



MEMORANDUM

August 28, 2009

From: Alliance for Excellent Education
Re: FR Doc E9-17909
Subject: Race to the Top Fund Comments

The Alliance for Excellent Education (the Alliance) is a national policy, advocacy, and research organization created to help all middle and high school students receive an excellent education. The Alliance focuses on America's six million most at-risk secondary school students (those in the lowest achievement quartile), who are likely to leave school without a diploma or graduate unprepared for a productive future.

The following pages include the Alliance's response to the Department of Education's (ED) Race to the Top notice of proposed priorities, requirements, definitions, and selection criteria (the notice), FR Doc E9-17909, published in the federal register on July 29, 2009 for a thirty day comment period.

Before presenting a detailed response, the Alliance would like to thank ED for publishing such a comprehensive and reform-oriented notice. The Alliance believes that the education policy community must take the opportunity provided through the stimulus to continue to drive education reform. Specifically, Race to the Top provides a unique opportunity to support reform at the high school level.

Most current education funding formulas provide little to no money for high schools, which is why most of the other funds provided for education through the American Recovery and Reinvestment Act (ARRA) will not reach high schools. Because of this, the Alliance would like to thank ED for working to address the needs of high schools in Race to the Top and would urge ED to continue to take advantage of opportunities to support high schools.

The Alliance's comments focus on ensuring that the needs of high schools are appropriately and adequately addressed including: ensuring that school improvement activities are appropriate for high schools; using graduation rates in tandem with academic achievement for accountability at the high school level; and supporting effective teaching in high schools and emphasizing the need for quality, rather than quantity as it relates to charter schools. Additionally, the Alliance urges ED to include a significant focus on evaluation in Race to the Top. ARRA represents an unprecedented influx of funding into the nation's education system, which will be accompanied by an unprecedented level of scrutiny over how the funds are spent and their impact on student achievement. The Alliance asks that ED include evaluation throughout the Race to the Top program to ensure that this level of scrutiny can be met with results.



I. Proposed Priorities

A. Proposed Priority 4: P–20 Coordination and Alignment

Importance of Transitions in Ensuring Academic Success at Each Grade Level

- **Issue:** The Alliance applauds ED’s interest in coordination and vertical alignment at points of transition, which are defined as between early childhood, K–12, and postsecondary programs. It is important that schools work to meet the needs of students at these key points in their academic careers.
- **Comment:** While the Alliance agrees that transitions from pre-K to elementary and high school to postsecondary are critical to a student’s success, research tells us that transitions from elementary to middle and middle to high school are also critical times. New middle school students must meet intensified expectations for both performance and responsibility, often in unfamiliar environments that are far less personalized than elementary schools.

Likewise, the transition from middle to high school can be treacherous, particularly for those students with weak preparation for high school academics. Repeating ninth grade or failing a core course in ninth grade is a strong predictor that a student will eventually drop out. Unfortunately, many students do not receive the extra support they need to succeed in high school; as a result, students who drop out are more likely to do so in ninth grade than in any other year.

- **Recommendation:** The Alliance recommends adding elementary to middle school and middle to high school transitions to this section.

B. Proposed Priority 5: School-Level Conditions for Reform and Innovation

Including New School Creation as a Condition for Reform

- **Issue:** The notice includes an invitational priority in which states would explain in their applications how participating local educational agencies (LEAs) would provide schools with the additional flexibility and autonomy needed to create an atmosphere conducive to reform.
- **Comment:** Creating new schools and smaller learning communities has been an important component of reform in many high schools. When implemented well, schools organized in these ways provide students access to an engaging, rigorous, personalized course of study and the supports and interventions they need to succeed.
- **Recommendations:** The Alliance recommends adding creating new schools and smaller learning communities to the list of flexibilities and autonomies in proposed priority 5, and clarifying that LEAs would have the primary responsibility for new school creation.



