph (a)(1)(i) of the definition of "persistently lowest-achieving schools" (step 9 in A-18).

A-22. Which newly eligible schools may an SEA identify as Tier II schools?

In addition to the list of schools resulting from Step 16 in A-18, at its option, an SEA may identify as a Tier II school a secondary school that is eligible for Title I, Part A funds and that:

- (A)(1) Has not made AYP for at least two consecutive years; or
- (2) Is in the State's lowest quintile of performance based on proficiency rates on the State's assessments under section 1111(b)(3) of the ESEA in reading/language arts and mathematics combined; and
- (B)(1) Is no higher achieving than the highest-achieving school identified by the SEA under paragraph (a)(2)(i) of the definition of "persistently lowest-achieving schools" (step 14 in A-18); or
- (2) Is a high school that has had a graduation rate as defined in 34 C.F.R. § 200.19(b) that is less than 60 percent over a number of years.

Note that a school that meets this definition may be a Title I school that is identified for improvement, corrective action, or restructuring but is not as low-achieving as those in Tier I. Accordingly, if a State chooses to include the schools that meet the definition above as Tier II schools, the State cannot include them in Tier III. As a result, Tier III may not include every Title I school in improvement, corrective action, or restructuring that is not a Tier I school; rather, Tier III would include every Title I school in improvement, corrective action, or restructuring that is not a Tier I *or* Tier II school.

A-23. In determining whether a newly eligible school is no higher achieving than the highest-achieving school that the SEA has identified as a persistently lowest-achieving school in Tier I or Tier II, what does the SEA consider?

In determining whether a newly eligible school is no higher achieving than the highest-achieving school that the SEA has identified as a persistently lowest-achieving school in Tier I or Tier II, as appropriate, the SEA must consider both the absolute achievement of students in the school in terms of proficiency on the State's reading/language arts and mathematics assessments combined

and the school's lack of progress, as defined by the SEA for purposes of identifying the State's persistently lowest-achieving schools.

A-24. Which newly eligible schools may be identified as Tier III schools?

In addition to the Title I schools in improvement, corrective action, or restructuring that are not Tier I (or Tier II) schools, at its option, an SEA may identify as a Tier III school a school that is eligible for Title I, Part A funds and that:

- (A) (1) Has not made AYP for at least two years; or
- (2) Is in the State's lowest quintile of performance based on proficiency rates on the State's assessments under section 1111(b)(3) of the ESEA in reading/language arts and mathematics combined; and
- (B) Does not meet the requirements to be a Tier I or Tier II school.

In accordance with this definition, an SEA may not identify as a Tier III school any newly eligible school that is as low achieving as a Tier I or Tier II school or a high school that has had a graduation rate below 60 percent over a number of years.

A-25. With respect to the newly eligible schools that may be identified as Tier I, Tier II, or Tier III schools, may a school that is "eligible for Title I, Part A funds" be *either* a school that is eligible for, but does not receive, Title I, Part A funds *or* a school that is eligible for, and does receive, Title I, Part A funds?

Yes. As used in the definitions of newly eligible schools that an SEA may identify as a Tier I, Tier II, or Tier III school, a school that is "eligible for Title I, Part A funds" may be a school that is eligible for, but does not receive, Title I, Part A funds or a school that is eligible for, and does receive, Title I, Part A funds (a Title I participating school). If a provision of the final requirements applies only to a school that is eligible for, but does not receive, Title I, Part A funds, as in the definition of a school that an SEA must identify as a Tier II school, that limitation is explicitly stated. (See A-9 for a discussion of what it means for a school to be "eligible for Title I, Part A funds.")

A-26. To be identified as a Tier III school, must a newly eligible school that is not in the State's lowest quintile of performance have failed to make AYP for two consecutive years?

No. A newly eligible school may be identified as a Tier III school if it has not made AYP for at least two years, even if those two years were not consecutive. In contrast, to be identified as a Tier I or Tier II school, a newly eligible school that is not in the State's lowest quintile of performance must have failed to make AYP for at least two consecutive years (and be as low achieving as the State's other Tier I or Tier II schools, respectively).

A-27. Must an SEA identify as Tier I, Tier II, or Tier III schools any of the newly eligible schools?

No. An SEA is not obligated to identify as Tier I, Tier II, or Tier III schools, as appropriate, any of the newly eligible schools. Rather, the SEA *may*, at its option, identify as Tier I, Tier II, or Tier III schools the newly eligible schools that meet the respective requirements for those tiers. Moreover, if an SEA chooses to identify newly eligible schools at all, it has the flexibility to identify only a subset of those schools as Tier I, Tier II, and Tier III schools. For example, an SEA might choose to identify newly eligible Tier I and Tier II schools, but not newly eligible Tier III schools, or it might add to Tier III only newly eligible schools that are in the lowest decile (rather than quintile) of schools in the State based on proficiency rates.

Although an SEA is not obligated to take advantage of this new flexibility, if it does so, it may identify in each tier only the schools that meet the requirements for that tier. For example, an SEA may not identify as a Tier III school a newly eligible school that meets the requirements to be identified as a Tier I or Tier II school.

A-28. Does an SEA’s decision to identify newly eligible schools as Tier I, Tier II, or Tier III schools affect the schools that it *must* identify as Tier I, Tier II, and Tier III schools?

No. Except as explained in A-22, an SEA’s decision to take advantage of the flexibility to identify newly eligible schools as Tier I, Tier II, or Tier III schools does not affect the schools it *must* identify as Tier I, Tier II, and Tier III schools. Regardless of whether an SEA chooses to identify any newly eligible schools, it must identify as Tier I and Tier II schools its persistently lowest-achieving schools, and it must identify as Tier III schools Title I schools in improvement, corrective action, or restructuring that are not Tier I schools. An SEA’s decision to take advantage of this new flexibility would merely result in additional schools being added to the respective tiers.

A-29. If an SEA does not identify any newly eligible schools as Tier I, Tier II, or Tier III schools, may an LEA identify these schools and apply for SIG funds to serve them?

No. The decision of whether to take advantage of the new flexibility to identify newly eligible schools as Tier I, Tier II, or Tier III schools belongs to the SEA. An LEA may apply to serve only schools that the SEA identifies as Tier I, Tier II, or Tier III schools.

A-30. If an SEA chooses to identify newly eligible schools as Tier I, Tier II, or Tier III schools, once identified, are those schools treated any differently than any other Tier I, Tier II, or Tier III schools?

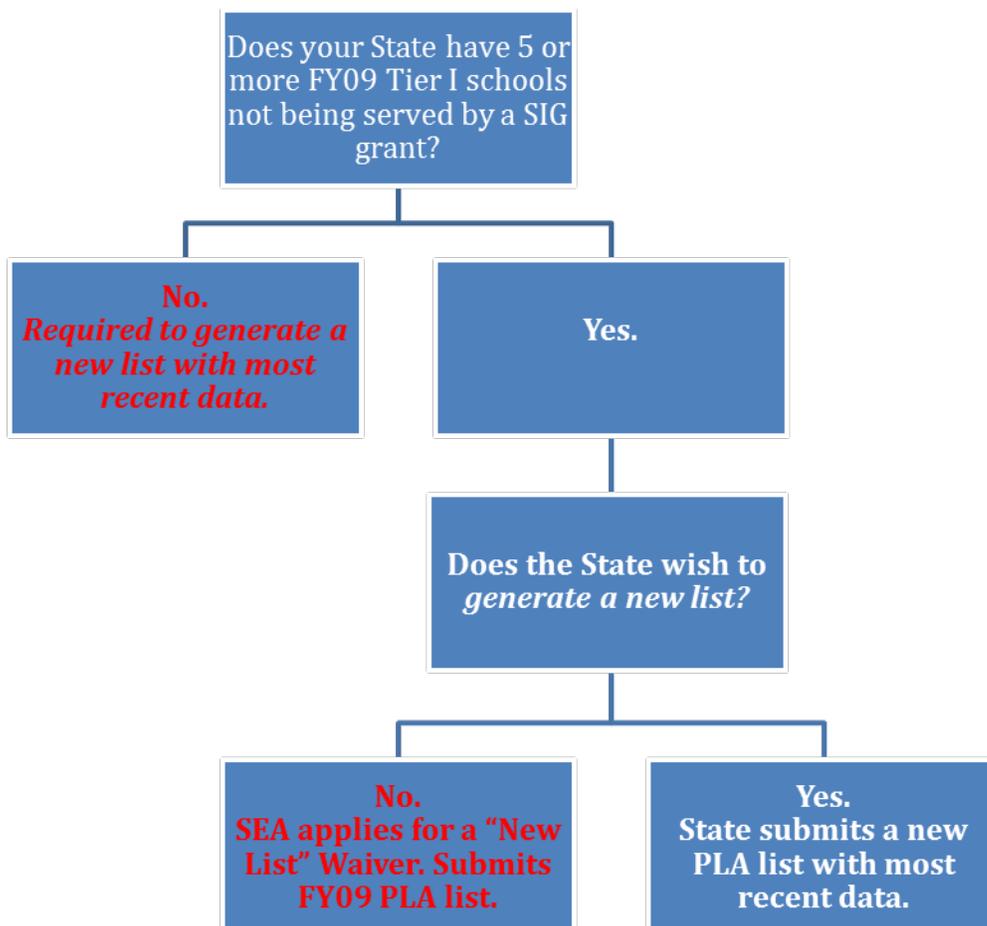
No. Once it is identified as a Tier I, Tier II, or Tier III school, a newly eligible school is treated the same as any other Tier I, Tier II, or Tier III school, respectively. Thus, for example, if a newly eligible school identified by the SEA as a Tier I school was not served with FY 2009 SIG funds, the SEA was required to carry over 25 percent of its FY 2009 funds to award along with its FY 2010 SIG funds (see I-22), unless it received a waiver of that requirement. Similarly, in order to receive SIG funds, an LEA must serve a newly eligible school identified as a Tier I school that is located within the LEA unless it establishes that it lacks capacity to do so (see H-6). In other words, all of the requirements that govern awarding funds for and serving Tier I, Tier II, and Tier III schools apply with respect to all schools in those tiers, regardless of whether they are newly eligible schools identified in those tiers at the SEA’s option. (Modified for FY 2010 Guidance)

Identifying Tier I, Tier II, and Tier III Schools for Purposes of Allocating FY 2010 and FY 2009 Carryover SIG Funds

For FY 2010, each State will fall into one of three categories: (1) States that are required to generate new lists of Tier I, Tier II, and Tier III schools; (2) States that voluntarily choose to generate new lists of Tier I, Tier II, and Tier III schools; and (3) States that choose to request a waiver to retain their FY 2009 lists of schools. Most States will fall into one of the latter two categories, and will therefore have the option of retaining the lists of Tier I, Tier II, and Tier III schools that they developed for FY 2009 and limiting eligibility for their FY 2010 competitions to those schools that were not served with funds as a result of the FY 2009 competition. In other words, most States will not have to generate new lists of Tier I, Tier II, and Tier III schools for FY 2010 unless they voluntarily choose to do so.

However, given the requirement that a State identify a minimum of five Tier I schools (section I.A.3 of the final requirements), some States will be required to generate new lists of Tier I, Tier II, and Tier III schools to ensure that they are complying with this requirement. In particular, a State that has fewer than five unserved Tier I schools remaining after conducting its FY 2009 competition will be required to generate new lists of Tier I, Tier II, and Tier III schools for FY 2010.

Accordingly, the following flowchart depicts the decision points for an SEA with respect to generating new lists of Tier I, Tier II, and Tier III schools for FY 2010:



Questions A-30a through A-30k explain how the requirements set forth above are to be implemented, including how a State that does generate new lists of Tier I, Tier II, and Tier III schools, either because it chooses to do so or because it is required to do so, must develop those lists.

A-30a. In preparing for the FY 2010 SIG competition (which includes FY 2010 funds and any FY 2009 carryover funds), must an SEA generate new lists of Tier I, Tier II, and Tier III schools using the most recent achievement and graduation rate data it has available?

As noted above, for FY 2010, each State will fall into one of three categories: (1) States that are required to generate new lists of Tier I, Tier II, and Tier III schools; (2) States that voluntarily choose to generate new lists of schools; and (3) States that choose to request a waiver to retain their FY 2009 lists of schools. Although the SIG program requires an SEA to develop new lists of Tier I, Tier II, and Tier III schools, the Department is offering a waiver to enable eligible States to retain their FY 2009 lists of schools in light of the fact that many States have several Tier I schools that remained unserved following their FY 2009 SIG competitions.

Section I.A.1 of the SIG final requirements provides that, “[t]o award School Improvement Grants to its LEAs, consistent with section 1003(g)(6) of the ESEA, an SEA must define three tiers of schools” Section II.B.10 of the SIG final requirements further provides that, “[i]n identifying Tier I and Tier II schools in a State for purposes of allocating funds appropriated for School Improvement Grants under section 1003(g) for any year subsequent to FY 2009, an SEA must exclude from consideration any school that was previously identified as a Tier I or Tier II school and in which an LEA is implementing one of the four interventions identified in these requirements using funds made available under section 1003(g) of the ESEA.” Taken together, these provisions require an SEA to update its list of Tier I and Tier II schools each year, *i.e.*, to apply its definition of “persistently lowest-achieving schools” to the most recent available data and identify new lists of Tier I, Tier II, and Tier III schools each year, excluding from consideration any Tier I or Tier II school already being served with SIG funds. These requirements ensure that each SEA’s list of its persistently lowest-achieving Title I schools is based on the most recent data and that those schools have an opportunity to receive SIG funds to implement one of the four school intervention models.

The Department recognizes, however, that many States have a number of unserved Tier I schools remaining on their FY 2009 lists and may wish to provide those schools another opportunity to apply for FY 2010 SIG funds and implement a school intervention model. Accordingly, States with five or more unserved Tier I schools (*i.e.*, schools that were identified as Tier I for purposes of the FY 2009 SIG competition but are not being served with FY 2009 SIG funds in the 2010–2011 school year) may apply for a waiver of the requirement to generate new lists of Tier I, Tier II, and Tier III schools (New List Waiver) (see A-30b, A-30c). Limiting this waiver to those States ensures that all States meet section I.A.3 of the SIG final requirements, which requires each SEA to identify a minimum of five Title I schools in Tier I for the FY 2010 SIG competition. For example, an SEA that identified eight schools as Tier I schools for purposes of its FY 2009 competition and awarded FY 2009 SIG funds to serve six of those schools, leaving two unfunded, would be required to generate new lists of Tier I, Tier II, and Tier III schools. On the other hand, if an SEA identified 30 schools as Tier I schools for purposes of its FY 2009 SIG competition and awarded SIG funds to

serve 20 of those schools, it may request a waiver so that it does not need to generate new lists of Tier I, Tier II, and Tier III schools based on more recent data. The remaining 10 Tier I schools would be eligible under the State's FY 2010 competition for SIG funds. (New for FY 2010 Guidance)

A-30b. What *must* an SEA with *fewer than five* unserved Tier I schools from its FY 2009 competition do to identify Tier I, Tier II, and Tier III schools for its FY 2010 competition?

An SEA with fewer than five unserved Tier I schools remaining from its FY 2009 competition for SIG funds must generate new lists of Tier I, Tier II, and Tier III schools based on the most recent available achievement and graduation rate data, applying its definition of persistently lowest-achieving schools and following the same general steps that it followed to identify its lists of schools for FY 2009. (See A-18, A-30d through A-30i.) (New for FY 2010 Guidance)

A-30c. What *may* an SEA with *five or more* unserved Tier I schools from its FY 2009 competition do with respect to identifying Tier I, Tier II, and Tier III schools for its FY 2010 competition?

An SEA with five or more unserved Tier I schools from its FY 2009 competition has two options: it may request a waiver to retain its FY 2009 lists of Tier I, Tier II, and Tier III schools or it may voluntarily generate new lists of schools.

Requesting a waiver: An SEA may choose to identify as eligible to receive SIG funds through its FY 2010 competition only those Tier I, Tier II, and Tier III schools that were identified for purposes of the FY 2009 competition but are not being served with SIG funds in 2010–2011. If it takes advantage of this flexibility (by requesting the New List Waiver), it need not take any additional action to update or modify its lists of Tier I, Tier II, and Tier III schools.

Voluntarily generating new lists: Alternatively, an SEA with five or more unserved Tier I schools from its FY 2009 competition has the option to generate new lists of Tier I, Tier II, and Tier III schools based on the most recent available achievement and graduation rate data. An SEA with five or more unserved Tier I schools also might generate new lists because it wants to begin taking advantage of the flexibility to identify “newly eligible schools” (see A-20 through A-30) as Tier I or Tier II schools, and it would have to generate new lists to ensure that it is identifying the right schools as “newly eligible.” If it chooses to generate new lists, the SEA would not request the new list waiver and generally would follow the same steps as would an SEA that is required to generate new lists of Tier I, Tier II, and Tier III schools. (See A-18, A-30d through A-30h.) (New for FY 2010 Guidance)

SEAs that Generate New Lists of Tier I, Tier II, and Tier III Schools (Either Voluntarily or Because They Must Do So)

A-30d. For an SEA that generates new lists of schools for its FY 2010 competition, from among which schools must the SEA identify the persistently lowest-achieving schools that comprise the core of Tier I and Tier II schools?

In general, an SEA that generates new lists of Tier I, Tier II, and Tier III schools would follow the same procedures it used in creating its FY 2009 lists of Tier I, Tier II, and Tier III schools, except

that it must use the most recent data available both to identify the pool of eligible schools and to assign schools to the respective tiers. (See A-18.) In establishing the schools from which to identify the persistently lowest-achieving schools that comprise the core of Tier I and Tier II schools — *i.e.*, not including “newly eligible” schools (see A-20 through A-30), respectively, the SEA must take into account the following:

Tier I:

- The schools from which the persistently lowest-achieving schools for Tier I are identified are all the schools being served with Title I, Part A funds in the 2010–2011 school year and that are identified for improvement, corrective action, or restructuring based on the most recent available data, *i.e.*, as the result of AYP determinations based on assessments administered in the 2009–2010 school year.
- A Title I participating school that was previously identified for improvement, corrective action, or restructuring but is no longer so identified because it is implementing the waiver that permits it to “start over” in the school improvement timeline and using SIG funds to implement either the turnaround model or the restart model in the 2010–2011 school year may not be part of the pool from which Tier I persistently lowest-achieving schools are identified (*i.e.*, because the school is no longer in improvement).

Tier II:

- The schools from which the persistently lowest-achieving schools for Tier II are identified are all the secondary schools that are eligible for, but do not receive, Title I, Part A funds in 2010–2011. (See A-8, A-9.)

See A-30g for additional information on including currently served Tier I, Tier II, and Tier III schools in the pool of schools from which an SEA identifies Tier I and Tier II schools for purposes of its FY 2010 competition. (New for FY 2010 Guidance)

A-30e. For an SEA that generates new lists of schools, will the number of schools the SEA identifies as persistently lowest achieving for FY 2010 be the same as the number of schools it identified for FY 2009?

Not necessarily. The pool of schools from which an SEA identifies its persistently lowest-achieving schools in Tier I and Tier II will likely change and, as a result, the number of schools an SEA must identify as persistently lowest-achieving for the FY 2010 SIG competition may change from the number it identified for FY 2009. For example, if a State had 90 Title I schools in improvement, corrective action, or restructuring last year (*i.e.*, in the 2009-2010 school year), the SEA was required to identify the lowest-achieving five of those schools (because five is greater than five percent). If that same State now (in the 2010-2011 school year) has 120 Title I schools in improvement, corrective action, or restructuring, it must identify the lowest-achieving six of those schools (*i.e.*, five percent of 120). Similarly, if a State had 120 secondary schools that were eligible for, but not receiving, Title I funds last year, the SEA was required to identify the lowest-achieving six of those schools (*i.e.*, five percent of 120). If the same State now has 100 secondary schools that are eligible for, but not receiving, Title I funds (*e.g.*, because it is serving more secondary schools with Title I funds), it must identify the lowest-achieving five of those schools. (New for FY 2010 Guidance)

A-30f. How should an SEA that is generating new lists of Tier I, Tier II, and Tier III schools for its FY 2010 SIG competition (either voluntarily or because it must do so) take into account Tier I, Tier II, and Tier III schools that were funded through the FY 2009 competition?

An SEA that is generating new lists of Tier I, Tier II, and Tier III schools must consider two questions in regard to Tier I, Tier II, and Tier III schools that received funding through the FY 2009 SIG competition and are implementing a school intervention model in the 2010–2011 school year:

- (1) whether such currently served schools must be included in the pool of schools from which the SEA identifies the bottom five percent of schools (or five schools) for Tiers I and II (see A-18, step 2); and
- (2) whether such currently served schools may be counted (even though Tier I and Tier II schools already being served are not eligible for funding in FY 2010) toward the number of Tier I and Tier II schools that the SEA must identify as the bottom five percent of schools (or five schools) for the purposes of the FY 2010 competition (see A-18, steps 9 and 14).

For a discussion of the first question, see A-30g. For a discussion of the second question, see A-30h.

A-30g. Must Tier I, Tier II, and Tier III schools served with SIG funds through the FY 2009 SIG competition be included in the pool of schools from which an SEA identifies the bottom five percent of schools (or five schools) for Tier I and Tier II for the FY 2010 competition?

The answer to this question must be determined separately for currently served Tier I, Tier II, and Tier III schools. For currently served Tier I schools, inclusion in the pool for FY 2010 depends on which school intervention model the LEA is implementing in those schools. As discussed above (see A-30d), Tier I schools that are implementing the turnaround or restart model and have received a waiver to “start over” in the school improvement timeline are no longer identified for improvement and thus may not be included in the pool of schools from which the bottom five percent of schools (or five schools) are identified as Tier I schools for the FY 2010 competition. However, Tier I schools that are implementing the transformation model are not eligible for the school improvement timeline waiver, retain their school improvement status, and, therefore, must be included in the pool from which the SEA identifies Tier I schools for the FY 2010 SIG competition.*

Currently served Tier II schools must be included in the pool of schools from which the SEA identifies the bottom five percent of schools (or five schools) as Tier II schools for the FY 2010 SIG competition as long as they continue to be eligible for, but do not receive, Title I, Part A funds (see A-30d).

* If a Title I school in improvement, corrective action, or restructuring was served as a Tier II school through the “Tier II waiver,” that school may be included in the pool from which Tier I schools are identified if it remains a Title I school in improvement, corrective action, or restructuring.

Currently served Tier III schools must be included in the pool of schools from which the SEA identifies the bottom five percent of schools (or five schools) as Tier I schools for the FY 2010 competition as long as they remain Title I schools in improvement, corrective action, or restructuring. Similarly, a currently served Tier III school must be included in the pool of schools from which the SEA identifies the bottom five percent of schools (or five schools) as Tier II schools if the Tier III school is a secondary school that is no longer receiving Title I funds, but remains eligible to receive Title I funds. If a currently served Tier III school falls in the bottom five percent of schools (or five schools) for either Tier I or Tier II for the FY 2010 competition, it would be identified as a Tier I or Tier II school, as appropriate, for purposes of FY 2010. (See H-12a.)

A-30h. May Tier I, Tier II, and Tier III schools served with SIG funds through the FY 2009 competition be counted toward the number of Tier I and Tier II schools that the SEA must identify as the bottom five percent of schools (or five schools) for purposes of the FY 2010 competition?

The answer to this question depends on whether the schools being counted are currently served Tier I or Tier II schools as opposed to currently served Tier III schools.

Currently Served Tier I or Tier II Schools

In accordance with section II.B.10 of the SIG final requirements, an SEA may not count currently served Tier I and Tier II schools toward the number of Tier I and Tier II schools that it must identify for the purposes of the FY 2010 SIG competition. For example, an SEA that identified 11 Tier I schools in FY 2009 and served five of those schools (Washington, Adams, Jefferson, Madison, and Monroe) with FY 2009 SIG funds may voluntarily choose to generate new lists of Tier I, Tier II, and Tier III schools. If that SEA had an increase in the number of its Title I schools identified for improvement, corrective action, or restructuring, it must now identify as Tier I schools that are eligible for funding through the FY 2010 SIG competition more than the 11 schools it identified in FY 2009; for example, it might have to identify the lowest-achieving 12 Title I schools in improvement, corrective action, or restructuring. If any of the State’s currently served Tier I schools continue to fall into the bottom five percent based on the most recent achievement data, the SEA must go further up its list to identify a total of 12 schools that are eligible for FY 2010 SIG funds, as depicted below.

Rank	School
12	Grant
11	Johnson
10	Lincoln
9	Buchanan
8	Pierce
7	Fillmore

Rank	School
6	Taylor
5	Polk
4	Tyler
3	Harrison
2	Van Buren
1	Jackson
	Madison
	Jefferson
	Adams
	Washington

Currently Served Tier III Schools

An SEA may count a currently served Tier III school toward the number of Tier I and Tier II schools that the SEA must identify for the purposes of the FY 2010 SIG competition if the currently served Tier III school falls within the bottom five percent (or five) of the pool of schools for Tier I or Tier II. (See H-12a for information on serving these schools in FY 2010.)

Note that, in addition to identifying the bottom five percent (or five) of the relevant pool of schools for Tier I and Tier II, an SEA must identify as Tier I and Tier II schools any high school within the relevant pool that has had a graduation rate below 60 percent over a number of years. (New for FY 2010 Guidance)

A-30i. Must an SEA that generates new lists of Tier I, Tier II, and Tier III schools request the Tier II waiver or n-size waiver, respectively, in its FY 2010 SIG application if it requested and received either or both of those waivers for FY 2009?

