

DRAFT

Race to the Top – Questions/Comments

Participating Local Education Agency – Memorandum of Understanding

Purpose/Scope of Work	Page 4	<p>There seems to be contradiction between second and third paragraphs. Second paragraph states that “Exhibit I, the Preliminary Scope of Work, indicates which portions of the State’s proposed reform plans ... the Participating LEA is agreeing to implement...” The third paragraph states (in Bold) that the “LEA must agree to implement all applicable portions of the State Plan...”</p> <p>Question: Can the LEA choose which portions it will implement?</p> <p>Question: Can the LEA phase any and all portions of the state plan?</p> <p>Question: What flexibility does the LEA have?</p>
	Page 4	Implementing CSR and RTTT will be a challenge
Project Administration		
A. LEA Responsibilities	Page 4	<p>Approval of sub grant will be based on scope/quality of LEA’s proposed work plans “and its capacity to implement the plans.”</p> <p>Question: To what extent does capacity affect LEA’s ability to participate?</p> <p>Question: Should LEA indicate capacity problems in MOU?</p> <p>Question: Capacity will probably be a problem due to reduced resources...to what extent should LEA address this in the work plan?</p>
C. Joint Responsibilities	Page 5	<p>4) DOE and LEA will negotiate in good faith...even when State Plan requires modifications that affect LEA; or LEA Plan requires modification.</p> <p>Question: What Plan modifications are anticipated?</p> <p>Question: Does the LEA have any input in or authority over the Plan modification other than “negotiating in good faith?”</p>
D. Collective Bargaining Responsibilities	Page 5	MOU states that failure to negotiate any term or condition in collective bargaining agreement necessary for full implement...will result in termination of grant.

		<p>Question: This seems to imply that there is no phase-in or ability for LEA to set priorities?</p> <p>Question: What happens if negotiate in good faith and do not reach agreement in year 2. Does the LEA have to repay the funds? What are the consequences?</p>
E. Recourse for LEA Non-Performance	Page 5	<p>MOU contemplated enforcement action.</p> <p>Question: Again, if failure to meet Plan, but negotiates in good faith, why are there consequences, punishment?</p>
III. Assurances	Page 6	<p>2) LEA must commit to working on all applicable portion of the State Plan.</p> <p>Question: What about phasing this in? This seems be contradictory to earlier portions of document.</p>
	Page 6	<p>3) LEA must agree to implement...if State application is funded.</p> <p>Questions. What about phasing this in?</p>
	Page 6	<p>5) Requires LEA plan to be comprehensive and align all resources to support capacity to implement plan.</p> <p>Question: What about CSR????</p>
Exhibit I		
(B)(3)	Page 8	<p>1st Bullet - LEA will modify school schedules.</p> <p>Comments: This will be difficult in high schools and will costs dollars.</p> <p>Question: Many of requirements in Exhibit I require expenditure of funds. Which is more important..more time for instruction, teacher professional development or pay for performance? Competing priorities in time of limited resources will be challenge.</p>
	Page 8	<p>3rd Bullet - Additional high school career and technical program requirement.</p> <p>Question: Can LEA expand current program?</p> <p>Question: Can LEA join with other districts to offer career academy?</p> <p>Question: Will there be separate EOCs for applied and non-applied courses?</p>
	Page 8	<p>4th Bullet – LEA must increase STEM-related accelerated courses.</p>

		<p>Question: What incentive do districts have to increase these courses since participation will not be counted in high school grading in out years as much.</p> <p>Comments: Some districts must reduce advance course offerings due to budget restraints.</p>
	Page 8	<p>5th Bullet – LEA must “ensure” that each school possess technology, etc.</p> <p>Comment: Districts cannot make this assurance.</p>
C. Data Systems to Support Instruction	Page 9	<p>(C)(2) – First Bullet – re Accessing and using State data</p> <p>Comment: Many LEAs have developed data systems the support their own district needs, etc and report to State. These should not be replaced, duplicated by State. Need to integrate systems where necessary and provide them where there are gaps.</p>
	Page 9	<p>(C)(3) – First Bullet - Development of customer-friendly front end system.</p> <p>Comment: Need to work through confidentiality of student record issues.</p>
	Page 9	<p>(C)(3) – Second Bullet – LEA must ensure instructional improvement system is fully utilized.</p> <p>Question: how is LEA to “ensure” that this is fully utilized?</p>
	Page 9	<p>(C)(3)ii – Professional development</p> <p>Comment: This has fiscal impact.</p> <p>Question: Will districts be able to use DOE 50% of RTTT funds for this?</p>
	Page 9	<p>(C)(3)iii – First Bullet – LEA must provided requested data to DOE to support DOE’s efforts to make data available to researched, etc.</p> <p>Question: Will LEAs have input into which data, how it is reported, etc?</p>
D. Great Teachers and Leaders	Page 10	<p>(D)(2)(i) – For content areas and grade levels not assessed on FCAT, etc., LEA must use district-developed assessment aligned to state standards.</p> <p>Question: Will LEAs have access to DOE 50% of RTTT funds to develop these tests?</p> <p>Question: Can teachers and/or grades be grouped? Is there room for a teach evaluation?</p>