II. Requirements

A. Application Requirements

Clarifying the Roles and Responsibilities of States and LEAs

- **Issue:** In (g) of the *Proposed Application Requirements* section, states are asked to provide a detailed plan for use of grant funds including activities undertaken and the party or parties responsible for implementing such activities.
- **Comment:** The proposed application requirements do not explicitly require states to describe which activities are state responsibilities and which would be primarily the responsibility of LEAs. However, for many of the Reform Plan Criteria outlined in the notice, the activities should be undertaken primarily by LEAs. For example, using data to improve instruction and turning around struggling schools are typically designated as district-level or school-level activities. Further, the proposed application requirements do not require states to outline the application process for LEAs.
- **Recommendation:** The Alliance recommends requiring states to describe in their application what the LEA responsibilities are for each of the Reform Plan Criteria and what the application process is for LEAs to receive funds.

Achieving Equity in School Funding

- **Issue:** The proposed application requirements ask that states provide evidence of their financial support for education, but they do not inquire as to how this money is allocated across districts.
- **Comment:** Disparities in educational funding and quality are the root of many problems within the U.S. education system, yet these problems have often been ignored or minimized because their systemic, entrenched nature means that they are difficult to rectify. States that are working toward greater funding equity should be rewarded for these efforts.
- **Recommendation:** The Alliance recommends adding to the application that states should provide information about their efforts to equalize funding across the state.

B. Other Program Requirements

Evaluating Uses of Funds in Order to Glean Best Practices from Race to the Top

- **Issue:** In this section, ED mentions that they are seeking comments on whether a state should be required to conduct its own evaluation of its program activities instead of or in addition to a national evaluation.
- **Comment:** The Alliance would like to stress the importance of a meaningful evaluation as a crucial component of the Race to the Top program. Race to the Top funds are short-term and will



be subject to much scrutiny. Therefore, evaluation and dissemination of best practice should be a clear and stated goal of the Race to the Top funds. Limited knowledge of the effect of these funds on student achievement would weaken the long-term impact of these funds, and put future spending on education programs in jeopardy.

Because of the flexible nature of many of the Reform Plan Criteria, the grantees and sub-grantees that receive Race to the Top funds will be undertaking a wide variety of activities. This variance in implementation will make it difficult to do any sort of meaningful national evaluation on the effectiveness of the funds. Instead, it may be more informative for states to tailor their evaluation criteria by aligning them with how they decide to use their funds.

- Recommendation: The Alliance recommends that states be required to provide a description of what performance measures and additional indicators they would use to measure effective implementation of Race to the Top funds in both the short and long term. They should also describe how they would evaluate the impact of their funds in addressing the four reform areas and improving teaching, learning, and student outcomes.

III. Selection Criteria

A. Standards and Assessments

Recognizing the Importance of Adoption and Implementation Phases of Common Standards

- Issue: In this section, states are asked to report on whether they have demonstrated commitment to the common standards process, whether they will be participating in the development of assessments linked to this process, and whether they are supporting the transition to these standards and assessments.
- Comment: The Alliance would like to thank ED for including in the notice that states should demonstrate their commitment to participating in the common standards process. While the Alliance knows that states cannot promise to adopt standards that they have not yet seen, we want to ensure that states are committed not just to the process of developing standards but also to adoption and implementation of these standards. Developing high-quality, college- and career-ready standards will not have any effect on teaching, learning, and student achievement unless states adopt them, support districts and schools in implementing them, and train teachers in how to use them.

The Alliance would also like to thank ED for including the development of high-quality assessments in its notice. This is particularly important as it relates to ED's focus on using assessment data to measure teacher and principal effectiveness as described in other sections of the notice. It is critically important that assessments be high quality if they are to be used for gauging teacher, and principal performance.

- Recommendation: For Phase I applicants, the Alliance recommends requiring states to describe in their applications a plan for implementing the standards, assuming adoption. In (A)(3)



Supporting transition to enhanced standards and high-quality assessments the Alliance also recommends adding that LEAs should provide professional development in how to teach to the new standards in addition to developing professional development materials.

