

# **Race to the Top – District Guidance and Frequently Asked Questions**



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

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**Purpose of the Guidance**

The purpose of this guidance is to provide information about the Race to The Top – District program. The guidance provides the U.S. Department of Education’s interpretation of various statutory provisions and does not impose any requirements beyond those included in the Race to the Top – District Notice Inviting Applications (NIA, or notice) and applicable laws and regulations. In addition, it does not create or confer any rights for or on any person.

The U.S. Department of Education will provide additional or updated program guidance as necessary on its Race to the Top – District Web site, [www2.ed.gov/programs/racetothetop-district/index.html](http://www2.ed.gov/programs/racetothetop-district/index.html). If you have further questions that are not answered here, please email [racetothetop.district@ed.gov](mailto:racetothetop.district@ed.gov).

**Contents**

A. Overview of the Race to the Top – District Competition ..... 3  
B. Grant Awards ..... 5  
C. Eligibility..... 6  
D. Priorities under the Race to the Top – District Competition..... 14  
E. Selection Criteria ..... 17  
F. General Application Requirements and Program Information ..... 25  
**G. Uses of Funds..... 28**  
**H. Program Requirements ..... 33**  
**I. Application Submission ..... 36**  
**J. Application Review and Selection ..... 37**  
**K. Transparency, Accountability, Reporting, and Other Obligations ..... 38**  
**L. Resources and Information ..... 39**

## **A. Overview of the Race to the Top – District Competition**

### **A-1. What is the Race to the Top – District competition?**

The Race to the Top – District competition is to build on the lessons learned from the State competitions conducted under the Race to the Top program and to support bold, locally directed improvements in learning and teaching that will improve student achievement and educator effectiveness.

The Race to the Top – District competition will encourage and reward those local educational agencies (LEAs) or consortia of LEAs that have the leadership and vision to implement the strategies, structures, and systems needed to implement personalized, student-focused approaches to learning and teaching that will produce excellence and ensure equity for all students.

An LEA or consortia of LEAs receiving an award under this competition will build on the lessons learned from, and the progress of, States and districts in implementing reforms in the four core educational assurance areas (as defined in the Notice Inviting Applications, hereafter referred to as the notice<sup>1</sup>) through Race to the Top and other key programs. A successful applicant will provide teachers the information, tools, and supports that enable them to meet the needs of each student and substantially accelerate and deepen each student’s learning. These LEAs will have the policies, systems, infrastructure, capacity, and culture to enable teachers, teacher teams, and school leaders to continuously focus on improving individual student achievement and closing achievement gaps. These LEAs will also make equity and access a priority and aim to prepare each student to master the content and skills required for college- and career-readiness, provide each student the opportunity to pursue a rigorous course of study, and accelerate and deepen students’ learning through attention to their individual needs. As important, they will create opportunities for students to identify and pursue areas of personal academic interest--all while ensuring that each student masters critical areas identified in college- and career-ready standards or college- and career-ready high school graduation requirements.

### **A-2. How did the Department obtain public input while developing the Race to the Top – District competition?**

Under the Administrative Procedure Act, 5 U.S.C. 553, we generally offer interested parties the opportunity to comment on proposed priorities, requirements, definitions, and selection criteria. Section 437(d)(1) of the General Education Provisions Act (GEPA), however, allows the Secretary of Education to exempt from formal rulemaking requirements the first grant competition under a new or substantially revised program authority. This is the first grant competition for the Race to the Top – District grant program. Given the tight timeline for obligating funds and in order to provide districts maximum time to prepare their applications for this competition, the Department is waiving notice-and-comment rulemaking for this competition.

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<sup>1</sup> The term “the notice” (for example in “as defined in the notice”) is used throughout this document. “The notice” refers to the Notice Inviting Applications (NIA). Many relevant sections of the notice are included in this document for the convenience of applicants. The Department published the final notice for the Fiscal Year 2012 Race to the Top - District competition in the Federal Register on August 16, 2012. The notice includes the final priorities, requirements, definitions, selection criteria, and certain details for applicants, such as deadlines, budget guidance, and submission requirements. For the notice, see 77 FR 49654-49677, available at <http://www.gpo.gov/fdsys/pkg/FR-2012-08-16/pdf/2012-20037.pdf>.

Specifically, we are waiving rulemaking for the priorities, requirements, definitions, and selection criteria for this new competition under section 437(d)(1) of GEPA. However, we solicited public participation as we developed our approach to this competition. From May 22 to June 8, 2012, we posted on the Department's Web site and blog a draft Executive Summary of the competition, which included draft competition priorities, requirements, definitions, and selection criteria, and we invited public input. We received approximately 475 responses reflecting the viewpoints of a variety of individuals and organizations, which we considered in our development of the notice. That Executive Summary and the comments we received are posted at [www.ed.gov/race-top/district-competition](http://www.ed.gov/race-top/district-competition).

**A-3. What are eligibility requirements, absolute priorities, selection criteria, and competitive preference priorities?**

Eligibility requirements are the requirements that an applicant must meet in order to be eligible for funding. The eligibility requirements for the fiscal year (FY) 2012 Race to the Top – District competition are summarized in section C of this document and set forth in full in section III of the notice.

Absolute priorities are the items that an applicant must address in its application in order to receive an award. For the fiscal year (FY) 2012 Race to the Top-District competition, the Department will only consider applications that meet Absolute Priority 1 and one of Absolute Priorities 2 through 5.

Selection criteria are the criteria that peer reviewers use in evaluating applications and thus are the focal point of an application's peer review. A panel of peer reviewers will use the selection criteria to assign points to an application based on how well an applicant addresses these selection criteria. The FY 2012 Race to the Top – District competition has seven selection criteria: Vision, Prior Record of Success and Conditions for Reform, Preparing Students for College and Careers, LEA Policy and Infrastructure, Continuous Improvement, Budget and Sustainability, and optional budget supplement. Peer reviewers will score the optional budget supplement criterion separately from the rest of the application.

Competitive preference priorities provide additional points to the applicants that decide to address them. The FY 2012 Race to the Top – District competition includes one competitive preference priority, Results, Resource Alignment, and Integrated Services, which focuses on the applicant's integration of public or private resources in a partnership designed to augment the schools' resources by providing additional student and family supports to schools that address the social, emotional, or behavioral needs of the participating students (as defined in the notice), giving highest priority to students in participating schools with high-need students (as defined in the notice).

The NIA was published in the *Federal Register* on August 16, 2012. The NIA is available at <http://www.gpo.gov/fdsys/pkg/FR-2012-08-16/pdf/2012-20037.pdf>.

**B. Grant Awards**

**B-1. How much funding is available for the Race to the Top – District competition in FY 2012?**

Congress appropriated approximately \$550 million for Race to the Top in FY 2012. Of these funds, the Department expects to use approximately \$383 million for the FY 2012 Race to the Top – District competition.

**B-2. How many Race to the Top – District grants will the Department award in FY 2012?**

The number of grants will depend on the quality of the applications received and the size of the awards made to the top-ranking applications. The Department anticipates awarding about 15-25 Race to the Top – District grants in FY 2012.

**B-3. What will be the sizes of the grant awards?**

The maximum grant award will depend on the number of participating students who would be served under the grant. An applicant’s budget request (excluding any optional budget supplements included in the application (see selection criterion G) for all years of its project must fall within the applicable budget range shown in the table below. We will not consider an application that requests a budget outside the applicable range of awards, not including any optional budget supplements included in the application (see selection criterion G). An applicant’s budget must be appropriate for and consistent with the plan it proposes in its application.

<b>Number of participating students</b>	<b>Award range</b>
2,000-5,000 or Fewer than 2,000, provided those students are served by a consortium of at least 10 LEAs and at least 75 percent of the students served by each LEA are participating students (as defined in the notice)	\$5-10 million
5,001-10,000	\$10-20 million
10,001-25,000	\$20-30 million
25,001+	\$30-40 million

**B-3a. *From Addendum 1, published September 5, 2012.***

**Do the grant amounts listed in the budget range chart represent the award amount for each of the four years, or does it represent the total four-year award?**

The grant amounts listed in the budget range chart represent the total four-year award. These may be found in the award range column of the budget range chart in Program Requirement 1.

**B-4. What is the timeline for obligating and spending Race to the Top – District funds?**

In accordance with the Consolidated Appropriations Act of 2012 (Public Law 112-74, Division F, Title III), the Department must obligate all FY 2012 Race to the Top – District funds to grantees by December 31, 2012.

Grantees must plan to complete all activities outlined in their approved applications and obligate all Race to the Top – District funds by the end of the four-year grant period. Grantees will have 90 days after the end of their grant period to liquidate funds (see 34 CFR 80.23(b)). It is important to note that any FY 2012 Race to the Top – District funds that are not obligated and liquidated by September 30, 2018, will revert to the U.S. Department of the Treasury.

Grantees may be reimbursed for pre-award costs from the date their award was announced. (Please see question G-7 for details on costs of preparing proposals for potential Federal awards.)

### **C. Eligibility**

#### **C-1. Which entities are eligible to apply for Race to the Top – District funds?**

Individual LEAs (as defined in the notice) and consortia of LEAs that meet the eligibility requirements noted below and that are located in one of the 50 States, the District of Columbia, or the Commonwealth of Puerto Rico may apply.

To be eligible, an applicant must serve a minimum of 2,000 participating students or may serve fewer than 2,000 participating students, provided those students are served by a consortium of at least 10 LEAs and at least 75 percent of the students served by each LEA are participating students.

At least 40 percent of participating students across all participating schools (as defined in the notice) must be students from low-income families, based on eligibility for free or reduced-price lunch subsidies under the Richard B. Russell National School Lunch Act, or other poverty measures that LEAs use to make awards under section 1113(a) of the ESEA. If an applicant has not identified all participating schools at the time of application, it must provide an assurance that within 100 days of the grant award, it will meet this requirement.

An applicant must demonstrate its commitment to the core educational assurance areas (as defined in the notice), including, for each LEA included in an application, an assurance signed by the LEA's superintendent/chief executive officer (CEO) that:

- The LEA, at a minimum, will implement no later than the 2014-15 school year, a teacher evaluation system (as defined in the notice), a principal evaluation system (as defined in the notice), and a superintendent evaluation (as defined in the notice);
- The LEA is committed to preparing all students for college or career, as demonstrated by being located in a State that has adopted college- and career-ready standards (as defined in the notice), or measuring all student progress and performance against college- and career-ready graduation requirements (as defined in the notice);
- The LEA has a robust data system that has, at a minimum, an individual teacher identifier with a teacher-student match and the capability to provide timely data back to educators and their supervisors on student growth (as defined in the notice);
- The LEA has the capability to receive or match student-level preschool-through-12<sup>th</sup> grade and higher education data; and
- Any disclosure of or access to personally identifiable information in students' education records complies with the Family Educational Rights and Privacy Act (FERPA).