	Page 10	<p>(II) Design and implement evaluation systems – First Bullet – LEA must use Department-selected teacher-level student growth measure that is defined as greater than 50%.</p> <p>Question: Can LEA select student growth measure as an alternative to state?</p> <p>Question: Will LEA have input into this growth measure?</p> <p>Question: Will this have to go through administrative procedure process. If so, how will that impact the tight time-frame under which we are all working?</p> <p>Questions: When will state have their growth measure?</p> <p>Question: Will it be in time for LEAs to use as they bargain with unions this summer?</p> <p>Question: Will LEA be able to phase any of this in? Groups of teachers, 2nd year, targeted schools?</p> <p>Question: Will LEA be able to use any of the DOE 50% RTTT funds to help with this?</p>
	Page 11	<p>(II) Design and implement evaluation systems.</p> <p>3. Must include at least one additional metric.</p> <p>Comment: using these additional metrics has fiscal impact.</p> <p>Question: May LEAs use other teachers for peer review? Does that in any way violate collective bargaining in that teachers are part of an evaluation system which belongs to management?</p>
Principal Evaluation System	Page 11	<p>Principal evaluation is based on DOE-selected teacher-level student growth measure as primary factor and is greater than 50% of evaluation.</p> <p>Comment: This raises similar questions/comments listed above. Additionally, how does school management fit into this?</p>
	Page 11	<p>LEA must submit teacher and principal evaluation systems to DOE for review and approval?</p> <p>Question: Is there sufficient time for this?</p> <p>Question: How can LEA bargain a system that has not been developed or seen in 90 days?</p>

		Question: Again, can any of this be phased in?
	Page 11	LEA will report results of evaluations of each teacher, principal, etc. during Survey 5. Question: What about confidentiality requirements that are already in state statute re evaluations? Question: How will appeals be handled?
	Page 11	Note re to a phase in of the evaluation system. Comment: This is helpful and addresses some of the concerns raised above. However, general questions remain re APA process, ability to bargain in timely manner.
Professional Development	Page 12	(iv)(a) relating to professional development for first- and second-year teachers. Question: Will LEA be able to use any of the DOE 50% RTTT funds to help with this? Coaching/mentoring has fiscal impact.
Use evaluations to inform tenure and/or full certification	Page 14	LEA will base decisions re to reductions in staff on effectiveness rather than seniority. Comment: This will be difficult, if not impossible to bargain. In order to be successful need to phase in.
	Page 14	LEA report teachers/principals who were dismissed for ineffective performance as demonstrated through the evaluation system. Comment: This has public records implications.
E. Turning Around Lowest-Achieving Schools	Page 17	2. LEA will offer PreK on full day basis/expand opportunities for students to attend career/professional academies/introduce proven programs to encourage advanced classes. Comment: LEAs offer and want to expand these programs, but fiscal realities preclude major expansions or even funding what has been offered in the past. Disincentives are in the high school grading system for participation in some of these programs (in long run).
	Page 17	DOE may approve other programs that demonstrate strong record of improving student achievement. Comment: Do LEAs have authority to implement their own programs?
	Page 17	Charter schools.

		<p>Comment: This will require contract amendments with charter schools.</p> <p>Question: Will DOE provide technical assistance and support to districts in this area?</p>
Appendix A	Page 19	<p>School Intervention Models</p> <p>General question/comments:</p> <p>Is an LEA required to replace a principal? What if principal has only been in position for one or two years and has seen improvement? Is there any discretion on part of LEA?</p> <p>Scheduling flexibility is a bargaining issue. Bargaining school by school will be difficult.</p> <p>Reporting to a “turnaround office” has fiscal impact. Will LEA be able to use any of the DOE 50% RTTT funds to help with this?</p> <p>Establishing scheduled and strategies that increase learning time have a fiscal impact. Will LEA be able to use any of the DOE 50% RTTT funds to help with this?</p> <p>Many of these requirements for turnaround schools have bargaining and fiscal implications which will require time to work through.</p>