B. Data Systems to Inform Instruction

Clarifying State and District Roles in Using Data to Inform Instruction

- **Issue:** In Reform Plan Criteria (B)(3) *Using data to improve instruction*, states are asked to provide a high-quality plan to increase the use of instructional improvement systems and make the data from instructional improvement systems available to researchers.
- **Comment:** Thank you for including use of data to improve instruction in your notice. The Alliance frequently hears from educators across the country that these data are an important tool for improving instruction and therefore student learning and academic achievement.

In most places where instructional improvement systems have been implemented, LEAs have taken the lead role in creating such systems and working with teachers and principals to ensure use of these systems. Part of the reason for this is that LEAs have access to richer data that are more appropriate for in-classroom use—such as attendance, grades, and interim and formative assessment scores—whereas most (but not all) statewide longitudinal data systems do not yet have the capacity to collect and report this type of data. Further, information that states collect in their statewide longitudinal data systems is often not in the right format to be useful in the classroom and is not or cannot be provided frequently or in a timely manner to districts.

The Alliance knows that high quality, ongoing professional development that trains teachers and other school personnel in data literacy, use of data to improve student achievement, data analysis, development and use of formative assessment processes, and post-analysis interventions and instructional adjustments is an important component of a successful instructional improvement system. Often some of this professional development is provided through a partnership with a technical or external assistance provider or a college of education.

- **Recommendation:** Require states to describe as part of their application both the state and LEA roles and responsibilities related to this section, including how they would ensure that LEAs be primarily responsible for creating instructional improvement systems with assistance and support from states. Make it explicit in (B)(3)(i) that increasing the use of instructional improvement systems shall include professional development on the use of data as described in the above paragraph.

C. Great Teachers and Leaders

Measuring Outcomes of Alternative Certification Programs



- Issue: In (C)(1) *Providing alternative pathways for aspiring teachers and principals*, the notice asks the state to report on whether they have in place any barriers to alternative routes to certification and how much alternative certification routes are used.
- Comment: In (C)(4) *Reporting the effectiveness of teacher and principal preparation programs*, ED asks the states to have high-quality plans for linking student achievement data with teacher preparation programs. It is not specified here whether or not teacher and student achievement data would be used to measure the effectiveness of alternative certification routes. However, since many alternative certification programs are relatively new, researchers still have many unanswered questions about their effectiveness in comparison to traditional teacher and principal preparation programs.
- Recommendation: The Alliance recommends adding language in either (C)(1) or (C)(4) that all states be required to report on the extent to which alternative certification routes are providing schools with effective teachers and leaders.

Ensuring Accurate Measurement of High School Teacher Effectiveness

- Issue: In (C)(2) *Differentiating teacher and principal effectiveness based on performance* states are asked to have a high-quality plan and ambitious yet achievable annual targets for measuring student growth and to employ a process for differentiating the effectiveness of teachers and principals that take into account such data on student growth.
- Comment: The Alliance supports ED's efforts to improve measurement of teacher and principal effectiveness. For high schools, measuring teacher effectiveness is challenging, particularly using current models. Traditional measures of student growth may not be applicable at the high school level, since not all grades and core subjects are tested.

Additionally, using student growth to measure effectiveness with the assessments currently in use can be problematic. While the Alliance is pleased to see that ED is encouraging states to improve assessments with Race to the Top funds, it is important that the limitations of current assessments—both in how well they measure student achievement and in how high they set the bar for students to be considered proficient—are taken into account in the meantime.

- Recommendation: The Alliance recommends that states be requested to propose how they would measure student growth for untested grades and subjects, particularly in high schools. Such proposals should include the use of a measure of student achievement that is both objective and can be used to measure student growth.

Increasing the Number and Percentage of Highly Effective Teachers in Persistently Low-Performing Schools, Including Those with Graduation Rates Below 60 Percent

- Issue: In (C)(3) *Ensuring equitable distribution of effective teachers and principals*, ED asks that the state create a high-quality plan and annual targets to increase the number and percentage of highly effective teachers and principals in high-poverty schools.



- **Comment:** Because teacher quality is the in-school factor that makes the greatest impact on student achievement, the Alliance has long been a strong supporter of improving teacher distribution. The Alliance would like to thank ED for recognizing the importance of providing students access to excellent teachers in high-poverty schools.