To the extent an SEA that generates new lists wishes to apply either the Tier II waiver (see A-17a) or the n-size waiver (see A-17b), it must request the waiver again. However, an SEA that does not generate new lists need not request either waiver again for FY 2010 if it received one or both waivers for FY 2009. (New for FY 2010 Guidance)

Other Changes to an SEA's Lists of Tier I, Tier II, and Tier III Schools

A-30j. May an SEA revise its definition of “persistently lowest-achieving schools” for purposes of identifying schools for its FY 2010 competition?

Yes. Any SEA may revise its definition of “persistently lowest-achieving schools” for purposes of identifying schools that are eligible for its FY 2010 competition. Such revisions might include, for example, revising the number of years over which “lack of progress” is determined or redefining the way in which the SEA combines achievement data for reading and mathematics. The revised definition must meet the requirements in Section I.A.3 of the SIG final requirements and must be approved by the Department.

An SEA that chooses to revise its definition of “persistently lowest-achieving schools” must apply the revised definition to develop new lists of Tier I, Tier II, and Tier III schools based on the most recent achievement and graduation rate data, following the steps set forth in A-18. (New for FY 2010 Guidance)

A-30k. May an SEA stop taking advantage of the flexibility to identify “newly eligible” schools?

Yes. An SEA that previously took advantage of the flexibility to identify newly eligible schools may decide it no longer wants to take advantage of this flexibility and remove those schools from its lists. An SEA may make this change to its lists of Tier I, Tier II, or Tier III schools even if it is not generating new lists of Tier I, Tier II, and Tier III schools. Note that, if an SEA does remove newly eligible schools from its list of Tier I, Tier II, and Tier III schools and, as a result, has fewer than five Tier I schools that were identified but not served with FY 2009 SIG funds, it would be required to generate new lists of Tier I, Tier II, and Tier III schools.

An SEA that did not previously take advantage of the flexibility to identify newly eligible schools and wishes to do so for purposes of identifying schools that are eligible for the FY 2010 SIG competition must generate new lists of Tier I, Tier II, and Tier III schools based on the most recent achievement and graduation rate data. (New for FY 2010 Guidance)

Increased Learning Time

A-31. What is the definition of “increased learning time”?

“Increased learning time” means increasing the length of the school day, week, or year to significantly increase the total number of school hours so as to include additional time for (a) instruction in core academic subjects including English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography; (b) instruction in other subjects and provision of enrichment activities that contribute to a well-rounded education, such as physical education, service learning, and experiential and work-based learning opportunities; and (c) teachers to collaborate, plan, and engage in professional development within and across grades and subjects.

A-31a. To meet the requirement for providing for increased learning time as part of the implementation of a turnaround or transformation model, must an LEA include all three components of increased learning time?

Yes. The definition of “increased learning time” requires additional time for instruction in core academic subjects, additional time for instruction in other subjects and for provision of enrichment activities that contribute to a well-rounded education, *and* additional time for teachers to collaborate,

plan, and engage in professional development. Accordingly, to fully implement either the turnaround or transformation model, an LEA must use a longer school day, week, or year to provide additional time for all three types of activities as part of the LEA's comprehensive needs-based plan for turning around the entire school. Although all three components must be included, the Department expects that, in determining precisely how to use increased learning time, an LEA will focus on, and give priority to, providing additional time for instruction in core academic subjects for all students and for teachers to collaborate, plan, and engage in professional development, since these components of increased learning time are most likely to contribute to the overall SIG goal of improving the performance of the entire school. (Added March 1, 2012)

A-32. Does the definition of “increased learning time” include before- or after-school instructional programs?

Research supports the effectiveness of well-designed programs that expand learning time by a minimum of 300 hours per school year. (See Frazier, Julie A.; Morrison, Frederick J. “The Influence of Extended-year Schooling on Growth of Achievement and Perceived Competence in Early Elementary School.” *Child Development*. Vol. 69 (2), April 1998, pp.495-497 and research done by Mass2020.) Increasing learning time by extending learning into before- and after-school hours can be difficult to implement effectively. It is permissible under the definition in A-31 so long as LEAs using before- or after-school programs to implement the requirement for increased learning time closely integrate and coordinate academic work in school and out of school. To satisfy the requirements in Section I.A.2(a)(1)(viii) of the turnaround model and Section I.A.2(d)(3)(i)(A) of the transformation model for providing increased learning time, a before- or after-school instructional program must be available to all students in the school.

The fact that increased learning time may be provided during before- and after-school hours does not alter the requirement that an LEA provide additional time for all three components included in the definition of increased learning time (*i.e.*, instruction in core academic subjects, instruction in other subjects and provision of enrichment activities that contribute to a well-rounded education, and time for teachers to collaborate, plan, and engage in professional development). However, an LEA's decision to conduct one of these activities during before- or after-school hours does not obligate the LEA to conduct all of these activities during those hours. For example, an LEA might provide time for instruction in subjects other than core academic subjects and for provision of enrichment activities before or after school, but provide additional time during an extended regular school day, week, or year for instruction in core academic subjects and for teachers to collaborate, plan, and engage in professional development. Indeed, in light of the overall goal of the SIG program of improving student academic achievement in persistently lowest-achieving schools, the Department encourages LEAs to provide additional time for instruction in core academic subjects during an extended regular school day, week, or year. (Revised March 1, 2012)

A-32a. May an LEA use SIG funds to pay for the portion of a teacher's salary that is attributable to providing increased learning time beyond the regular school day, week, or year?

Yes. Both the turnaround model and the transformation model require an LEA to provide increased learning time, which is generally defined as “using a longer school day, week, or year schedule to significantly increase the total number of school hours to include additional time for”

instruction in core academic subjects; instruction in other subjects and enrichment activities; and teachers to collaborate, plan, and engage in professional development. See sections I.A.2(a)(1)(viii), I.A.2(d)(3)(i), I.A.3 of the final requirements. Because a school must operate a schoolwide program in order to implement either of these models, the LEA must provide the school all of the non-Federal funds it would otherwise receive in the absence of the SIG funds. ESEA section 1114(a)(2)(B). These non-Federal funds include the funds necessary and sufficient to provide the school's regular instructional program—*i.e.*, the program the school provides during the regular school day, week, or year. If this requirement is met, the LEA may use SIG funds in the school to support the extra costs of providing increased learning time beyond the regular school day, week, or year. See A-32b. For example, the LEA may use SIG funds to pay the pro-rata share of a teacher's salary that is attributable to a longer school day, week, or year and is necessary to implement a turnaround or transformation model, even if the teacher is providing instruction in core academic subjects during the increased learning time.

A-32b. How may an LEA determine what costs are attributable to providing increased learning time beyond the regular school day, week, or year?

To determine what costs may be attributed to providing increased learning time beyond the regular school day, week, or year, an LEA must first define its regular school day, week, or year. An LEA might do so in any one of several ways. The LEA might determine the length of the school day, week, or year in its schools that are not implementing a turnaround or transformation model and, therefore, are not required to provide increased learning time. If all its schools are implementing a turnaround or transformation model, the LEA might determine what length of school day, week, or year is necessary to comply with State law. If State law does not require a specific minimum number of instructional hours, the LEA might determine what amount of time is necessary and sufficient to provide its regular instructional program. Then, the LEA may use SIG funds to pay for additional costs to provide increased learning time under a turnaround or transformation model over and above what it would otherwise be required to provide. If, however, the LEA provides increased learning time in all of its schools—*i.e.*, both those that receive SIG funds and those that do not—the LEA would need to support the additional costs in all schools, including SIG schools, with non-Federal funds in order to meet the requirement in section 1114(a)(2)(B) of the ESEA. See A-32a.

A-32c. May an LEA use SIG funds to offset transportation costs associated with providing increased learning time?

Generally, providing transportation to students in order for them to attend school is a regular responsibility an LEA carries out for all students and, thus, may not be paid for with Federal funds unless specifically authorized. However, an LEA may use SIG funds to cover transportation costs if the costs are directly attributable to implementation of a school intervention model, are reasonable and necessary, and exceed the costs the LEA would have incurred in the absence of its implementation of the model.

As required under the turnaround and transformation models, providing increased learning time, by definition, means using a longer school day, week, or year schedule to significantly increase the total number of school hours for instruction and teacher collaboration and making it available to all students in a school (see A-31 and A-32). If an LEA provides transportation to students in order for them to attend school, those same costs would generally be incurred to transport students even if their school day has been extended. As such, the costs of transporting those students generally

may not be paid for with SIG funds. To the extent, however, that providing increased learning time requires an LEA to incur additional costs that are directly attributable to the increased learning time and that exceed those costs that it would normally incur to provide transportation to students in order to attend school, the LEA may be able to use SIG funds to cover the incremental transportation costs, provided those costs are also reasonable and necessary to carry out one of the four school intervention models. Such costs would need to be included in the LEA's proposed SIG budget and reviewed and approved by the SEA. In addition, the LEA must keep records to demonstrate that such costs are directly attributable to its implementation of a school intervention model as well as reasonable and necessary and that it has charged only incremental transportation costs to its SIG grant.

A-32d. Must an LEA provide a minimum number of hours to meet the requirement in the turnaround and transformation models regarding providing increased learning time?

Although research supports the effectiveness of increasing learning time by a minimum of 300 hours, the final requirements do not require that an LEA implementing either the turnaround model or the transformation model necessarily provide at least 300 hours of increased learning time. An LEA has the flexibility to determine precisely how to meet the requirement to establish schedules that provide increased learning time, and should do so with an eye toward the goal of increasing learning time enough to have a meaningful impact on the academic program in which the model is being implemented.

A-32e. What does it mean for a before- or after-school instructional program to be “available to all students” in a school?

As is discussed in A-32, to satisfy the requirements in Section I.A.2(a)(1)(viii) of the turnaround model and Section I.A.2(d)(3)(i)(A) of the transformation model for providing increased learning time, a before- or after-school instructional program must “be available to all students” in the school. For a before- or after-school program to meet this requirement, the school must offer all students an opportunity to participate in the program, and the school must have sufficient capacity and resources to serve any and all students who choose to accept the offer to participate. A program is not available to all students if, for example, the school has sufficient capacity to serve only some of the students who seek to enroll in the program, nor is it available to all students if it is offered to only a particular group of students, such as students in need of remedial assistance. Further, to be available to all students, a program must be accessible to all subgroups of students, including students with disabilities and LEP students. (Added March 1, 2012)

Student growth

A-33. What is the definition of “student growth”?

“Student growth” means the change in achievement for an individual student between two or more points in time. For grades in which the State administers summative assessments in reading/language arts and mathematics, student growth data must be based on a student's score on the State's assessment under section 1111(b)(3) of the ESEA. A State may also include other measures that are rigorous and comparable across classrooms.

A-34. Why is it necessary to define “student growth” for purposes of SIG grants?

In Section I.A.2(d)(1)(i)(B)(1) of the transformation model, an LEA must use rigorous, transparent, and equitable evaluation systems for teachers and principals that take into account data on student growth as a significant factor. Those systems must also take into account other factors such as multiple observation-based assessments of performance and ongoing collections of professional practice reflective of student achievement and increased high school graduation rates.

B. TURNAROUND MODEL

B-1. What are the required elements of a turnaround model?

A turnaround model is one in which an LEA must do the following:

- (1) 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;
- (2) Using 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;
- (3) 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;
- (4) Provide staff 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;
- (5) 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;
- (6) 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;
- (7) 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;
- (8) Establish schedules and implement strategies that provide increased learning time; and

- (9) Provide appropriate social-emotional and community-oriented services and supports for students.

B-2. In addition to the required elements, what optional elements may also be a part of a turnaround model?

In addition to the required elements, an LEA implementing a turnaround model may also implement other strategies, such as a new school model or any of the required and permissible activities under the transformation intervention model described in the final requirements. It could also, for example, implement a high-quality preschool program that is designed to improve the health, social-emotional outcomes, and school readiness for high-need young children or replace a comprehensive high school with one that focuses on science, technology, engineering, and mathematics (STEM). The key is that these actions would be taken within the framework of the turnaround model and would be in addition to, not instead of, the actions that are required as part of a turnaround model. (Modified for FY 2010 Guidance)

B-3. What is the definition of “staff” as that term is used in the discussion of a turnaround model?

As used in the discussion of a turnaround model, “staff” includes all instructional staff, but an LEA has discretion to determine whether or not “staff” also includes non-instructional staff. An LEA may decide that it is appropriate to include non-instructional staff in the definition of “staff,” as all members of a school’s staff contribute to the school environment and are important to the success of a turnaround model.

In determining the number of staff members that may be rehired, an LEA should count the total number of staff positions (however staff is defined) within the school in which the model is being implemented, including any positions that may be vacant at the time of the implementation. For example, if a school has a total of 100 staff positions, only 90 of which are filled at the time the model is implemented, the LEA may rehire 50 staff members; the LEA is not limited to rehiring only 45 individuals (50 percent of the filled staff positions). (See G-1c for additional information on how an LEA should determine the number of staff members that must be replaced when taking advantage of the flexibility to continue or complete interventions that have been implemented within the last two years.) (Modified for FY 2010 Guidance)

B-3a. The response to B-3 states that “staff” includes “all instructional staff.” Does “all instructional staff” mean only teachers of core academic subjects or does it also include physical education teachers and teachers of other non-core academic subjects?

“All instructional staff” includes teachers of core academic subjects as well as teachers of non-core academic subjects. Section I.A.2(a)(1)(ii) of the final requirements requires an LEA to measure the effectiveness of “staff” who work within the turnaround environment. As is stated in B-3, an LEA has discretion to determine whether or not to include non-instructional staff, in addition to instructional staff, in meeting this requirement. An LEA may decide it is appropriate to include non-instructional staff in the definition of “staff” as all members of a school’s staff contribute to the school environment and are important to the success of a turnaround model.

B-4. What are “locally adopted competencies”?

A “competency,” which is a skill or consistent pattern of thinking, feeling, acting, or speaking that causes a person to be effective in a particular job or role, is a key predictor of how someone will perform at work. Given that every teacher brings a unique skill set to the classroom, thoughtfully developed assessments of such competencies can be used as part of a rigorous recruitment, screening, and selection process to identify educators with the unique qualities that equip them to succeed in the turnaround environment and can help ensure a strong match between teachers and particular turnaround schools. As part of a rigorous recruitment, screening and selection process, assessments of turnaround teachers’ competencies can be used by the principal or district leader to distinguish between very high performers and more typical or lower-performing teachers in a turnaround setting. Although an LEA may already have and use a set of tools to screen for appropriate competencies as part of its normal hiring practices, it is important to develop a set of competencies specifically designed to identify staff that can be effective in a turnaround situation because, in a turnaround school, failure has become an entrenched way of life for students and staff, and staff members need stronger and more consistent habits in critical areas to transform the school’s wide-scale failure into learning success.

While each LEA should identify the skills and expertise needed for its local context, in addition to reviewing evidence of effectiveness in previous teaching positions (or other pre-service experience) in the form of recommendations, portfolios, or student outcomes, examples of locally adopted competencies might include acting with initiative and persistence, planning ahead, flexibility, respect for and sensitivity to norms of interaction in different situations, self-confidence, team leadership, developing others, analytical thinking, and conceptual thinking.

The value and utility of turnaround competencies for selection are dependent on the process by which an LEA or school leader or team uses them. In addition to assessing a candidate’s subject knowledge and mastery of specific instructional practices that the turnaround school uses, using a robust and multi-tiered selection process that includes interviews that ask about past practice in the classroom or situational scenarios, reviewing writing samples, observing teachers in their classrooms, and asking teachers to perform job-related tasks such as presenting information to a group of parents, are all common techniques used to screen candidates against turnaround competencies.

Note that these are merely examples of a process and set of competencies an LEA might measure and use in screening and selecting staff to meet the unique needs of the schools in which it will implement a turnaround model.

B-5. Is an LEA implementing the turnaround model required to use financial incentives, increased opportunities for promotion and career growth, and more flexible conditions as strategies to recruit, place, and retain staff with the skills necessary to meet the needs of the students in a turnaround model?

No. The specific strategies mentioned in this requirement (see B-1(3)) are merely examples of the types of strategies an LEA might use to recruit, place, and retain staff with the skills necessary to meet the needs of the students in a school implementing the turnaround model. An LEA is not obligated to use these particular strategies, so long as it implements some strategies that are designed to recruit, place, and retain the appropriate staff.

B-6. What is job-embedded professional development?

Job-embedded professional development is professional learning that occurs at a school as educators engage in their daily work activities. It is closely connected to what teachers are asked to do in the classroom so that the skills and knowledge gained from such learning can be immediately transferred to classroom instructional practices. Job-embedded professional development is usually characterized by the following:

- It occurs on a regular basis (*e.g.*, daily or weekly);
- It is aligned with academic standards, school curricula, and school improvement goals;
- It involves educators working together collaboratively and is often facilitated by school instructional leaders or school-based professional development coaches or mentors;
- It requires active engagement rather than passive learning by participants; and
- It focuses on understanding what and how students are learning and on how to address students' learning needs, including reviewing student work and achievement data and collaboratively planning, testing, and adjusting instructional strategies, formative assessments, and materials based on such data.

Job-embedded professional development can take many forms, including, but not limited to, classroom coaching, structured common planning time, meetings with mentors, consultation with outside experts, and observations of classroom practice.

When implemented as part of a turnaround model, job-embedded professional development must be designed with school staff.

B-7. Does the requirement to implement an instructional program that is research-based and aligned (vertically and with State standards) require adoption of a new or revised instructional program?

Not necessarily. In implementing a turnaround model, an LEA must use data to identify an instructional program that is research-based and vertically aligned as well as aligned with State academic standards. If an LEA determines, based on a careful review of appropriate data, that the instructional program currently being implemented in a particular school is research-based and properly aligned, it may continue to implement that instructional program. However, the Department expects that most LEAs with Tier I or Tier II schools will need to make at least minor adjustments to the instructional programs in those schools to ensure that those programs are, in fact, research-based and properly aligned.

B-8. What are examples of social-emotional and community-oriented services that may be supported with SIG funds in a school implementing a turnaround model?

Social-emotional and community-oriented services that may be offered to students in a school implementing a turnaround model may include, but are not limited to: (a) safety programs; (b) community stability programs that reduce the mobility rate of students in the school; or (c) family

and community engagement programs that support a range of activities designed to build the capacity of parents and school staff to work together to improve student academic achievement, such as a family literacy program for parents who need to improve their literacy skills in order to support their children's learning.

If funds are not reasonably available from other public or private sources to support the planning and implementation of the services and the LEA has engaged in a comprehensive needs assessment, SIG funds might be used to hire a coordinator or to contract with an organization to facilitate the delivery of health, nutrition, and social services to the school's students in partnership with local service providers. SIG funds also might be used for (1) professional development necessary to assist teachers, pupil services personnel, other staff, and parents in identifying and meeting the comprehensive needs of students, and (2) as a last resort when funds are not reasonably available from other public or private sources, the provision of basic medical equipment, such as eyeglasses and hearing aids.

An LEA should examine the needs of students in the turnaround school to determine which social-emotional and community-oriented services will be appropriate and useful under the circumstances. Further, like all other activities supported with SIG funds, any services provided must address the needs identified by the needs assessment the LEA conducted prior to selecting the turnaround model for the school and must be reasonable and necessary. (See I-30.) (Modified for FY 2010 Guidance)

B-9. May an LEA omit any of the actions outlined in the final requirements and implement its own version of a turnaround model?

No. An LEA implementing a turnaround model in one or more of its schools must take all of the actions required by the final requirements. As discussed in B-2, an LEA may take additional actions to supplement those that are required as part of a turnaround model, but it may not implement its own version of a turnaround model that does not include all of the elements required by the final requirements. Thus, an LEA could not, for example, convert a turnaround school to a magnet school without also taking the other actions specifically required as part of a turnaround model.

C. RESTART MODEL

C-1. What is the definition of a 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 restart model must enroll, within the grades it serves, any former student who wishes to attend the school (see C-6).

C-2. What is a CMO?

A CMO is a non-profit organization that operates or manages charter schools by centralizing or sharing certain functions and resources among schools.

C-3. What is an EMO?

An EMO is a for-profit or non-profit organization that provides “whole-school operation” services to an LEA.

C-4. Prior to submitting its application for SIG funds, must an LEA know the particular EMO or CMO with which it would contract to restart a school?

No. Prior to submitting its application, an LEA need not know the particular EMO or CMO with which it would contract to restart a school, but it should at least have a pool of potential partners that have expressed an interest in and have exhibited an ability to restart the school in which the LEA proposes to implement the restart model. An LEA does not need to enter into a contract prior to receiving its SIG funds, but it must be able to provide enough information in its application for the SEA to be confident that, if awarded SIG funds, the LEA would in fact enter into a contract with a CMO or EMO to implement the restart model.

C-5. What is the purpose of the “rigorous review process” used for selecting a charter school operator, a CMO, or an EMO?

The “rigorous review process” permits an LEA to examine a prospective restart operator’s reform plans and strategies. It helps prevent an operator from assuming control of a school without having a meaningful plan for turning it around. The purpose of the rigorous review process is to provide an LEA with an opportunity to ensure that the operator will use this model to make meaningful changes in a school. Through the rigorous review process, an LEA might, for example, require a prospective operator to demonstrate that its strategies are research-based and that it has the capacity to implement the strategies it is proposing.

C-6. Which students must be permitted to enroll in a school implementing a restart model?

A restart school must enroll, within the grades it serves, all former students who wish to attend the school. The purpose of this requirement is to ensure that restarting the school benefits the population of students who would be served by the school in the absence of “restarting” the school. Accordingly, the obligation to enroll any former student who wishes to attend the school includes the obligation to enroll a student who did not actually previously attend the school — for example, because the student was previously enrolled in grade 3 but the school serves only grades 4 through 6 — but who would now be able to enroll in the school were it not implementing the restart model. If the restart school no longer serves a particular grade or grades that previously had been served by the school, the restart school is not obligated to enroll a student in the grade or grades that are no longer served.

C-6a. May an EMO or CMO with which an LEA contracts to implement a restart model require students or parents to agree to certain conditions in order to attend the school?

Yes, under the restart model, a provider may require all former students who wish to attend the restart school to sign student or parent/student agreements covering student behavior, attendance, or other commitments related to academic performance. In other words, a decision by a student or parent not to sign such an agreement amounts to an indication that the student does not wish to

attend the school implementing the restart model. A provider may not, however, require students to meet, for example, certain academic standards prior to enrolling in the school.

C-7. May a restart school serve fewer grades than were previously served by the school in which the model is being implemented?

Yes. An LEA has flexibility to work with providers to develop the appropriate sequence and timetable for a restart partnership. Thus, for example, an LEA could allow a restart operator to take over one grade in the school at a time.

If an LEA allows a restart operator to serve only some of the grades that were previously served by the school in which the model is being implemented, the LEA must ensure that the SIG funds it receives for the school are used only for the grades being served by the restart operator, unless the LEA is implementing one of the other SIG models with respect to the other grades served by the school. For example, if the school in question previously served grades K-6 and the LEA allows a restart operator to take over the school only with respect to grades K-3, the LEA could use SIG funds to serve the students in grades 4-6 if it implements a turnaround model or school closure, consistent with the final requirements, with respect to those grades.

C-8. May a school implementing a restart model implement any of the required or permissible activities of a turnaround model or a transformation model?

Yes. A school implementing a restart model may implement activities described in the final requirements with respect to other models. Indeed, a restart operator has considerable flexibility not only with respect to the school improvement activities it will undertake, but also with respect to the type of school program it will offer. The restart model is specifically intended to give operators flexibility and freedom to implement their own reform plans and strategies.

C-9. If an LEA implements a restart model, must its contract with the charter school operator, CMO, or EMO hold the charter school operator, CMO, or EMO accountable for meeting the final requirements?

Yes. If an LEA implements a restart model in a Tier I or Tier II school, the LEA must include in its contract or agreement terms and provisions to hold the charter school operator, CMO, or EMO accountable for complying with the final requirements. An LEA should bear this accountability requirement in mind at the time of contracting with the charter school operator, CMO, or EMO, and should consider how best to reflect it in the contract or agreement.

C-10. May an LEA use SIG funds to pay a fee to a CMO or EMO to operate a restart model?

Yes, but only to the extent the fee is reasonable and necessary to implement the restart model. An LEA, thus, has the responsibility, in entering into a contract with a CMO or EMO, to ensure that any fee that is part of the contract is reasonable and necessary. *See* Office of Management and Budget Circular A-87, Attachment A, C.1.a (to be allowable under a Federal grant, costs must be “necessary and reasonable for proper and efficient performance and administration of [the Federal grant]”). In making this determination, the LEA must ensure that there is a direct relationship between the fee and the services that the CMO or EMO will provide using SIG funds and that those services are necessary to implement the SIG model in the school being restarted. It may not be

reasonable, for example, for a CMO or EMO to charge a flat percentage of the SIG funds available, irrespective of the services to be provided, particularly in light of the significant amount of SIG funds that would be available to a school for three years. For example, if a CMO or EMO normally charges a fee of five percent of gross receipts to operate a school, it may not be reasonable to calculate that percentage on the additional \$6 million in SIG funds that could be available, absent a very strong demonstration that its costs for providing services increase commensurately with the large amount of SIG funds available. Moreover, the LEA must be able to demonstrate, as part of its commitment to obtain SIG funds, that it can sustain the services of the CMO or EMO and any attendant fee after the SIG funds are no longer available (Sections I.A.4(a)(vi) and II.A.2(a)(iv)) and include a budget for each school it intends to serve that identifies any fee (Section II.A.2(a)(vi)).

