



NSBA's Guidance on Race to the Top For Local School Board Members

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What do school board members need to know about participating in Race to the Top (RTTT)? The following guidance/tips were developed by the National School Boards Association (NSBA) to help school board members navigate the RTTT process. The information is expected to be updated as more details on implementation become available from the U.S. Department of Education (ED) and other sources.

A. What does it mean to be a “participating LEA” and how will funding be distributed to a “participating LEA”?

Since RTTT does NOT require all school districts to participate in the state plan, a district can decide whether it will become a “participating LEA” (Local Educational Agency). A “participating LEA” means that you choose to work with the state to implement all or significant portions of the state’s RTTT plan. If you are a “participating LEA” and receive Title I funding, you will receive a share of the 50 percent of a state’s RTTT grant award that the state must distribute to “participating LEAs”, based on each participating LEA’s relative share of Title I, Part A allocations in FY 2009 (calculated through the regular FY 2009 appropriations and the supplement the district receives through the American Recovery and Reinvestment Act).

States do not have the discretion to turn down qualified school districts that want to participate as long as the district meets the “participating LEAs” definition and the terms of the state plan. They also cannot select “participating LEAs” or limit LEAs participation by using certain demographic characteristics or setting up a competition to determine which LEAs may participate.

B. Getting the information you need to make an informed decision

Your district can decide whether it wants to participate in the state RTTT plan. There is no requirement that you must participate. Since this is such a comprehensive program, you may want to get all the necessary information from your superintendent and central office staff in order to make an assessment whether your district will participate. Here are some of the considerations and questions you may want to discuss with your staff:

- District Eligibility and Funding as a “Participating LEA” – Does your district currently receive Title I funds? If yes, you will get a share of the 50 percent state RTTT grant that the state must distribute to “participating LEAs” if you choose to become a “participating LEA.” The actual amount of funding you would receive will be in proportion to the amount of Title I, Part A funds your district receives in relation to other participating school districts in your state in FY 2009. Since the amount of state grant is not currently known and you may not know which school districts will become “participating LEAs”, you cannot precisely determine how much funding you will receive. Accordingly, your state department of education or governor’s office may be able to provide you with a range of likely funding

to help you consider whether you want to be a “participating LEA”. If you are a “participating LEA” you are required to fulfill all or significant portions of the state RTTT plan.

If your district is not a Title I district, it can still become a “participating LEA”; however, it can only receive funding from the other 50 percent of state grant according to the state plan and that such funding may not necessarily be on a formula basis.

- District Eligibility and Funding as “Involved LEAs” – You can also be part of RTTT by becoming an “involved LEA.” An “involved LEA” chooses to work with the state to implement some portions of the state’s plan including those that necessitate full or nearly-full statewide implementation, such as transitioning to common standards and developing a longitudinal data system. An “involved LEA” does not receive a share of the 50 percent of a state’s RTTT grant award that must be distributed to participating districts, but states may provide funding from the remaining 50 percent or from other sources to “involved LEAs” (see section E for more details).
- District Capacity – Does your district have the capacity to take on what’s required in your state’s RTTT plan? RTTT is a very comprehensive program and touches on many aspects of your district’s financial and educational program. You would need to consider: what will be required in terms of staff/equipment/training, etc. as well as operational expenses that may exceed your RTTT subgrant during and after the grant period (the grant period is four years). A cost-benefit analysis should be done to guide your decision, including your available budget and the estimated RTTT subgrant from the state. What will be your financial and other obligations after the grant ends?
- District’s Role and Responsibilities – What role will a “participating LEA” play in developing and implementing the state’s RTTT plan? What specific responsibilities, such as planning, personnel, funding, performance measures, etc. will a “participating LEA” have? What may be the political implications in your community and at the state level if your district participates or does not participate? What’s the reaction from your school staff and your teachers’ union/association? Have your staff brief you on any anticipated action by your state regarding RTTT applications so you can prepare for a response.
- Influences on Local Decision Making – In becoming a “participating LEA” and agreeing to do what’s laid out in the state’s RTTT plan, how will that influence local decisions your district is currently making in such areas as financial and educational initiatives, curriculum and teacher/personnel policy, etc. How will the district’s participation of RTTT influence these areas now and in the future?
- Once your district signs onto the MOU and becomes a “participating LEA,” there’s nothing in the final criteria that addresses whether and how the district can withdraw from the RTTT plan either before or after the state is awarded the grant.

In the end it’s your district’s decision whether you want to be a “participating LEA,” “involved LEA,” or other LEA. Part of your decision may also hinge on what requirements you will have to meet in the state plan even if your district doesn’t get funding directly from RTTT. Your state will need ALL school districts to be on board for initiatives that require statewide or nearly-statewide implementation. Those initiatives such as the development of common core standards and longitudinal data systems will likely incur costs for all school districts including districts that are neither “participating” nor “involved” LEAs. States have no

obligations to provide RTTT funding to “involved LEAs” or other LEAs to carry out some of these statewide initiatives. On the other hand, subgrants received by a “participating LEA” may or may not cover all the requirements that need to be met in the state plan. Therefore a cost-benefit analysis is critical.

