

Overview of the SFSF Interim Final Rule and Notice of Proposed Revisions



September 2011



Background



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- In return for receiving SFSF funds, Governors agreed to make progress in four reform areas
 - ▣ Achieving equity in teacher distribution
 - ▣ Improving collection and use of data
 - ▣ Standards and assessments
 - ▣ Supporting struggling schools
- In a November 12, 2009 Federal Register notice, the Department established the requirements for the SFSF indicators and descriptors
- The original date for complying with all requirements was September 30, 2011

Background, continued

- Data collected and reported under the SFSF indicators and descriptors better enable States and other stakeholders to identify strengths and weaknesses in education systems and determine where concentrated reform effort is warranted
- States have made significant progress in meeting the SFSF reporting requirements
- Some States have indicated they need additional time to comply fully with the requirements of certain indicators

Federal Register Notices

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- On September 23, 2011 the Department published two notices in the Federal Register:
 - Interim Final Rule
 - Notice of proposed revisions to certain data collection and reporting requirements, and proposed priority

Obligation and Liquidation

- The notices do not extend the deadline for obligating SFSF funds, which remains September 30, 2011
- The Department does not have the authority to extend the SFSF obligation period
- States and LEAs still have 90 days to liquidate the funds
- States can request an extension of the liquidation period

Overview of Interim Final Rule

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- Extends deadline for meeting the requirements of all indicators and descriptors from September 30, 2011 to January 31, 2012
- Extension is automatic
- No application or revised plan is necessary

Overview of Notice of Proposed Revisions

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- Proposes to eliminate the requirement that States report annually for certain indicators
- Proposes a further extension of the deadline for certain indicators ((b)(1), (c)(1 1), and (c)(1 2))
- Proposes to provide flexibility with regard to reporting on college enrollment
- Proposes a priority in future grant competitions under certain conditions
- Reminds States of the Department's enforcement authority

Elimination of Annual Reporting Requirements for Certain Indicators

- Currently, States must collect and report annually data on all SFSF indicators
- The notice proposes to eliminate the annual reporting requirement for:
 - Indicators (c)(1) through (c)(9) – standards and assessment indicators
 - Indicators (d)(1) through (d)(6) – supporting struggling schools indicators
- States must report once on each indicator and descriptor.

Further Extension of Deadline for the Most Challenging Indicators

- Proposes to allow States to request an extension of the deadline for meeting the requirements of the most challenging indicators:
 - Indicator (b)(1) – development and implementation of a statewide longitudinal data system.
 - Indicator (c)(1 1) – college enrollment data.
 - Indicator (c)(1 2) – college course completion data
- Upon Department approval, the deadline would be extended from January 31, 2012 to December 31, 2012

Proposed Alternative Standard for Indicator (c)(11)

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- Proposes additional flexibility on reporting data for high school graduates who enroll in private or out-of-state public IHEs
- Under the alternative standard, a State would comply by demonstrating that it had increased its capacity for collecting and publicly reporting data on students who enroll in private or out-of-state public IHEs
- States still must have the capacity to report college enrollment data for students who attend in-state public IHEs

Proposed Process for Requesting Additional Flexibilities

- A Governor and Chief State School Officer would jointly request a deadline extension or the authority to use the alternative standard
- The additional flexibility would be approved based on assurances provided in the request
- States would be provided with ample time to revise plans for complying with the requirements of the affected indicator
- The Department would provide a request form and specific instructions for the requests

Proposed Priority

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- A State that develops and implements an SLDS that includes the 12 elements required under the America COMPETES Act is more likely to effectively implement education reforms
- In future discretionary grant competitions, the Department proposes to reward States that fully develop and implement an SLDS by the applicable deadline

Enforcement of SFSF Requirements

- The information provided under the SFSF indicators and descriptors makes State and local education policies transparent and provides data on the progress made in implementing education reforms.
- Because of the importance of this data, the notice reminds States of the enforcement tools already available to the Department and proposes an additional enforcement authority.

Additional Resources

- The Interim Final Rule and Notice of proposed revisions to certain data collection and reporting requirements, and proposed priority are available at <http://www2.ed.gov/programs/statestabilization/legislation.html>
- The November 12, 2009 Federal Register notice in which the Department initially established the requirements for the SFSF indicators and descriptors is available at <http://www2.ed.gov/legislation/FedRegister/finrule/2009-4/111209a.pdf>
- A summary of the indicators and descriptors can be found at <http://www2.ed.gov/programs/statestabilization/summary-requirements.doc>.