In addition, an SEA has the responsibility, in reviewing and approving an LEA's application to implement the restart model in one or more of its Tier I or Tier II schools, to consider the LEA's capacity to implement the model, including the reasonableness of its SIG budget and its ability to sustain the model after SIG funds are no longer available, and may approve the LEA's application only if the SEA determines that the LEA can implement fully and effectively the model. See Sections I.A.4(b) and II.B.2(b)(ii) and (iv). (New for FY 2010 Guidance)

D. SCHOOL CLOSURE

D-1. What is the definition of "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-1a. How important is it for an LEA to engage families and the community in the LEA's decision to close a persistently lowest-achieving school?

It is extremely important to engage families and the school community early in the process of selecting the appropriate school improvement model to implement in a school (see H-4a), but doing so is particularly important when considering school closure.

It is critical that LEA officials engage in an open dialogue with families and the school community early in the closure process to ensure that they understand the data and reasons supporting the decision to close, have a voice in exploring quality options, and help plan a smooth transition for students and their families at the receiving schools. (New for FY 2010 Guidance)

D-2. What costs associated with closing a school can be paid for with SIG funds?

An LEA may use SIG funds to pay certain reasonable and necessary costs associated with closing a Tier I or Tier II school, such as costs related to parent and community outreach, including, but not limited to, press releases, newsletters, newspaper announcements, hotlines, direct mail notices, or meetings regarding the school closure; services to help parents and students transition to a new school; or orientation activities, including open houses, that are specifically designed for students attending a new school after their prior school closes. Other costs, such as revising transportation routes, transporting students to their new school, or making class assignments in a new school, are regular responsibilities an LEA carries out for all students and generally may not be paid for with

SIG funds. However, an LEA may use SIG funds to cover these types of costs associated with its general responsibilities if the costs are directly attributable to the school closure and exceed the costs the LEA would have incurred in the absence of the closure.

D-3. May SIG funds be used in the school that is receiving students who previously attended a school that is subject to closure in order to cover the costs associated with accommodating those students?

No. In general, the costs a receiving school will incur to accommodate students who are moved from a closed school are costs that an LEA is expected to cover, and may not be paid for with SIG funds. However, to the extent a receiving school is a Title I school that increases its population of children from low-income families, the school should receive additional Title I, Part A funds through the Title I, Part A funding formula, and those Title I, Part A funds could be used to cover the educational costs for these new students. If the school is not currently a Title I school, the addition of children from low-income families from a closed school might make it an eligible school.

D-4. Is the portion of an LEA's SIG subgrant that is to be used to implement a school closure renewable?

Generally, no. The portion of an LEA's SIG subgrant for a school that is subject to closure is limited to the time necessary to close the school — usually one year or less. As such, the funds allocated for a school closure would not be subject to renewal.

D-5. How can an LEA determine whether a higher-achieving school is within reasonable proximity to a closed school?

The school to which students who previously attended a closed school are sent should be located “within reasonable proximity” to the closed school. An LEA has discretion to determine which schools are located within a reasonable proximity to a closed school. A distance that is considered to be within a “reasonable proximity” in one LEA may not be within a “reasonable proximity” in another LEA, depending on the nature of the community. In making this determination, an LEA should consider whether students who would be required to attend a new school because of a closure would be unduly inconvenienced by having to travel to the new location. An LEA should also consider whether the burden on students could be eased by designating multiple schools as receiving schools.

An LEA should not eliminate school closure as an option simply because the higher-achieving schools that could be receiving schools are located at some distance from the closed school, so long as the distance is not unreasonable. Indeed, it is preferable for an LEA to send students who previously attended a closed school to a higher-achieving school that is located at some distance from, but still within reasonable proximity to, the closed school than to send those students to a lower-performing school that is geographically closer to the closed school. Moreover, an LEA should consider allowing parents to choose from among multiple higher-achieving schools, at least one of which is located within reasonable proximity to the closed school. By providing multiple school options, a parent could decide, for example, that it is worth having his or her child travel a longer distance in order to attend a higher-achieving school. Ultimately, the LEA's goal should be to ensure that students who previously attended a closed school are able to enroll in the highest-performing school that can reasonably be offered as an alternative to the closed school.

D-6. In what kinds of schools may students who previously attended a closed school enroll?

The higher-achieving schools in which students from a closed school may enroll may include any public school with the appropriate grade ranges, including public charter schools and new schools for which achievement data are not yet available. Note that a new school for which achievement data are not yet available may be a receiving school even though, as a new school, it lacks a history of being a “higher-achieving” school.

E. TRANSFORMATION MODEL

E-1. With respect to elements of the transformation model that are the same as elements of the turnaround model, do the definitions and other guidance that apply to those elements as they relate to the turnaround model also apply to those elements as they relate to the transformation model?

Yes. Thus, for example, the strategies that are used to recruit, place, and retain staff with the skills necessary to meet the needs of students in a turnaround model may be the same strategies that are used to recruit, place, and retain staff with the skills necessary to meet the needs of students in a transformation model. For questions about any terms or strategies that appear in both the transformation model and the turnaround model, refer to the turnaround model section of this guidance.

E-2. Which activities related to developing and increasing teacher and school leader effectiveness are required for an LEA implementing a transformation model?

An LEA implementing a transformation model must:

- (1) Replace the principal who led the school prior to commencement of the transformation model;
- (2) Use rigorous, transparent, and equitable evaluation systems for teachers and principals that —
 - (a) Take into account data on student growth 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 graduation rates; and
 - (b) Are designed and developed with teacher and principal involvement;
- (3) 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;
- (4) Provide staff ongoing, high-quality, job-embedded professional development 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

- (5) 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 model.

E-3. Must the principal and teachers involved in the development and design of the evaluation system be the principal and teachers in the school in which the transformation model is being implemented?

No. The requirement for teacher and principal evaluation systems that “are designed and developed with teacher and principal involvement” refers more generally to involvement by teachers and principals within the LEA using such systems, and may or may not include teachers and principals in a school implementing the transformation model.

E-4. Under the final requirements, an LEA implementing the transformation model must remove staff “who, after ample opportunities have been provided for them to improve their professional practice, have not done so.” Does an LEA have discretion to determine the appropriate number of such opportunities that must be provided and what are some examples of such “opportunities” to improve?

In general, LEAs have flexibility to determine both the type and number of opportunities for staff to improve their professional practice before they are removed from a school implementing the transformation model. Examples of such opportunities include professional development in such areas as differentiated instruction and using data to improve instruction, mentoring or partnering with a master teacher, or increased time for collaboration designed to improve instruction.

E-5. In addition to the required activities, what other activities related to developing and increasing teacher and school leader effectiveness may an LEA undertake as part of its implementation of a transformation model?

In addition to the required activities for a transformation model, an LEA may also implement other strategies to develop teachers’ and school leaders’ effectiveness, such as:

- (1) Providing additional compensation to attract and retain staff with the skills necessary to meet the needs of students in a transformation school;
- (2) Instituting a system for measuring changes in instructional practices resulting from professional development; or
- (3) 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.

LEAs also have flexibility to develop and implement their own strategies, as part of their efforts to successfully implement the transformation model, to increase the effectiveness of teachers and school leaders. Any such strategies must be in addition to those that are required as part of this model.

E-6. How does the optional activity of “providing additional compensation to attract and retain” certain staff differ from the requirement to implement strategies designed to recruit, place, and retain certain staff?

There are a wide range of compensation-based incentives that an LEA might use as part of a transformation model. Such incentives are just one example of strategies that might be adopted to recruit, place, and retain staff with the skills needed to implement the transformation model. The more specific emphasis on additional compensation in the permissible strategies was intended to encourage LEAs to think more broadly about how additional compensation can contribute to teacher effectiveness.

E-7. Which activities related to comprehensive instructional reform strategies are required as part of the implementation of a transformation model?

An LEA implementing a transformation model must:

- (1) 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
- (2) Promote the continuous use of student data (such as from formative, interim, and summative assessments) in order to inform and differentiate instruction to meet the academic needs of individual students.

E-8. In addition to the required activities, what other activities related to comprehensive instructional reform strategies may an LEA undertake as part of its implementation of a transformation model?

In addition to the required activities for a transformation model, an LEA may also implement other comprehensive instructional reform strategies, such as:

- (1) 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;
- (2) Implementing a schoolwide “response-to-intervention” model;
- (3) 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;
- (4) Using and integrating technology-based supports and interventions as part of the instructional program; and
- (5) In secondary schools—
 - (a) Increasing rigor by offering opportunities for students to enroll in advanced coursework, 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;

- (b) Improving student transition from middle to high school through summer transition programs or freshman academies;
- (c) 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
- (d) Establishing early-warning systems to identify students who may be at risk of failing to achieve to high standards or to graduate.

E-9. What activities related to increasing learning time and creating community-oriented schools are required for implementation of a transformation model?

An LEA implementing a transformation model must:

- (1) Establish schedules and strategies that provide increased learning time; and
- (2) Provide ongoing mechanisms for family and community engagement.

E-10. What is meant by the phrase “family and community engagement” and what are some examples of ongoing mechanisms for family and community engagement?

In general, family and community engagement means strategies to increase the involvement and contributions, in both school-based and home-based settings, of parents and community partners that are designed to support classroom instruction and increase student achievement. Examples of mechanisms that can encourage family and community engagement include the establishment of organized parent groups, holding public meetings involving parents and community members to review school performance and help develop school improvement plans, using surveys to gauge parent and community satisfaction and support for local public schools, implementing complaint procedures for families, coordinating with local social and health service providers to help meet family needs, and parent education classes (including GED, adult literacy, and ESL programs).

E-10a. How should an LEA design mechanisms to support family and community engagement?

To develop mechanisms to support family and community engagement, an LEA may conduct a community-wide assessment to identify the major factors that significantly affect the academic achievement of students in the school, including an inventory of the resources in the community and the school that could be aligned, integrated, and coordinated to address these challenges. An LEA should try to ensure that it aligns the family and community engagement programs it implements in the elementary and secondary schools in which it is implementing the transformation model to support common goals for students over time and for the community as a whole. (New for FY 2010 Guidance)

E-11. In addition to the required activities, what other activities related to increasing learning time and creating community-oriented schools may an LEA undertake as part of its implementation of a transformation model?

In addition to the required activities for a transformation model, an LEA may also implement other strategies to extend learning time and create community-oriented schools, such as:

- (1) 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;
- (2) 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;
- (3) 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
- (4) Expanding the school program to offer full-day kindergarten or pre-kindergarten.

E-11a. What are examples of services an LEA might provide to create safe school environments that meet students' social, emotional, and health needs?

Services that help provide a safe school environment that meets students' social, emotional, and health needs may include, but are not limited to: (a) safety programs; (b) community stability programs that reduce the mobility rate of students in the school; or (c) family and community engagement programs that support a range of activities designed to build the capacity of parents and school staff to work together to improve student academic achievement, such as a family literacy program for parents who need to improve their literacy skills in order to support their children's learning. (New for FY 2010 Guidance)

E-12. How does the optional activity of extending or restructuring the school day to add time for strategies that build relationships between students, faculty, and other school staff differ from the requirement to provide increased learning time?

Extra time or opportunities for teachers and other school staff to create and build relationships with students can provide the encouragement and incentive that many students need to work hard and stay in school. Such opportunities may be created through a wide variety of extra-curricular activities as well as structural changes, such as dividing large incoming classes into smaller theme-based teams with individual advisers. However, such activities do not directly lead to increased learning time, which is more closely focused on increasing the number of instructional minutes in the school day or days in the school year.

E-13. What activities related to providing operational flexibility and sustained support are required for implementation of a transformation model?

An LEA implementing a transformation model must:

- (1) 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
- (2) 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).

E-14. Must an LEA implementing the transformation model in a school give the school operational flexibility in the specific areas of staffing, calendars/time, and budgeting?

No. The areas of operational flexibility mentioned in this requirement are merely examples of the types of operational flexibility an LEA might give to a school implementing the transformation model. An LEA is not obligated to give a school implementing the transformation model operational flexibility in these particular areas, so long as it provides the school sufficient operational flexibility to implement fully a comprehensive approach to substantially improve student achievement outcomes and increase high school graduation rates.

E-15. In addition to the required activities, what other activities related to providing operational flexibility and sustained support may an LEA undertake as part of its implementation of a transformation model?

In addition to the required activities for a transformation model, an LEA may also implement other strategies to provide operational flexibility and sustained support, such as:

- (1) Allowing the school to be run under a new governance arrangement, such as a turnaround division within the LEA or SEA; or
- (2) Implementing a per-pupil school-based budget formula that is weighted based on student needs.

E-16. In implementing the transformation model in an eligible school, may an LEA gather data during the first year of SIG funding on student growth, multiple observation-based assessments of performance, and ongoing collections of professional practice reflective of student achievement, and then remove staff members who have not improved their professional practice at the end of that first year?

Yes. Although we expect an LEA that receives FY 2010 SIG funds and/or FY 2009 carryover SIG funds and decides to implement the transformation model in a Tier I or Tier II school to implement that model fully at the start of the 2011–2012 school year, we recognize that certain components of the model may need to be implemented later in that process. For example, because an LEA must design and develop a rigorous, transparent, and equitable staff evaluation system with the involvement of teachers and principals, implement that system, and then provide staff with ample opportunities to improve their practices, the LEA may not be able to remove staff members who have not improved their professional practices until later in the implementation process. (See E-3, E-4, and F-2.) (Modified for FY 2010 Guidance)

E-17. May an LEA implement the transformation model in a high school that has grades 9-12 by assigning the current principal to grades 10-12 and hiring a new principal to lead a 9th-grade academy?

No. The final requirements for the SIG program are intended to support interventions designed to turn around an entire school (or, in the case of the school closure model, provide better educational options to all students in a Tier I or Tier II school). Removing a single grade from a Tier II high school to create a new school for that grade as part of a strategy to improve the performance of feeder schools would not meet this requirement for whole-school intervention. Similarly, to meet the requirement that a principal be replaced, the new principal must serve all grades in a school, not just one particular grade.

F. CROSS-CUTTING ISSUES

F-1. How may an LEA implement the turnaround, school closure, restart, or transformation intervention models in a Tier I school operating a targeted assistance program?

The Secretary is inviting requests for waivers to enable a Tier I or Tier II Title I participating school operating a targeted assistance program to operate a schoolwide program so it can implement a turnaround, restart, school closure, or transformation model, each of which impacts the entire educational program of the school in which it is implemented. Such a waiver is necessary because a school operating a targeted assistance program may only provide Title I services to students who are failing, or most at risk of failing, to meet a State's student academic achievement standards; it may not provide Title I services for the school as a whole. To the extent that the percentage of students from low-income families attending a Tier I school operating a targeted assistance program is at or above 40 percent, a waiver is not needed, as the school already meets the statutory poverty threshold for operating a schoolwide program. Further, although the decision to operate a schoolwide program is typically made by the school in consultation with the LEA, an LEA may require a Tier I or Tier II Title I school to operate a schoolwide program in order to implement one of the intervention models, consistent with the overall goal of the SIG program.

A Tier I or Tier II Title I participating school in which an LEA implements a waiver to enable the school to operate a schoolwide program or a Tier I or Tier II Title I participating school that is operating a schoolwide program for the first time, but not through the implementation of a waiver (*i.e.*, because it meets the 40 percent poverty threshold), must meet all the programmatic requirements of section 1114 of the ESEA. However, because the provisions of section 1114 and the SIG intervention models are intended to upgrade the instructional program of an entire school, simply by implementing one of the intervention models, an LEA would likely be complying with most, if not all, of the requirements for a schoolwide program. Further, the fact that a school is implementing one of the models is sufficient to enable an LEA to make a determination that a school needs less than a full year to develop its schoolwide plan. Once a school begins implementing a waiver to operate a schoolwide program, it may continue to operate the schoolwide program as long as it so chooses without needing additional waivers. (Modified for FY 2010 Guidance)

F-2. What is the timeline for implementing an intervention model in a Tier I or Tier II school using FY 2010 and/or FY 2009 carryover SIG funds?

The Department expects that an LEA will use FY 2010 and/or FY 2009 carryover SIG funds to fully implement school intervention models in its Tier I and/or Tier II schools by the start of the 2011–2012 school year. The Department recognizes, however, that certain model components, such as job-embedded professional development or identifying and rewarding teachers and principals who have increased student achievement and high school graduation rates through effective implementation of a model, may occur later in the process of implementing a model. Moreover, as explained further in Section J of this Guidance, an LEA may use FY 2010 and/or FY 2009 carryover SIG funds for pre-implementation activities prior to fully implementing a model by the start of the 2011–2012 school year. (Modified for FY 2010 Guidance)

F-3. What requirements that apply to schools receiving Title I, Part A funds apply to schools that receive SIG funds?

Schools receiving SIG funds under section 1003(g) that also receive funds under Title I, Part A are Title I schools and must comply with all Title I requirements, as applicable. This would include, for example, the requirements in section 1116, including the requirements regarding school improvement plans, except to the extent the LEA implements a waiver enabling Tier I schools implementing a turnaround or restart model to start over in the school improvement timeline.

A non-Title I school that receives SIG funds must comply only with the requirements of section 1003(g), the final requirements, and the conditions of any waiver it implements related to its SIG funds.

F-4. Must SIG funds supplement, and not supplant, non-Federal funds a school would otherwise receive?

Essentially, yes. Two provisions in Title I of the ESEA require a school receiving Title I funds to use those funds to supplement, and not supplant, State and local funds that the school would receive in the absence of Title I funds: section 1114(a)(2)(B) and section 1120A(b) of the ESEA. As discussed further below, the two provisions operate slightly differently, particularly with respect to their effect on SIG funds. However, in combination with other statutory requirements, they effectively ensure the supplemental use of SIG funds.

Under section 1114(a)(2)(B), if an LEA has a school operating a schoolwide program, the LEA may use “funds available to carry out this section” only to supplement the amount of non-Federal funds that the school would otherwise have received if it were not operating a schoolwide program, including those funds necessary to provide services required by law for students with disabilities and LEP students. “[F]unds available to carry out this section” include Title I, Part A funds, other Federal education funds, and SIG funds. Thus, an LEA must provide a Title I school operating a schoolwide program all of the non-Federal funds the school would have received were it not a schoolwide school, and SIG funds, like Title I, Part A and other Federal education funds, must supplement those non-Federal funds. The Department believes that the great majority of schools receiving SIG funds, particularly Tier I schools, will be Title I schools operating schoolwide programs and, thus, will be covered by section 1114(a)(2)(B). Note, however, that the school does not need to demonstrate that SIG funds are used only for activities that supplement those the school would otherwise provide with non-Federal funds. (ESEA section 1114(a)(2)(A)(ii).)

The situation is somewhat different for a Title I school operating a targeted assistance program with SIG funds—*i.e.*, a Tier III school that does not implement one of the four school intervention models. Under section 1120A(b), if an LEA has a school operating a targeted assistance program, the LEA must ensure that the Title I, Part A funds the school receives are used only for activities that supplement those that would be available from non-Federal funds for Title I participating students in the absence of the Title I, Part A funds. In other words, the focus of section 1120A(b) is on ensuring the supplemental nature of the activities funded or services provided with Title I, Part A funds. The supplement not supplant requirement in section 1120A(b) does not apply to SIG funds because they are not funds available under Part A of Title I. However, there are two ways that SIG funds would be protected from supplanting when used in a Title I school operating a targeted assistance program. First, an LEA seeking to implement a school intervention model in a Title I targeted assistance school that does not meet the 40 percent poverty threshold for a schoolwide program would be required to seek a waiver of that threshold in order to convert the school to a schoolwide program (see G-3); accordingly, that school would then be covered by section 1114(a)(2)(B). Second, an LEA is obligated to ensure that all of its Title I schools, including those operating a targeted assistance program, are comparable to its non-Title I schools in accordance with section 1120A(c) of the ESEA.

Finally, under section II.A.6 of the final requirements, an LEA that receives SIG funds to serve one or more Tier I, Tier II, or Tier III schools that do not receive Title I, Part A funds must ensure that each such school receives all of the State and local funds it would have received in the absence of the SIG funds. In other words, this requirement operates the same as the supplement not supplant requirement in section 1114(a)(2)(B) of the ESEA.

F-5. What happens if an LEA receives SIG funds to implement one of the four models in a particular school but subsequently is unable to implement the model in that school?

An LEA that receives SIG funds to implement an intervention model in a particular school may subsequently determine that it is unable to implement the model in that school, for example, because it is unable to hire a principal to implement the turnaround model or is unable to contract with a CMO or an EMO to implement the restart model. If that happens, the LEA must notify its SEA immediately that it is unable to implement the model for which it applied and was awarded funds and must cease obligating SIG funds in that school. An LEA that does not want to implement a different SIG model in the school need not take any further action. The SEA should then rescind the relevant portion of the LEA's SIG grant. Any portion of the LEA's grant that is rescinded should be carried over and combined with the funds available for the following year's SIG competition.

For an LEA that does want to implement one of the other SIG models, the SEA has discretion to determine whether it will terminate the LEA's SIG grant with respect to the funds allocated for that school or to invite the LEA to submit a new or amended application for SIG funds. If the SEA permits the LEA to submit a new or amended application, the SEA must then determine whether, consistent with the SEA's criteria for awarding SIG funds, the LEA is able to implement another model fully and effectively during the year for which SIG funds were awarded. In making this determination, the SEA should give very careful consideration to the LEA's ability to meet all the requirements of another model during the school year for which SIG funds were awarded and whether permitting the LEA to change its model after the award of SIG funds would undermine the

integrity of the SEA's competitive process. If the SEA determines that the LEA is able to implement another model and approves the new or amended application, the SEA must post the new or amended application on the SEA's website (see I-6). If, on the other hand, the SEA determines either that the LEA is unable to implement another model fully and effectively or that permitting the LEA to do so would adversely affect the SEA's competitive process for the SIG program, the SEA should deny the new or amended application and rescind the relevant portion of the LEA's SIG grant. As noted above, any portion of the LEA's grant that is rescinded should be carried over and combined with the funds available for the following year's SIG competition. (Revised February 16, 2011)

F-5a. What happens if an LEA decides to close a Tier I or Tier II school after the LEA has received SIG funds to implement an intervention model other than school closure in the school?

Given the rigorous LEA application and SEA review process required to receive a SIG grant, it should be exceedingly rare that an LEA receiving funds to implement a turnaround, restart, or transformation model in a school subsequently decides to close the school instead. However, the Department recognizes that under certain rare circumstances that could not have been foreseen at the time an LEA developed its original application, an LEA might decide that closing such a school is the best course of action.

As discussed in F-5, an SEA has the discretion to terminate and rescind, in relevant part, the grant of an LEA that will not fully implement the school intervention model it was originally approved to implement, including an LEA that decides to close a school that was originally approved to implement another model. If, however, the SEA is willing to accept a new or an amended application from such an LEA, as part of its amended application, the LEA must submit, among other required information, a revised plan for implementation and a revised budget, each of which should reflect the anticipated school closure. In considering both of these aspects of the new or amended application, the LEA should bear in mind that, given the anticipated closure, continuing the implementation of the originally selected model as the LEA had originally planned and continuing to spend all the funds previously anticipated as necessary for the first year of implementation might not be prudent. For example, if an LEA is still working with teachers and principals to develop a rigorous evaluation system for the school, it might not be worth continuing to invest the time and resources necessary to complete that evaluation system, given that it would not be in place for long enough to benefit students or teachers in the school. On the other hand, if implementing certain model components, even if only for one year, would help increase students' academic achievement, it might be worth the continued costs, particularly if the up-front costs have already been paid and the work necessary to begin full implementation has already been completed. For example, if an LEA has already invested in the up-front costs of providing increased learning time (*e.g.*, already notified parents and students of the increased time, revised bus routes as necessary, arranged for additional teacher and bus driver time, and planned for how the increased time will be used), the benefit to students of continuing to provide that increased learning time while the school remains operational would likely be worth the costs incurred.

In creating the new or amended budget, the LEA should consider that, because it is often significantly less costly to close a school than to implement any of the other models, the LEA might not need any additional SIG funds in order to carry out the school closure beyond what it originally received for the first year of implementation. Moreover, if the closure is to be supported with SIG

funds, the closure must comply with the SIG requirements for the school closure model. In particular, students who attended the closed school must be enrolled in other schools in the LEA that are higher achieving. An LEA that is contemplating closing a school after the school has begun to implement one of the other school intervention models should give careful consideration to all of these issues, and should consult with its SEA as needed.

An SEA that is presented with this issue should carefully review the LEA's new or amended application. In particular, the SEA should closely scrutinize the LEA's revised plan and budget and, in so doing, should consider which elements of the model the LEA was originally funded to implement have already been implemented and which the LEA has not begun to implement. Particularly if elements of the model have not yet been implemented, the SEA should consider rescinding the funds that were originally awarded for those activities. In addition, the SEA should review the circumstances that led to the LEA's decision to change to the school closure model and may take those circumstances into account in determining whether the LEA should receive any continued funding. The SEA should also be sure not to renew the LEA's original grant for any additional years except to the extent necessary and proper to support the closure. If an LEA has been awarded SIG funds that it will not use as a result of switching to the school closure model, the SEA should rescind the relevant portion of the LEA's SIG grant and carry over and combine those funds with the funds available for the following year's SIG competition. (Added February 16, 2011)

F-6. May an LEA use SIG funds for general district-level improvement activities?

An LEA may use SIG funds to pay for district-level activities to support implementation of one of the four school intervention models in each Tier I and Tier II school it commits to serve and to support other school improvement strategies in the Tier III schools it commits to serve. For example, an LEA might hire a district-level turnaround specialist to establish an "early warning system" designed to identify students in Tier I or Tier II schools who may be at risk of failing to achieve high standards or graduate, or to support implementation of a turnaround model. However, an LEA may not use SIG funds to support district-level activities for schools that are not receiving SIG funds.