Required signatures for the LEA or lead LEA in a consortium are those of the superintendent or CEO, local school board president, and (where applicable) local teacher union or association president. If a consortium applicant has established itself as a separate eligible legal entity and is applying for a grant on its own behalf, a legal representative of the consortium must sign the application.

**C-1a.** *From Addendum 1, published September 5, 2012.*

**May a consortium include fewer than 10 LEAs?**

Yes, so long as the consortium serves a minimum of 2,000 participating students (as defined in the notice) and meets all eligibility requirements in the notice, it is eligible to apply.

**C-1b.** *From Addendum 1, published September 5, 2012.*

**May an intermediate service unit, educational service agency, or charter management organization apply for an award?**

For purposes of the Race to the Top – District competition, an intermediate service unit, educational service agency, or charter management organization would be eligible to apply for an award under the Race to the Top – District competition only if it meets the definition of “LEA” in the notice. Under that definition, an eligible entity must be recognized under applicable State law as an LEA and meet the definition of LEA in Section 9101(26) of the ESEA.

**C-1c.** *From Addendum 1, published September 5, 2012.*

**Could a non-LEA partnering organization such as a non-profit business partner or a charter management organization apply as a consortium applicant on behalf of a number of LEAs?**

As stated in the notice, one way that a consortium of LEAs may apply for a grant is by establishing a separate, eligible legal entity to apply for a grant on its own behalf. A separate legal entity established to apply for this grant must meet all of the requirements for group applicants described in the notice, and must comprise only LEAs. Typically pre-existing legal entities such as a charter management organization or a non-profit business partner will not qualify as LEAs nor will they qualify as separate, eligible legal entities. Whether a consortium qualifies as a separate, eligible entity will depend on facts specific to that consortium. The Department will not advise individual prospective applicants on whether they qualify as LEAs or separate, eligible entities.

The Department notes that a consortium of LEAs may also apply for a grant by designating one LEA member of the consortium to apply for the grant on behalf of the consortium. If a charter management organization is recognized under applicable State law as an LEA and meets the definition of LEA in Section 9101(26), it may be designated as an LEA lead in a consortia application. These consortia applicants must also meet the requirements for consortia applicants described in the notice.

**C-1d.** *From Addendum 1, published September 5, 2012.*

**May a school within one LEA be a participating school (as defined in the notice) in an application from another LEA or consortium of LEAs?**

No. A school may participate only in an application that includes its LEA.

**C-1e.** *From Addendum 1, published September 5, 2012.*

**How does an applicant determine the number of participating students and may an applicant increase over time the number of its participating students?**

At the time of the application, an applicant must provide an actual or approximate count of the number of participating students who would receive services under the project. If an applicant does not have a specific list of participating schools at the time of the application, the applicant must make an assurance that it meets the eligibility requirement. An applicant will have 100 days from the date of the grant award to provide the list of participating schools as described in Program Requirements (7)(ii). An applicant may plan in its proposal to increase the number of participating students over the course of the grant (*e.g.*, by adding participating schools or students); however, an applicant must propose in its application to serve at least 2,000 participating students at the time of award (unless the applicant is a consortium of ten or more LEAs and at least 75 percent of the students served by each LEA are participating students, as defined in the notice). However, an applicant must base its requested award amount on the number of participating students it proposes to serve at the time of application or within the first 100 days of the grant award (*i.e.*, budget request must be within the award range for the number of participating students at the time of application).

If, for example, an applicant proposes to serve 5,100 students in year 1 with a plan to increase the number of participating students each year of the grant, that applicant's budget request may provide for an increase each year to support the additional students, but may not exceed a total of \$20 million for the four-year grant period.

Please note that, the budget ranges do not include optional budget supplements.

**C-1f.** *From Addendum 1, published September 5, 2012.*

**How does an applicant calculate the percentage of participating students (as defined in the notice) from low-income families in order to determine whether it meets the eligibility requirement (1)(c)?**

An applicant determines the percentage of students from low-income families by dividing the number of participating students (as defined in the notice) who are from low-income families by the total number of participating students across all participating schools (as defined in the notice). Therefore, it is possible for an individual participating school to have less than 40 percent participating students who are low-income, as long as overall, across all participating schools, 40 percent of participating students are low-income.

In the case of a consortium, the applicant should calculate the percentage of participating students from low-income families in the same way.



For instance, in the example below, the consortium includes two LEAs. The applicant should take the total number of participating students who are from low-income families in participating schools within those two LEAs, divide by the total number of participating students within these two LEAs, and multiply by 100. This is the percentage of participating students across all participating schools in the example consortium below.

$$(1,150 \text{ (in column E)} / 2,200 \text{ (in column B)}) * 100 = 52.27\%$$

In the consortium depicted in the example below, 52.27% of participating students are from low-income families and, thus it would meet the 40 percent threshold included in eligibility requirement (1)(c).

**Example Table for (A)(2)(c)**

			School Demographics								
			Raw Data Actual numbers or estimates (Please note where estimates are used)						Percentages		
			A	B	C	D	E	F	G	H	I
LEA (Column relevant for consortium applicants)	Participating School	Grades/Subjects included in Race to the Top – District Plan	# of Participating Educators	# of Participating Students	# of Participating high-need students	# of Participating low-income students	Total # of low-income students in LEA or Consortium	Total # of Students in the School	% of Participating Students in the School (B/F)*100	% of Participating students from low-income families (D/B)*100	% of Total LEA or consortium low-income population (D/E)*100
School District A	Elementary 1	K-5 Math	25	700	575	500	1,150	700	700/700 = 100%	500/700 = 71.4%	500/1,150 = 43.48%
School District A	Middle School 2	6-8 Math	5	500	400	300	1,150	900	500/900 = 55.56%	300/500 = 60%	300/1,150 = 26.09%
School District B	Middle School 3	7-8 Math	10	1,000	600	350	1,150	1,500	1000/1,500 = 66.7%	350/1,000 = 35%	350/1,150 = 30.43%
<b>TOTAL</b>			45	2,200	1,575	1,150	1,150	3,100	2200/3,100 = 70.97%	1150/2,200 = 52.27%	100%

**C-2. Must an applicant include all students or schools served by the LEA(s) in its proposed project?**

An applicant may include in its proposed project all or a portion of its schools, specific grades, or subject-area bands (e.g., lowest-performing schools, secondary schools, schools connected by a feeder pattern, middle school math, or preschool through third grade). While an applicant is not required to include all students or schools served by the LEA(s) in its application, an applicant must demonstrate how the total number of participating students is a significant number of the students in its participating schools.

**C-3. Must all LEAs in a consortium be from the same State?**

No. Consortia may include LEAs from multiple States, so long as each member of the consortium is an LEA, as defined in the notice.

**C-4. May an LEA sign on to more than one Race to the Top – District application?**

No.

**C-5. If an LEA or a lead LEA has more than one local teachers' union/association president, must that LEA obtain signatures for all of them?**

If an LEA or lead LEA has more than one local teachers' union/association, that LEA should submit the signature from either a representative of the "exclusive agent," or a signature from the chair of a union/association roundtable.

**C-6. Are charter schools eligible applicants?**

Public charter schools that meet the definition of an LEA in the notice and meet the other eligibility requirements set forth in the notice are eligible to apply for a Race to the Top – District grant individually or as members of a consortium. Public charter schools that do not meet the notice's definition of an LEA may be included as participating schools in an eligible applicant's proposal.

**C-7. Are LEAs from the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the freely associated states of the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau eligible to apply for a Race to the Top – District grant?**

No. The statutory definition of "State" (Section 14013 of the American Recovery and Reinvestment Act (ARRA)) does not include the U.S. Territories or the Freely Associated States. Therefore, for the purposes of the Race to the Top – District competition, an eligible LEA is an LEA located within one of the 50 States, the District of Columbia, or the Commonwealth of Puerto Rico.

**C-8. Are BIE-funded LEAs eligible to apply for a Race to the Top – District grant?**

Department of the Interior/Bureau of Indian Education (BIE) schools that meet the definition of LEA in the notice and meet the other eligibility requirements set forth in the notice are eligible to apply for a Race to the Top – District grant individually or as members of a consortium.

**C-9. In its Race to the Top – District grant proposal, may an applicant partner with organizations that are not eligible to apply?**

Yes. An applicant may choose to partner with organizations that do not meet the eligibility requirements of the Race to the Top – District competition, such as educational service agencies, regional centers, institutions of higher education, or local or national not-for-profit organizations.

**C-10. Are Department of Defense Education Activity (DoDEA) schools eligible to apply for a Race to the Top – District grant?**

No. DoDEA schools are not eligible to apply for a Race to the Top – District grant because they do not meet the definition of an LEA in the notice.

**C-11. Will a Race to the Top – District grant be terminated if (a) its number of participating students (as defined in the notice) drops below 2,000; (b) the number of participating LEAs in a consortium is reduced; or (c), for a consortium serving fewer than 2,000 students that was eligible for an award because it included at least 10 LEAs serving at least 75 percent of their students, one or more of the LEAs in a consortium drop out or no longer serve 75 percent of its students during the grant period? (See eligibility requirement (1)(b))**

Significant changes in the number of participating students, the number of LEAs in a consortium, or the percent of students served by an LEA in a consortium could affect a grantee’s ability to meet the goals in its approved application or affect the scope of a grantee’s project. The Department would review and consider such changes case-by-case. Such changes could result in partial or complete termination of the grant. Grantees must inform the Department of any substantive changes in their approved grant application, which would include a decrease in the number of participating students, as soon as the grantee is aware of the changes.

**C-12. Will a Race to the Top – District grant be terminated if its percentage of participating students (as defined in the notice) from low-income families drops below 40 percent during the grant period? (See eligibility requirement (1)(c))**

Significant changes in the percentage of participating students from low-income families could affect a grantee’s ability to meet the goals in its approved application or affect the scope of a grantee’s project. The Department would review and consider such changes on a case-by-case basis; they could result in partial or complete termination of the grant. Grantees must inform the Department of any substantive changes in their approved grant application, which would include a decrease in the percentage of participating students from low-income families, as soon as the grantee is aware of the changes.