Unfortunately, because of the way poverty is calculated at the high school level, many low-performing high schools that serve poor students are not identified as high-poverty schools, so (C)(3), as written, would not improve teacher distribution in many high-needs high schools.

- **Recommendation:** The Alliance recommends requiring states to describe how they would ensure accurate identification of high-poverty high schools and how they would increase the number and percentage of highly effective teachers and principals in persistently low-performing schools, including those with graduation rates below 60 percent.

Ensuring that Schools of Education Are Producing Teachers Who Meet the Needs of Students

- **Issue:** In (C)(4) *Reporting the Effectiveness of Teacher and Principal Preparation Programs*, ED asks the state to develop a high-quality plan and annual goals for reporting the effectiveness of teacher and principal preparation programs as measured by student performance.
- **Comment:** The Alliance agrees that linking student achievement data back to the credentialing of their teachers and principals is critical to improving student achievement.

Additionally, the Alliance believes it is important to improve teacher preparation programs' ability to meet the needs of students and schools, many of which continue to experience teacher shortages in particular subjects and areas. Furthermore, it is important that teacher preparation programs have access to any available data that can help them to improve their performance.

- **Recommendation:** The Alliance recommends requiring states to include in their plan annual targets for producing teachers and leaders who are effective in turning around low-performing schools and annual targets for increasing the number of effective teachers in difficult-to-staff subjects and areas like math, science, English language learning, and special education who go on to teach in high-need schools. Consistent with the Family Educational Rights and Privacy Act of 1974 (FERPA) protections, states should be required to report to teacher credentialing programs (including alternative certification route programs) information on their graduates' performance, including how it relates to their students' academic performance.

D. Turning Around Struggling Schools

Annual Targets Should Include Both Graduation Rates and Academic Achievement

- **Issue:** Under Reform Plan Criteria (D)(3) *Turning Around Struggling Schools*, states are asked to provide a high-quality plan with ambitious yet achievable targets for turning around low-performing schools.



- Comment: The Alliance appreciates ED’s recognition throughout this proposal that graduation rates are critical indicators of a high school’s success. From the experience of No Child Left Behind—whose incentive structure led some schools to push out their lowest-performing students in order to boost assessment scores—the Alliance knows that balanced accountability for high schools must mean assessment scores and graduation rates are used in tandem.
- Recommendation: The Alliance recommends that the Reform Plan Criteria (D)(3) should clarify that the annual targets to identify low-performing high schools should include both academic achievement and graduation rates for high schools.

Clarify State and LEA Roles in School Turnaround

- Issue: In Reform Plan Criteria (D)(3) *Turning Around Struggling Schools*, the notice requests a plan for the state to support LEAs in turning around low-performing schools by establishing new governance structures, converting them to charters, closing them, or implementing a school transformation model.
- Comment: In places where school turnaround has been successful, improvement strategies have largely been district-driven. This is because improvement plans that are based on district-level data and respond to unique local needs tend to be more successful than one-size-fits-all models and because state educational agencies (SEAs) are not designed to work directly in schools and often lack the expertise to do so effectively.

States’ most appropriate role in supporting school improvement is in providing LEAs with support and technical assistance. The capacity of states to provide such technical assistance varies, but most states are unable to provide all types of technical assistance needed to support struggling schools. One strategy that has been successful in filling in the gaps in state-provided technical assistance is utilizing outside technical assistance providers that may have expertise in areas of school turnaround that the state does not.

- Recommendation: The Alliance recommends requiring states to describe both the state and LEA roles and responsibilities related to school turnaround, including how states would provide technical assistance and identify external technical assistance providers for LEAs.

Implementing Governance Strategies for High School Improvement

- Issue: One of the four school turnaround strategies to be used by LEAs is putting in place new leadership and a majority of new staff, new governance, and improved instructional programs, and providing the school with flexibilities such as the ability to select staff, control its budget, and expand student learning time.

Comment: The Alliance agrees that this strategy is critical for turning around low-performing schools. However, lessons learned under NCLB about replacement strategies in places like New York, Chicago, Miami, and Philadelphia show that governance and staffing changes alone are



not an effective turnaround strategy; they are a precondition for school transformation and must be used in tandem with school transformation models designed to improve teaching and learning.