F-7. How can an LEA ensure that it is able to implement fully and effectively all required components of a selected school intervention model, given that some components may be affected by collective bargaining agreements or other contracts?

Some of the required components of the intervention models may be affected by collective bargaining agreements or other contracts. For example, a collective bargaining agreement may include provisions regarding systems that may be used to evaluate teachers, professional development requirements, or strategies that may be used to retain staff. Because such provisions may impact an LEA's ability to implement the intervention models, effective implementation is dependent on the close collaboration of LEA and school administrators, teachers, and other partners, as appropriate. The Department encourages such collaboration with respect to all model components. The Department also recognizes that, beyond collaboration, full and effective implementation of a selected model may require negotiation with teachers' unions. The Department encourages LEAs to involve teachers' unions early in the process of implementing the final requirements to ensure that the LEA can implement fully and effectively the selected intervention model in each Tier I and Tier II school it commits to serve.

In addition to collective bargaining agreements or teacher contracts, other types of agreements may impact an LEA's ability to implement fully and effectively one or more of the school intervention models. For example, if an LEA contracts with an outside provider to provide certain services that are necessary for full implementation of a model (*e.g.*, a contract to provide community-oriented services and supports as required for the turnaround model or a contract to provide ongoing mechanisms for family and community engagement as required by the transformation model), that contract will likely impact how the model is implemented. Although an LEA may outsource the implementation of some components of a selected intervention model in this manner, ultimately, the LEA is responsible for ensuring that the model is implemented fully and effectively. Accordingly, the LEA should include in any contracts with outside providers terms or provisions that will enable the LEA to ensure full and effective implementation of the model.

F-7a. In implementing a school intervention model, must an LEA comply with State and local laws and agreements, including collective bargaining agreements?

Yes. Nothing in the SIG final requirements gives an LEA the authority to take action it is not otherwise permitted to take. Accordingly, an LEA must implement the school intervention models in a manner that complies with all governing laws, regulations, and agreements, which includes providing the rights, remedies, and procedures afforded to LEA employees under existing collective bargaining agreements. For example, in many States, an LEA has an obligation to bargain with its union over issues that are affected by elements of the school intervention models before those elements may be implemented. Some State tenure laws also establish processes with which an LEA must comply before removing staff, which may impact an LEA's ability to implement the models. At the same time, however, an LEA may not fail to implement specific components of a school intervention model because they conflict with one or more of those rights, remedies, or procedures. For example, under the transformation model, an LEA must implement a teacher evaluation system that includes student growth as a significant factor; an LEA would not be exempt from this requirement because its collective bargaining agreement prohibits teacher evaluation based on student achievement. Therefore, as discussed in F-7, an LEA that has such a collective bargaining agreement and wishes to apply for SIG funds to implement a transformation model must negotiate with its collective bargaining unit to modify the collective bargaining agreement in a manner that enables the LEA to comply with the SIG final requirements without violating the agreement. If an LEA cannot resolve the conflict in a way that permits it to implement one of the school intervention models fully and effectively, it would not be able to apply for SIG funds. (New for FY 2010 Guidance)

F-8. What are an SEA's responsibilities for ensuring proper implementation of SIG grants?

As with any Federal education program administered through a State, an SEA is responsible for ensuring that SIG funds are awarded to LEAs and are used by LEAs in accordance with the statutory requirements and the SIG final requirements. In other words, an SEA must ensure that SIG funds it awards to an LEA are used to implement one of the four school intervention models in each Tier I and Tier II school the LEA commits to serve and to carry out school improvement activities in the Tier III schools the LEA commits to serve. Fulfilling this responsibility includes designing an LEA application, carrying out the application review process, and monitoring implementation.

An SEA may, consistent with section 1903 of the ESEA, issue rules and regulations or adopt policies that support and facilitate implementation of SIG grants.

F-9. May an SEA require an LEA to adopt a particular model for a particular school?

No. Each LEA has the discretion to determine which model to implement for each school it elects to serve with SIG funds. The only exception to this is if, consistent with State law, the SEA takes over the LEA or school.

F-10. Is an SEA or LEA that receives SIG funds required to comply with applicable Federal civil rights laws?

Yes. An SEA or LEA that receives SIG funds is required to comply with Federal civil rights laws that prohibit discrimination based on race, color, national origin, sex, disability, and age. For information on applicable civil rights laws, see the Notice on Civil Rights Obligations Applicable to the Distribution of Funds under the American Recovery and Reinvestment Act of 2009 (Notice, available at: <http://www.ed.gov/policy/gen/leg/recovery/notices/civil-rights.html>). Note that the civil rights laws discussed in the Notice apply to an SEA or LEA receiving any SIG funds, not just FY 2009 SIG funds made available through the ARRA.

G. PROVIDING FLEXIBILITY

G-1. May an SEA award SIG funds to an LEA for a Tier I or Tier II school that has implemented, in whole or in part, a turnaround model, restart model, or transformation model within the last two years?

Yes, Section I.B.1 of the final requirements allows an SEA to award SIG funds to an LEA for a Tier I or Tier II school that has implemented, in whole or in part, one of the models within the last two years so that the LEA and school can continue or complete the intervention being implemented. For example, if a Tier I or Tier II school has hired a new principal within the last two years as part of a school reform effort, consistent with G-1b, the SEA may award funds to the school's LEA to implement a turnaround, restart, or transformation model in the school and the school would not be required to hire another new principal. A school that receives SIG funds in accordance with this flexibility must fully implement the selected model pursuant to the final requirements. In other words, if the school had been implementing the model only in part, it must use the SIG funds it receives to expand its implementation so that it fully complies with the requirements of the selected model.

G-1a. To take advantage of the flexibility afforded in Section I.B.1 of the final requirements with respect to the FY 2010 SIG competition, what is the earliest time at which an LEA could have begun implementing, in whole or in part, a school intervention model?

As noted in G-1, under Section I.B.1, an SEA may award SIG funds to an LEA that has implemented, in whole or in part, one of the school intervention models "within the last two years" in a Tier I or Tier II school. To take advantage of this flexibility in an application submitted for the FY 2010 SIG competition, the earliest an LEA could have begun to implement one of the school intervention models is the start of the 2008-2009 school year. However, an SEA may decide to

implement this flexibility by using a subsequent point in time as the earliest that an LEA could have begun implementing a model in order to use SIG funds to continue its implementation (*e.g.*, no earlier than the start of the 2009-2010 school year). (Modified for FY 2010 Guidance)

G-1b. Does the flexibility afforded in Section I.B.1 of the final requirements enable an LEA to retain any principal who has been hired for a Tier I or Tier II school within the last two years?

No. The flexibility in Section I.B.1 is not intended to protect the job of any recently hired principal in a Tier I or Tier II school. Rather, the flexibility provided is intended to permit an LEA to continue a previously implemented intervention aimed at turning around a low-achieving school that included hiring a new principal for that purpose. Accordingly, an LEA taking advantage of this flexibility should be able to demonstrate that: (1) the prior principal in the school at issue was replaced as part of a broader reform effort, and (2) the new principal has the experience and skills needed to implement successfully a turnaround, restart, or transformation model.

G-1c. How should an LEA determine the number of staff members that must be replaced for purposes of implementing the turnaround model when the LEA is taking advantage of the flexibility to continue an intervention it has begun to implement within the last two years?

If a Tier I or Tier II school implementing a turnaround model has replaced staff members within the last two years as part of a school reform effort, consistent with G-1b, the school may count the staff it has already replaced in determining the number of additional staff that would have to be replaced in accordance with the model.

As described in B-3, in determining the number of staff members that may be rehired, an LEA should count the total number of staff positions (however staff is defined) within the school in which the model is being implemented, including any positions that may be vacant at the time of implementation. For example, if a school has a total of 100 staff positions, including some that may be vacant, the LEA may rehire up to 50 staff members. That means the LEA must replace at least 50 staff members in the school. However, if within the last two years, the school had replaced 20 staff members by using locally-adopted competencies to hire 20 new staff members as part of a school reform effort, consistent with G-1b, the LEA would need to replace an additional 30 staff members. On the other hand, if the school had replaced 20 staff members, but only 10 of those staff members were replaced with new staff that were screened using locally-adopted competencies as part of a school reform effort, consistent with G-1b, the LEA would need to replace an additional 40 staff members to meet the requirements of the turnaround model. In other words, new staff that were screened using locally-adopted competencies and hired within the last two years as part of a school reform effort, consistent with G-1b, do not count as staff that are “rehired.” Rather, although these new staff members may be retained in the school, they count as “replaced” staff. (New for FY 2010 Guidance)

G-2. May an SEA award SIG funds to an LEA for a Tier III school that has implemented, in whole or in part, a turnaround model, restart model, or transformation model within the last two years so that the LEA and school can continue or complete their implementation of the model?

Yes, SIG funds may be awarded to an LEA for a Tier III school to continue or complete its implementation of a turnaround, restart, or transformation model. However, the fact that a Tier III school would use its SIG funds to continue or complete its implementation of one of these models would not permit an SEA to award SIG funds to an LEA for a Tier III school before the SEA has awarded funds for all of the Tier I and Tier II schools its LEAs seek to serve, and that the SEA determines its LEAs have capacity to serve. In other words, although this is a permissible use of funds in a Tier III school, it does not provide a basis for altering the priority set forth in sections II.B.4 and II.B.7 of the final requirements.

G-3. For which statutory requirements affecting an LEA’s ability to implement fully and effectively the intervention models described in the final requirements is the Secretary specifically inviting an SEA to seek a waiver?

In order to help an SEA and its LEAs increase their ability to implement the SIG program effectively in eligible schools in order to improve the quality of instruction and raise the academic achievement of students in those schools, the Secretary is specifically inviting an SEA to seek a waiver of the following Title I requirements:

- (1) The requirement in section 1116(b)(12) of the ESEA for an LEA to identify a school for improvement, corrective action, or restructuring until the school has made AYP for two consecutive years. A waiver of this provision (school improvement timeline waiver) would allow a Tier I or Tier II Title I participating school implementing a turnaround or restart model to “start over” in the school improvement timeline. In approving an SEA’s request for a waiver of this statutory provision, the Department will also grant a waiver of 34 C.F.R. § 200.35(b), the regulatory provision implementing this statutory requirement. See section I.B.2 of the final requirements.
- (2) The requirement in section 1114(a)(1) of the ESEA that a school have a poverty percentage of 40 percent or greater in order to operate a schoolwide program. A waiver of this provision (schoolwide waiver) would allow a Tier I or Tier II Title I participating school with a poverty percentage of less than 40 percent to operate a schoolwide program. In approving an SEA’s request for a waiver of this statutory provision, the Department will also grant a waiver of 34 C.F.R. § 200.25(b)(1)(ii), the regulatory provision implementing this statutory requirement. See section I.B.3 of the final requirements.
- (3) With respect to its FY 2009 carryover SIG funds, the requirement in the General Education Provisions Act (GEPA), section 421(b), 20 U.S.C. § 1225(b), that funds be obligated prior to the end of the fiscal year succeeding the fiscal year for which they were appropriated. A waiver of this provision with respect to FY 2009 carryover funds would allow an SEA to extend the period of availability of those SIG funds so as to make those funds available until September 30, 2014. In approving an SEA’s request for a waiver of this statutory provision, the Department will also grant a waiver of 34 C.F.R. § 76.709(a), the regulatory provision implementing this GEPA requirement. See section I.B.4 of the final requirements.

As discussed in Section A of this Guidance, an SEA may also apply for a number of waivers related to its identification of Tier I, Tier II, and Tier III schools that are eligible to receive FY 2010 and/or FY 2009 carryover SIG funds. (Modified for FY 2010 Guidance)

School Improvement Timeline Waiver

G-4. What would the new improvement timeline be for a school implementing a school improvement timeline waiver of section 1116(b)(12) of the ESEA?

A school implementing a school improvement timeline waiver of section 1116(b)(12) of the ESEA would begin the improvement timeline anew beginning the first year in which the improvement model is being implemented. For example, with respect to SIG grants made with FY 2010 and/or FY 2009 carryover funds for full implementation beginning in the 2011–2012 school year, the school would start the improvement timeline over beginning with the 2011–2012 school year. That means the earliest such a school could enter the first year of improvement under section 1116(b) of the ESEA would be the beginning of the 2013–2014 school year (*i.e.*, based on the failure to make AYP based on assessments administered in the 2011–2012 and 2012–2013 school years). (Modified for FY 2010 Guidance)

G-4a. Please confirm which schools may implement a waiver to “start over” the accountability timeline if implementing a turnaround or restart model.

Under section I.B.2 of the final requirements, the Department invited an SEA to seek a waiver of the school improvement timeline in section 1116(b)(12) for any Title I school in improvement, corrective action, or restructuring that is identified as a Tier I or Tier II school and that implements a turnaround or restart model. As a result, if an SEA (or LEA if its SEA does not apply for a waiver) receives such a waiver, any Tier I or Tier II school that receives both Title I, Part A and SIG funds and is located in the SEA (or LEA) may implement the waiver to “start over” in the school improvement timeline. In seeking a waiver, an SEA (or LEA) also may apply to implement the waiver with regard to a Title I school in improvement, corrective action, or restructuring that is identified in Tier III and is implementing the turnaround or restart model with SIG funds. Note that Tier I and Tier II schools that do not receive Title I, Part A funds are not subject to the school improvement timeline in section 1116(b)(12) and therefore do not need the benefit of a waiver.

Waiver to Extend the Period of Availability of SIG Funds

G-5. If an SEA received a waiver of section 421(b) of GEPA to extend the period of availability of its FY 2009 SIG funds through its FY 2009 SIG application, does it need to request this waiver again for its FY 2009 carryover funds?

Yes. For an SEA that received a waiver to extend the period of availability of its FY 2009 SIG funds for two additional years, those funds are available until September 30, 2013. Because the waiver applied to all FY 2009 SIG funds, that means that FY 2009 carryover SIG funds are also available until September 30, 2013. However, an LEA that applies for SIG funds through the FY 2010 competition will not begin full implementation of a school intervention model until the 2011–2012 school year, meaning that the three years of implementation of the model will not be completed until the end of the 2013–2014 school year. As a result, an SEA that allocates FY 2009 carryover SIG funds would want to ensure that those funds are available until September 30, 2014

— one year longer than they are currently available in a State that received this waiver through its FY 2009 application. By requesting the waiver again through its FY 2010 SIG application, FY 2009 carryover SIG funds could be made available for that one additional year — until September 30, 2014. (Modified for FY 2010 Guidance)

G-6. May an SEA request a waiver of section 421(b) of GEPA to extend the period of availability of its FY 2010 SIG funds?

Yes, an SEA may request a waiver to extend the period of availability of its FY 2010 SIG funds until September 30, 2014 to allow it to use FY 2010 SIG funds to provide all three years of funding to grantees (*i.e.*, “frontloading” grants, as in the FY 2009 competition). However, the Department encourages an SEA to consider requesting this waiver only with respect to its FY 2009 carryover SIG funds and providing only the first year of a three-year grant award from its FY 2010 allocation because implementation of this waiver with respect to an SEA’s FY 2010 SIG funds would reduce the number of Tier I and Tier II schools that an SEA could serve with SIG funds. Accordingly, an SEA should request this waiver only if it can demonstrate that the SEA and its LEAs lack capacity to serve significantly more Tier I and Tier II schools and, therefore, frontloading would not actually reduce the number of Tier I and Tier II schools served (*i.e.*, because the schools would not be served anyway due to lack of capacity) (see G-6a).

For example, as depicted below, if a State has \$36 million in FY 2009 carryover SIG funds and \$21 million in FY 2010 funds, and awards each Tier I or Tier II school implementing a school intervention model an average of \$1 million per year over three years, the SEA would be able to fund 12 Tier I and Tier II schools with FY 2009 carryover funds (*i.e.*, the \$36 million would cover all three years of funding for those 12 schools), plus an additional 21 Tier I and Tier II schools with FY 2010 funds (*i.e.*, the \$21 million would cover the first year of funding for each of those schools, and the second and third years would be funded through continuation grants from subsequent SIG appropriations). Thus, as a result of not seeking a waiver to extend the period of availability of FY 2010 SIG funds, the State would be able to support interventions in a total of 33 Tier I and Tier II schools. However, if the same State’s LEAs applied for and were approved to serve only 19 Tier I and Tier II schools, either due to the number of eligible schools identified in the State or due to capacity constraints, the State may request a waiver of the period of availability for its FY 2010 funds because then it would be able to use the total of \$57 million it has available for its FY 2010 SIG competition to fully fund three-year grant awards to all 19 schools.

FY 2009 Carryover Funds	FY 2010 Funds	# Schools Funded by Frontloading FY 2009 Carryover Funds (\$1 million per year per school)	# Schools Funded by Granting First-Year Only Awards from FY 2010 (\$1 million per year per school)	Total # Schools Funded by Frontloading FY 2009 Carryover Funds and Granting First-Year Only Awards from FY 2010 Funds	Total # Schools Funded by Frontloading FY 2009 Carryover and FY 2010 Funds
\$36 million	\$21 million	12	21	33	19

(Modified for FY 2010)

G-6a. On what basis may an SEA request a waiver to extend the period of availability of its FY 2010 SIG funds?

As it conducts its FY 2010 SIG competition, an SEA may determine that the SEA and its LEAs do not have the capacity to serve the maximum number of schools that could be served with SIG funds if FY 2009 carryover funds are frontloaded but FY 2010 funds are used for first-year only awards. This may be particularly true in a State, such as the State discussed in the example in G-6, that would be able to serve significantly more schools if it were to allocate FY 2010 SIG funds for first-year only awards than it would if it frontloads FY 2010 funds. For example, at the State level, this lack of capacity might be due to limitations on the SEA's ability to provide adequate technical assistance to significantly more LEAs and schools or limitations on its ability to monitor significantly more schools to ensure that every school is implementing the school intervention models with fidelity. At the LEA level, an LEA might lack capacity to serve significantly more schools than it is already serving with FY 2009 funds if, for example, it is unable to recruit additional principals and/or staff that have the experience and skills needed to implement successfully a turnaround, restart, or transformation model, or because it lacks a sufficient number of CMOs or EMOs that are willing to restart additional schools in the LEA.

Until an SEA sees how many Tier I and Tier II schools its LEAs apply to serve through the FY 2010 competition, it may not know whether the SEA and its LEAs lack sufficient capacity to serve the maximum number of schools that could be served with SIG funds if FY 2009 carryover funds are frontloaded but FY 2010 funds are used for first-year only awards. If, after conducting its FY 2010 competition, an SEA determines that the SEA and its LEAs lack sufficient capacity to serve the maximum number of schools that could be served with SIG funds if it used FY 2010 SIG funds to fund only the first year of a three-year grant, it may apply for a waiver to extend the period of availability of its FY 2010 SIG funds. By requesting the waiver to extend the period of availability of its FY 2010 funds, the SEA would be able to use all of the SIG funds it has available for FY 2010 to "frontload" funding to support all three years of implementation of a school intervention model in a Tier I or Tier II school.

An SEA may request this waiver by complying with the requirements in section 9401 of the ESEA, which are described in the Department's Title I, Part A Waiver Guidance (available at: <http://www2.ed.gov/programs/titleiparta/title-i-waiver.doc>) and which are summarized in the FY 2010 SIG application. The Department expects that an SEA that requests the waiver to extend the period of availability of its FY 2010 funds would demonstrate a lack of SEA and LEA capacity as part of its request. (New for FY 2010 Guidance)

G-6b. If an SEA does not receive a waiver to extend the period of availability of its FY 2010 SIG funds, will an LEA that receives FY 2010 SIG funds to implement a school intervention model implement the model over three years?

Yes. The Department expects that an LEA using SIG funds to implement a school intervention model in its Tier I and Tier II schools will implement the model over the course of three years. As explained in G-6 and in Appendix B to the FY 2010 SIG Application, in a State that does not receive a waiver to extend the period of availability of its FY 2010 SIG funds, the second and third

years of implementation will be funded out of continuation grants made with FY 2011 and FY 2012 SIG funds, assuming the availability of those funds. (New for FY 2010 Guidance)

Cross-Cutting Information on SIG Waivers

G-7. What is the process for an SEA to apply for waivers specifically integral to implementing SIG grants?

The SEA application for SIG funds includes a section for an SEA to indicate which of the waivers specifically integral to implementing school improvement grants it is requesting. All of the waivers discussed above, other than the waiver to extend the period of availability of FY 2010 SIG funds, are included in this section. As noted in G-6a, an SEA may request the waiver to extend the period of availability of FY 2010 SIG funds by complying with the requirements in section 9401 of the ESEA, which are described in the Department's Title I, Part A Waiver Guidance (available at: <http://www2.ed.gov/programs/titleiparta/title-i-waiver.doc>) and which are summarized in the FY 2010 SIG application. (Modified for FY 2010 Guidance)

G-8. What is the process for an LEA to request approval to implement a SIG-related waiver granted to an SEA?

An LEA may implement the SIG-related waivers granted to its SEA simply by indicating on its application for SIG funds that, if awarded the funds, it would implement the waiver. If an SEA requests and receives one or more waivers, the LEA application the SEA develops must include a section for an LEA to indicate which of these waivers the LEA would implement if awarded SIG funds. That section of the LEA application must require the LEA to indicate the schools for which it will implement the waiver if the LEA does not intend to implement the waiver with respect to each applicable school. (Modified for FY 2010 Guidance)

G-9. Prior to applying for one or more of the waivers discussed in the final requirements through the submission of its application for SIG funds, must an SEA comply with the notice-and-comment requirements in section 9401 of the ESEA?

Yes. In particular, the SEA must provide all interested LEAs in the State with notice and a reasonable opportunity to comment on the request (ESEA section 9401(b)(3)(A)(i)). The SEA must submit all comments it receives from those LEAs to the Secretary along with its application for SIG funds (ESEA section 9401(b)(3)(A)(ii)). The SEA must also provide notice and information regarding the waiver request to the public in the manner in which the SEA customarily provides such notice and information to the public (ESEA section 9401(b)(3)(A)(iii)), such as through a public Web site.

G-10. Must an SEA seek any of the waivers discussed in the final requirements?

No. An SEA is never obligated to request a waiver of statutory or regulatory requirements.

H. LEA REQUIREMENTS

H-1. Which LEAs may apply for a SIG grant?

An LEA that receives Title I, Part A funds and that has one or more Tier I, Tier II, or Tier III schools may apply for a SIG grant. See section II.A.1 of the final requirements. Note that an LEA that is in improvement but that does not have any Tier I, Tier II, or Tier III schools is not eligible to receive SIG funds.

H-2. May an educational service agency apply for a SIG grant on behalf of one or more LEAs?

Only LEAs are eligible to apply to an SEA for a SIG grant. An educational service agency (ESA) may apply for a SIG grant on behalf of one or more LEAs if the ESA is itself an LEA under the definition in section 9101(26) of the ESEA and each LEA for whom the ESA is applying receives Title I, Part A funds and has at least one Tier I, Tier II, or Tier III school. Moreover, the ESA must have the authority and capability to implement the whole-school intervention models required in the final requirements in Tier I and Tier II schools in the LEAs for which it applies to serve.

H-3. Must an LEA that wishes to receive FY 2010 SIG funds submit a new application?

Yes. An LEA that wishes to receive FY 2010 SIG funds through the FY 2010 competition to support interventions in schools that are not being served with FY 2009 SIG funds must submit a new application. The LEA should bear in mind that, if it also received FY 2009 SIG funds, renewal of its SIG grant for the schools being funded with FY 2009 SIG funds will be made out of the FY 2009 SIG funds that were reserved by the SEA when it conducted its competition for FY 2009 funds. Funds from the FY 2010 competition, however, could be used by the LEA to support implementation of a school intervention model in additional schools, which may include schools that had not been identified as eligible to receive SIG funds for purposes of the FY 2009 competition but are eligible to receive SIG funds for purposes of the FY 2010 competition as well as schools that the LEA did not previously have the capacity to serve. (Modified for FY 2010 Guidance)

H-4. What must an LEA include in its application to the SEA for SIG funds?

In addition to any other information that the SEA may require, the LEA must:

- (1) Identify the Tier I, Tier II, and Tier III schools the LEA commits to serve;
- (2) Identify the school intervention model the LEA will implement in each Tier I and Tier II school it commits to serve;
- (3) For each Tier I and Tier II school that the LEA commits to serve, demonstrate that the LEA--
 - Has analyzed the needs of each school and selected an intervention for each school.
 - Has the capacity to enable each school to implement, fully and effectively, the required activities of the school intervention model it has selected;
- (4) If the LEA is not applying to serve each Tier I school, explain why it lacks capacity to serve each Tier I school;
- (5) Describe actions it has taken, or will take, to:

- Design and implement interventions consistent with the final requirements;
 - Recruit, screen, and select external providers, if applicable, to ensure their quality;
 - Align other resources with the interventions;
 - Modify its practices or policies, if necessary, to enable it to implement the interventions fully and effectively; and
 - Sustain the reforms after the funding period ends;
- (6) Include a timeline delineating the steps it will take to implement the selected intervention in each Tier I and Tier II school identified in the LEA's application;
 - (7) Describe the annual goals for student achievement on the State's assessments in both reading/language arts and mathematics that it has established in order to monitor its Tier I and Tier II schools that receive SIG funds;
 - (8) For each Tier III school the LEA commits to serve, identify the services the school will receive or the activities the school will implement;
 - (9) Describe the goals the LEA has established to hold accountable the Tier III schools it serves with SIG funds;
 - (10) Include a budget indicating the amount of SIG funds the LEA will use to--
 - a. Implement the selected school intervention model in each Tier I and Tier II school it commits to serve;
 - b. Conduct LEA-level activities designed to support implementation of the selected school intervention models in the LEA's Tier I and Tier II schools; and
 - c. Support school improvement activities, at the school or LEA level, for each Tier III school identified in the LEA's application;
 - (11) Consult with relevant stakeholders, as appropriate, regarding the LEA's application and implementation of school improvement models in its Tier I and Tier II schools;
 - (12) Include the required assurances; and
 - (13) Indicate any waivers that the LEA will implement with respect to its SIG funds.