**C-13. What are the requirements for superintendent evaluations? (See eligibility requirement (1)(d)(i)(C))**

For the purpose of the Race to the Top – District competition, the Department defines “superintendent evaluation” as “a rigorous, transparent, and fair annual evaluation of an LEA superintendent that provides an assessment of performance and encourages professional growth. This evaluation must reflect: (1) the feedback of many stakeholders, including but not limited to educators, principals, and parents; and (2) student outcomes.” LEAs are not required to make superintendent evaluation results public.

**C-13a. *From Addendum 1, published September 5, 2012.***

**Does the superintendent evaluation (as defined in the notice) requirement apply to charter school LEAs that do not have a superintendent? (See eligibility requirement (1)(d)(i)(C))**

Yes. The charter school LEA should have a system for evaluating the performance of its lead administrator, and such an evaluation would serve as the superintendent evaluation for that LEA.

**C-13b.** *From Addendum 1, published September 5, 2012.*

**Must an LEA have implemented teacher, principal, and superintendent evaluation systems (as defined in the notice) at the time of the application? (See eligibility requirement (1)(d)(i))**

At the time of the application, the applicant must assure that teacher, principal, and superintendent evaluation systems (as defined in the notice) will be implemented no later than the 2014-2015 school year. The evaluation systems need not be in place at the time of submission of the application.

**C-13c.** *From Addendum 1, published September 5, 2012.*

**Must the teacher, principal, and superintendent evaluation systems (as defined in the notice) be implemented district-wide or just in participating schools? (See eligibility requirement (1)(d)(i))**

These evaluation systems (as defined in the notice) must be implemented in all schools in the district no later than the 2014-2015 school year. However, LEAs where charter schools have additional flexibility (as determined by the chartering authorizer or under State law), the charter schools may elect to implement separate evaluation systems, so long as they meet the definitions in the notice.

**C-13d.** *From Addendum 1, published September 5, 2012.*

**Must a consortium of LEAs use the same teacher and principal evaluation system (as defined in the notice) across all LEAs in the consortium? (See eligibility requirements (1)(d)(i)(A) and (1)(d)(i)(B))**

No. All LEAs in a consortium do not have to use the same teacher and principal evaluation system (as defined in the notice) but every LEA must implement a teacher and principal evaluation system (as defined in the notice). Each LEA in a consortium must assure that it will implement teacher, principal, and superintendent evaluation systems (as defined in the notice) by the 2014-2015 school year.

**C-13e.** *From Addendum 1, published September 5, 2012.*

**May an LEA use its State's teacher and principal evaluation systems (as defined in the notice) or must it create new systems? (See eligibility requirements (1)(d)(i)(A) and (1)(d)(i)(B))**

An LEA may use its State's evaluation systems, as long the systems include all the elements of teacher and principal evaluation systems defined in the notice.

**C-14. How may an LEA demonstrate its commitment to preparing all students for college and careers? (See eligibility requirement (1)(d)(ii))**

To demonstrate its commitment to preparing all students for college and careers, an LEA must include in its application an assurance that it is in a State that has adopted college- and career-ready standards (as defined in the notice) or that it measures all student progress and performance against college- and career-ready graduation requirements (as defined in the notice).

(See Section V of the application for program-specific assurances for individual LEA applicants and Section VI of the application for program-specific assurances for consortia applicants.)

**C-15. May an LEA use its State’s longitudinal data system (SLDS) to demonstrate that it has the capability to receive or match student-level preschool-through-grade-12 and higher education data? (See eligibility requirement (1)(d)(iv))**

Yes. We encourage LEAs to use the SLDS, rather than develop a redundant system, so long as its SLDS has the capability to match student-level preschool-through-grade-12 and higher education data. Alternatively, LEAs may use an outside partner or vendor to provide such data.

**C-16. Are consortia applicants required to create a single data system to share student-level data? (See eligibility requirements (1)(d)(iii) and (1)(d)(iv))**

No. Consortia applicants are not required to create a single data system to share student-level data (as defined in the notice) among participating LEAs. As noted above, we encourage LEAs to use existing data systems, such as an SLDS, if those systems enable the applicant to meet the relevant eligibility requirements. If a consortium applicant decides to create a single data system that would require student-level data sharing among participating LEAs, the system must comply with FERPA.

The Department’s Family Policy and Compliance Office (FPCO) is available to provide technical assistance for developing FERPA-compliant systems; to request assistance contact FPCO at [FERPA@ed.gov](mailto:FERPA@ed.gov) or the Privacy Technical Assistance Center at [PrivacyTA@ed.gov](mailto:PrivacyTA@ed.gov).

**C-17. From Addendum 1, published September 5, 2012.**

**What does it mean for an LEA to have the capability to receive or match student-level preschool through 12<sup>th</sup> grade and higher education data? (See eligibility requirement (1)(d)(iv))**

An LEA should have a way of collecting and using data on its students from preschool through higher education (*e.g.*, having the ability to track where a recent high school graduate attends college). An LEA need not have a sophisticated data system, but should have a way to access this type of information, either by matching P-12 and higher education data, or by receiving that information from others (*e.g.*, from the State or an outside provider).

**C-18. From Addendum 1, published September 5, 2012.**

**In eligibility requirement (1)(e), what does it mean for the signature of the local teachers’ union or association president to be “applicable”?**

If an LEA employs teachers who are represented by a teachers’ union/association (in a bargaining or non-bargaining State), then the signature of the local teachers’ union/association leader is applicable. If signatures are not applicable, then the absence of these signatures will not affect the application. LEAs may provide an explanation as to why the signature of the local teachers’ union or association president is not applicable.

**C-19.** *From Addendum 1, published September 5, 2012.*

**Must an LEA have persistently low-achieving schools or low-performing schools in order to be eligible to apply?**

No. Having persistently lowest-achieving schools or low-performing schools is not an eligibility requirement. It is a selection criterion. Selection criterion (B)(1)(b) asks an applicant to demonstrate a clear track record of success in achieving ambitious and significant reforms in its persistently lowest-achieving schools or its low-performing schools. As stated in question F-1, while each selection criterion has a point value, meeting a selection criterion is not a requirement of the competition. If an applicant only partially addresses a selection criterion, or does not address a selection criterion, it will receive partial points, or it will not receive points for the criterion, but it will still be eligible to compete.

**D. Priorities under the Race to the Top – District Competition**

*Absolute priorities*

**D-1. Are there priorities that an applicant must meet in order to receive a Race to the Top – District grant?**

There are five absolute priorities in the Race to the Top – District competition. Each applicant *must* address Absolute Priority 1, Personalized Learning Environments. To meet this priority, an applicant must coherently and comprehensively address how it will build on the core educational assurance areas (as defined in the notice) to create learning environments that are designed to significantly improve learning and teaching through the personalization of strategies, tools, and supports for students and educators that are aligned with college- and career-ready standards (as defined in the notice) or college- and career-ready graduation requirements (as defined in the notice); accelerate student achievement and deepen student learning by meeting the academic needs of each student; increase the effectiveness of educators; expand student access to the most effective educators; decrease achievement gaps across student groups; and increase the rates at which students graduate from high school prepared for college and careers.

An applicant must address Absolute Priority 1 across its responses to the selection criteria and does not write to Absolute Priority 1 separately.

If the Department determines that an applicant has not met Absolute Priority 1, the applicant will not receive a Race to the Top – District grant.

In addition, each applicant must also indicate in its application one priority from Absolute Priorities 2-5:

- *Absolute Priority 2, Non-Rural LEAs in Race to the Top States*
- *Absolute Priority 3, Rural LEAs in Race to the Top States*
- *Absolute Priority 4, Non-Rural LEAs in non-Race to the Top States*
- *Absolute Priority 5, Rural LEAs in non-Race to the Top States*

“Race to the Top States” are those that received Phase 1, 2, or 3 Race to the Top grants: Arizona, Colorado, Delaware, the District of Columbia, Florida, Georgia, Hawaii, Illinois, Kentucky, Louisiana, Maryland, Massachusetts, New Jersey, New York, North Carolina, Ohio,

Pennsylvania, Rhode Island, and Tennessee. LEAs in States that received only a Race to the Top Early Learning Challenge grant must indicate Absolute Priority 4 or 5.

**D-2. How will peer reviewers score Absolute Priority 1?**

The peer reviewers will not assign scores for Absolute Priority 1. Absolute Priority 1 cuts across the entire application and should not be addressed separately. The peer reviewers will assess applications against Absolute Priority 1, after fully reviewing and evaluating the applications to ensure that the application has met the priority. If an application has not met the priority, it will be eliminated from the competition. In those cases where there is a disparity in the reviewers’ determinations on the priority, Absolute Priority 1 is met only if a majority of the reviewers on a panel determine that an application meets the priority.

**D-3. In the case of an applicant that is made up of a consortium of LEAs that has both rural and non-rural members, or LEAs in both Race to the Top States and non-Race to the Top States, which of the Absolute Priorities 2-5 should the applicant indicate?**

The following chart explains which of the Absolute Priorities 2-5 an applicant should select:

<b>If more than 50 percent of an applicant’s participating students (as defined in the notice) are in:</b>	<b>...the applicant should select Absolute Priority...</b>
Non-rural LEAs in States that received awards under the Race to the Top Phase 1, Phase 2, or Phase 3 competitions	2
Rural LEAs (as defined in the notice) in States that received awards under the Race to the Top Phase 1, Phase 2, or Phase 3 competitions	3
Non-rural LEAs in States that did not receive awards under the Race to the Top Phase 1, Phase 2, or Phase 3 competitions	4
Rural LEAs (as defined in the notice) in States that did not receive awards under the Race to the Top Phase 1, Phase 2, or Phase 3 competitions	5

**D-4. How is “rural LEA” defined for the purpose of Absolute Priorities 3 and 5?**

For the purpose of the Race to the Top – District competition, the Department defines “rural LEA” as an “an LEA, at the time of the application, that is eligible under the Small Rural School Achievement (SRSA) program or the Rural and Low-Income School (RLIS) program authorized under Title VI, Part B of the ESEA. Eligible applicants may determine whether a particular LEA is eligible for these programs by referring to information on the Department’s Web site at <http://www2.ed.gov/programs/reapsrsa/eligible12/index.html>.”

This definition was initially included in the notice of final supplemental priorities and definitions for Discretionary Grant Programs, published in the Federal Register on December 15, 2010 (75 FR 78486-78511).

**D-5. Will Absolute Priorities 2 through 5 affect an applicant’s scores?**

Applicants’ responses to Absolutely Priorities 2 through 5 will not affect an applicant’s score or provide additional points; instead, this information will allow the Secretary to select a diverse group of grantees. Among those high-quality applications that score well enough to fund, the

Secretary may separately consider applicants located in rural and non-rural LEAs, as well as applicants located in Race to the Top and non-Race to the Top grantee States.

