

PARTICIPATING LOCAL EDUCATION AGENCY
MEMORANDUM OF UNDERSTANDING

- I. PURPOSE AND SCOPE OF WORK: An award of Race to the Top grant funds would position the Florida Department of Education to weave a common core of rigorous standards and assessments into a pioneering data system that will serve as a foundation to attract, retain, and support top notch teachers and school leaders who will, in turn, improve student achievement in Florida's schools. By entering into this Memorandum of Understanding ("MOU"), Local Education Agencies ("LEAs") will indicate their commitment to these principles and their ability to ensure that these principles are implemented through their LEA plan.

This MOU is entered into by and between the Florida Department of Education ("Department") and _____ ("Participating LEA"). The purpose of this agreement is to establish a framework of collaboration, as well as articulate specific roles and responsibilities in support of the Department in its implementation of an approved Race to the Top grant application. Exhibit I, the Preliminary Scope of Work, indicates which portions of the State's proposed reform plans ("State Plan") the Participating LEA is agreeing to implement should the State's application be approved by the U.S. Department of Education ("ED").

In order to participate, the LEA must agree to implement all applicable portions of the State Plan, submit a statement of intent to participate by December 18, 2009, and return the executed MOU on or before January 12, 2010, to Holly.Edenfield@fldoe.org.

Nothing herein should be construed to obviate the responsibility of an LEA to comply with class size requirements.

II. PROJECT ADMINISTRATION:

- A. PARTICIPATING LEA RESPONSIBILITIES: The Participating LEA will assist the Department in implementing the tasks and activities described in the State's Race to the Top application, should the State's application be approved by the ED and if the LEA is approved for a sub grant by the Department. Approval of the sub grant will be based upon the scope and quality of the LEA's proposed work plans and its capacity to implement the plans. To this end, the Participating LEA sub grantee will:

- 1) Implement the LEA plan as identified in Exhibit I of this agreement.
- 2) Actively participate in all relevant convenings, communities of practice, or other practice-sharing events that are organized or sponsored by the Department or by ED.
- 3) Post to any website specified by the Department or ED, in a timely manner, all non-proprietary products and lessons developed using funds associated with the Race to the Top grant.
- 4) Participate, as requested, in evaluations of this grant conducted by the Department or ED.
- 5) Be responsive to Department or ED requests for information including the status of the project, project implementation, outcomes, and any problems anticipated or encountered.

- 6) Participate in meetings and telephone conferences with the Department to discuss (a) progress of the project, (b) potential dissemination of resulting non-proprietary products and lessons learned, (c) plans for subsequent years of the Race to the Top grant period, and (d) other matters related to the Race to the Top grant and associated plans.

B. DEPARTMENT RESPONSIBILITIES: In assisting the Participating LEA in implementing its tasks and activities described in the State's Race to the Top application, the Department grantee will:

- 1) Work collaboratively with and support the Participating LEA in carrying out the LEA Plan as identified in Exhibit I of this agreement.
- 2) Timely distribute the Participating LEA's portion of Race to the Top grant funds during the course of the project period and in accordance with the LEA Plan.
- 3) Provide feedback on the Participating LEA's status updates, annual reports, any interim reports, and project plans and products.
- 4) Identify sources of technical assistance for the project.

C. JOINT RESPONSIBILITIES:

- 1) The Department and the Participating LEA will each appoint a key contact person for the Race to the Top grant.
- 2) These key contacts from the Department and the Participating LEA will maintain frequent communication to facilitate cooperation under this MOU.
- 3) Department and Participating LEA grant personnel will work together to determine appropriate timelines for project updates and status reports throughout the whole grant period.
- 4) Department and Participating LEA grant personnel will negotiate in good faith to continue to achieve the overall goals of the State's Race to the Top grant, even when the State Plan requires modifications that affect the Participating LEA, or when the LEA Plan requires modifications.

D. COLLECTIVE BARGAINING RESPONSIBILITIES: The parties to any applicable collective bargaining agreement will use their best efforts to negotiate any terms and conditions in the agreement necessary for the full implementation of the State Plan. The parties understand that the failure to negotiate any term or condition in a collective bargaining agreement necessary for full implementation of the State Plan will result in termination of the grant.