Please Note: “Other LEAs” are not defined in the RTTT final requirements. In the context of this guidance, the other LEAs refer to districts that choose not to be “participating LEAs” or “involved LEAs.” ED did not address what specific obligations these districts will have in terms of implementing statewide initiatives that require all school districts to participate. Make sure your state plan addresses how these other LEAs will be supported and what obligations they will have to meet the state plan requirements now and in the next few years.

C. How to sign up as “participating LEAs”?

1. Know what is in your state plan

- Since your district is not required to participate, you do not have to sign a Memorandum of Understanding (MOU) or any other binding agreement until you have the opportunity to review the state plan and offer suggestions if necessary. States are supposed to outline their statewide reform agenda and specific plans in collaboration and consultation with school districts, so your input can influence the outcomes of the state plan. You may wish to be in contact with your state school boards association for guidance on the particulars of working with your state officials on developing the RTTT plan.

2. Memorandum of Understanding (MOU)

- If you decide to be a “participating LEA”, you must agree to implement all or significant portions of the state’s plan and must enter into a MOU or other binding agreement with the state. States may define what LEAs need to do to participate in the RTTT plan. This could include specifying the required significant portions of the state’s plan that “participating LEAs” must implement. The state will create a standard MOU or other binding agreement for LEAs to sign to participate in RTTT. States can use a sample MOU provided by ED as-is, adapt it or create their own.
- If you decide to participate, you need to: a) complete the MOU; b) determine (together with the state) the portions of the plan in which you will participate; c) sign the MOU and return it to the state.
- The sample MOU contains three sections: a) the terms and conditions – outlining key roles and responsibilities of the state and the LEA, state recourse for LEA non-performance and assurances of what the LEA agrees to do; b) the scope of work –the LEA’s work plan (see below for more details); and c) the signature block.
- In working with your state school boards association, you can leverage the best plan for your school district by making sure the components of your state’s reform plan meet the needs of your students and schools before signing the MOU.

3. Scope of Work

The development of the scope of work is critical because “participating LEAs” will be held accountable for its implementation. If the grantee state determines the district is not meeting its goals, timelines, budget, or annual targets, etc., it can take appropriate enforcement action against the district, including putting the district on reimbursement payment status, temporarily withholding funds or disallowing costs.

- If your district is a “participating LEA”, the district must develop the “scope of work” and include it in the MOU. The scope of work included in the state application can be preliminary. This will give you time to complete a more detailed version if your state is awarded a RTTT grant. The scope of work must be signed and dated by an authorized LEA and state official. Preliminary scope of work should include the portion of the state’s reform plan that the LEA is agreeing to implement.
- It is suggested that your district’s preliminary scope of work will be as general as possible within the guidelines. Without knowing whether your state will receive RTTT funds or how much either your state or district share will be, you may not want to over commit on detailed activities since your district will be held accountable for meeting the goals, timelines, performance measures, etc. in scope of work. You will have the time to elaborate on the plan if your state is awarded a grant.
- If your state is awarded a RTTT grant, the “participating LEA” will have up to 90 days to complete the final scope of work, which must contain: a) detailed work plans that are consistent with the preliminary scope of work and with the state’s grant application; b) the participating LEA’s specific goals, activities, timelines, budgets, key personnel and annual target for key performance measures.

4. Signature

- Although a signature is required from an authorized LEA representative, the strength of the participating LEA’s commitment will be demonstrated by the support of its leadership by obtaining signatures from as many as possible of the following: the LEA superintendent (or equivalent); the president of the local school board (or equivalent if applicable); and the local teachers’ union leader (if applicable). The strength of the district’s commitment will help the state application earn points during the selection process.

5. Modifications

- School districts and states can modify the MOU only by written agreements signed by each of the parties involved and in consultation with ED.

D. Can school districts sign up after the state receives the RTTT grant?

- Yes, school districts can sign up to participate in RTTT up until 90 days after the state is awarded a grant. However, your state’s application would not receive competitive points for additional participation (since these districts did not sign up when the application was submitted).

E. What are “Involved LEAs”?

- Some school districts may choose to work with the state to implement parts of the state plan that require statewide or nearly statewide implementation, such as transitioning to the common standards and developing a longitudinal data system. These districts can consider

becoming “involved LEAs,” which do not have to enter into a MOU with the state and can sign up by the state at any time and by any method that the state chooses.

- However, an “involved LEA” will not be eligible for a share of the 50 percent RTTT grant that the state must distribute to “participating LEAs” under the Title I Part A formula. States can choose to provide funding to “involved LEAs” from the remaining 50 percent of RTTT funds or from other sources. States have considerable flexibility in allocating the remaining 50 percent, which is available for state-level activities, disbursements to LEAs, and other purposes as the state may propose in its plan (therefore, it is critical to review the state plan before signing on to become a “participating LEA”). The bottom line is that a state does not have to provide RTTT funds, benefits or supports to non-participating LEAs.

F. Can “participating LEAs” use RTTT funds to serve non-Title I schools?

- Yes, “participating LEAs” may use RTTT subgrants to serve non-Title I schools. Because these are not Title I funds, they are not subject to Title I restrictions regarding the use of funds.

G. Important dates

- States will have two opportunities to apply for RTTT funds. Phase 1 applications are due on January 19, 2010, and awards will be made in April of 2010. Phase 2 applications are due on June 1, 2010 and awards made by September of 2010.