Competitive Preference Priority

**D-6. Are there priorities for which an applicant may receive additional points if it successfully addresses the priorities?**

Yes. The FY 2012 Race to the Top – District competition includes one competitive preference priority -- Results, Resource Alignment, and Integrated Services. This priority emphasizes the applicant’s integration of public or private resources in a partnership designed to augment the schools’ resources by providing additional student and family supports to schools that address the social, emotional, or behavioral needs of the participating students, giving highest priority to students in participating schools with high-need students. To meet this priority, an applicant’s proposal can provide student and family supports that focus on a subset of these needs. An applicant may receive up to 10 additional points if it successfully addresses the priority.

**D-6a.** *From Addendum 1, published September 5, 2012.*

**May an applicant choose to partner with multiple organizations under the competitive preference priority?**

Yes.

**D-7. Will applicants that set a high number of desired results receive more points under the competitive preference priority?**

Applicants will not be judged based on the number of desired results they set. Instead, they will be judged based on the quality of their desired results, partnerships, and plans for implementation. In addition, they will be judged on how well their plans under the competitive preference priority align with and support the applicant’s broader Race to the Top – District reform strategy.

**D-8. Must an applicant collect population-level results for all students?**

No. An applicant must have a plan for how it will collect data on results for all students, but is only required to collect the result measures for the participating students.

**D-9. Will grantees be able to share student-level data with external public or private partner organizations, such as public health or social service providers?**

Grantees may only share student-level data (as defined in the notice) with partner organizations in a manner that is consistent with FERPA. In most instances, this will require securing parental consent. FERPA allows LEAs to share student-level data without consent in limited instances, such as to conduct an audit or evaluation of a Federal- or State-supported education program. FERPA would not allow partner organizations to receive student-level data without consent for the purpose of administering services to students. Therefore, we encourage partner organizations to obtain FERPA data-sharing consent from parents.

The Department’s Family Policy and Compliance Office (FPCO) is available to provide technical assistance regarding FERPA; to request assistance contact FPCO at [FERPA@ed.gov](mailto:FERPA@ed.gov) or the Privacy Technical Assistance Center at [PrivacyTA@ed.gov](mailto:PrivacyTA@ed.gov).



**D-10.** *From Addendum 1, published September 5, 2012.*

**May partnerships with public or private organizations be existing partnerships, or must there be new partnerships specifically developed in response to the Race to the Top – District competition?**

Partnerships with public or private organizations may be existing partnerships.

## **E. Selection Criteria**

### **Vision**

**E-1. In the event that an applicant includes all its schools and students as participating schools and students, how will it address selection criterion (A)(3) regarding how it will “support district-wide change beyond the participating schools?”**

An LEA that proposes to serve all schools and students in the LEA will not be penalized. In responding to selection criterion (A)(3), the applicant may simply note that all schools and students will be served.

**E-2. Must all applicants submit ambitious yet achievable annual goals, overall and by student subgroup (as defined in the notice), for each of performance areas (a) through (d) under selection criterion (A)(4)?**

Yes. To successfully address each area (a) through (d) under selection criterion (A)(4), applicants must submit ambitious yet achievable annual goals that are equal to or exceed State ESEA targets, where applicable, overall and by student subgroup (as defined in the notice), for each participating LEA.

**E-3. For which grades and subjects must an applicant establish goals in its response to selection criterion (A)(4)?**

To successfully address criterion (A)(4), at a minimum, an applicant must establish goals, overall and by student subgroup, for each grade in the LEA(s) for which the State administers assessments in reading or language arts and in mathematics under the requirements of the ESEA.

**E-4. What is the difference between the goals in (A)(4) and the performance measures in (E)(3)?**

The goals in (A)(4) apply to all students and schools in the LEA and are focused on student outcomes. The performance measures in (E)(3) apply only to participating students (as defined in this notice) and participating schools (as defined in this notice) and help measure ongoing progress during implementation and provide leading indicators of success. Please note, the Department will use both goals and performance measures to manage grantee implementation after the awards are made.

Prior Record of Success and Conditions for Reform

**E-5. In addressing selection criterion (B)(1)(a), may applicants that apply to serve students in one age band or subject area demonstrate an ability to improve student outcomes and close achievement gaps only in those areas that they propose to address in their application?**

No. Applicants must demonstrate a *district-wide* track record of improving student outcomes and closing achievement gaps.

**E-6. How does the Department distinguish between a low-performing school and a persistently lowest-achieving school?**

The Department defines a low-performing school as one that is in the bottom 10 percent of performance in the State, or that has significant achievement gaps, based on student academic performance in reading or language arts and in mathematics on the assessments required under the ESEA, or that has a graduation rate (as defined in the notice) below 60 percent.

The Department defines a persistently lowest-achieving school, as determined by the State, consistent with the requirements of the School Improvement Grants program authorized by section 1003(g) of the ESEA<sup>2</sup>, as:

- Any Title I school in improvement, corrective action, or restructuring that (a) 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 (b) is a high school that has had a graduation rate as defined in 34 CFR 200.19(b) that is less than 60 percent over a number of years; and
- Any secondary school that is eligible for, but does not receive, Title I funds that (a) 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 (b) is a high school that has had a graduation rate as defined in 34 CFR 200.19(b) that is less than 60 percent over a number of years;
- To identify the persistently lowest-achieving schools, a State must take into account both (1) 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 or language arts and in mathematics combined; and (2) the school’s lack of progress on those assessments over a number of years in the “all students” group.

**E-7. For what year do applicants need to report school-level expenditure data?**

Applications must report school-level expenditure data for the most recent year for which those data are available. The Department expects that, for most LEAs, these data would be for the 2011-12 school year. If an LEA is not yet able to report data for the 2011-12 school year, it must report data for the 2010-11 school year and explain why those are the most recent data available.

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<sup>2</sup> The Department considers schools that are identified as Tier I or Tier II schools under the School Improvement Grants program (see 75 FR 66363) as part of a State's approved FY 2009 or FY 2010 applications to be persistently lowest-achieving schools. A list of these Tier I and Tier II schools can be found on the Department's web site at <http://www2.ed.gov/programs/sif/index.html>.

**E-8. What protocol should applicants follow in reporting expenditure data?**

Applicants should follow the 2011-2012 school year Civil Rights Data Collection (CRDC) guidelines when reporting school expenditure data. These guidelines align with the related requirements in the Race to the Top – District notice. The table below provides a summary of the types of expenditures LEAs should include and exclude from their calculations. For more information, see “2011-12 CRDC Table Layouts and Definitions” (Office of Management and Budget (OMB) # 1875-0240), located at <http://www2.ed.gov/about/offices/list/ocr/data.html>.

Type of Expenditure	
For All School-Level Expenditures	
Exclude	Expenditures paid from Federal funds other than Impact Aid and State Fiscal Stabilization Fund if used under the Impact Aid authority
Include	Expenditures paid from Federal Impact Aid funds and State Fiscal Stabilization Fund if used under the Impact Aid authority
Exclude	Special education
Exclude	Adult education
Exclude	School nutrition programs
Exclude	Summer school programs
Exclude	Preschool programs
Exclude	Expenditures made by regional educational agencies on behalf of schools
For Personnel Expenditures	
Include	Incentive pay and/or bonuses
Include	Supplemental pay for additional roles
Exclude	Employee benefits
For Non-Personnel Expenditures	
Include	Professional development
Include	Instructional materials/supplies
Include	Computers/software/technology
Include	Contracted services
Include	Library books/media center materials
Include	Other non-personnel expenditures (specify in comment field below)

**E-9. How does the Department distinguish between instructional and support staff? (See selection criterion (B)(2))**

The table below shows the Census Bureau’s classification of four types of school-level personnel who are involved in instructional and support functions, based on the F-33 survey of local government finances. “Instructional staff” includes teachers and instructional aides. “Support staff” includes staff who provide support services to students, staff who provide support for instructional staff, and staff involved in school administration, as described in the table below.

Instruction	Includes teachers and instructional aides
Support services – pupils	Includes guidance counselors, nurses, attendance officers, speech pathologists, and other staff who provide support services for students.
Support services – instructional staff	Includes staff involved in curriculum development, staff training, and operating the library, media and computer centers.
Support services – school administration	Includes principals and other staff involved in school administration

Source: “2011-12 CRDC Table Layouts and Definitions” (OMB # 1875-0240), located at <http://www2.ed.gov/about/offices/list/ocr/data.html>.

**E-10. How could an LEA demonstrate that it has made its expenditure data public beyond submitting it through the CRDC?**

Some examples of ways that an LEA could make its expenditure data public beyond submitting it through the CRDC include, but are not limited to, publishing the required CRDC data on its Web site or including a link on its Web site that leads readers to the required data on the CRDC’s Web site.

**E-11. If stakeholders send letters of support directly to the Department, can these letters be considered as part of an application? (See selection criterion (B)(4)(b))**

No. Only those letters of support that an applicant submits with its application will be considered in the review of applications.

*Preparing Students for College and Careers*

**E-12. How often must an LEA update individual student data (as part of personalized learning environments) for the updates to be considered “frequent?” (See selection criterion (C)(1)(b)(iv)(A))**

LEAs should consider the appropriate frequency of updates in consultation with teachers, principals, and, as appropriate, experts in personalized learning environments.

**E-13. What are appropriate ways for LEAs to determine students’ mastery? (See selection criterion (C)(1)(b)(iv)(A))**

LEAs may use a wide range of valid and reliable methods to determine student mastery. The Department encourages LEAs not to limit themselves to standardized summative assessments. LEAs should keep in mind that determinations of student mastery should (1) be aligned with college- and career-ready standards or college- and career-ready high school graduation requirements, (2) predict successful execution of the same competency or skill in the future, and (3) predict students’ abilities to attain subsequent competencies or skills in a scope and sequence or learning progression. Both LEA and consortia applicants should also keep in mind that determinations of mastery should be as consistent as possible across classrooms and schools.

**E-14. How should teachers serving preschool to third-grade students be identified as effective or highly effective? (See selection criterion (C)(2)(a)(iv))**

Preschool to third-grade teachers should be identified as effective or highly effective under the LEA or State's teacher evaluation system

**E-15. What assessments of student growth of preschool to third-grade students might LEAs use in teacher or principal evaluation systems? (See selection criterion (C)(2)(a)(iv))**

In determining student growth for preschool to third-grade students, measures of student achievement should be developmentally appropriate and, to the extent possible, reflect assessments in a comprehensive assessment system (as defined in the Race to the Top Early Learning Challenge notice: <http://www.gpo.gov/fdsys/pkg/FR-2011-08-26/pdf/2011-21756.pdf>).