E. DEPARTMENT RECOURSE FOR LEA NON-PERFORMANCE: If the Department determines that the LEA is not meeting its goals, timelines, budget, or annual targets or is not fulfilling other applicable requirements, the Department grantee will take appropriate enforcement action, which could include a collaborative process between the Department and the LEA, or any of the enforcement measures that are detailed in 34 CFR section 80.43 including putting the LEA on reimbursement payment status, temporarily withholding funds, or disallowing costs.

III. ASSURANCES: The Participating LEA hereby certifies and represents that it:

- 1) Has all requisite power and authority to execute this MOU.
- 2) Is familiar with the State's Race to the Top grant application and is supportive of the goals and plans for implementation and is committed to working on all applicable portions of the State Plan.
- 3) Agrees to be a Participating LEA and will implement those portions of the State Plan indicated in Exhibit I, if the State application is funded.
- 4) Will provide a Final Scope of Work in a format provided by the Department. The Final Scope of Work will describe the LEA's specific goals, activities, timelines, budgets, key personnel, and annual targets for key performance measures ("LEA Plan ") in a manner that is consistent with the Preliminary Scope of Work (Exhibit I) and with the State Plan. The Final Scope of Work is due and must be submitted no later than 90 days after the grant is awarded to the State of Florida, should the State be awarded the grant.
- 5) Will propose a comprehensive, interconnected plan that will drive continuous improvement of students, teachers, and principals based upon specific goals and benchmarks. This comprehensive LEA plan will align all federal, state, and local resources and support systems, as appropriate, to maximize the LEA's capacity to implement the plan.
- 6) Will comply with all of the terms of the Grant, the Department's sub grant, and all applicable Federal and State laws and regulations, including laws and regulations applicable to the Program, and the applicable provisions of EDGAR (34 CFR Parts 75, 77, 79, 80, 82, 84, 85, 86, 97, 98 and 99).

IV. DEFINITIONS: The definitions found in the Race to the Top Application for Initial Funding apply to this MOU. In addition:

- 1) "High-minority school" means a school with a minority population that is within the top quartile of minority student membership in the state.
- 2) "High-poverty school" means a school in the top quartile as measured by the percentage of students receiving free and reduced lunch in the state.

V. MODIFICATIONS: This MOU may be amended only by written agreement signed by each of the parties to the MOU, and in consultation with ED.

VI. DURATION/TERMINATION: This MOU shall be effective beginning with the date of the last signature hereon and, if a grant is received, ending upon the expiration of the grant project period, or upon mutual agreement of the parties, whichever occurs first.

VII. SIGNATURES

Superintendent for the LEA:

Signature/Date

Print Name/Title

Chair of School Board for the LEA:

Signature/Date

Print Name/Title

Authorized Representative of Local Teachers' Union:

Signature/Date

Print Name/Title

Commissioner of Education:

Signature/Date

Print Name/Title

EXHIBIT I – PRELIMINARY SCOPE OF WORK

The LEA hereby agrees to participate in implementing the State Plan in each of the areas identified below.

Elements of State Reform Plans	Comments from LEA (optional)
<p>Through Race to the Top, the Department is poised to weave a common core of rigorous standards and assessments into a pioneering data system that will serve as a foundation to attract, retain, and support top notch teachers and school leaders who will, in turn, improve student achievement in our schools.</p>	
<p>B. Standards and Assessments</p>	
<p><u>(B)(3) Supporting the transition to enhanced standards and high-quality assessments</u></p> <ul style="list-style-type: none"> • The LEA will modify school schedules to allow for common planning time by grade level (elementary) or subject area (secondary) for lesson study focused on instructional quality, student work, and outcomes, without reducing time devoted to student instruction. The LEA will devote a minimum of one lesson study per week for each grade level or subject area. • The LEA will ensure that professional development programs at all schools focus on effective instruction consistent with new common core standards, while employing the principles of lesson study and formative assessment. The LEA will implement a system to evaluate the fidelity of lesson study and formative assessment implementation that is tied to interim and summative student assessments. • The LEA will implement at least one additional high school career and technical program that provides training for occupations requiring science, technology, engineering, and/or math (STEM). The LEA will pay, or secure payment for the industry certification examination for graduates of such programs. These programs must lead to a high-wage, high-skill career for a majority of graduates that supports one of the eight targeted sectors identified by Enterprise Florida and result in an industry certification. The LEA will ensure that these programs will include at least one Career and Technical Education course that has significant integration of math or science that will satisfy core credit requirements with the passing of the course and related end-of-course exam. • The LEA will increase the number of STEM-related accelerated courses, such as Advanced Placement, International Baccalaureate, AICE, dual enrollment, and industry certification. • The LEA will ensure that each school possesses the technology, including hardware, connectivity, and other necessary infrastructure, to provide teachers and students 	