See generally sections II.A.2, II.A.4, and II.A.5 of the final requirements.

Note that, even in a State that does not request a waiver to extend the period of availability of its FY 2010 SIG funds, the timeline delineating the steps the LEA will take to implement the selected intervention ((6) above), the required annual goals ((7) and (9) above), and the budget ((10) above) should cover all three years over which the school intervention model will be implemented.
(Modified for FY 2010 Guidance)

H-4a. Should families and other members of the community be included among the relevant stakeholders with whom an LEA consults regarding its application for SIG

funds and implementation of school improvement models in its Tier I and Tier II schools?

Yes. Family and community engagement is a critical component of a successful intervention in a Tier I or Tier II school. Accordingly, the Department strongly encourages LEAs to engage these stakeholders in the decision-making process regarding an LEA's SIG application. For example, an LEA might hold community meetings to discuss the school intervention model it is considering implementing and the reasons it believes that the model is appropriate; survey families and the community to gauge their needs; or provide updates to families and the community about the application process and status of the LEA's application.

Given the importance of family and community engagement to the success of an intervention, the open dialogue and engagement with these stakeholders should not end when an LEA's application is approved, but should continue through the pre-implementation stage and throughout the implementation of the intervention model. (New for FY 2010 Guidance)

H-5. Must an LEA identify every Tier I, Tier II, and Tier III school located within the LEA in its application for SIG funds?

No, an LEA need not identify every Tier I, Tier II, and Tier III school located within the LEA in its application; the LEA need only identify the Tier I, Tier II, and Tier III schools that it commits to serve with SIG funds.

H-6. Must an LEA commit to serve every Tier I school located within the LEA?

An LEA that applies for a SIG grant must serve each of its Tier I schools—including both Tier I schools that are among the State's persistently lowest-achieving schools and Tier I schools that are newly eligible to receive SIG funds that the SEA has identified as Tier I schools—using one of the four school intervention models unless the LEA demonstrates that it lacks sufficient capacity to do so. See section II.A.3 of the final requirements. An LEA that is serving some of its schools with FY 2009 SIG funds is not obligated to apply for FY 2010 SIG funds to serve additional schools, but if it chooses to do so, it must meet this requirement to serve each of its Tier I schools unless it lacks sufficient capacity to do so, particularly if the LEA wishes to serve any Tier III schools. (Modified for FY 2010 Guidance)

H-7. How might an LEA demonstrate that it lacks sufficient capacity to serve one or more of its Tier I schools?

An LEA might demonstrate that it lacks sufficient capacity to serve one or more of its Tier I schools by documenting efforts such as its unsuccessful attempts to recruit a sufficient number of new principals to implement the turnaround or transformation model; the unavailability of CMOs or EMOs willing to restart schools in the LEA; or its intent to serve Tier II schools instead of all its Tier I schools (see H-9). An LEA may not demonstrate that it lacks capacity to serve one or more of its Tier I schools based on its intent to serve Tier III schools or the fact that it is currently serving Tier III schools with FY 2009 SIG funds. (Modified for FY 2010 Guidance)

H-8. Is an LEA obligated to serve its Tier II schools?

No. Each LEA retains the discretion to determine whether it will serve any or all of its Tier II schools. Moreover, although an LEA must serve all of its Tier I schools unless it lacks sufficient capacity to do so, an LEA has the choice to serve only a portion of its Tier II schools.

H-9. May an LEA take into account whether it will serve one or more of its Tier II schools in determining its capacity to serve its Tier I schools?

Yes. An LEA must serve all of its Tier I schools if it has the capacity to do so. However, an LEA may take into consideration, in determining its capacity, whether it also plans to serve one or more Tier II schools. In other words, an LEA with capacity to serve only a portion of its Tier I and Tier II schools may serve some of each set of schools; it does not necessarily have to expend its capacity to serve all of its Tier I schools before serving any Tier II schools. See section II.A.3 of the final requirements.

H-10. May an LEA commit to serving only its Tier II schools?

Yes. Even an LEA that has one or more Tier I schools may commit to serving only its Tier II schools. In particular, an LEA that has one or more Tier I schools may commit to serving only its Tier II schools if serving those schools will result in a lack of capacity to serve any Tier I schools (see H-9).

H-11. May an LEA commit to serving only its Tier III schools?

Only an LEA that has no Tier I schools may commit to serving only Tier III schools. See section II.A.7 of the final requirements. This means that an LEA that has Tier II schools, but no Tier I schools, may commit to serve only its Tier III schools. Note, however, that in awarding SIG funds, an SEA must give priority to an LEA that commits to serve Tier I or Tier II schools over an LEA that commits to serve only Tier III schools (see I-7).

H-12. May an LEA commit to serving only a portion of its Tier III schools?

Yes. Just as an LEA has discretion with respect to whether it will serve any Tier II schools and, if so, which ones, an LEA retains discretion with respect to whether it will serve its Tier III schools and, if so, whether it will serve all, only a portion, or any of those schools. Although the final requirements do not impose any restrictions with respect to which Tier III schools an LEA may choose to serve, an SEA may impose requirements that distinguish among Tier III schools (see I-11). An LEA should review its SEA's requirements carefully before determining which, if any, Tier III schools it will commit to serve in its application.

H-12a. May an LEA continue to serve as a Tier III school a school that was previously identified as a Tier III school and is being served in 2010–2011 with FY 2009 SIG funds but is identified as a Tier I or Tier II school for the FY 2010 SIG competition?

In general, no; if it is to be served, the school must be served as a Tier I or Tier II school and must implement one of the SIG intervention models. If a school that was previously identified as a Tier III school and is being served in 2010–2011 with FY 2009 SIG funds is identified as a Tier I or Tier II school for purposes of the FY 2010 competition for SIG funds, that school may not continue to receive SIG funds as a Tier III school beyond the 2010–2011 school year. (See section II.A.3 of the SIG final requirements, providing that an LEA “may not serve with [SIG] funds ... a Tier I or Tier

II school in which it does not implement one of the four interventions”) If the LEA in which such a school is located wishes to continue receiving SIG funds for that school, it must apply for SIG funds through the FY 2010 competition to serve the school as a Tier I or Tier II school, as appropriate. The exception to this rule is that a Tier III school that is using SIG funds to implement one of the school intervention models beginning in the 2010–2011 school year may continue to receive FY 2009 SIG funds over the full three years of its grant to support that implementation. (New for FY 2010 Guidance)

H-12b. May an LEA receive FY 2010 or FY 2009 carryover SIG funds for a Tier III school that also is receiving FY 2009 SIG funds as a result of the FY 2009 competition?

No. Through the waiver to extend the period of availability, a Tier III school that is receiving SIG funds as a result of the FY 2009 competition will continue to receive FY 2009 SIG funds in the 2011–2012 and 2012–2013 school years, assuming it meets the requirements for having its grant renewed. Therefore, if a school that was previously identified as a Tier III school and is being served with FY 2009 SIG funds is again identified as a Tier III school for purposes of the FY 2010 competition, it may not continue to receive FY 2009 SIG funds and receive, in addition, FY 2010 and/or FY 2009 carryover SIG funds. In other words, the school may not “double dip” to receive SIG funds from both competitions. (New for FY 2010 Guidance)

H-13. How do the requirements and limitations described in H-6 through H-12c work together to guide an LEA’s determination of which schools it must commit to serve with SIG funds?

The following chart summarizes how the requirements and limitations described in H-6 through H-12 work together to guide an LEA’s determination of which schools it must commit to serve with SIG funds if it wishes to receive FY 2010 and/or FY 2009 SIG carryover funds:

If an LEA has one or more . . .	In order to get FY 2010 and/or FY 2009 carryover SIG funds, the LEA <u>must</u> commit to serve . . .
Tier I, Tier II, and Tier III schools	Each Tier I school it has capacity to serve; at a minimum, at least one Tier I school OR at least one Tier II school [†]
Tier I and Tier II schools, but no Tier III schools	Each Tier I school it has capacity to serve; at a minimum, at least one Tier I school OR at least one Tier II school [†]
Tier I and III schools, but no Tier II	Each Tier I school it has capacity to

[†] The number of Tier I schools an LEA has capacity to serve may be zero if, and only if, the LEA is using all of the capacity it would otherwise use to serve its Tier I schools in order to serve Tier II schools.

schools	serve; at a minimum, at least one Tier I school
Tier II and Tier III schools, but no Tier I schools	The LEA has the option to commit to serve as many Tier II and Tier III schools as it wishes
Tier I schools only	Each Tier I school it has capacity to serve
Tier II schools only	The LEA has the option to commit to serve as many Tier II schools as it wishes
Tier III schools only	The LEA has the option to commit to serve as many Tier III schools as it wishes

(Modified for FY 2010 Guidance)

H-14. If an LEA wishes to serve a Tier III school, must it provide SIG funds directly to the school?

No. An LEA may “serve” a Tier III school by providing services that provide a direct benefit to the school. Accordingly, a Tier III school that an LEA commits to serve must receive some tangible benefit from the LEA’s use of SIG funds, the value of which can be determined by the LEA, but the school need not actually receive SIG funds. For example, an LEA might use a portion of its SIG funds at the district level to hire an outside expert to help Tier III schools examine their achievement data and determine what school improvement activities to provide based on that data analysis. Similarly, an LEA might provide professional development at the district level to all or a subset of its Tier III schools.

H-15. Are there any particular school improvement strategies that an LEA must implement in its Tier III schools?

No. An LEA has flexibility to choose the strategies it will implement in the Tier III schools it commits to serve. Of course, the strategies the LEA selects should be research-based and designed to address the particular needs of the Tier III schools.

H-16. May an LEA use SIG funds to continue to implement school improvement strategies that do not meet the requirements of one of the four models but that have helped improve achievement in the LEA?

Yes. An LEA may use SIG funds for these activities in Tier III schools or may add them to the school intervention models in Tier I or Tier II schools, to the extent they are consistent with the requirements of those models. The LEA may also use other sources of funds, such as school

improvement funds it receives under section 1003(a) of the ESEA or under Title I, Part A, for these other strategies.

H-17. May an LEA implement several of the school intervention models among the Tier I and Tier II schools it commits to serve?

Generally, yes. An LEA may use whatever mix of school intervention models it determines is appropriate. However, if an LEA has nine or more Tier I and Tier II schools, the LEA may not implement the transformation model in more than 50 percent of those schools (see H-21).

H-18. How can an LEA demonstrate that it has the capacity to use SIG funds to provide adequate resources and related support to each Tier I and Tier II school it commits to serve in order to implement fully and effectively one of the four school intervention models?

An LEA can demonstrate that it has the capacity to use SIG funds to provide adequate resources and related support to each Tier I and Tier II school it commits to serve by addressing a number of matters. For example, the LEA might emphasize the credentials of staff who have the capability to implement one of the school intervention models. The LEA might also indicate its ability to recruit new principals to implement the turnaround and transformation models or the availability of CMOs and EMOs it could enlist to implement the restart model. The LEA might also indicate the support of its teachers' union with respect to the staffing and teacher evaluation requirements in the turnaround and transformation models, the commitment of its school board to eliminate any barriers and to facilitate full and effective implementation of the models, and the support of staff and parents in schools to be served. In addition, the LEA should indicate through the timeline required in its application that it has the ability to begin implementing the school intervention model it selects fully and effectively by the beginning of the 2011–2012 school year. (Modified for FY 2010 Guidance)

H-19. How can an LEA use “external providers” to turn around its persistently lowest-achieving schools?

The most specific way an LEA can use “external providers” is to contract with a charter school operator, a CMO, or an EMO to implement the restart model in a Tier I or Tier II school. The LEA might also contract with a turnaround organization to assist it in implementing the turnaround model. The LEA might also use external providers to provide technical expertise in implementing a variety of components of the school intervention models, such as helping a school evaluate its data and determine what changes are needed based on those data; providing job-embedded professional development; designing an equitable teacher and principal evaluation system that relies on student achievement; and creating safe school environments that meet students' social, emotional, and health needs.

H-19a. How should an LEA select external providers to assist it in turning around its persistently lowest-achieving schools?

As discussed above in Section C of the guidance (see, in particular, C-5), if an LEA wishes to contract with a charter school operator, a CMO, or an EMO to implement the restart model, it must select that charter school operator, CMO, or EMO through a “rigorous review process.” All other

external providers must also be screened for their quality. (See section I.A.4(iii) of the final requirements, providing that, in its application for SIG funds, an LEA must describe, among other things, the actions it has taken, or will take, to recruit, screen, and select external providers to ensure their quality.) The purpose of such screening is similar to the purpose of the “rigorous review process,” in that both processes permit an LEA to examine a prospective provider’s reform plans and strategies. Screening an external provider helps prevent an LEA from contracting with a provider without ensuring that the provider has a meaningful plan for contributing to the reform efforts in the targeted school. In screening a potential external provider, an LEA might, for example, require the provider to demonstrate that its strategies are research-based and that it has the capacity to implement the strategies it is proposing. (New for FY 2010 Guidance)

H-20. What are examples of “other resources” an LEA might align with the interventions it commits to implement using SIG funds?

An LEA might use a number of other resources, in addition to its SIG funds, to implement the school intervention models in the final requirements. For example, an LEA might use school improvement funds it receives under section 1003(a) of the ESEA or Title I, Part A funds it received under the ARRA. The LEA might also use its general Title I, Part A funds as well as funds it receives under other ESEA authorities, such as Title II, Part A, which it could use for recruiting high-quality teachers, or Title III, Part A, which it could use to improve the English proficiency of LEP students.

H-21. What is the cap on the number of schools in which an LEA may implement the transformation model and to which LEAs does it apply?

An LEA with nine or more Tier I and Tier II schools, including both schools that are being served with FY 2009 SIG funds and schools that are eligible to receive FY 2010 SIG funds, may not implement the transformation model in more than 50 percent of those schools. See section II.A.2(b) of the final requirements. Given that the cap only applies to an LEA with nine or more Tier I and Tier II schools, an LEA with, for example, four Tier I schools and four Tier II schools, for a total of eight Tier I and Tier II schools, would not be covered by the cap. However, an LEA with, for example, seven Tier I schools and two Tier II schools, for a total of nine Tier I and Tier II schools, would be covered by the cap. Thus, continuing the prior example, the LEA with seven Tier I schools and two Tier II schools would be able to implement the transformation model in no more than four of those schools. This limitation applies irrespective of whether the Tier I or Tier II schools in a given LEA are among the State’s persistently lowest-achieving schools or whether they are newly eligible schools identified as Tier I or Tier II schools at the State’s option.

Note that, for purposes of the FY 2010 SIG competition, the number of Tier I and Tier II schools an LEA has is based on the number of Tier I and Tier II schools the LEA served through the FY 2009 competition and the number of additional Tier I and Tier II schools in the LEA that are identified as such on the State’s FY 2010 Tier I and Tier II lists. For example, for FY 2009, LEA 1 had seven Tier I schools and two Tier II schools, so it was covered by the cap. Using FY 2009 SIG funds, it implemented the transformation model in four of those schools. For FY 2010, one of the schools in LEA 1 that had been identified as a Tier II school for FY 2009 is not identified as either a Tier I or Tier II school for FY 2010, but the SEA has identified two additional Tier I schools and two additional Tier II schools in LEA 1, so the LEA now has a total of 12 Tier I and Tier II schools (the four schools currently being served + the four schools that were identified in FY 2009 and that

remain on the FY 2010 list + the four additional schools identified for FY 2010), which means it may implement the transformation model in a total of six schools, or two schools in addition to those that are being served with FY 2009 funds. (Modified for FY 2010 Guidance; Revised February 16, 2011)

H-21a. If an LEA that was not subject to the nine-school cap for FY 2009 is subject to the cap for FY 2010 because it now has nine or more Tier I and Tier II schools and is already exceeding the cap based on the number of schools in which it is implementing the transformation model in 2010–2011, must it change the model being implemented in some of those schools in order to comply with the cap?

No. An LEA in this situation need not change the models it is implementing in the schools already being served with SIG funds but, if it is already exceeding the cap, it may not implement the transformation model in any additional schools.

For example, for FY 2009, LEA 2 had four Tier I schools and four Tier II schools, so it was not affected by the cap (because it only had eight Tier I and Tier II schools). Using FY 2009 SIG funds, it implemented the transformation model in all four Tier I schools and two Tier II schools. For FY 2010, LEA 2 has three additional schools identified as Tier I, so it now has a total of 11 Tier I and Tier II schools, which means the cap would apply. As a result, it may implement the transformation model in only five of its schools. Under these circumstances, LEA 2 would not be required to stop implementing the transformation model in one of its schools, but it would not be permitted to implement the transformation model in any additional Tier I or Tier II schools that it seeks to serve. (New for FY 2010 Guidance)

H-21b. Is the nine-school cap for implementing the transformation model based on the number of Tier I and Tier II schools an LEA *has* or the number of Tier I and Tier II schools an LEA *serves*?

The nine-school cap is based on the number of Tier I and Tier II schools an LEA has, not the number of Tier I and Tier II schools the LEA serves through the SIG program. Thus, the cap applies to any LEA that has nine or more Tier I and Tier II schools, even if the LEA applies to serve, and is approved to serve, only a portion of those schools. For example, the cap would apply to an LEA that has 10 Tier I and Tier II schools, even if the LEA applies to serve, and is approved to serve, only six of those schools. In this example, the LEA would be able to implement the transformation model in no more than 50 percent, or five, of its 10 Tier I and Tier II schools; the LEA would have to implement one of the other models in any additional school that it serves. (Added February 16, 2011)

H-22. If an LEA lacks capacity to implement any of the four interventions in all of its Tier I schools, may it apply for SIG funds to provide other services to some of its Tier I schools?

No. The only services an LEA may provide to a Tier I school using SIG funds are services entailed in the implementation of one of the four interventions described in the final requirements (*i.e.*, turnaround model, restart model, school closure, or transformation model). If an LEA lacks

capacity to implement one of those models in some or all of its Tier I schools, the LEA may not use any SIG funds in those schools. See section II.A.3 of the final requirements.

H-23. May an LEA use SIG funds to serve a school that feeds into a Tier I, Tier II, or Tier III school, but is not itself a Tier I, Tier II, or Tier III school?

No. Only a school that is a Tier I, Tier II, or Tier III school may be served with SIG funds. See section II.A.1 of the final requirements.

H-24. What criteria must an LEA use to monitor each Tier I and Tier II school that receives SIG funds?

An LEA must monitor each Tier I and Tier II school that receives SIG funds to determine whether the school:

- (1) Is meeting annual goals established by the LEA for student achievement on the State's ESEA assessments in both reading/language arts and mathematics; and
- (2) Is making progress on the leading indicators described in the final requirements.

See section II.A.8 of the final requirements.

H-25. What are examples of the annual goals for student achievement that an LEA must establish for its Tier I and Tier II schools?

An LEA must establish annual goals for student achievement on the State's ESEA assessments in both reading/language arts and mathematics that it will use to monitor each Tier I and Tier II school that receives SIG funds. See section II.A.8 of the final requirements. Annual goals that an LEA could set might include making at least one year's progress in reading/language arts and mathematics; reducing the percentage of students who are non-proficient on the State's reading/language arts and mathematics assessments by 10 percent or more from the prior year; or meeting the goals the State establishes in its Race to the Top application.

Note that the determination of whether a school meets the goals for student achievement established by the LEA is in addition to the determination of whether the school makes AYP as required by section 1111(b)(2) of the ESEA. In other words, each LEA receiving SIG funds must monitor the Tier I and Tier II schools it is serving to determine whether they have met the LEA's annual goals for student achievement and must also comply with its obligations for making accountability determinations under section 1111(b)(2) of the ESEA.

Further, note that the LEA should establish annual goals to cover all three years of implementation of the school intervention model, even if the second and third years will be funded out of continuation grants. (Modified for FY 2010 Guidance)

H-26. What are examples of the goals an LEA must establish to hold accountable the Tier III schools it serves with SIG funds?

An LEA must establish, and the SEA must approve, goals to hold accountable the Tier III schools it serves with SIG funds (see section II.C(a) of the final requirements), although the LEA has

discretion in establishing those goals. For example, the LEA might establish for its Tier III schools the same student achievement goals that it establishes for its Tier I and Tier II schools, or it might establish for its Tier III schools goals that align with the already existing AYP requirements, such as meeting the State's annual measurable objectives or making AYP through safe harbor. Note that the goals that the LEA establishes must be approved by the SEA.

H-27. What are the leading indicators that will be used to hold schools receiving SIG funds accountable?

The following metrics constitute the leading indicators for the SIG program:

- (1) Number of minutes within the school year;
- (2) Student participation rate on State assessments in reading/language arts and in mathematics, by student subgroup;
- (3) Dropout rate;
- (4) Student attendance rate;
- (5) Number and percentage of students completing advanced coursework (e.g., AP/IB), early-college high schools, or dual enrollment classes;
- (6) Discipline incidents;
- (7) Truants;
- (8) Distribution of teachers by performance level on an LEA's teacher evaluation system; and
- (9) Teacher attendance rate.

See section III.A of the final requirements.

H-28. Is there a limit on the amount of SIG funds an LEA may carry over?

No. The provision in section 1127(a) of the ESEA that limits the amount of Title I, Part A funds an LEA may carry over to the subsequent fiscal year does not apply to SIG funds.

H-29. May an LEA use SIG funds to pay for the costs of minor remodeling necessary to support technology that will be used as part of the implementation of a school intervention model?

Yes, an LEA may use SIG funds to pay for the costs of minor remodeling that is necessary to support technology if the costs are directly attributable to the implementation of a school intervention model and are reasonable and necessary.

The overall goal of the SIG program is to improve student academic achievement in persistently lowest-achieving schools through the implementation of one of four school intervention models. If

an LEA determines, with an eye toward the ultimate goal of improving student achievement, that the use of new technology is essential for the full and effective implementation of one of the models, it may deem the costs associated with that new technology a reasonable and necessary use of SIG funds. For example, if an LEA chooses to accelerate learning by implementing Web-based interim assessments and aligned on-line instructional materials for students and that implementation requires computers placed in classrooms rather than in a computer lab and wireless connectivity, it may use SIG funds to carry out minor remodeling needed to accommodate the computers in the classrooms and the wireless connectivity.

Please note that, under 34 C.F.R. § 77.1(c), “minor remodeling” means “minor alterations in a previously completed building,” and also includes the “extension of utility lines, such as water and electricity, from points beyond the confines of the space in which the minor remodeling is undertaken but within the confines of the previously completed building.” “Minor remodeling” specifically “does *not* include building construction, structural alterations to buildings, building maintenance, or repairs.” (34 C.F.R. § 77.1(c) (emphasis added).)

Any costs for minor remodeling that an LEA wishes to support with SIG funds must be included in the LEA’s proposed SIG budget and reviewed and approved by the SEA. In addition, the LEA must keep records to demonstrate that such costs are directly attributable to its implementation of a school intervention model as well as reasonable and necessary.

I. SEA REQUIREMENTS

I-1. What must an SEA do to receive an FY 2010 SIG grant?

To receive a SIG grant, an SEA must submit an application to the Department at such time, and containing such information, as the Secretary shall reasonably require. Although the FY 2010 application generally asks for the same information that was asked for in the FY 2009 application, an SEA may modify the information it provides for FY 2010 to reflect lessons learned and changes it wishes to make in how it implements its SIG program moving forward.

In addition to any other information that the Secretary may reasonably require, an SEA’s application for an FY 2010 SIG grant must describe:

- (1) The SEA’s process and timeline for approving LEA applications.
- (2) How it will evaluate an LEA’s proposed use of funds for pre-implementation activities.
- (3) If it will be different from the process that was used for the SEA’s FY 2009 SIG grant, the SEA’s process for reviewing an LEA’s annual goals for student achievement for its Tier I and Tier II schools and how the SEA will determine whether to renew an LEA’s SIG grant with respect to one or more Tier I or Tier II schools within the LEA that are not meeting those goals and making progress on the leading indicators.
- (4) If it will be different from the process that was used for the SEA’s FY 2009 SIG grant, the SEA’s process for reviewing an LEA’s goals for its Tier III schools and how the SEA will determine whether to renew an LEA’s SIG grant with respect to one or more Tier III schools within the LEA that are not meeting those goals.

- (5) If it will be different from the monitoring process that will be used for the SEA's FY 2009 SIG grant, how the SEA will monitor each LEA that receives a SIG grant to ensure that it is implementing a school intervention model fully and effectively in the Tier I and Tier II schools the SEA approves the LEA to serve.
- (6) If it will be different from the method of prioritizing the SEA used for its FY 2009 SIG grant, how the SEA will prioritize SIG grants to LEAs if the SEA does not have sufficient SIG funds to serve all eligible schools for which each LEA applies.
- (7) If they differ from the criteria that were used for the SEA's FY 2009 SIG grant, the criteria, if any, that the SEA intends to use to prioritize among Tier III schools.
- (8) If the SEA intends to take over any Tier I or Tier II schools, identify those schools and indicate the school intervention model the SEA will implement in each school.
- (9) If the SEA intends to provide services directly to any schools in the absence of a takeover, identify those schools and, for Tier I or Tier II schools, indicate the school intervention model the SEA will implement in each school, and provide evidence of the LEA's approval to have the SEA provide the services directly.