LEA Policy and Infrastructure

**E-16. What are examples of ways that LEAs could provide access to content, tools, and other resources during out-of-school time? (See selection criterion (D)(2)(a))**

In addressing the requirements of selection criterion (D)(2)(a), we would expect LEAs, working with the students and families in the community, to propose appropriate, cost-effective strategies for providing access to resources outside of the regular school day. For example, an LEA could provide students and families with access to computers, digital content, and other resources at home with a device checkout program, at a school library or community center after regular school hours, or at a reduced cost or on a sliding scale based on income. An LEA might also propose to create an online Web portal that includes academic resources based on student academic interests and needs.

**E-17. Why is it important for parents and students to have the capability to export student information in an open data format? (See selection criterion (D)(2)(c))**

Parents and students need to be able to maintain a record of school performance data just as they would maintain an immunization record or other personal information. Allowing parents and students to download their data electronically makes it possible for a parent or student to combine data from school, extracurricular activities, or online learning experiences that students may participate in on their own. These data can form the basis of electronic personal learning profiles and can inform students' personal learning plans.

Continuous Improvement

**E-18. How are the required performance measures different from the applicant-proposed performance measures? (See selection criterion (E)(3))**

In addition to the required performance measures detailed in selection criterion (E)(3), applicants must propose their own performance measures under selection criterion (E)(3). The Department recognizes that applicants will have different leading indicators of success and will therefore need performance measures tailored to their own proposals. For example, if an applicant is proposing to serve students from prekindergarten through grade 3 through its project, the applicant might propose as a performance measure the number and percentage of children who demonstrate at the beginning of kindergarten mastery of age-appropriate standards across multiple domains of early learning as determined using developmentally appropriate early learning measures.

Peer reviewers will use selection criteria (E)(3)(a)-(c) of the notice to evaluate required and applicant-proposed performance measures. Applicants must have a total of approximately 12-14 performance measures, including required and applicant-proposed measures.

**E-18a.** *From Addendum 1, published September 5, 2012.*

**What data tables should applicants complete for applicant-proposed performance measures?**

For applicant-proposed performance measures, applicants should complete data tables that provide both baseline data and annual targets. The table entitled “Performance Measure (All-Applicants – c),” on page 55 of the application, provides an example of a table that could be used for an applicant-proposed performance measure. This table is only one example. Applicants should tailor the data tables to provide the most relevant and complete information for applicant-proposed measures. Peer reviewers will be looking for performance measures and annual targets that are ambitious yet achievable, and are meaningful for the applicant’s proposal and for assessing implementation progress, successes, and challenges.

**E-18b.** *From Addendum 1, published September 5, 2012.*

**What data should an LEA use for baseline data if it will not have final 2011-2012 results prior to the application deadline?**

If an LEA does not have 2011-2012 baseline data available prior to the application deadline, it may use preliminary 2011-2012 data or final 2010-2011 data. When final 2011-2012 data become available, an LEA that receives a grant will provide these updated data.

**E-18c.** *From Addendum 1, published September 5, 2012.*

**If an application is targeting a specific grade band, does it need to have performance measures in (E)(3) for all grades?**

No. The application must include performance measures only for the participating students and schools in the plan. Therefore, if an application targets a specific grade band, only the performance measures for that specific grade band must be included. (See also question E-4.)

**E-19. Which categories of students are included in the Department’s definition of “subgroup?” (See selection criterion (E)(3))**

For the purpose of the Race to the Top – District competition, the Department defines “subgroup” as “each category of students identified under section 1111(b)(2)(C)(v)(II) of the ESEA as well as any combined subgroup used in the State accountability system and approved by the Department in a State’s request for ESEA flexibility.” Section 1111(b)(2)(C)(v)(II) of the ESEA includes economically disadvantaged students, students from major racial and ethnic groups, students with disabilities, and students with limited English proficiency.

Budget and Sustainability

**E-20. How does the Department distinguish between ongoing operational costs and one-time investments? (See selection criterion (F)(1)(c)(ii))**

Ongoing operational costs are those that grantees will need to cover during and after the grant period, whereas one-time investments are initial project costs that grantees will not need to cover after the beginning of the grant. An example of an ongoing operational cost would be personnel, whereas an example of a one-time investment would be technology infrastructure.

Optional Budget Supplement

**E-21. What is the purpose of the optional budget supplement?**

The optional budget supplement provides an opportunity for an eligible applicant to apply for funding to address a specific area that is supplemental to its plan for addressing Absolute Priority 1 (e.g., strategies to assess hard-to-measure skills and traits such as perseverance, critical thinking, and communication; strategies for increasing diversity across schools and LEAs and within schools and classrooms; data systems; predictive algorithms; content-tagging schemes; new curriculum and online supports for students re-entering school from the juvenile justice system; or a credit recovery program designed to support English learners newly entering into secondary school). The request for additional funding must be designed to support a separate project that, if not funded, its exclusion will not adversely affect the applicant's ability to implement its proposal and meet Absolute Priority 1. In evaluating applications for this optional funding, peer reviewers will judge the extent to which the applicant has a clear, discrete, and innovative solution that can be replicated in schools across the Nation.

**E-22. How will the optional budget supplement be scored?**

The peer reviewers will score the optional budget supplement separately from the rest of the application. If there are sufficient funds available, the Secretary may award additional funds to grantees that submit one or more optional budget supplements of high-quality. Each optional budget supplement may receive up to 15 points. Optional budget supplement points are not included in an applicant's total score, and do not affect whether an applicant is awarded a Race to the Top – District grant. Optional budget supplements will be peer reviewed and scored; scores will be rank ordered; and applicants that receive a Race to the Top – District grant may be awarded additional funds for one or more of the optional budget supplements they choose to submit and that are highly ranked.

If two or more applications have the same score for the optional budget supplement and there is not sufficient funding to support the supplements for all of the tied applicants, the applicants' overall score will be used to determine which of the applicants will receive funding.

**E-23. Must an applicant apply for an optional budget supplement?**

No.

**E-24. What is the minimum amount that an applicant can request in optional budget supplement? What is the maximum amount?**

The Department has not set a minimum level of funding for the optional budget supplement. However, the maximum amount available for each optional budget supplement is \$2 million.

**E-25. Must an applicant submit a separate budget and budget narrative for an optional budget supplement?**

Yes. An applicant must submit a separate budget and budget narrative for each optional budget supplement included in its application. The separate budget and budget narrative must demonstrate that the resources requested would be adequate to support the development and implementation of activities that meet the requirements of the notice, including the reasonableness of the costs in relation to the objectives, design, and significance of the proposed project and the number of students to be served.

**E-26. May an applicant apply for more than one optional budget supplement?**

Yes. However, LEAs may only sign on to one Race to the Top – District application.

**E-27. If an LEA applies for a Race to the Top – District grant as part of a consortium that applies for an optional budget supplement, must the LEA participate in the consortium’s optional budget supplement?**

Yes. Since the optional budget supplement is based on the approved application, all LEAs included in the consortium must participate in the activities under the optional budget supplement.

**E-28. May an LEA apply individually for a Race to the Top – District grant and as part of a consortium of LEAs for an optional budget supplement?**

No. LEAs may only sign on to one Race to the Top – District application.

**E-29. May an LEA receive an optional budget supplement if it applies for but does not receive a Race to the Top – District award?**

No. The Department will only award optional budget supplements to winning Race to the Top – District applicants, and LEAs may sign on to only one application.

**E-30. May an LEA that does not meet the eligibility requirements or has not applied for a Race to the Top – District award be included in an eligible applicant’s proposal for an optional budget supplement?**

Yes, if it is part of a proposal with an eligible applicant that is awarded a Race to the Top – District grant. However, such an LEA would only be eligible to receive funds under the optional budget supplement.



## **F. General Application Requirements and Program Information**

### **F-1. If an LEA does not meet a selection criterion, or does not respond to one, is it still eligible to compete for a Race to the Top – District grant?**

Yes. While each selection criterion has a point value, meeting a selection criterion is not a requirement of the competition. If an applicant does not address a selection criterion, it will not receive points for the criterion, but it will still be eligible to compete. If an applicant addresses the criterion, but does so only partially or poorly, it may receive partial or no points as determined by peer reviewers. If an applicant receives partial or no points on a criterion, it may still be awarded a grant if the overall application score is high enough. By contrast, an applicant must meet Absolute Priority 1, one of Absolute Priorities 2 through 5, the eligibility criteria, and, if awarded, the program requirements and any applicable grant conditions.

### **F-2. What is an applicant's responsibility for providing its State and mayor or comparable official with an opportunity to comment on its application?**

Each LEA included in an application must provide its State at least 10 business days to comment on the LEA's application and submit as part of its application package: (a) the State's comments or, if the State declined to comment, evidence that the LEA offered the State 10 business days to comment; and (b) the LEA's response to the State's comments (optional).

Similarly, each LEA included in an application must provide its mayor or comparable official at least 10 business days to comment on the LEA's application and submit as part of its application package: (a) the mayor or city or town administrator's comments or, if that individual declines to comment, evidence that the LEA offered such official 10 business days to comment; and (b) the LEA's response to the mayor's or city or town's administrator comments (optional).

LEAs applying as part of a consortium that are in the same State or have the same mayor or comparable official may jointly solicit comments from shared States or mayors or comparable officials.

The peer reviewers will consider comments from States and mayors or comparable officials and the applicant's optional response(s) as part of the selection criteria B(3) and B(4) during the peer review of the application. An applicant may include any separate response statement as an appendix. We recommend that any response statements follow the relevant comments and be included in the same appendix.

### **F-2a. *From Addendum 1, published September 5, 2012.***

#### **What agency or individual at the State level should provide comments on the application?**

The Department has not identified a specific agency or office within the State that must comment on a Race to the Top – District application. An LEA should consult its State to determine the appropriate agency or office within the State (such as the Governor's office, State educational agency, or Attorney General's office) that will comment on Race to the Top – District applications.

**F-2b.** *From Addendum 1, published September 5, 2012.*

**If a State does not participate in Intergovernmental Review, must an applicant provide the State with the opportunity to comment on its Race to the Top – District application?**

Yes. This application requirement is separate from intergovernmental review.

**F-3. May a State or mayor or comparable official decline to comment on an application?**

Yes.

**F-4. If LEAs apply as a consortium, must each LEA in the consortium give its State or mayor or comparable official an opportunity to comment on the application?**

Yes.