- Recommendation: While maintaining that ineffective leadership, staff, and governance should be replaced, the Alliance recommends requiring states to describe how that strategy would be used in tandem with a transformation model that improves teaching and learning.

Creating High-Performing Charter Schools for Students

- Issue: One of four turnaround strategies that LEAs may use to turn around low-performing schools is to convert them to charter schools or contract with an education management organization.
- Comment: Not all charters are created equal. Although there are many charter schools that are achieving extremely impressive results, there are also many low-performing charter schools, including over 150 that are dropout factories. The Alliance is concerned that using charter creation as a turnaround strategy may create a loophole turnaround option where little of substance changes within the school. This prospect is especially worrisome in states that regulate charters loosely.
- Recommendations: The Alliance recommends that the charters that reopen should be required to use a model with a proven record of effectiveness or a new model with an evidence-based strategy. New school creation should also include the creation of new traditional public schools that have flexibility and autonomy similar to that of charter schools. Schools in this turnaround category should also be required to implement a school transformation model that improves teaching and learning.

Providing High-Performing Schools for High School Students

- Issue: One of four turnaround strategies that LEAs may use to turn around low-performing schools is to close the school and place the school's students in high-performing schools.
- Comment: Seventy-five percent of America's school districts have only one high school, and many failing schools are concentrated in urban areas where the vast majority of schools are performing poorly. This makes reenrolling in a high-performing school improbable for many high school students. Even in the cases where there is a high-performing high school in proximity to one that is low-performing, it is not always feasible for the high-performing high school to accommodate the number of students who would need to reenroll.
- Recommendations: The Alliance recommends specifying that the reenrollment option should only be used when there is a high-performing school in close proximity that can accommodate the new students that would need to transfer into the school. Additionally, efforts to create multiple education options that lead to a regular high school diploma should also be supported.

Implementing Effective Transformation Strategies to Improve Teaching and Learning



- Issue: One of four turnaround strategies that LEAs may use to turn around low-performing schools is to implement a school transformation model.
- Comment: There are many additional activities that are integral parts of school transformation models and whose effectiveness is supported by research. These include using data-driven decisionmaking, including collection, management, and analysis of data to improve teaching and learning and overall student achievement; focusing on core academic skills including literacy; targeting assistance and intense intervention for struggling students; utilizing personalization and engagement strategies; implementing middle to high school transition programs; and providing student access to rigorous and advanced coursework.
- Recommendations: The Alliance recommends requiring that transformation models also implement strategies to improve teaching and learning, rather than providing only structural changes to a school's organization. The Alliance also recommends adding the activities outlined in the above paragraph to the list of activities to be included in a transformation strategy for improving teaching and learning.

E. Overall Selection Criteria

Making Education Funding a Priority

- Issue: In *(E)(2) Making Education Funding a Priority* the state must provide financial data to show that the percentage of total revenues used to support for K–12 and higher education has increased or remained the same in Fiscal Year (FY) 2009 relative to FY 2008.
- Comment: For states that experienced the recent recession earlier than others experience, and for states whose budgets were particularly affected by the recession, meeting this State Reform Condition Criteria may be difficult despite a genuine prioritization of education above other discretionary spending.
- Recommendations: In addition to providing the information for State Reform Conditions Criteria *(E)(2)*, the Alliance recommends allowing a state to propose for ED's consideration other financial information that may demonstrate its current and historic commitment to education funding.

IV. Definitions

Fully Include High Schools in Persistently Lowest-Performing Schools Definition

- Issue: ED proposes defining “persistently lowest-performing schools” as secondary schools that are eligible for but do not receive Title I funds and that are equally as low-achieving as elementary schools in improvement, corrective action, or restructuring. The definition also includes language that requires states to consider schools' performance on and progress on state assessments.