The SEA's application must also provide the criteria it will use to evaluate an LEA's application (see I-2) if they differ from the criteria that were used for the SEA's FY 2009 SIG grant, as well as certain assurances related to its SIG grant. See generally section II.B.2 of the final requirements and the FY 2010 SIG State application. (Modified for FY 2010 Guidance)

I-2. Before approving an LEA's application, what factors must an SEA consider to determine whether the application meets the final requirements?

An SEA must have criteria to evaluate the following information in an LEA's application (see section II.B.2(b) of the final requirements):

- (1) Whether the LEA has analyzed the needs of each Tier I and Tier II school identified in the LEA's application and has selected one of the four school intervention models identified in the final requirements (*i.e.*, turnaround model, restart model, school closure, or transformation model) to implement in each school.
- (2) Whether the LEA has demonstrated that it has the capacity to use SIG funds to provide adequate resources and related support to each Tier I and Tier II school identified in the LEA's application in order to implement fully and effectively the selected intervention in each of those schools. If an LEA claims it lacks sufficient capacity to serve each Tier I school, the SEA must evaluate the sufficiency of the LEA's claim.
- (3) Whether the LEA has submitted a budget that includes sufficient funds to implement the selected intervention fully and effectively in each Tier I and Tier II school identified in the LEA's application as well as to support school improvement activities in Tier III schools throughout the period of availability of the funds (taking into account any waiver extending that period received by either the SEA or the LEA).

The SEA must also evaluate the actions an LEA has taken, or will take, to do the following (see section II.A.2(a)(iv) of the final requirements):

- (1) Design and implement interventions consistent with the final requirements.
- (2) Recruit, screen, and select external providers, if applicable, to ensure their quality.
- (3) Align other resources with the interventions.
- (4) Modify its practices or policies, if necessary, to enable it to implement the interventions fully and effectively.
- (5) Sustain the reforms after the funding period ends.

I-3. In completing its application for SIG funds, must an SEA check the boxes that appear on the application next to each of the required assurances in order to make those assurances? Must it check the boxes next to the requirements for which a waiver may be sought if it wants to receive waivers of those requirements?

Yes. The FY 2010 application for SIG funds has been updated to enable an SEA to complete it electronically. In order for the Department to determine whether an SEA has made a particular assurance or is requesting a particular waiver, the SEA must “check” the box that appears next to each assurance and next to each waiver that it is requesting. (Modified for FY 2010 Guidance)

I-4. May an SEA require an LEA to implement a particular intervention in one or more of its schools?

No. An SEA may not require an LEA to implement a particular intervention in one or more of its Tier I and Tier II schools unless the SEA has taken over the school (or the LEA) in accordance with State law. See section II.B.2(d) of the final requirements. Even if an LEA is required to implement an intervention other than the transformation model in one or more of its schools because the LEA has exceeded the cap with respect to the number of schools in which it can implement that model, the LEA has the discretion to determine the schools in which it will implement the transformation model and which of the other three interventions it will implement in its other Tier I and Tier II schools.

I-4a. May an SEA impose additional requirements for the implementation of the SIG program beyond those set forth in the final requirements?

The final requirements for the SIG program vest an LEA with the authority to select the appropriate school intervention model and to determine how best to meet the requirements for that model in each of the Tier I and Tier II schools it commits to serve. A key principle of the SIG program is that these decisions will be made based on an LEA’s careful analysis of local needs and capacity.

However, an SEA may issue rules, regulations, and policies to support the implementation of the SIG program so long as those rules, regulations, and policies conform to the purposes of Title I and are consistent with the Title I requirements. (ESEA section 1903.) An SEA that wishes to impose additional requirements for the SIG program must have authority under State law to do so; the final requirements for the SIG program do not authorize an SEA to take action that it is not otherwise

permitted to take. Additionally, in accordance with section 1903(a)(1)(D) and 1903(b) of the ESEA, any additional requirements imposed by an SEA must be reviewed by the State's Committee of Practitioners and must be identified by the SEA as State-imposed requirements.

If an SEA chooses to impose additional requirements, any such requirements should be thoughtfully designed to support its schools' effective implementation of the SIG program in order to improve outcomes for students. Thus, requirements should be flexible enough to permit adaptation to meet local needs and circumstances. These additional requirements should be part of a coherent SEA strategy to turn around its persistently lowest-achieving schools.

An SEA may not, however, issue rules, regulations, or policies that would be inconsistent with the final requirements for SIG. For example, an SEA could not require an LEA implementing the school closure model to enroll students who attended the closed school in the closest school unless that school also was a higher-achieving school, consistent with the requirement that students from the closed school be enrolled in higher-achieving schools.

I-5. May an SEA develop a needs assessment tool or rubric for all of its LEAs to use in determining which intervention will best address the needs of the Tier I and Tier II schools it commits to serve?

Yes. Although an SEA is not obligated to develop a needs assessment that would be used on a statewide basis, it may choose to do so. The SEA could offer such a needs assessment as a technical assistance tool that would be available to LEAs that wish to use it or it could require all LEAs to use the same needs assessment in preparing their applications for SIG funds.

I-6. What information related to the SIG program must an SEA post on its Web site?

An SEA must post on its Web site all final LEA applications for SIG grants, including both applications that were approved and those that were rejected. An SEA does not have to post on its Web site initial versions of LEA applications that were replaced with updated versions (*e.g.*, to provide additional information requested by the SEA); the SEA need only post on its Web site the final versions of the applications.

In addition, an SEA must post on its Web site a summary of the SIG grants it awarded, including the following information:

- (1) Name and NCES identification number of each LEA awarded a grant;
- (2) Amount of each LEA's grant;
- (3) Name and NCES identification number of each school to be served; and
- (4) Type of intervention to be implemented in each Tier I and Tier II school being served.

See section II.B.3 of the final requirements.

I-7. How must an SEA prioritize among LEAs seeking SIG funds?

If an SEA does not have sufficient SIG funds to support fully and effectively each school for which its LEAs have applied throughout the period of availability, an SEA must give priority to LEAs seeking to fund Tier I or Tier II schools. See section II.B.4 of the final requirements. This priority applies irrespective of whether the Tier I or Tier II schools an LEA applies to serve are among the State's persistently lowest-achieving schools or whether they are newly eligible schools identified as Tier I or Tier II schools at the State's option.

I-8. May an SEA award an LEA funds to serve its Tier III schools before it awards funds to serve all of the Tier I and Tier II schools that its LEAs commit to serve and that its LEAs have capacity to serve?

No. An SEA may not award SIG funds to an LEA for any Tier III schools unless and until the SEA has awarded funds to support the full and effective implementation of one of the four school intervention models throughout the period of availability in each Tier I and Tier II school its LEAs commit to serve and that the SEA determines its LEAs have capacity to serve. In other words, only if an SEA has awarded funds to serve each Tier I and Tier II school that its LEAs commit to serve, and that the SEA determines its LEAs have the capacity to serve, may the SEA award funds to its LEAs to serve any Tier III schools. See section II.B.7 of the final requirements.

I-9. If an SEA does not have sufficient SIG funds to allocate funds for every Tier I and Tier II school that its LEAs seek to serve, and that the SEA determines its LEAs have capacity to serve, what factors might an SEA use to determine the Tier I and Tier II schools for which it will award funds to its LEAs?

An SEA that does not have sufficient SIG funds to allocate funds for every Tier I and Tier II school its LEAs commit to serve, and that the SEA determines its LEAs have capacity to serve, might use any one or more of a number of factors to determine the Tier I and Tier II schools for which it will award funds. For example, an SEA might give priority to awarding funds to LEAs to serve Title I participating schools or other high poverty schools. The SEA might also determine the Tier I and Tier II schools for which it will award funds based on such factors as the interventions an LEA is implementing in those schools, where the schools fall in the rank ordering of schools in terms of achievement, or other factors the SEA deems appropriate. The SEA may also take into account the distribution of Tier I and Tier II schools to ensure that Tier I and Tier II schools throughout the State are served.

I-9a. May an SEA use the number of students in a school as a priority factor for awarding SIG funds?

An SEA may not use the number of students in a school to prioritize between tiers (*e.g.*, Tier III over Tier I or Tier II schools). The SEA may, however, give priority within a tier to schools based on school size.

I-10. May an SEA award an LEA a lesser amount of SIG funds than the LEA requests in its application?

Yes. An SEA's decision to award SIG funds to a particular LEA does not obligate the SEA to award the LEA all of the funds it requested. An SEA's decision to award fewer SIG funds than the LEA requested could come about in two different ways: (1) the SEA could decide to award fewer

funds than the LEA requested for each school the LEA commits to serve; or (2) the SEA could decide to award funds for only some of the schools the LEA commits to serve. For example, consistent with the priority established in the final requirements, an SEA could approve an LEA's application with respect to all of its Tier I and Tier II schools, but only a portion (or none) of its Tier III schools. An SEA might also decide to award fewer funds than the LEA requested if the SEA determines, for example, that the LEA has not properly analyzed the needs of its schools or identified appropriate services for the schools.

I-10a. What is the maximum amount of SIG funds that an SEA may award to an LEA for an individual Tier I or Tier II school?

The maximum per-school SIG award is capped at \$2 million annually, the same as in the FY 2009 SIG competition. (Modified for FY 2010 Guidance)

I-10b. May an SEA reduce the amount it allocates each year over a three-year period to an LEA for its persistently lowest-achieving schools to ensure sustainability after the funding runs out?

Yes, an SEA may award declining amounts of funding for implementation of a school intervention model over the three-year grant period as part of a strategy to encourage sustainability of the model following the end of Federal support. However, an SEA must award SIG funds in a manner that provides an LEA with the amount needed to support full and effective implementation of the selected intervention models throughout the period of availability of the funds; an SEA may not simply fund those activities that can be sustained following the end of the award period.

An SEA may also reduce the amount it allocates each year to a particular LEA, even if the second and third years of the LEA's grant are funded through continuation grants. (Modified for FY 2010 Guidance)

I-11. What are examples of additional criteria an SEA may use to differentiate among Tier III schools when setting priorities among LEA applications for funding?

An SEA might consider establishing criteria to target Tier III schools that are in the lowest-achieving sixth to tenth percentile in the State, to reward a Tier III school that would have been a Tier I school but has made progress over several years, or to focus on clusters of Tier III elementary schools that are feeder schools into Tier I and Tier II secondary schools. Note that these are only examples of criteria that an SEA might consider; an SEA should determine the criteria that work best for the State based on its unique needs.

I-12. May an SEA take over an LEA or specific Tier I or Tier II schools?

An SEA may, consistent with State law, take over an LEA or specific Tier I or Tier II schools in order to implement the interventions in the final requirements. See section II.B.2(c) of the final requirements.

I-13. What SIG funds may an SEA use to implement a school intervention model in a Tier I or Tier II school it has taken over?

If an SEA has authority under State law to take over a Tier I or Tier II school, the SEA may retain the SIG funds that it would otherwise have allocated to an LEA for the school and use those funds to implement a school intervention model in the school.

I-14. Under what circumstances may an SEA provide services directly to an eligible school?

As authorized in section 1003(g)(7) of the ESEA, with the approval of the LEAs that would otherwise receive a SIG grant, an SEA may provide school improvement services directly or arrange for their provision through other entities such as school support teams or educational service agencies. This option may be particularly useful if an LEA lacks the capacity to implement any of the four intervention models itself in its Tier I and Tier II schools. An SEA may be better equipped than some LEAs, for example, to enter into a contract with an external provider to implement the restart model. Of course, the SEA must have the authority and capability, either directly or through an arrangement with an external provider, to implement one of the school intervention models in each Tier I or Tier II school in which it provides services directly. That is, the SEA must be able, for example, to govern the school, employ and evaluate staff, implement the instructional program, provide increased learning time, etc.

With respect to Tier III schools, an SEA may also provide school improvement services directly to eligible schools, with the approval of the LEAs that would otherwise receive a SIG grant. For example, an SEA may offer professional development from specific providers or “sell” technical assistance from the SEA’s school support teams.

If the SEA intends to provide services directly to any schools, the SEA must identify those schools in its SIG application to the Department and, for Tier I or Tier II schools, indicate the school intervention model the SEA will implement in each school, and provide evidence of the LEA’s approval to have the SEA provide the services directly. If, at the time an SEA submits its application, it has not yet determined whether it will provide services directly to any schools, it may omit this information from its application. However, if the SEA later decides that it will provide such services, it must amend its application to provide the required information.

I-15. If a Tier I or Tier II school meets the annual student achievement goals established by the LEA and makes progress on the leading indicators, must the SEA renew the LEA’s SIG grant with respect to that school?

Yes. See I-15a for an explanation of which year’s funds an SEA would use to renew an LEA’s SIG grant. (Modified for FY 2010 Guidance)

I-16. If a Tier I or Tier II school does not meet the annual student achievement goals established by the LEA, may an SEA renew the LEA’s SIG grant with respect to that school?

Yes. Even if a Tier I or Tier II school does not meet the annual student achievement goals established by the LEA, an SEA may renew the LEA’s SIG grant with respect to that school if the school is making progress toward meeting those goals. Because it may be difficult for a persistently lowest-achieving school to show much improvement in academic achievement during the first year of implementing one of the school intervention models, an SEA has discretion to examine factors

such as the school's progress on the leading indicators in section III of the final requirements or the fidelity with which it is implementing the model in deciding whether to renew the LEA's SIG grant with respect to that school. See section II.C(a)(ii) of the final requirements.

I-17. What goals must a Tier III school meet to establish that the LEA's grant with respect to that school must be renewed?

For a grant to be renewed with respect to a Tier III school, the school must meet the goals established by the LEA and approved by the SEA (see H-27), or make progress toward meeting those goals. See section II.C(a)(i)-(ii) of the final requirements.

I-18. May an SEA renew an LEA's SIG grant even if the SEA determines that one or more of its schools do not warrant renewed funding?

Yes. Even if an SEA determines that one or more of an LEA's schools do not warrant renewed funding, the SEA may continue to award the LEA SIG funds for other eligible schools. The SEA would reduce the LEA's grant, however, by the amount allocated for the schools for which funding is not being renewed.

I-19. What happens to SIG funds when an SEA does not renew funding to schools?

If an SEA does not renew all or part of an LEA's SIG grant because the LEA's Tier I and Tier II schools are not meeting the requirements in section II.A.8 of the final requirements (*i.e.*, meeting the LEA's annual goals for student achievement and making progress on the leading indicators) or because the LEA's Tier III schools are not meeting the goals established for those schools by the LEA, the SEA may reallocate those funds to other eligible LEAs, consistent with the final requirements. See section II.C(b) of the final requirements.

I-20. May an SEA renew an LEA's SIG grant with respect to a school that exits improvement?

Yes. The fact that a Title I school may have exited improvement during the period of availability of SIG funds or after the initial award of SIG funds to implement a school intervention model would not prevent as SEA from renewing an LEA's SIG grant with respect to that school. (Modified for FY 2010 Guidance)

I-20a. Which year's funds does an SEA use to renew an LEA's SIG grant?

An SEA that receives a waiver to extend the period of availability of its FY 2009 carryover SIG funds but does not receive the waiver to extend the period of availability of its FY 2010 SIG funds will use different funds to renew an LEA's grant, depending on whether the LEA's grant is funded with FY 2009 carryover funds or FY 2010 funds. For LEAs that are funded with FY 2009 carryover SIG funds, the SEA must apportion those SIG funds in a way that will enable it to renew each LEA's grant for additional one-year periods for the entire period of availability of the funds. See section II.C(a)(i) of the final requirements. On the other hand, for LEAs that are funded with FY 2010 SIG funds, the SEA would fund the renewal of each LEA's grant through a continuation grant using subsequently appropriated SIG funds, assuming the availability of such funds. (New for FY 2010 Guidance)

I-21. Must an SEA run another SIG competition for grants funded with FY 2010 funds?

Yes. The Consolidated Appropriations Act, 2010 appropriated \$546 million in SIG funds for FY 2010. Accordingly, an SEA must run another competition for those funds, combined with any FY 2009 funds the SEA has carried over. Like the competition for the FY 2009 funds, the competition for FY 2010 funds, and any subsequent competition, must be conducted consistent with the final requirements. See A-30a through A-30k for a discussion of how an SEA must identify schools that are eligible to receive FY 2010 and FY 2009 carryover funds. (Modified for FY 2010 Guidance)

I-22. Must an SEA carry over 25 percent of its FY 2010 SIG funds if it does not serve all of its Tier I schools through its competition for FY 2010 SIG funds?

No. Although an SEA was required to carry over 25 percent of its FY 2009 SIG funds if it did not serve all Tier I schools in the State through its competition for FY 2009 funds, that requirement was limited to FY 2009. (Modified for FY 2010 Guidance)

(*Questions I-22a, I-22b, and I-23 of the FY 2009 Guidance have been deleted as inapplicable for the FY 2010 Guidance.)

I-24. How can an SEA support its LEAs and schools with their implementation of the school intervention models discussed in the final requirements?

An SEA can support its LEAs and Tier I and Tier II schools in implementing a school intervention model in a number of ways. These might include helping to identify and recruit new principals within and outside the State; recruiting CMOs and EMOs to the State to restart schools; providing model procedures for LEAs to use to screen and select high-quality external providers; working to reduce any State-level barriers that may impede an LEA's ability to implement a particular model; developing a model teacher evaluation system; researching instructional programs that have proven effective in low-achieving schools; and developing longitudinal data systems to enable schools to use data to identify the needs of individual students. The SEA can also support its Tier III schools by providing technical assistance, for example, through its school support teams.

I-24a. How can an SEA provide technical assistance to its LEAs regarding their processes for recruiting, screening, and selecting external providers to ensure their quality?

An SEA may take a number of actions to assist its LEAs with recruiting, screening, and selecting high-quality external providers to assist in implementing their school intervention models. By way of example, the SEA might:

- Develop and discuss with LEAs sample rubrics to assess external providers;
- Distribute samples of high-quality RFPs, MOUs, or contracts with external providers;
- Provide LEAs with links to high-quality resources and tools to assess external providers;
- Provide guidance on how to assess the organizational and financial capacity of external providers; or
- Provide examples of how external providers are being used to successfully support reform efforts throughout the State.

The SEA should consider the particular technical assistance that would be most beneficial to its LEAs based on its experience with its LEAs and any relevant circumstances in the State. (New for FY 2010 Guidance)

I-25. How do the final requirements for the SIG program impact an SEA that is participating in the Department’s “differentiated accountability” pilot?

An SEA that has been approved to participate in the differentiated accountability pilot may continue to do so. However, the SEA must ensure that its LEAs use SIG funds only to implement school intervention models in their Tier I or Tier II schools consistent with the final requirements. See section II.B.11 of the final requirements. Thus, to the extent that a State’s differentiated accountability plan is inconsistent with the final requirements, an LEA receiving SIG funds must use those funds in accordance with the final requirements, even if the State’s differentiated accountability plan would permit greater flexibility. An SEA participating in the differentiated accountability pilot must assure that its LEAs use SIG funds in Tier I or Tier II schools consistent with the final requirements.

I-26. In the absence of a waiver, when will the period of availability for FY 2010 SIG funds expire?

In the absence of a waiver, the period of availability for FY 2010 SIG funds expires September 30, 2012. Thus, the funds are available for pre-implementation activities in the 2010–2011 school year and one year of full implementation in the 2011–2012 school year. (Modified for FY 2010 Guidance)

I-27. With respect to the use of FY 2009 SIG funds, is an SEA obligated to ensure that its LEAs spend only ARRA SIG funds, and not SIG funds made available through the regular FY 2009 appropriation, pursuant to the flexibility in the Consolidated Appropriations Act, 2010?

No. Although the flexibility in the Consolidated Appropriations Act, 2010, initially applied only to FY 2009 ARRA SIG funds and FY 2010 SIG funds, and not to the regular \$546 million FY 2009 SIG appropriation, the regular FY 2009 SIG funds become subject to the requirements applicable to FY 2010 SIG funds on October 1, 2010, which is when they become carryover funds. See GEPA section 421(b). In other words, beginning October 1, 2010, LEAs may use all FY 2009 SIG funds, including regular FY 2009 SIG funds as well as ARRA SIG funds, pursuant to the flexibility in the Consolidated Appropriations Act, 2010, consistent with the final requirements. To simplify SEA administration of the SIG program while ensuring compliance with the Consolidated Appropriations Act, 2010, the Department will consider LEAs’ obligations of SIG funds in each State as a whole prior to October 1, 2010 to come from the State’s allocation of FY 2009 ARRA SIG funds, which should be more than sufficient to cover those obligations in every State.

Note that this flexibility does not relieve an SEA or LEA from its obligations with respect to tracking and reporting on the use of ARRA funds.

I-28. May an SEA allocate its FY 2009 ARRA SIG funds before its FY 2009 SIG regular funds or must it combine all its SIG funds and allocate them simultaneously? If an SEA may allocate its FY 2009 ARRA SIG funds first, does the SEA need to require its

LEAs to submit separate applications—one for the FY 2009 ARRA SIG funds and one for the FY 2009 SIG regular funds?

An SEA has flexibility to determine how FY 2009 regular SIG funds and ARRA SIG funds are awarded, but is required to separately track and report on the award of ARRA SIG funds. Accordingly, the SEA may wish to structure its award procedures to facilitate meeting this requirement. For example, it may be easier to use ARRA SIG funds primarily for awards to larger LEAs with more sophisticated accounting systems.

I-29. May an SEA allocate funds it reserves under section 1003(a) of the ESEA along with section 1003(g) funds in making SIG grant awards to its LEAs in order to increase the total amount available to implement the SIG program?

Yes, an SEA may allocate funds it reserves under section 1003(a) of the ESEA along with section 1003(g) (SIG) funds in making SIG grant awards to its LEAs in order to increase the total amount available to implement the SIG program. However, there are three issues to keep in mind if an SEA decides to combine section 1003(a) and section 1003(g) funds. First, section 1003(a) funds may be awarded only to participating Title I schools that have been identified for improvement, corrective action, or restructuring. However, an SEA may request a waiver from the Department that would permit its LEAs to use section 1003(a) funds in Title I schools that are no longer in improvement because they are implementing either the turnaround model or the restart model and are implementing the school improvement timeline waiver available to schools implementing those SIG models. Second, the SEA must ensure that those funds are expended consistent with the SIG final requirements. With respect to Tier I and Tier II schools, therefore, section 1003(a) funds would be able to be used only to implement one of the four school intervention models. And third, an SEA that has obtained a waiver to extend the period of availability of FY 2009 SIG funds would likely want to request a waiver to extend the period of availability of FY 2009 section 1003(a) funds in order to make the period of availability for the section 1003(a) funds commensurate with the period of availability for the SIG funds.

Note that if an SEA wishes to award section 1003(a) funds so that a Tier I or Tier II school that will not receive SIG funds will be able to use section 1003(a) funds to implement one of the school intervention models consistent with the SIG final requirements, the SEA might want to request, with respect to its section 1003(a) funds, each of the waivers the SEA has received with respect to its SIG funds—*i.e.*, the waiver to extend the period of availability of the funds, the waiver for a targeted assistance school to operate a schoolwide program, and the school improvement timeline waiver. These waivers would help ensure that a school implementing a school intervention model using section 1003(a) funds is treated in a manner consistent with schools that are using SIG funds to implement the interventions. (Modified for FY 2010 Guidance)

I-30. What should an SEA consider in determining whether a particular use of SIG funds proposed by an LEA for a Tier I or Tier II school it commits to serve is allowable?

All of the SIG funds an LEA uses in a Tier I or Tier II school must be used to support the LEA's implementation of one of the four school intervention models, each of which represents a comprehensive approach to addressing the particular needs of the students in a school as identified through the LEA's needs assessment. Accordingly, in determining whether a particular proposed use of SIG funds is allowable, an SEA should consider whether the proposed use is directly related to

the full and effective implementation of the model selected by the LEA, whether it will address the needs identified by the LEA, and whether it will advance the overall goal of the SIG program of improving student academic achievement in persistently lowest-achieving schools. In addition, in accordance with general cost principles governing the SIG program, an SEA must ensure that a proposed use of funds is reasonable and necessary. Further, an SEA must consider whether the proposed use of SIG funds would run afoul of the “supplement not supplant” requirement— *i.e.*, for a school operating a schoolwide program, the school must receive all of the non-Federal funds it would have received if it were not operating a schoolwide program, including all non-Federal funds necessary for the operation of the school’s basic educational program.

For example, if an LEA proposes to use SIG funds to reduce class size in a Tier I or Tier II school, an SEA seeking to determine whether such a use of SIG funds is permissible should consider the factors discussed above. One way an SEA might do this would be to ask the following questions:

(1) whether class-size reduction is directly related to, as well as reasonable and necessary for, the full and effective implementation of the selected model, including whether it is directly related to, and reasonable and necessary for, implementing activities required or permitted under the model; (2) whether, through its needs assessment, the LEA identified a specific need or needs that can be addressed through class-size reduction; (3) whether class-size reduction represents a meaningful change that could help improve student academic achievement from prior years (and is not, for example, just intended to reverse increases in class size made by the LEA because of recent budget cuts); (4) whether the specific class-size reduction proposed is supported by research indicating that, in fact, it will help improve academic achievement; and (5) whether the proposed class-size reduction represents a significant reform that goes beyond the basic educational program of the school, including whether the class-size reduction would exceed minimal requirements set by state or local law or policy. If the answer to any of these questions is no, then an SEA using this process to review the proposed use of SIG funds to support class-size reduction would determine that the proposed use is not permissible.

I-31. Which year’s SIG funds are available for an SEA to award to an LEA for each year the LEA’s schools implement a school intervention model?