**F-5. If an LEA has more than one mayor or comparable official, must the LEA give each mayor or comparable official an opportunity to comment on its application?**

Yes.

**F-6. How must LEAs applying as a consortium establish their consortium?**

For LEAs applying as a consortium, the application must indicate, consistent with 34 CFR 75.128, whether one member of the consortium is applying for a grant on behalf of the consortium (Lead LEA), or whether the consortium has established itself as a separate, eligible legal entity and is applying for a grant on its own behalf. If one member of the consortium is applying for a grant on behalf of the consortium, the application must be signed by the superintendent/CEO, local school board president, and local union/association president (where applicable) of that LEA. On the other hand, if the consortium has established itself as a separate, eligible legal entity and is applying for a grant on its own behalf, a legal representative of the consortium must sign the application.

Consistent with 34 CFR 75.128, consortium applicants must also include with the application copies of all memoranda of understanding (MOUs) or other binding agreements that describe the consortium governance structure (as defined in the notice) and the individual LEA's role in the structure, as well as bind each member of the consortium to every statement and assurance made in the application. Each LEA must submit an MOU signed by the superintendent/CEO, local school board president, and local union/association president (where applicable) of that LEA. If any LEA has more than one local teachers' union/association, that LEA should submit the signature from either a representative of the "exclusive agent," or a signature from the chair of a union/association roundtable.

Furthermore, the consortium application must also include an assurance signed by each LEA's superintendent or CEO. The assurance must guarantee that each LEA:

- At a minimum, will implement no later than the 2014-15 school year, a teacher evaluation system; a principal evaluation system; and a superintendent evaluation;
- Is committed to preparing all students for college or career, as demonstrated by being located in a State that has adopted college- and career-ready standards, or measuring all

student progress and performance against college- and career-ready graduation requirements;

- Has a robust data system that has, at a minimum, an individual teacher identifier with a teacher-student match and the capability to provide timely data back to educators and their supervisors on student growth;
- Has the capability to receive or match student-level preschool-through-12<sup>th</sup> grade and higher education data; and
- Disclose or provide access to personally identifiable information in students' education records in compliance with FERPA.

(See Section VI of the application for program-specific assurances for consortia applicants.)

**F-7. May an LEA enter or leave a consortium receiving Race to the Top – District funds?**

Yes. The consortium applicant must provide a detailed consortium governance structure (as defined in the notice) that explains the protocols for consortium members to change roles, enter, and leave the consortium.

However, significant changes to a consortium's membership could affect a grantee's ability to meet the goals in its approved application or affect the scope of a grantee's project. The Department would review and consider such changes on a case-by-case basis and they could result in partial or complete termination of the grant. A grantee must inform the Department of any substantive changes in its approved grant application, which would include changes to a consortium's membership, as soon as the grantee is aware of the changes.

**F-8. If a group of LEAs applies as a consortium, what is the grantee entity?**

As explained above in question F-6, if a group of LEAs chooses to apply as a consortium, the members must either designate one member of the group to apply for the grant on behalf of the group (Lead LEA) or establish a separate, eligible legal entity to apply for the grant. In either case, the members must enter into an agreement that details the activities that each member of the group will perform and binds each member of the group to every statement and assurances made by the applicant in the application. The applicant must include in its application such a signed written agreement for each LEA in the group. For more information on applying as a consortium, please see 34 CFR 75.127-129.

If the Secretary makes a grant to a consortium, the Lead LEA in the consortium is the grantee and is legally responsible for (1) the use of all grant funds, (2) ensuring that the project is carried out by the consortium in accordance with Federal requirements, and (3) ensuring that indirect cost funds are determined as required under 34 CFR 75.564(e). In addition, each member of the consortium is legally obligated to carry out the activities it agrees to perform and use any funds it receives in accordance with Federal requirements that apply to the grant.

**F-9. If one member of a consortium applies for and receives a Race to the Top – District grant on behalf of the consortium and the consortium then establishes itself as a separate legal entity, may the new entity become the grantee?**

It may be possible for the Department to implement a grant transfer after an award is made if the transfer involves only a change in the legal recipient (i.e., all other aspects of the grant remain unchanged). A grant transfer is a complex process and, before approving one, the Department would review a number of items in order to ensure that:

- The transfer does not circumvent or appear to circumvent the Department’s competitive grant process;
- The need for the project or activity that existed at the time of the original award still exists;
- The terms and conditions of the transfer are acceptable to both the original grantee and the new entity;
- The new entity meets all standards of eligibility for the grant program;
- The new entity agrees to carry out future activities as specified in the original application and, if possible, keeps the same key personnel to manage the grant as were identified in the original grant;
- The new entity continues to serve the same population with the same level of service as the original grantee;
- The change is made in a timely manner; and
- No increase in funding over the original amount of the award is required.

The transfer agreement template to be completed by all parties and more details on the process for transferring a grant can be found at Appendix U to the Department’s Discretionary Grant Handbook; see <http://www2.ed.gov/policy/gen/leg/foia/foia-hb-01.pdf>.

**F-10. If a group of LEAs applies as a consortium, which LEA(s) may procure goods and services on behalf of the consortium?**

If a group of LEAs chooses to apply as a consortium, the members must enter into an agreement that details the activities that each member of the group will perform and binds each member of the group to every statement and assurance made by the applicant in the application. The group may specify in this agreement which LEA(s) may procure goods and services on behalf of the consortium. Applicants should ensure that all procurement arrangements comply with the relevant State laws.

**F-11. May consortia applicants involve external, non-LEA partners in their application?**

Yes. Consortia applicants may contract with external non-LEA partners to support the execution, implementation, or governance of their grant project in accordance with Education Department General Administrative Regulation (EDGAR) 80.36. Because grantees must use appropriate procurement procedures to select contractors, applicants must not include information in their grant applications about specific contractors that may be used to provide services or goods for the proposed project if a grant is awarded.

**G. Uses of Funds**

**G-1. What are the allowable uses of Race to the Top – District grant funds and what uses of funds are prohibited?**

In general, Race to the Top – District grant funds must be used to implement the applicant’s approved Race to the Top – District plan, including the applicant’s approved budget; the budget must be consistent with the Department’s administrative regulations as well as OMB’s cost

principle circulars, such as A-87<sup>3</sup>. The ARRA places several restrictions on the use of Race to the Top – District grant funds, as described below. With these exceptions, applicants have considerable flexibility in designing their plans and, therefore, have considerable discretion in determining how grant funds will be used, consistent with their approved plan, if they win.

As noted above, the ARRA places several restrictions on uses of Race to the Top – District grant funds as follows:

- Section 14003 of the ARRA prohibits Race to the Top funds from being used for:
  - Payment of maintenance costs;
  - Stadiums or other facilities primarily used for athletic contests or exhibitions or other events for which admission is charged to the general public;
  - Purchase or upgrade of vehicles;
  - Improvement of stand-alone facilities whose purpose is not the education of children, including central office administration or operations or logistical support facilities; or
  - School modernization, renovation, or repair that is inconsistent with State law;
- Section 14011 of the ARRA prohibits Race to the Top funds from being used to provide financial assistance to students to attend private elementary or secondary schools, unless the funds are used to provide special education and related services to children with disabilities as authorized by the Individuals with Disabilities Education Act (IDEA); and
- Section 1604 of the ARRA prohibits Race to the Top funds from being used for any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool.

**G-2. May a grantee make subgrants?**

No. Grantees under the Race to the Top – District competition may not make subgrants to other entities. However, grantees may award contracts for services related to their grant activities. If multiple LEAs apply as a consortium for a Race to the Top – District grant, they may access the funds, consistent with the consortium agreement, through the LEA that serves as the fiscal agent.<sup>4</sup>

**G-3. May Race to the Top – District grant funds be used to support early learning activities?**

Yes. The Race to the Top – District competition includes a competitive preference priority for Results, Resource Alignment, and Integrated Services, which encourages applicants to include support for early learning programs in their overall Race to the Top – District plans. Consistent with those approved plans, Race to the Top – District funds may be used to support early learning activities.

**G-4. May private schools receive Race to the Top – District grant funds?**

No. The statutory language authorizing funds for the Race to the Top – District competition specifically provides that States or their LEAs are the eligible applicants for Race to the Top funds. Race to the Top – District grant funds may not be provided to private schools through a grant or subgrant, and there is no requirement that private school students, teachers, or other educational personnel participate in Race to the Top – District on an equitable basis (as required in some ESEA programs). Furthermore, Race to the Top – District grant funds may not be used to

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<sup>3</sup> For OMB’s cost principle circulars, see [www.whitehouse.gov/omb/circulars](http://www.whitehouse.gov/omb/circulars).

<sup>4</sup> A consortium’s fiscal agent and Lead LEA are not required to be the same entity.

provide financial assistance to students to attend private schools, although funds may be used to provide special education and related services to children with disabilities as authorized by the IDEA. However, an LEA or consortium has the flexibility to use its Race to the Top – District grant funds to include private school students, teachers, and other educational personnel in activities that the LEA deems appropriate, and may contract with private schools for appropriate secular activities, consistent with the LEA/consortium’s plan.

**G-5. Are there “supplement, not supplant” requirements for the Race to the Top – District grants?**

No. The Race to the Top – District program grant does not include “supplement, not supplant” requirements.

**G-6. May a grantee use Race to the Top – District grant funds to pay for pre-award costs with grant funds?**

Grantees are eligible to be reimbursed for pre-award costs from the date their award is announced. All pre-award costs are incurred at the grantee’s risk (i.e., the Secretary will not reimburse costs that are unallowable, unreasonable, or otherwise ineligible according to the Department’s applicable regulations and/or OMB cost principles).

**G-7. May a grantee charge the costs it incurs in preparing its application for the Race to the Top competition?**

The Department has determined that direct costs charged to the Race to the Top – District program grant should only be incurred for substantive program activities consistent with the grantee’s proposal. For that reason, we will not permit a grantee to charge costs for preparing its application as direct costs to the program.

However, a grantee may treat costs associated with preparing its grant application, including the costs of a grant writer, as indirect costs. Specifically, OMB Circular A-87<sup>5</sup>, Attachment B, Section 33, provides that the costs of preparing proposals for potential Federal awards are allowable. Proposal costs should normally be treated as indirect costs and should be allocated to all activities of the governmental unit utilizing the cost allocation plan and indirect cost rate proposal.

**G-8. What is the difference between direct costs and indirect costs?**

OMB Circular A-87, which applies to LEAs, describes direct costs as those that can be identified specifically with a particular cost objective. The circular provides examples of typical direct costs, which include:

- Compensation of employees for the time devoted and identified specifically to the performance of those awards.
- Cost of materials acquired, consumed, or expended specifically for the purpose of those awards.
- Equipment and other approved capital expenditures.