- Comment: The Alliance appreciates ED’s recognition that many secondary schools are eligible for but do not receive Title I funds. As ED is aware, high schools have historically received less than their fair share of Title I funds. While high schools enroll 23 percent of low-income students, they receive only 10 percent of Title I funds. According to the NLS-NCLB study, only 27 percent of high schools receive Title I funds at all, compared to 71 percent of elementary schools.

In addition to the high schools that are eligible for but do not receive Title I, many high schools do not qualify for Title I. This is not because they do not serve poor students—in fact, it is documented that low graduation rates are highly correlated with concentration of poverty within a high school—it is because poverty levels are underreported at the high school level. Only 61 percent of the nation’s lowest-performing high schools, the so-called dropout factories, are eligible for Title I.

Additionally, graduation rates are equally important to test scores in determining the performance of high schools. Therefore, graduation rates should be included equally in states’ determinations of low-performing high schools.

- Recommendation: The Alliance recommends including high schools with graduation rates below 60 percent within the definition of “persistently lowest-performing schools.”

Ensure Meaningful Measures of Student Achievement in Non-Tested Grades and Subjects

- Issue: The notice defines “student achievement in non-tested grades and subjects” as an alternative measure of student performance, which may include: performance on interim assessments; rates at which students are on track to graduate from high school; percentage of students enrolled in Advanced Placement (AP) courses who take AP exams; rates at which students meet goals in individualized education programs; and student scores on end-of-course exams.
- Comment: In high school, the vast majority of courses that a student takes would not be tested under the state’s required assessments for ESEA 1111(b)(3). Therefore, it is very important for high school students that student achievement on non-tested grades and subjects be measured in a meaningful way. Of the examples given for alternative measures of student performance, some are meaningful while others give very little information about student achievement or worse, they set up incentives for schools to lower standards. For example, while they are useful for many in-school purposes, using on-track-to-graduation grades or student grades as alternative measures of student performance would create an incentive for schools to make passing courses easier and inflate grades.

When available, statewide end-of-course exams provide the most objective alternative measure of student performance. Fortunately, many states already have these in place for core high school courses.



- **Recommendation:** The Alliance recommends requiring states to use statewide exams as alternative measures of student performance when available. The next best measures would be other objective measures like AP exams, career or postsecondary readiness tests, or interim assessments if aligned to end-of-course exams, college and career readiness, and district pacing guides. If using AP exams as an alternative measure, the Alliance recommends reporting student pass rates rather than test-taking rates.

V. Performance Measures

Creating Meaningful Performance Measures

- **Issue:** The guidance provides performance measures for each of the proposed selection criteria.
- **Comment:** Few specifics are provided on indicators that states would be allowed to use. The Alliance would like to ensure that the performance measures are of high quality and that they provide useful information to states and the public, both in the short and long term. In the short term, it is useful to know how funds are spent and whether states and districts can report leading indicators of progress. The Alliance knows that it can take three to five years after implementing systemic reform before discernible changes in student achievement, graduation rates, and other outcome measures appear. Therefore, these outcome measures are most appropriate as long-term indicators. This is especially true for the purposes of evaluation.

The Alliance is also concerned that the annual targets do not lead to a stated goal of college and work readiness for all students.

- **Recommendations:** The Alliance recommends requiring states to include a broad variety of performance measures that can be used for reporting and evaluation, including implementation indicators, interim indicators, and long-term indicators of program effectiveness, including student achievement and graduation rates. Furthermore, the Alliance recommends requiring states to clarify how the performance measures they choose are aligned to college and work readiness for all students.

VI. Race to the Top Grant Administration

- **Issue:** The notice states that funding would go out to states in two phases: Phase I in fall of 2009 and Phase II spring of 2010.
- **Comment:** The guidance provides little detail on how many states would receive grants, what portion of the funds would be distributed in each round, and how much money would be given to each state recipient.
- **Recommendation:** The Alliance recommends that funds be distributed in a manner in which the amount received by states and participating LEAs is sufficient to carry out all of the activities described in the Reform Plan Criteria. Ensuring that grants are of sufficient size will be critical for evaluation purposes and in order to achieve strong results. The Alliance also recommends



that ED provide the option of planning grants to build a broader base of support for the Race to the Top program.