In providing three-year grants for a school implementing a SIG intervention model, an SEA must renew the second and third years of funding automatically if the school is meeting the LEA’s annual student achievement goals and making progress on the leading indicators. For the FY 2009 competition, an SEA was required to apportion SIG funds over the three-year period of availability (*i.e.*, the period of availability for FY 2009 SIG funds for all States through the waiver every SEA received); in practical terms this means that the SEA should have reserved sufficient FY 2009 funds to cover all three years of each SIG award for a school implementing a school intervention model. In other words, such funds are essentially “dedicated” to grant recipients in the FY 2009 SIG competition, and may be used for other LEAs or schools only if an SEA does not renew an LEA’s FY 2009 award.

Schools served as a result of the FY 2010 competition may receive either FY 2009 carryover funds or FY 2010 SIG funds, and an SEA will likely allocate those funds differently, depending on the appropriation year. As noted in I-20a, an SEA that receives a waiver to extend the period of availability of its FY 2009 carryover funds but does not receive a waiver to extend the period of availability of its FY 2010 funds will use different funds to renew an LEA’s grant, depending on whether the LEA’s grant is funded with FY 2009 carryover funds or FY 2010 funds. For LEAs that

are funded with FY 2009 carryover funds, the SEA must apportion those SIG funds in a way that will enable it to renew each LEA’s grant for additional one-year periods for the entire period of availability of the funds—*e.g.*, three years. On the other hand, for LEAs that are funded with FY 2010 funds, the SEA would fund the renewal of each LEA’s grant through a continuation grant using subsequently appropriated SIG funds. These scenarios are depicted in the table below.

Which year’s SIG funds are available to support implementation of a school intervention model?				
	2010–2011	2011–2012	2012–2013	2013–2014
School awarded funds through FY 2009 competition	FY 2009 funds, ARRA or regular	FY 2009 funds, ARRA or regular <i>(funds reserved by the SEA for this purpose at the time of initial FY 2009 awards)</i>	FY 2009 funds, ARRA or regular <i>(funds reserved by the SEA for this purpose at the time of initial FY 2009 awards)</i>	None <i>(school has already completed three years of implementation)</i>
School awarded FY 2009 carryover funds through FY 2010 competition		FY 2009 carryover funds, ARRA or regular*	FY 2009 carryover funds, ARRA or regular <i>(funds reserved by the SEA for this purpose at the time of initial awards)</i>	FY 2009 carryover funds, ARRA or regular <i>(funds reserved by the SEA for this purpose at the time of initial awards)</i>
School awarded FY 2010 funds through FY 2010 competition		FY 2010 funds*	FY 2011 funds <i>(i.e., implementation funded through continuation grant)</i>	FY 2012 funds <i>(i.e., implementation funded through continuation grant)</i>

* FY 2009 carryover funds or FY 2010 funds awarded for full implementation beginning in the 2011–2012 school year may also be used for pre-implementation activities in the 2010–2011 school year, consistent with this Guidance.

Note that this table contemplates that an SEA will use FY 2010 funds to support only the first year of implementation of a school intervention model, and that an SEA will request a waiver to extend the period of availability of FY 2009 carryover funds until September 30, 2014, as the Department anticipates will be the case in most States. (Added February 16, 2010)

J. PRE-IMPLEMENTATION*

(*Section J from the FY 2009 Guidance, “SIG, Race to the Top, and the State Fiscal Stabilization Fund,” has been removed and replaced with this new Section J for FY 2010.)

J-1. May an LEA use FY 2010 and/or FY 2009 carryover SIG funds for “pre-implementation”?

Yes. Carrying out SIG-related activities during a “pre-implementation” period enables an LEA to prepare for full implementation of a school intervention model at the start of the 2011–2012 school year. To help in its preparation, an LEA may use FY 2010 and/or FY 2009 carryover SIG funds in its SIG schools after the LEA has been awarded a SIG grant for those schools based on having a fully approvable application, consistent with the SIG final requirements. As soon as it receives the funds, the LEA may use part of its first-year allocation for SIG-related activities in schools that will be served with FY 2010 and/or FY 2009 carryover SIG funds. (New for FY 2010 Guidance)

J-1a. What criteria should an SEA use in evaluating an LEA’s proposed uses of SIG funds for pre-implementation?

In evaluating an LEA’s proposed uses of SIG funds for pre-implementation, an SEA should apply the same criteria that it uses to evaluate all other proposed uses of SIG funds, including activities proposed to be carried out during full implementation. In particular, and as discussed more fully in I-30, an SEA should consider whether the activities proposed to be carried out during pre-implementation:

- Are directly related to the selected model;
- Are reasonable and necessary for the full and effective implementation of the selected model;
- Are designed to address a specific need or needs identified through the LEA’s needs assessment;
- Represent a meaningful change that could help improve student achievement from prior years;
- Are research-based; and
- Represent a significant reform that goes beyond the basic educational program.

In J-2, the Department has provided a number of examples of SIG-related activities that may be carried out during the pre-implementation period. Note that, given the foregoing considerations, not all of these activities are necessarily appropriate for all LEAs or schools. Rather, they represent activities that might be appropriate if the activities are aligned with the criteria set forth above. An SEA is not exempt from considering the above criteria simply because an LEA proposes activities to be carried out during pre-implementation that are consistent with the examples in J-2. (Added February 16, 2011)

J-2. What are examples of SIG-related activities that may be carried out in the 2010–2011 school year in preparation for full implementation in the 2011–2012 school year?

This section of the guidance identifies possible activities that an LEA may carry out using SIG funds in the spring or summer prior to full implementation. The activities noted should not be seen as exhaustive or as required. Rather, they illustrate possible activities, depending on the needs of particular SIG schools:

- **Family and Community Engagement:** Hold community meetings to review school performance, discuss the school intervention model to be implemented, and develop school improvement plans in line with the intervention model selected; survey students and parents to gauge needs of students, families, and the community; communicate with parents and the community about school status, improvement plans, choice options, and local service providers for health, nutrition, or social services through press releases, newsletters, newspaper announcements, parent outreach coordinators, hotlines, and direct mail; assist families in transitioning to new schools if their current school is implementing the closure model by providing counseling or holding meetings specifically regarding their choices; or hold open houses or orientation activities specifically for students attending a new school if their prior school is implementing the closure model.
- **Rigorous Review of External Providers:** Conduct the required rigorous review process to select a charter school operator, a CMO, or an EMO and contract with that entity (see C-5); or properly recruit, screen, and select any external providers that may be necessary to assist in planning for the implementation of an intervention model (see H-19a).
- **Staffing:** Recruit and hire the incoming principal, leadership team, instructional staff, and administrative support; or evaluate the strengths and areas of need of current staff.
- **Instructional Programs:** Provide remediation and enrichment to students in schools that will implement an intervention model at the start of the 2011-2012 school year through programs with evidence of raising achievement; identify and purchase instructional materials that are research-based, aligned with State academic standards, and have data-based evidence of raising student achievement; or compensate staff for instructional planning, such as examining student data, developing a curriculum that is aligned to State standards and aligned vertically from one grade level to another, collaborating within and across disciplines, and devising student assessments.
- **Professional Development and Support:** Train staff on the implementation of new or revised instructional programs and policies that are aligned with the school's comprehensive instructional plan and the school's intervention model; provide instructional support for returning staff members, such as classroom coaching, structured common planning time, mentoring, consultation with outside experts, and observations of classroom practice, that is aligned with the school's comprehensive instructional plan and the school's intervention model; or train staff on the new evaluation system and locally adopted competencies.

- **Preparation for Accountability Measures:** Develop and pilot a data system for use in SIG-funded schools; analyze data on leading baseline indicators; or develop and adopt interim assessments for use in SIG-funded schools.

As discussed in F-4, in general, SIG funds may not be used to supplant non-Federal funds, but only to supplement non-Federal funding provided to SIG schools. In particular, an LEA must continue to provide all non-Federal funds that would have been provided to the school in the absence of SIG funds. This requirement applies to all funding related to full implementation, including pre-implementation activities. (New for FY 2010 Guidance)

J-3. When may an LEA begin using FY 2010 and/or FY 2009 carryover SIG funds to prepare for full implementation of an intervention model in the 2011–2012 school year?

An LEA may begin using FY 2010 and/or FY 2009 carryover SIG funds after the SEA has awarded the LEA a SIG grant based on the LEA’s having met all requirements for having a fully approvable SIG application, including conducting a needs assessment and identifying the model that will be implemented in each school the LEA will serve with SIG funds. (New for FY 2010 Guidance)

J-4. Is there a limit on the amount of SIG funds that an LEA may spend during the pre-implementation period that begins when it receives FY 2010 and/or FY 2009 carryover SIG funds?

There is no specific limit on the amount of SIG funds that an LEA may spend during pre-implementation. However, funds for activities that are designed to prepare for full implementation in the 2011–2012 school year come from the LEA’s first-year SIG grant, which may be no more than \$2 million per school being served with SIG funds. Therefore, the LEA needs to be thoughtful and deliberate when developing its budget and should consider, at a minimum, the following:

- SIG funds awarded for the first year must cover full and effective implementation through the duration of the 2011–2012 school year, in addition to preparatory activities carried out during the pre-implementation period.
- All activities funded with SIG funds must be reasonable and necessary, directly related to the full and effective implementation of the model selected by the LEA, address the needs identified by the LEA, and advance the overall goal of the SIG program of improving student academic achievement in persistently lowest-achieving schools (see also I-30).

(New for FY 2010 Guidance)

Staffing

J-5. May SIG funds be used to recruit and hire the incoming principal and leadership team, who will begin planning for full implementation in the 2011–2012 school year?

Yes. Once it receives FY 2010 and/or FY 2009 carryover SIG funds, an LEA may use those funds to recruit and hire the incoming principal and leadership team so that they may begin planning for full and effective implementation of one of the four intervention models at the beginning of the 2011–2012 school year. However, an LEA that will be bringing on a new principal should be sure to consider and address the following issues with respect to State and local laws and requirements:

- the authority of the incoming principal in relation to the current-year principal; and
- the timeframe within which the incoming principal may make human resource decisions regarding current and newly recruited school staff. (New for FY 2010 Guidance)

J-6. May SIG funds be used to continue paying unassigned teachers who have been removed from the classroom?

No, SIG funds may not be used to continue paying unassigned teachers who have been removed from the classroom and are not participating in activities to prepare their school for full implementation of a school intervention model. According to Office of Management and Budget Circular A-87, *Cost Principles for State, Local, and Indian Tribal Governments* (2004) (OMB Circular A-87), Attachment A, C.3.a, “a cost may only be charged to a Federal program *in accordance with relative benefits received*” (emphasis added). Continuing to pay unassigned teachers who have been removed from the classroom would not provide any benefits to improve the academic achievement of students through SIG funds. Thus, SIG funds may not be allocated for this purpose. (New for FY 2010 Guidance)

J-7. May an LEA use SIG funds to buy out the remainder of the current principal’s contract?

No, an LEA may not use SIG funds to buy out the remainder of the current principal’s contract. As noted above (see J-6), in accordance with OMB Circular A-87, Attachment A, C.3.a, “a cost may only be charged to a Federal program in accordance with relative benefits received.” Although a principal may need to be replaced in order to fully implement a SIG intervention model, buying out the remainder of the current principal’s contract would not provide any benefits to improve the academic achievement of students and, therefore, SIG funds may not be allocated for this purpose. (New for FY 2010 Guidance)

Development of External Partnerships

J-8. For a school implementing the restart model, may an LEA use SIG funds to conduct the rigorous review process required to select a charter school operator, a CMO, or an EMO?

Yes, an LEA may use SIG funds to conduct the required rigorous review process for selecting a charter school operator, CMO, or EMO to implement the restart model, and to contract with the selected entity. Conducting the rigorous review process during pre-implementation should enable the LEA to ensure that the charter school operator, CMO, or EMO it selects to implement the

restart model will be ready to begin full implementation by the start of the 2011–2012 school year. (See C-5.)

J-9. May an LEA use SIG funds to hire external providers to assist in planning for and carrying out activities necessary for full implementation of a school intervention model in the following year?

Yes, an LEA may use SIG funds to hire external providers to assist in planning for and carrying out activities necessary for full implementation of a school intervention model in the following year. However, the LEA should bear in mind that the SIG funds it is awarded for the first year of implementation must fund both activities carried out during pre-implementation and full and effective implementation for the duration of the following school year. Therefore, the LEA should be careful in using its SIG funds for activities such as hiring external providers for planning purposes to ensure that it has sufficient funds to fully implement its intervention models.

Additionally, an LEA should be sure that all external providers with which it contracts are screened to ensure their quality. Like the rigorous review process for charter school operators, CMOs, and EMOs, screening other external providers enables an LEA to ensure that a provider with which it contracts is qualified to assist the LEA in making meaningful changes and implementing comprehensive reform in the Tier I and Tier II schools the LEA serves with SIG funds (see H-19a; I-24a). (New for FY 2010 Guidance)

Instructional Programs

J-10. May an LEA use SIG funds prior to full implementation to provide supplemental remediation or enrichment to students in schools that will begin full implementation of a SIG model at the beginning of the 2011–2012 school year?

Yes, an LEA may use SIG funds to provide supplemental remediation or enrichment services to students enrolled in a school that will begin full implementation of a SIG model at the beginning of the 2011–2012 school year. Within those schools, an LEA may use SIG funds, for example, for supplemental activities, including summer school for rising ninth-graders, designed to prepare low-achieving students to participate successfully in advanced coursework, such as AP or IB courses, early-college high schools, or dual enrollment in postsecondary credit-bearing courses; or to provide after-school tutoring for low-achieving students. Note that, to be supplemental, the remediation or enrichment supported with SIG funds must be in addition to what would otherwise be offered to students in the school (*e.g.*, SIG funds may not be used to support a program that would supplant a regular summer school program offered to all students). (New for FY 2010 Guidance)

Professional Development and Support

J-11. May an LEA use SIG funds to pilot an evaluation system for teachers and principals at schools receiving SIG funds to implement a transformation model?

Yes, an LEA may use SIG funds to pilot the rigorous, transparent, and equitable evaluation systems for teachers and principals that are required in schools implementing the transformation model. To meet the requirements of the transformation model, the pilot evaluation system must take into account data on student growth as a significant factor as well as other factors, such as multiple observation-based assessments of performance, on-going collections of professional practice reflective of student achievement, and high school graduation rates. The pilot evaluation system must also be designed and developed with teacher and principal involvement. Although an LEA might want to establish and implement a teacher and principal evaluation system that includes all teachers and principals within the LEA, SIG funds may not be used for district-wide activities. However, prior to launching a district-wide teacher and principal evaluation system, an LEA may use SIG funds to pilot the system for teachers and principals only at schools that are being served with SIG funds to ensure that the system is a useful tool that operates as intended.

Similarly, an LEA may use SIG funds to support the salaries of evaluators who, as part of the LEA's preparation to fully implement an intervention model, observe and evaluate teachers in schools that are receiving SIG funds to begin implementing an intervention model at the beginning of the 2011–2012 school year. An LEA might also consider using SIG funds to provide additional training to the individuals who will be observing and evaluating teachers in schools receiving SIG funds. (New for FY 2010 Guidance)

Preparation for Accountability Measures

J-12. May an LEA use SIG funds to pay for a needs assessment in order to select appropriate school intervention models for inclusion in the LEA's SIG application?

No, an LEA may not use SIG funds to pay for a needs assessment in order to determine which model to implement in particular schools prior to submitting its SIG application. As specified in J-2, an LEA may use SIG funds only after the LEA has received a grant award of FY 2010 or FY 2009 carryover SIG funds based on the LEA's fully approvable SIG application.

An SEA may use its section 1003(a) funds or part of the SIG funds it may reserve for administration, evaluation, and technical assistance expenses to support a needs assessment in its LEAs. (New for FY 2010 Guidance)

Other

J-13. May an LEA use SIG funds during pre-implementation in a targeted assistance school that will fully implement a school intervention model through a schoolwide waiver beginning in the 2011–2012 school year?

Yes. As discussed in F-1, the Secretary is inviting requests for waivers to enable a Tier I or Tier II Title I participating school operating a targeted assistance program to operate a schoolwide program so that it can implement a school intervention model. A targeted assistance school that receives FY 2010 or FY 2009 carryover SIG funds to implement a model beginning in the 2011–2012 school year would need to become a schoolwide school, through the schoolwide waiver, beginning in the 2011–2012 school year. Although the school would remain a targeted assistance school throughout the 2010–2011 school year, the Department will construe the schoolwide waiver to apply to SIG-

related activities carried out in the 2010–2011 school year using SIG funds if those activities are designed to prepare the LEA to implement an intervention model fully and effectively in the 2011–2012 school year. (New for FY 2010 Guidance)

J-14. May an LEA use SIG funds for minor remodeling of school facilities to enable the use of technology?

Yes, an LEA may use SIG funds during pre-implementation to pay for the costs of minor remodeling that is necessary to support technology if the costs are directly attributable to the implementation of a school intervention model and are reasonable and necessary.

The overall goal of the SIG program is to improve student academic achievement in persistently lowest-achieving schools through the implementation of one of four school intervention models. If an LEA determines, with an eye toward the ultimate goal of improving student achievement, that the use of new technology is essential for the full and effective implementation of one of the models, it may deem the costs associated with that new technology a reasonable and necessary use of SIG funds. (New for FY 2010 Guidance)

K. REPORTING METRICS

K-1. May an SEA add to the list of leading indicators in the final requirements?

Yes. However, an SEA may not deny a request for renewal of a SIG grant with respect to a school that fails to make progress on any such additional leading indicators if the school has met its LEA’s achievement goals and made progress on the leading indicators listed in the final requirements.

K-2. Which of the reporting metrics are new for the SIG program and must be annually reported by an SEA receiving a SIG grant?

The following reporting metrics are new for the SIG program and must be annually reported by school in each SEA receiving a SIG grant:

- (1) Which intervention the school used (*i.e.*, turnaround, restart, school closure, or transformation);
- (2) Number of minutes within the school year;
- (3) Average scale scores on State assessments in reading/language arts and mathematics, by grade, for the “all students” group, for each achievement quartile, and for each subgroup;
- (4) Number and percentage of students completing advanced coursework (*e.g.*, AP/IB), early-college high schools, or dual enrollment classes; and
- (5) Teacher attendance rate.

See generally section III.A of the final requirements.

K-3. For which schools must an SEA report on the metrics that are new for the SIG program?

An SEA must report on the metrics that are new for the SIG program for each Tier I and Tier II school in the State that is served with SIG funds in the year for which the SEA is reporting. See section III.A.3 of the final requirements. Note, however, that, for a Tier I or Tier II school that is subject to school closure, the SEA need only report the identity of the school and the intervention used (*i.e.*, school closure) (see section III.A.4 of the final requirements). An SEA is not obligated to report on the metrics for Tier III schools that are served with SIG funds.

K-4. For which metrics must an SEA report “baseline data” for the school year prior to the implementation of one of the four interventions?

An SEA must report “baseline data” for the school year prior to the implementation of one of the four interventions (*e.g.*, for the 2010–2011 school year for schools that will begin to fully implement an intervention model in the 2011–2012 school year) on each of the new SIG metrics for which it has the data available. See section III.A.4 of the final requirements. This may require an LEA to conduct new analyses or calculations if it does not already have the data in the precise form requested for SIG reporting purposes to provide to the SEA. For example, it is possible that an LEA will not have a document stating specifically the number of minutes in the school year in each of its schools. However, an LEA should have access to a school’s calendar, and be able to calculate the number of minutes in the year based on that calendar to provide the appropriate baseline data to the SEA, which will, in turn, report the data to the Department.

The Department recognizes that some data simply may not be available, even through an analysis of various sources. An SEA is not obligated to provide baseline data with respect to data that simply are not available from any source. (Modified for FY 2010 Guidance)

K-5. How frequently must an SEA report on the SIG metrics?

An SEA must report on the metrics annually, with the first report providing baseline data and each subsequent report providing data based on the prior year of implementation of one of the four interventions. The SEA must provide such annual reports for each year for which the SEA allocates SIG funds under section 1003(g) of the ESEA. See section III.A.4 of the final requirements.

K-6. Will the Department provide other guidance about the process for submitting and the substance to be included in the required reports?

Yes. The Department will issue separate guidance to provide States with information regarding the specific process for submitting the required reports and the information to be contained in the reports.

ESEA Flexibility

Frequently Asked Questions Addendum



March 5, 2013

PURPOSE OF THIS ADDENDUM

This document revises the August 3, 2012 *ESEA Flexibility Frequently Asked Questions* document (available at: <http://www2.ed.gov/policy/eseaflex/esea-flexibility-faqs.doc>) by modifying B-11 and by adding: B-11b, B-11c, B-23a, B-26, C-18b, C-20a, C-34b, C-34c, C-34d, C-35a, C-39a, C-41a, C-41b, C-41c, C-43a, C-43b, C-43c, C-43d, C-48b, F-1, F-2, F-3, and F-4. The Department will incorporate these new questions into the complete guidance document and post that revised guidance document on the ESEA flexibility Web page in the coming weeks. In addition, please note that B-23a, C-35a, C-39a, C-43a, C-43b, C-43c, and C-43d will also be published as an addendum to the Department's Non-Regulatory Guidance for the School Improvement Grants (SIG) program.

B-11. Does an SEA have flexibility with respect to whether it and its LEAs will make AYP determinations under ESEA flexibility?

Yes. An SEA that receives ESEA flexibility may continue to make AYP determinations for its LEAs, and its LEAs may continue to make AYP determinations for their schools, based on the SEA's new AMOs, and include these determinations on State and local report cards. An SEA may choose to continue making AYP determinations particularly if determining AYP is an integral part of the SEA's accountability and support system (*e.g.*, if the State has a "parent trigger" law that is linked to AYP determinations). However, the Department recognizes that making a single AYP determination for LEAs and schools might not be consistent with the new system of differentiated recognition, accountability, and support proposed by an SEA as part of its request for ESEA flexibility. The Department also believes that, because ESEA flexibility requires an SEA to report performance against AMOs for the "all students" group and all ESEA subgroups and to use performance against AMOs in determining incentives, interventions and supports to ensure continuous improvement in Title I schools that are not reward, priority, or focus schools, determining and reporting AYP might no longer be essential for meaningful accountability under such a system.

For these reasons, an SEA may request an additional waiver so that it and its LEAs will no longer be required to make AYP determinations. However, an SEA and its LEAs must still report on their report cards, for the "all students" group and for all subgroups identified in ESEA section 1111(b)(2)(C)(v) in each LEA and school, respectively, the elements of AYP, including achievement at each proficiency level, performance against the AMOs (*e.g.*, "met" or "not met" and a comparison of the percent proficient to the AMO), participation rate, and graduation rate for high schools or the other academic indicator for elementary and middle schools. In addition, in a State that includes one or more "combined subgroups" as part of its differentiated recognition, accountability, and support system under ESEA flexibility, the SEA and all LEAs must report achievement at each proficiency level, participation rate, and the graduation rate for each of those subgroups, as well as performance against the AMOs for each of those subgroups if the SEA has established AMOs for its combined subgroups. The SEA and its LEAs would also continue to comply with all other reporting requirements in ESEA section 1111(h)(1)(C) and 1111(h)(2)(B), including, for example, reporting information on achievement at each proficiency level disaggregated by gender and migrant status.

An SEA that requests this optional waiver would not need to make an AYP determination for its LEAs, and its LEAs would not need to make an AYP determination for their schools. In addition, any element of ESEA flexibility, as well as any unwaived program requirement, that is linked to a

school's or an LEA's making AYP would instead be linked to the school's or the LEA's meeting the State's AMOs, the 95 percent participation rate requirement, and the graduation rate goal or target for a high school or the other academic indicator for an elementary or middle school. Similarly, any element of ESEA flexibility or any unwaived program requirement that is linked to a particular subgroup's making AYP would instead be linked to the subgroup's meeting the State's AMOs, the 95 percent participation rate requirement, and, if the subgroup is part of a high school, the graduation rate goal or target. For example, the definition of "reward schools" provides that "a highest-performing school must be making AYP for the 'all students' group and all of its subgroups." For an SEA that requests this additional waiver, a highest-performing school must be meeting the State's AMOs, the 95 percent participation rate requirement, and the graduation rate goal or target for a high school or the other academic indicator for an elementary or middle school for the "all students" group, as well as the State's AMOs, the 95 percent participation rate requirement, and, for a high school, the graduation rate goal or target, for all subgroups.

An SEA that receives this optional waiver would need to modify how it implements certain existing provisions that apply to how AYP determinations are made. In general, the provisions that apply to AYP determinations would instead apply to the reporting of performance against the AMOs, participation rate, graduation rate, and the other academic indicator. The table below provides additional detail for how this would work with respect to particular provisions related to making AYP determinations.