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<sup>5</sup> For OMB’s cost principle circulars, see <http://www.whitehouse.gov/omb/circulars>.

- Travel expenses incurred specifically to carry out the award.

See OMB Circular A-87, Attachment A, Section E.1.

Indirect costs, by contrast, are those (a) incurred for a common or joint purpose benefiting more than one cost objective, and (b) not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. (See OMB Circular A-87, Attachment A, Section F.1.) Indirect costs represent the expenses of doing business that are not readily identified with a particular grant project function or activity, but are necessary for the general operation of the organization and the conduct of activities it performs. Indirect costs are generally administrative costs such as the salaries and expenses for staff engaged in organization-wide (general) activities. Typical indirect costs include the costs of procurement, payroll, personnel functions, maintenance and operations of space, data processing, accounting, auditing, budgeting, or communications. A cost may not be allocated as an indirect cost if any other cost incurred for the same purpose, in like circumstances, has been assigned as a direct cost.

#### **G-9. How may an applicant include indirect costs in its Race to the Top – District budget?**

An LEA or consortium of LEAs may use Race to the Top – District funds for indirect costs, consistent with its approved Race to the Top – District budget. If an LEA chooses to include such costs, it must use the current approved indirect cost rate approved by the State education agency (SEA) in a manner consistent with 34 CFR 75.561. The indirect cost rate must be applied in accordance with the terms and procedures established by the SEA. If a grantee receives an approved indirect cost rate during the grant period different than the rate included in its originally approved budget, the grantee may request to revise its Race to the Top – District budget to reflect the revised rate. In cases where the revised rate is higher than the approved rate, the Department may consider allowing the grantee to shift direct costs to indirect costs in order to recover indirect costs at the higher negotiated indirect cost rate.

If multiple LEAs apply as a consortium, the indirect costs for the consortium are limited to the amount derived by applying the rate of the Lead LEA (34 CFR 75.564(e)). As there is no “supplement, not supplant” requirement for Race to the Top – District grants, applicants may use either the unrestricted or the restricted indirect cost rate, at their discretion, when developing their Race to the Top – District budget.

An applicant may apply its indirect cost rate only against the first \$25,000 of each contract on a yearly basis (subject to that being consistent with its Indirect Cost Rate Agreement), and not against the full amount of each contract.

If awarded a grant, an applicant should expect to submit verification of a valid indirect cost agreement during budget negotiations. For more information about indirect cost rates, please refer to the Department’s *Cost Allocation Guide for State and Local Governments*. This guide may be found at: <http://www2.ed.gov/about/offices/list/ocfo/fipao/guidejgcwebsite.pdf>.

#### **G-10. What must a grantee do in order to claim indirect costs under its Race to the Top – District grant?**

Department regulations provide that each SEA, on the basis of a plan approved by the Secretary, shall approve an indirect cost rate for each LEA that requests it to do so. (See 34 CFR 75.561.) A grantee that is not an LEA, such as a consortium that has established itself as a separate legal entity, and does not already have an indirect cost rate must obtain a current indirect cost rate from

its cognizant Federal agency in order to charge those costs to its grant. The cognizant Federal agency is generally the Federal department or agency providing the grantee with the most direct Federal funding subject to indirect cost support (or an agency otherwise designated by OMB).

For additional information about obtaining an approved indirect cost rate or applying for an indirect cost rate, you may contact a cost negotiator using the information provided at the following link: <http://www2.ed.gov/about/offices/list/ocfo/fipao/icgreps.html>.

**G-11. If, at the time it receives its Race to the Top grant award, an LEA grantee does not have an indirect cost agreement from its SEA with its cognizant Federal agency, how should it go about obtaining an indirect cost agreement?**

An LEA must contact its SEA's business office to obtain information about obtaining an indirect cost rate. A consortium that establishes itself as a separate, eligible legal entity should contact the Department for further instructions on how to obtain an indirect cost rate.

**G-12. Is the Race to the Top – District program subject to a restricted indirect cost rate?**

No. Under 34 CFR 75.563, programs that are subject to a non-supplanting requirement must use a restricted indirect cost rate. Because the ARRA does not include a non-supplanting requirement for the Race to the Top program, it is not subject to a restricted indirect cost rate. Therefore, grantees may use either the restricted or unrestricted rate.

**G-13. May a Race to the Top – District grantee use its grant funds to purchase real property?**

No. The ARRA and the FY 2012 Race to the Top – District notice do not authorize Race to the Top – District grantees to use grant funds for the acquisition of real property. Consistent with 34 CFR 75.533, no grantee may use its grant for acquisition of real property unless specifically permitted to do so under the authorizing statute or implementing regulations for the program.

**G-14. May an applicant use Race to the Top – District grant funds for construction?**

An applicant may propose to use Race to the Top – District funds for modernization, renovation, or repair projects to the extent that these projects are consistent with implementing its proposed Race to the Top – District plan. As provided in section 14003 of the ARRA, an applicant may use funds under this section for construction. However, consistent with its May 11, 2009, guidance for the State Fiscal Stabilization Fund program, found at: <http://www2.ed.gov/programs/statestabilization/guidance-mod-05112009.pdf>, the Department discourages applicants from using Race to the Top – District funds for construction.

**G-15. What rules must grantees follow regarding procurement or contracting for goods and services?**

Procurement transactions made with Race to the Top – District grant funds must be conducted in a manner providing full and open competition, consistent with the standards in 34 CFR § 80.36 and any conditions upon which the grant is made. 34 CFR § 80.36 requires that grantees use their own procurement procedures (which reflect State and local laws and regulations) to select contractors, provided that those procedures meet certain standards.



Because grantees must use appropriate procurement procedures to select contractors, applicants should generally not include information in their grant applications about specific contractors that may be used to provide services or goods for the proposed project if a grant is awarded.

**G-16. May a third party procure goods or services on behalf of a grantee?**

Yes. A third party may procure services on behalf of a grantee provided that (a) doing so is consistent with the agreement between the third party and the grantee, (b) the procurement process complies with applicable Federal, State, and local procurement laws, regulations, and processes, and (c) the third party is not responsible for managing funds received under the grant.

**H. Program Requirements**

**H-1. What are the program requirements for the Race to the Top – District competition?**

The Department of Education will monitor grantees on their implementation of these requirements once grant awards have been made. Peer reviewers will not score program requirements.

1. Budget requirements: For the Race to the Top – District competition, an applicant’s budget request (excluding any optional budget supplements included in the application (see selection criterion G)) for all years of its project must fall within the applicable budget range as follows:

<b>Number of participating students</b>	<b>Award range</b>
2,000-5,000 or Fewer than 2,000, provided those students are served by a consortium of at least 10 LEAs and at least 75 percent of the students served by each LEA are participating students (as defined in the notice)	\$5-10 million
5,001-10,000	\$10-20 million
10,001-25,000	\$20-30 million
25,001+	\$30-40 million

The Department will not consider an application that requests a budget outside the applicable range of awards, not including any optional budget supplements included in the application.

2. A grantee must work with the Department and with a national evaluator or another entity designated by the Department to ensure that data collection and program design are consistent with plans to conduct a rigorous national evaluation of the program and of specific solutions and strategies pursued by individual grantees. This commitment must include, but need not be limited to—
  - (i) Consistent with 34 CFR 80.36 and State and local procurement procedures, grantees must include in contracts with external vendors provisions that allow contractors to provide implementation data to the LEA, the Department, the national evaluator, or other appropriate entities in ways consistent with all privacy laws and regulations.
  - (ii) Developing, in consultation with the national evaluator, a plan for identifying and collecting reliable and valid baseline data for program participants.
3. LEAs must share metadata about content alignment with college- and career-ready standards and use through open-standard registries.
4. LEAs in which minority students or students with disabilities are disproportionately subject to discipline (as defined in the notice) and expulsion (according to data submitted through the Department's Civil Rights Data Collection, which is available at <http://ocrdata.ed.gov/>), must conduct a district assessment of the root causes of the disproportionate discipline and expulsions. These LEAs must also develop a detailed plan over the grant period to address these root causes and to reduce disproportionate discipline (as defined in the notice) and expulsions.
5. Each grantee must make all project implementation and student data available to the Department and its authorized representatives in compliance with FERPA, as applicable.
6. Grantees must ensure that requests for information (RFIs) and requests for proposal (RFPs) developed as part of this grant are made public, and are consistent with the requirements of State and local law.
7. Within 100 days of award, each grantee must submit to the Department—
  - (i) A scope of work that is consistent with its grant application and includes specific goals, activities, deliverables, timelines, budgets, key personnel, and annual targets for key performance measures; and
  - (ii) An individual school implementation plan for participating schools (as defined in this notice).
8. Within 100 days of award, each grantee must demonstrate that at least 40 percent of participating students in participating schools are from low-income families, based on eligibility for free or reduced-price lunch subsidies under the Richard B. Russell National School Lunch Act, or other poverty measures that LEAs use to make awards under section 1113(a) of the ESEA.

**H-1a.** *From Addendum 1, published September 5, 2012.*

**Must a grantee employ an external evaluator to assess the effectiveness of its project?**

No. However, a grantee must cooperate in any national evaluation of the program conducted by the Department per Program Requirement 2.

**H-2. What discipline rates should applicants use when determining whether minority students or students with disabilities are disproportionately subject to discipline pursuant to program requirement 5?**

Applicants that participated in the 2009-10 Civil Rights Data Collection (CRDC) should use discipline rates recorded in the 2009-10 CRDC in the following tables:

SCH-0035 and SCH-0036: Table 1 – Corporal Punishment  
SCH-0035 and SCH-0036: Table 2 – Students receiving one or more in-school suspensions  
SCH-0035 and SCH-0036: Table 3 – Students receiving only one out-of-school suspension  
SCH-0035 and SCH-0036: Table 4 – Students receiving more than one out-of-school suspension  
SCH-0035 and SCH-0036: Table 5 – Expulsions with educational services  
SCH-0035 and SCH-0036: Table 6 – Expulsions without educational services  
SCH-0035 and SCH-0036: Table 7 – Expulsions under zero-tolerance policies  
SCH-0035 and SCH-0036: Table 8 – Referral to law enforcement  
SCH-0035 and SCH-0036: Table 9 – School-related arrest

Applicants that did not participate in the 2009-10 CRDC should use discipline rates they are preparing for the tables listed above for the 2011-12 CRDC.