<u>Provisions related to AYP</u>	<u>Application in a State that Receives Optional Waiver</u>
<u>Participation rate</u> — For a school to make AYP, not less than 95 percent of each subgroup of students who are enrolled in the school are required to take the assessments (ESEA section 1111(b)(2)(I)(ii))	SEA and LEAs would continue to report participation rate separately for each subgroup (like they do under current law), and a subgroup would not be able to make its AMOs unless it has at least a 95 percent participation rate
<u>Graduation rate</u> — For a school to make AYP, each subgroup of students must make the State's graduation rate goal or target, based on an adjusted cohort graduation rate (34 C.F.R. § 200.19(b)(5)(i))	SEA and LEAs would continue to report graduation rate separately for each subgroup (like they do under current law), and adjusted cohort graduation rate would be used in making accountability determinations
<u>Other academic indicator for elementary and middle school</u> — For a school to make AYP, the all students group must make the other academic indicator (34 C.F.R. § 200.19(a)(4)(ii))	SEA and LEAs would continue to report the other academic indicator separately for each subgroup (like they do under current law)
<u>Safe harbor</u> — A school may be considered to have made AYP if the percent of students not proficient decreases by 10 percent from the prior year (ESEA section 1111(b)(2)(I)(i))	Would no longer apply because safe harbor is a concept intrinsically linked to making AYP determinations (although an SEA might keep some concept of safe harbor in AMOs established under Option C)

<u>Provisions related to AYP</u>	<u>Application in a State that Receives Optional Waiver</u>
<p><u>“One/two percent rules”</u> — In determining AYP, a State may count the proficient and advanced scores of students with disabilities who take an alternate assessment based on alternate academic achievement standards, up to a cap at the LEA and State levels of one percent of all students assessed (34 C.F.R. § 200.13(c)(2)(i)). As applicable, a State may count the proficient and advanced scores of students with disabilities who take an alternate assessment based on modified academic achievement standards, up to a cap at the LEA and State levels of two percent of all students assessed (34 C.F.R. § 200.13(c)(2)(ii), (3))</p>	<p>Caps would apply to making accountability determinations (see B-11a) (but, like under current law, not to reporting achievement at each proficiency level)</p>
<p><u>Full academic year</u> — In making AYP determinations for a school or LEA, an LEA or SEA, respectively, is required to include only students who were enrolled in the school or LEA for a full academic year (34 C.F.R. § 200.20(e))</p>	<p>Would apply to reporting performance against the AMOs (all students, regardless of length of enrollment, would be included in all other reporting)</p>
<p><u>Counting recently arrived English Learners as participants</u> — In determining AYP for a school or LEA, an SEA may count as a participant a recently arrived English Learner who took: (1) either the State’s reading/language arts assessment or the English language proficiency assessment; and (2) the mathematics assessment (34 C.F.R. § 200.20(f)(1)(i))</p>	<p>Would apply to reporting participation rates</p>
<p><u>Including scores of recently arrived English Learners</u> — In determining AYP for a school or LEA, an SEA may choose not to include the scores of recently arrived English Learners on the mathematics or reading/language arts assessment (34 C.F.R. § 200.20(f)(1)(ii))</p>	<p>Would apply to reporting performance against the AMOs</p>
<p><u>Including former English Learners and students with disabilities in those subgroups</u> — In determining AYP for English Learners and students with disabilities, an SEA may include, for up to two years, the scores of former English Learners and students with disabilities (34 C.F.R. § 200.20(f)(2))</p>	<p>34 C.F.R. § 200.20(f)(2)(iii) would continue to apply; this provision permits the scores of former English Learners and students with disabilities to be included with the scores of current English Learners and students with disabilities for purposes of reporting performance against the AMOs, but not for any other reporting purpose</p>
<p><u>Growth models</u> — An SEA may request to include a measure of student growth in its definition of AYP</p>	<p>Would apply to reporting performance against the AMOs</p>

<u>Provisions related to AYP</u>	<u>Application in a State that Receives Optional Waiver</u>
Title III, AMAO 3 — Each SEA must set annual measurable achievement objectives (AMAOs) for English Learners served under Title III; AMAO 3 is based on making AYP for English Learners (ESEA 3122)	Would determine AMAO 3 based on whether the subgroup of English Learners met the AMOs, the 95 percent participation rate requirement, and, for an LEA that includes one or more high schools, the other academic indicator (<i>i.e.</i> , graduation rate)

Although the ESEA does not impose a particular deadline for publishing SEA and LEA report cards, the Department encourages all SEAs and LEAs, but particularly those that receive this optional waiver, to publish their report cards as early as possible in order to ensure that parents and other stakeholders have access to the information in the report cards in a timely manner.

B-11b. How must an SEA that received a waiver of the requirement to make AYP determinations hold its LEAs accountable for meeting AMAO 3 under ESEA section 3122?

Under ESEA section 3122, each SEA must set AMAOs for English Learners served under Title III of the ESEA. AMAO 3 is based on making AYP for the subgroup of English Learners. In a State that received a waiver of the requirement to make AYP determinations, an LEA is still held accountable for AMAO 3. However, that accountability is now based on whether the subgroup of English Learners met its AMOs for reading/language arts and mathematics, the 95 percent participation rate requirement, and, if the LEA includes one or more high schools, the State’s graduation rate goal or annual target. Because a subgroup must meet all of these elements in order to make AYP, meeting AMAO 3 in a State that has received the AYP waiver likewise requires meeting all of these individual AYP components.

B-11c. Do the provisions that ordinarily apply to AYP determinations apply to an SEA’s accountability determinations under ESEA flexibility?

Yes. In making AYP determinations under the ESEA, an SEA or LEA applies a number of provisions, such as the requirement to count all students who attended a school or district for a full academic year in the determinations for the school or district, respectively, and the option to count the proficient and advanced scores of students with the most significant cognitive disabilities who take an alternate assessment based on alternate academic achievement standards, up to a cap of one percent of all students at the LEA or State level. Question B-11 explains that, in a State that receives the waiver of the requirement to make AYP determinations, the provisions that apply to AYP determinations generally apply to the reporting of performance against the AMOs, participation rate, graduation rate, and the other academic indicator. In addition, the provisions that apply to AYP (see table in B-11) also apply to an SEA’s accountability determinations under its system of differentiated recognition, accountability, and support under ESEA flexibility.

For example, under ESEA flexibility, a number of SEAs have received the waiver of the requirement to make AYP determinations but are, instead, assigning every school in the State a grade based on an A-F grading system. These grades might be based on a number of factors, such as student achievement, student growth, and graduation rates. In determining a school’s grade, the

SEA must apply the provisions that ordinarily apply to AYP determinations. For example, in calculating the achievement measure of the school's grade, an SEA may count the proficient and advanced scores of students with disabilities who take an alternate assessment based on alternate academic achievement standards, but if the SEA or LEA in which the school is located, exceeds the one percent cap (see 34 C.F.R. § 200.13(c)(2)(i)), the SEA must count the scores above the cap as non-proficient and distribute those non-proficient scores among schools in the State or LEA, respectively (see 34 C.F.R. § 200.13(c)(7)).

B-23a. May an SEA award SIG funds to an LEA for use in focus schools that are not otherwise eligible for SIG funds as Tier I, Tier II, or Tier III schools?

No, unless an SEA is granted an additional waiver to do so. In the absence of such an additional waiver, an SEA that has received ESEA flexibility may award SIG funds to an LEA only for SIG-eligible Tier I, Tier II, or Tier III schools or for priority schools.

Under ESEA flexibility, priority schools, like Tier I and Tier II SIG schools, are generally the schools in a State with the overall lowest achievement. Thus, a waiver that permits these schools to receive SIG funds is consistent with the goal of the SIG program of turning around the Nation's lowest-achieving schools. Focus schools, on the other hand, are not necessarily schools with overall low achievement comparable to that of priority schools. Rather, they are schools with significant achievement gaps or low performance of one or more particular subgroups. Accordingly, in many States, implementing the comprehensive schoolwide reforms required by the SIG intervention models might not be appropriate for these schools. However, if an SEA is able to demonstrate that implementing those comprehensive reforms in its focus schools is consistent with both the goal of the SIG program and the SEA's approved system of differentiated recognition, accountability, and support, the Department will consider the SEA's request for an additional waiver to permit it to award SIG funds to an LEA for use in focus schools that are not otherwise eligible for the funds.

In addition, note that a Tier I, Tier II, or priority school may receive SIG funds only to implement one of the four SIG intervention models.

B-26. If an SEA identifies as a priority school a Title I-eligible high school that has had a graduation rate below 60 percent over a number of years, may an LEA take advantage of the waiver of the eligibility and allocation requirements in ESEA section 1113 to serve that school with Title I funds out of rank order before the school begins implementing interventions aligned with all of the turnaround principles?

No. A Title I-eligible high school that has been identified as a priority school based on its graduation rate must be fully implementing interventions aligned with all of the turnaround principles to receive the benefit of the waiver of ESEA section 1113. In other words, it is only by implementing interventions aligned with the turnaround principles that a Title I-eligible high school may receive Title I funds and thus become a Title I-*participating* school. For example, a Title I-eligible school that is planning interventions in the 2012–2013 school year that it will fully implement in the 2013–2014 school year may not be served out of rank order prior to the 2013–2014 implementation year.

C-18b. Does an SEA with an approved ESEA flexibility request have any discretion as to how it includes certain schools (e.g., alternative schools, small schools, new schools, and schools with no tested grades (i.e., K-2 schools)) in its accountability system?

Yes, in certain circumstances. All students in a State, regardless of the school they attend, must be taught to the same academic standards, and all schools must be included in a State’s system of differentiated recognition, accountability, and support. Ideally, an SEA will hold all schools accountable for the same measures and include them in the State’s system in the same way.

However, in certain circumstances, an SEA may need to modify how it includes certain schools in its system. For example, an SEA that uses an index to determine an A-F grade for each of its schools might give small schools or schools with no tested grades a letter grade based on criteria that are different from those that determine the grades for other schools because small schools and schools with no tested grades generally do not have assessment data that can be used to generate grades in the same way as other schools. Similarly, an SEA that includes in its index a measure of progress over a number of years might exclude that factor in determining the grade of a new school. If an SEA takes advantage of this flexibility with respect to schools in these special categories, it must have clear criteria and a consistent process for annually evaluating these schools and for ensuring that interventions, incentives, and supports are provided where needed. An SEA must describe the criteria and process for holding these schools accountable in its Accountability Addendum.

Moreover, the Department expects that each SEA will review data from its accountability determinations and modify how it includes these schools in its system, as necessary, based on that review in order to ensure that, to the greatest extent possible, the SEA’s accountability determinations are consistent across all categories of schools. The Department will also carefully review data regarding how these schools are included in accountability systems under ESEA flexibility and may ask for additional information regarding the inclusion of these schools when an SEA requests renewal of its approved request.

C-20a. Must an SEA or LEA report whether all subgroups listed in ESEA section 1111(b)(2)(C)(v)(II) meet the State’s graduation rate goal or targets?

Yes. Under ESEA section 1111(h)(1)(C)(vi) and (h)(2)(B), an SEA and an LEA must report a “four-year adjusted cohort graduation rate,” as that term is defined in 34 C.F.R. § 200.19(b)(1)(i)(A), for the “all students” group and must disaggregate the data by the subgroups listed in ESEA section 1111(b)(2)(C)(v)(II) — that is, major racial and ethnic groups, students with disabilities, English Learners, and students who are economically disadvantaged — unless the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student. In addition, in a State that includes one or more “combined subgroups” as part of its differentiated recognition, accountability, and support system under ESEA flexibility, the SEA and all LEAs must report the graduation rate for each of those subgroups. The SEA and LEAs must also report whether the SEA’s graduation rate goal or annual targets were met or not met for the “all students” group and each subgroup, including each combined subgroup included in a State’s differentiated recognition, accountability, and support system. The SEA or LEA may also report an extended-year rate or rates as permitted under 34 C.F.R. §§ 200.19(b)(1)(v) and (b)(4)(ii)(B).

C-34b. What activities related to reviewing the performance of and potentially replacing the principal in a priority school must be completed within a particular school year for the priority school to be considered fully implementing interventions aligned with the turnaround principles in that year?

To be considered the first full year of implementation, a priority school must have *already* reviewed the performance and qualifications of the principal, made a determination regarding whether to keep or replace the principal, and either demonstrated to the SEA that the current principal has a track record of improving achievement and has the ability to lead the turnaround effort or replaced the principal, as appropriate. In other words, in order to be considered the first full year of implementation, the principal leading the school beginning at the start of the year must be the one who has already been determined to be the appropriate principal to lead the turnaround effort.

The Department recognizes that not all Window 1 and Window 2 States (*i.e.*, States whose SEAs requested and received ESEA flexibility in time to begin implementation at the start of the 2012–2013 school year), or LEAs within those States, were previously aware of what it means to be fully implementing this particular intervention. Accordingly, the Department is creating a narrow exception to this general rule for Window 1 or Window 2 States with plans that call for full implementation of interventions aligned with the turnaround principles beginning in the 2012–2013 school year. An LEA with a priority school that did not review its principal and either make a demonstration to the SEA that the current principal has a track record of improving achievement and has the ability to lead the turnaround effort or replace the principal before the 2012–2013 school year can still be considered to be fully implementing interventions aligned with the turnaround principles this year if it meets certain minimum requirements. Specifically, during the 2012–2013 school year, the LEA must review the performance and qualifications of the current principal and make a determination regarding whether it will keep the principal. If keeping the principal, the LEA must demonstrate to the SEA, during the 2012–2013 school year, that the current principal has a track record of improving achievement and has the ability to lead the turnaround effort. If replacing the principal, the LEA must make that determination in time for a new principal to be in place by the start of the 2013–2014 school year. If the LEA cannot replace its principal on this timeline, whether because of contractual issues, State or local laws regarding due process, or lack of availability of a new principal, then it cannot be considered to have begun full implementation in the 2012–2013 school year. Note, however, that ESEA flexibility does not require the implementation of interventions aligned with the turnaround principles in all priority schools beginning in the 2012–2013 school year. SEAs and LEAs have until the 2014–2015 school year to begin full implementation of the required interventions in all priority schools precisely in order to accommodate challenging implementation issues such as replacing a principal.

For priority schools in Window 1 and Window 2 States that intend to begin full implementation in the 2013–2014 or 2014–2015 school year and for all priority schools in Window 3 States (*i.e.*, States whose SEAs requested ESEA flexibility in September 2012 with the intent of beginning implementation at the start of the 2013–2014 school year), the general rule above applies. That is, for those schools to be considered fully implementing interventions aligned with the turnaround principles, the school must have in place at the beginning of the school year either a new principal or a principal whose performance has already been reviewed and who has already been determined to have the qualifications and abilities necessary to lead the turnaround effort.

C-34c. If an LEA with a priority school determines, based on its review of the current principal in the priority school, that it will keep the principal, must it notify the SEA of that decision?

Yes. Under the definition of “turnaround principles” in the document titled *ESEA Flexibility*, an LEA that has reviewed the performance of the current principal in a priority school and determined that it would like to retain that principal to lead the turnaround effort must “demonstrate to the SEA that the current principal has a track record in improving achievement and has the ability to lead the turnaround effort” (emphasis added). Accordingly, not only must the LEA notify the SEA of its decision and provide evidence supporting that decision, but the SEA must have a clear process in place for reviewing the LEA’s decision and determining whether the LEA has made a sufficient demonstration regarding the principal’s track record and ability to lead a turnaround effort. Ultimately, an SEA is responsible for ensuring that an LEA has either made this demonstration or replaced the principal for each priority school that is implementing interventions aligned with the turnaround principles.

C-34d. Is the review of the performance of the current principal in a priority school that is required under Principle 2 the same as the principal evaluation that is required under Principle 3?

No. The principal review that is required to meet the turnaround principle regarding providing strong leadership in a priority school is fairly narrow and is conducted for the specific purpose of determining whether the principal has the ability to lead the turnaround effort. The evaluation of a principal to be conducted using a system developed in accordance with Principle 3, however, is broader and must be used to identify needs and guide professional development as well as to determine the principal’s performance level. Moreover, the evaluation system created under Principle 3 must apply to all principals, not only those in priority schools.

Particularly given these differences, an LEA should not wait to conduct its review of a priority school principal until it fully implements a principal evaluation system in accordance with Principle 3. Rather, an LEA with one or more priority schools should proceed with conducting those reviews using currently available tools in order to fully implement interventions aligned with the turnaround principles in accordance with its SEA’s Principle 2 timeline.

Further, even an LEA that is already fully implementing a principal evaluation system in accordance with Principle 3 might not want to use that system to satisfy the review component of the turnaround principles. Doing so might not be appropriate to answer the specific question regarding the principal’s ability to lead the turnaround effort if, for example, the principal was found to be highly effective but received that rating as a principal at a high-performing school. However, to the extent an evaluation system is designed to determine whether a particular principal is capable of leading a turnaround effort, an LEA is permitted to use the results of that system to meet the review component of the turnaround principles.

C-35a. What is the difference between redesigning the school day, week, or year to include additional time for student learning and teacher collaboration as required by the turnaround principles and providing increased learning time as required by the transformation and turnaround models under SIG?

Redesigning the school day, week, or year does not necessarily require adding time to increase the total number of school hours. Rather, an LEA might, for example, move to block scheduling to reduce transition time between classes and thus increase instructional time (see C-35). Providing increased learning time under SIG, however, requires actually adding time to the school day, week, or year to significantly increase the total number of school hours, although extending learning into before- or after-school hours is permissible under this definition so long as the before- or after-school instructional program is available to all students in the school (see A-32 in the SIG guidance). An LEA that receives SIG funds to implement a transformation or turnaround model in one or more priority schools must continue to meet the requirement regarding providing increased learning time and may not simply redesign its school day to increase instructional time.

C-39a. In connection with the replacement of a principal, what is the difference between implementing interventions aligned with the turnaround principles under ESEA flexibility and implementing the turnaround or transformation model under SIG?

An LEA that receives SIG funds to implement a turnaround or transformation model in a school must replace the principal in that school (see Sections I.A.2(a)(1)(i) and I.A.2(d)(1)(i)(A) of the SIG Final Requirements, 75 Fed. Reg. 66363 (Oct. 28, 2010)). An LEA that implements interventions aligned to the turnaround principles, however, need not replace the principal in a priority school if it can demonstrate to its SEA that it has reviewed the performance and qualifications of the current principal and, based on that review, determined that the principal has a track record of improving achievement and has the ability to lead the turnaround effort.

C-41a. In order to be considered “implementing meaningful interventions aligned with the turnaround principles,” must a priority school be implementing interventions aligned with *all* of the turnaround principles concurrently?

Yes. A priority school must implement interventions aligned with *all* of the turnaround principles, concurrently, in order to be considered to be fully implementing such interventions for the required three years under ESEA flexibility. This requirement reflects the fact that the interventions in priority schools are intended to effect dramatic, systemic, whole-school change in those schools. In other words, it is not until a priority school is fully implementing interventions aligned with all of the turnaround principles that it can be considered to be implementing interventions as required by ESEA flexibility.

Note that ESEA flexibility contemplated that not all LEAs with priority schools would be prepared to implement interventions aligned with all of the turnaround principles beginning the first year following the approval of their SEA’s ESEA flexibility request. ESEA flexibility addresses this issue by giving an SEA until school year 2014–2015 to begin full implementation of interventions in all of its priority schools.

C-41b. May a priority school “roll in” interventions aligned with the turnaround principles over a period of two or three years?

Yes, but consistent with C-41a, the school will not be considered to be fully implementing interventions aligned with all of the turnaround principles until it has “rolled in” all interventions.

Through monitoring, the Department has learned that a number of SEAs permit LEAs with one or more priority schools to “roll in” their implementation of interventions aligned with the turnaround principles. For example, an LEA might implement interventions aligned with only a few of the turnaround principles the first year a school is identified as a priority school, then add a few more interventions the following year, and still more interventions in the third year, so that in the third year, the LEA is finally implementing interventions aligned with all of the turnaround principles.

Although an SEA may allow or even encourage its LEAs to “roll in” priority school interventions in this manner, it may count, for the purpose of satisfying the requirement that such interventions are implemented for three full years, only the years in which all interventions are in place. Thus, in the example above, the third year of implementing interventions would actually be the priority school’s first year of full implementation. As explained in C-41a, this reflects the fact that the interventions in priority schools are intended to effect dramatic, systemic, whole-school change in those schools, which, in the example above, does not occur until the third year of implementing interventions. The school would be required to continue full implementation of all interventions for two additional school years to receive credit for completing the priority school intervention requirements of ESEA flexibility.

C-41c. May an LEA that will begin full implementation in one or more priority schools in the 2013–2014 or 2014–2015 school year conduct planning or pre-implementation activities prior to beginning full implementation?

Yes. The Department encourages an LEA that will begin full implementation in one or more priority schools in the 2013–2014 or 2014–2015 school year to use the time between now and then to conduct planning and pre-implementation activities to ensure it has in place everything necessary to begin full implementation at the very beginning of the relevant school year. For example, the LEA or priority school might hold community meetings to review school performance and discuss the interventions to be implemented; review the qualifications and performance of the current principal and teachers; recruit and hire a new principal and new teachers, as necessary; identify and purchase new instructional materials; make decisions about redesigning the school day, week, or year; or develop a new data system.

Note that, even before they begin fully implementing interventions aligned with the turnaround principles, most priority schools are subject to the requirements in ESEA section 1114 regarding schoolwide programs, including the requirements to conduct a comprehensive needs assessment of the school and to implement schoolwide reform strategies based on that assessment. Complying with these requirements should help a priority school to be better prepared to fully implement interventions aligned with the turnaround principles when it is required to do so.

C-43a. May an SEA consider a school that received a SIG grant but had that grant terminated for failure to implement a model with fidelity to be a priority school that has completed three years of implementing interventions aligned with the turnaround principles?

No. A number of SEAs have used their authority to terminate a SIG grant for a school that was not implementing an intervention model with fidelity. In some instances, a school that has had its SIG grant terminated may have been identified as a priority school, either because it was still implementing a SIG model at the time it was identified or because it fell into one of the other two

categories of priority schools (*i.e.*, a school among the lowest-achieving five percent of all Title I schools or a school with a graduation rate below 60 percent). Such a school cannot be said to have completed three years of implementing interventions aligned with the turnaround principles because it never completed three years of implementing a SIG intervention model. Moreover, given that the school's grant was terminated for failure to implement a model, the one or two years over which the school purported to implement its SIG grant cannot count toward its three years of implementing interventions aligned with the turnaround principles. Rather, the school must begin again, implementing a set of cohesive and comprehensive interventions aligned to all of the turnaround principles over a full three years.

C-43b. May an LEA with a SIG school that is in its third year of implementing a SIG intervention model in the 2012–2013 school year but has not yet satisfied its State's criteria for exiting priority status apply for another three-year SIG grant for that school?

No. Section II.B.10 of the SIG final requirements provides that, “[i]n identifying Tier I and Tier II schools in a State for purposes of allocating [SIG funds] for any year subsequent to FY 2009, an SEA must exclude from consideration any school that was previously identified as a Tier I or Tier II school and in which an LEA is implementing one of the four [SIG intervention models] using [SIG] funds.” In accordance with this requirement, which has not been waived through ESEA flexibility, although a SIG school that is in its third year of implementing a SIG intervention model in the 2012–2013 school year may be identified as a priority school, the school must be excluded from consideration when the SEA allocates SIG funds through a competition conducted during the 2012–2013 school year to support SIG implementation beginning in 2013–2014.

C-43c. Does a school automatically exit priority status once it completes three years of SIG implementation?

No. In order to exit priority status, a school must meet an SEA's exit criteria. These criteria are set forth in section 2.D.v of each SEA's approved ESEA flexibility request. An LEA with one or more priority schools that have completed three years of SIG implementation but have not met the exit criteria should review its SEA's request and consult with the SEA directly to determine what additional action is required to help improve student achievement in those schools.

C-43d. Must an SEA request an additional waiver if, after being granted ESEA flexibility, it would like to replace its existing Tier I, Tier II, and Tier III lists under SIG with its list of priority schools?

Yes. The waiver that was granted to each SEA through ESEA flexibility allows an SEA to award SIG funds to a priority school that is not a Tier I or Tier II school — that is, in addition to the SEA's Tier I and Tier II schools. But if an SEA would like the list of priority schools to actually replace its list of Tier I, Tier II, and Tier III schools, the SEA must request an additional waiver of the definition of LEAs with the “greatest need” in Section I.A.1 of the SIG final requirements (75 FR 66363, 66365 (Oct. 28, 2010)). This waiver is included in the FY 2012 SIG application; an SEA that wishes to request this waiver for the SIG competition to be conducted under that application may do so by checking the appropriate box in the application and complying with the requirements regarding providing notice and an opportunity to comment on the request.

C-48b. Must a subgroup’s performance against the graduation rate goal or targets inform incentives, interventions, and supports in other Title I schools?

Yes. ESEA flexibility requires SEAs to develop and implement systems of differentiated recognition, accountability, and support that look at student achievement in at least reading/language arts and mathematics for all students and all subgroups of students identified in ESEA section 1111(b)(2)(C)(v)(II); graduation rates for all students and all subgroups; and school performance and progress over time, including the performance and progress of all subgroups. Each SEA approved for ESEA flexibility must incorporate, to a significant degree, the adjusted cohort graduation rate into its State-developed system of differentiated recognition, accountability, and support, including the use of subgroup performance against the SEA’s graduation rate goal or targets to drive incentives, interventions, and supports in other Title I schools. SEAs and LEAs must ensure that no Title I school is permitted to miss graduation rate targets for a number of years for one or more subgroups without identification for and implementation of interventions or specific strategies designed to improve the graduation rates of those subgroups. The implementation of such safeguards against chronic underperformance with respect to subgroup graduation rates in other Title I schools was a key condition for granting an SEA the flexibility to implement multiple-measure, compensatory accountability systems departing from the one-size-fits-all model otherwise required by current law.



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SIG Cohort 3 Application Updated Timeline

March 3, 2014	SIG Cohort 3 Applications Released
March 17, 2014	Notification of Intent to Apply Due
April 11, 2014	SIG Cohort 3 Applications Due
April 18 – May 2, 2014	Revision Period (<i>if necessary – see rubric for additional information</i>)
May 9, 2014	Notification of Recipients including amounts of three-year awards
May 23, 2014	Pre-implementation funds made available
September 1, 2014	Full implementation begins and Year 1 funds made available by this date at the latest
Transformation and Turnaround models only:	
June 9, 2014	Turnaround principal job announcements posted Year 1 funds made available as soon as a new administrator is hired (if required), but not later than September 1, 2014