More information on these tables is available at [http://crdc2011.org/downloads/02\\_SY\\_2011-12\\_CRDC\\_Table\\_Layouts.pdf](http://crdc2011.org/downloads/02_SY_2011-12_CRDC_Table_Layouts.pdf).

To determine disproportionality, applicants should compare the rate of disciplinary actions for minority students and for students with disabilities with the rate of such actions toward non-minority or non-disabled students, respectively, in that district.

**H-3. If an LEA is currently in an agreement with the Department’s Office for Civil Rights (OCR) or currently has a plan to address disparities in its discipline or expulsion rate disparities, will it still be required to undergo a district assessment and develop a plan under program requirement 5?**

An LEA in which minority students or students with disabilities are disciplined at disproportionately high rates must examine its data and understand the underlying causes for the disparity, and from that understanding develop a plan to address these causes and reduce disproportionate discipline practices and expulsion in general. There is no single approach to assessing or addressing such disparities and their causes. If an LEA has already initiated such an effort prior to the Race to the Top – District competition and if the LEA receives a grant, the Department will work with each grantee case-by-case to see if pre-existing efforts are sufficient or can be supplemented to address this program requirement.

**H-4. *From Addendum 1, published September 5, 2012.***

**Does an applicant have to complete its assessment of disproportionate discipline and expulsion rates prior to submitting its application?**

No. The assessment is a program requirement, in other words a requirement with which an applicant must comply with if it receives an award. If an applicant receives a grant under Race to the Top – District, over the grant period it will conduct an assessment of disproportionate discipline and expulsion rates and develop a plan to address root causes and reduce disproportionate discipline and expulsions.

## **I. Application Submission**

### **I-1. Must applicants use the application format available on the Race to the Top – District Web site?**

An applicant may either use the application the Department has provided on the Race to the Top – District Web site (<http://www2.ed.gov/programs/racetothetop-district/applicant.html>) or format its own tables and application, so long as that application looks substantially similar to the Department’s application, contains all of the same information, in the same order that it is presented in the Department’s application, and is submitted in accordance with all other requirements. An applicant may not change any of the text or language in the Department’s application. In other words, an applicant may cut and paste the text and tables from the Department’s application into its own application document, but may not change any of this information.

### **I-2. Must an applicant adhere to the recommended page limits?**

No. As stated in the application, the Department recommends that applicants limit their application narrative to no more than 70 pages. This page limit is recommended, but not required.

The recommended page limit does not apply to the cover sheet; Parts X and XI, the budget sections, including the narrative budget justification; Parts IV-VII, the assurances and certifications; the resumes, the letters of support, or other appendices.

### **I-3. Must an applicant provide original signatures in its application?**

Individual LEA applicants must submit signed originals of Sections IV, V, and VII of the application, and the applicant LEAs for a consortium application must submit signed originals of Sections IV, VI, VII of the application and a signed memorandum of understanding from each member LEA of the consortia (as described in Section XIII of the application).

### **I-4. Should applicants include hyperlinks in their applications?**

No. Applicants should *not* include hyperlinks to Web sites in their applications. Reviewers will be instructed not to follow such hyperlinks. We understand that hyperlinks can be a convenient way to provide information; however, because hyperlinks can be updated after the deadline for submitting applications, they cannot be considered as part of the application.

### **I-5. What file types must an applicant use in its application?**

All electronic application files must be in a .DOC (document), .DOCX (document), .RTF (rich text), or .PDF (Portable Document) format. Each file name should clearly identify the part of the application it contains. If an applicant submits a file type other than the four file types specified in this paragraph, the Department will not review that material. Applicants should not password-protect these files.

We strongly recommend that the applicant submit a CD or DVD of its application that includes the following files: (1) A single file that contains the body of the application, including required budget tables, that has been converted into a .PDF format so that the .PDF is searchable. Note

that a .PDF created from a scanned document will not be searchable. (2) A single file in a .PDF format that contains all of the required signature pages. The signature pages may be scanned and turned into a PDF. (3) Copies of the completed electronic budget spreadsheets with the required budget tables, which should be in a separate file from the body of the application. The spreadsheets will be used by the Department for budget reviews. Each of these items must be clearly labeled with the LEA's name, city, state, and any other relevant identifying information. Applicants should not password-protect these files.

In addition to the electronic application files, an applicant must submit signed originals of Sections IV, V, and VII of the application, and the applicant LEAs for a consortium application must submit signed originals of Sections IV, VI, VII of the application and a signed memorandum of understanding from each member LEA of the consortia (as described in Section XIII of the application).

**I-6. Should an applicant format its application in color or in black and white?**

When the Department prints the applications for reviewers, the applications will not be printed in color. Therefore, we recommend that applicants format their applications in black and white.

**J. Application Review and Selection**

**J-1. What process will the Department follow after applications are submitted?**

The Department will screen applications that are submitted in accordance with the requirements in the notice and determine eligible applications based on whether they have met all of the eligibility requirements. All eligible applicants will be reviewed and scored by a panel of peer reviewers. The peer reviewers will come from various backgrounds and professions. The Department will thoroughly screen all reviewers for conflicts of interest to ensure a fair and competitive review process.

**J-2. What is the competition schedule?**

Applications are due October 30, 2012. The peer review will take place after the application deadline and the Department will make awards by December 31, 2012.

**J-3. Will an applicant receive its scores from the peer reviewers?**

Following the completion of the peer review process and after awards are made, each applicant will receive the comments and scores provided by the peer reviewers for its application.

**J-4. Which sections of an application and reviewer feedback will the Department make public? Will reviewers' comments for all applications be made public?**

To foster transparency and openness, the Department plans to post all successful applications and their final comments and scores on its Web site at the conclusion of the competition. Depending on the number of applications it receives, the Department might also post unsuccessful applications and their final scores. The names of the reviewers will be removed. Applicants may choose to make their applications and scores publicly available at any time.

**J-5. How will the Secretary make final decisions to award grants under the Race to the Top – District competition?**

The Department will develop a rank order of applications based on the peer reviewers' evaluation of their quality according to the selection criteria. In accordance with 34 CFR 75.217(c)(3), the Secretary will make final awards after considering the rank ordering and other information, including an applicant's performance and use of funds and compliance history under a previous award under any Department program. As noted in the notice, each of Absolute Priorities 2 - 5 constitutes its own funding category. Among those high-quality applications that score in the fundable range, the Secretary may separately consider applicants located in rural and non-rural LEAs, as well as applicants located in Race to the Top and non-Race to the Top grantee States.

**K. Transparency, Accountability, Reporting, and Other Obligations**

**K-1. What are the reporting requirements for the Race to the Top – District program?**

Each grantee receiving Race to the Top – District funds must submit to the Department an annual report that must include a description of its progress to date on its goals, timelines, activities, deliverables, and budgets, and a comparison of actual performance to the annual targets the grantee established in its application for each performance measure. Further, a grantee receiving funds under this program is accountable for meeting the goals, timelines, activities, deliverables, budget, and annual targets established in the application; adhering to an annual fund drawdown schedule that is tied to meeting these goals, timelines, activities, deliverables, budget, and annual targets; and fulfilling and maintaining all other conditions for the conduct of the project. The Department will monitor a grantee's progress in meeting its goals, timelines, activities, deliverables, budget, and annual targets and in fulfilling other applicable requirements. In addition, the Department may collect other data as part of a grantee's annual reporting requirements.

To support a collaborative process between the grantee and the Department, the Department may require that applicants that are selected to receive an award enter into a written performance agreement or cooperative agreement with the Department. In addition, a grantee must submit, within 100 days of receiving its award, a scope of work that is consistent with its application and includes specific goals, timelines, activities, deliverables, budget, and annual targets for key performance measures. If the Department determines that a grantee is not meeting its goals, timelines, activities, deliverables, budget, or annual targets or is not fulfilling other applicable requirements, the Department will take appropriate action, which could include a collaborative process between the Department and the grantee, or enforcement measures with respect to this grant, such as placing the grantee in high-risk status, putting it on reimbursement payment status, or delaying or withholding funds.

An LEA that receives a Race to the Top – District grant must also meet the reporting requirements for the Federal Funding Accountability and Transparency Act (FFATA) for subaward and executive compensation data. Grantees, referred to as "prime awardees," must report using the FFATA Subaward Reporting System (FSRS), and must, therefore, register in FSRS. More specific information regarding the FFATA reporting requirements will be provided after the grants are awarded.

**K-2. What are the reporting requirements under the Federal Funding Accountability and Transparency Act (FFATA)?**

For new Federal grants awarded as of October 1, 2010, if the initial award is equal to or more than \$25,000, reporting of subaward and executive compensation data under FFATA is required. Grantees, referred to as “prime awardees,” must report using the FFATA Subaward Reporting System (FSRS), and must, therefore, register in FSRS. The key FFATA data reporting elements are: name of entity receiving award; amount of award; funding agency; Catalog of Federal Domestic Assistance (CFDA) program number for grants; program source; award title; and location of the entity. To facilitate subaward reporting, the prime awardee must report information related to a subaward by the end of the month following the month the subaward or obligation was made. Similarly, the prime awardee must report the subawardee’s executive compensation data by the end of the month following the month the award or obligation was made. Additional information about FFATA reporting is available on the FSRS Web site at: <https://www.fsr.gov/>, which includes links to FFATA FAQs and OMB Guidance on FFATA.

Unlike Phase 1 and Phase 2 grantees under the Race to the Top State competition, Race to the Top – District grantees do not need to meet the reporting requirements that apply to ARRA-funded programs, such as quarterly reports under section 1512(c) of the ARRA (ARRA Division A, Section 1512(c)).

**K-3. Does the receipt of Race to the Top – District funds require recipients to comply with Federal civil rights laws?**

Yes. States receiving Federal Race to the Top – District funds must comply with Federal civil rights laws that prohibit discrimination based on race, color, national origin, sex, disability, and age.

**L. Resources and Information**

**L-1. What technical assistance will the Department offer to prospective applicants?**

The Department will provide application technical assistance webinars to provide information regarding the notice and the application itself and answer questions from potential applicants. The Department will post information about participating in these technical assistance webinars on the Department’s Web site at: <http://www2.ed.gov/programs/racetothetop-district/index.html>.

**L-2. Where can one obtain updated information or answers to questions or raise additional questions about the Race to the Top – District program?**

The Department will post updated information about the Race to the Top – District program on the Department’s Web site at: <http://www2.ed.gov/programs/racetothetop-district/index.html>.

You may submit specific questions about the Race to the Top – District program to the following e-mail address: [racetothetop.district@ed.gov](mailto:racetothetop.district@ed.gov). Department staff will respond promptly to your questions. From time to time, we will update this document with relevant questions and answers.