Elements of State Reform Plans	Comments from LEA (optional)
sufficient access to strategic tools for improved classroom instruction and computer-based assessment.	
C. Data Systems to Support Instruction	
<p><u>(C)(2) Accessing and using State data</u></p> <ul style="list-style-type: none"> The LEA will assist in the design, testing, and implementation of initiatives to improve customer-friendly access and information to district leaders, teachers, principals, parents, students, community members, unions, researchers, and policymakers to effectively use state data systems. Examples of areas where the LEA will be required to assist the Department include providing assistance on defining state-level educational data that can be used to augment local data systems, implementing a single sign-on to access state resources, providing data to the Department, and testing other mechanisms that will enhance the usability of existing state-level applications to improve instruction and student learning. The LEA will use state-level data that is published for use, along with local instructional improvement systems, to improve instruction. 	
<p><u>(C)(3) Using data to improve instruction:</u></p> <p><u>(i) Use of local instructional improvement systems</u></p> <ul style="list-style-type: none"> The LEA will use customer-friendly front end systems that are easy for students, teachers, parents, and principals to use and that show growth of students, teachers, schools, and districts disaggregated by subject and demographics. An LEA that has an instructional improvement system will ensure that the system is being fully utilized; an LEA that does not have an instructional improvement system will acquire one. 	
<p><u>(ii) Professional development on use of data</u></p> <ul style="list-style-type: none"> The LEA will provide effective professional development to teachers and administrators on the use of its instructional improvement system. The LEA will provide effective professional development to teachers and administrators on the use of state level data systems developed during the term of the grant. 	
<p><u>(iii) Availability and accessibility of data to researchers</u></p> <ul style="list-style-type: none"> The LEA will provide requested data from local instructional improvement and longitudinal data systems to the 	

Elements of State Reform Plans	Comments from LEA (optional)
<p>Department to support the Department's efforts to make data available to researchers for the purpose of evaluating the effectiveness of instructional materials, strategies, and approaches for educating different types of students and to help drive educational decisions and policies.</p>	
<p><u>D. Great Teachers and Leaders</u></p>	
<p><u>(D)(1) Providing high-quality pathways for aspiring teachers and principals</u></p>	
<p><u>(ii) Alternative routes to certification that are in use</u></p> <ul style="list-style-type: none"> • The LEA will coordinate with institution preparation programs to provide effective district personnel to supervise pre-service teacher and educational leadership candidates. Such district supervising personnel will be highly effective teachers. • The LEA will use data from student performance and other continued approval standards in Rule 6A-5.066, F.A.C., to annually review and improve its alternative certification program and will deliver any professional development associated with the program in accordance with the state's protocol standards for professional development. 	
<p><u>(D)(2) Improving teacher and principal effectiveness based on performance</u></p>	
<p><u>(i) Measure student growth</u></p> <ul style="list-style-type: none"> • The LEA will measure student growth based upon the performance of students on all state required assessments. For content areas and grade levels not assessed on state required assessments, then the LEA will use district-developed assessments aligned to state standards under s.1008.22, F.S. 	
<p><u>(ii) Design and implement evaluation systems</u></p> <ul style="list-style-type: none"> • The LEA will design and implement a teacher evaluation system with teacher and principal involvement that: <ol style="list-style-type: none"> 1. Utilizes the Department-selected teacher-level student growth measure cited in (D)(2)(i) as the primary factor of the teacher and principal evaluation system. Primary is defined as greater than 50% of the evaluation. However, an LEA that completed renegotiation of its collective bargaining agreement between July 1, 2009, and December 1, 2009, for the purpose of determining a weight for student growth as the primary component of its teacher and principal evaluations, is eligible for this 	

Elements of State Reform Plans	Comments from LEA (optional)
<p>grant as long as the student growth component is at least 40% and is greater than any other single component of the evaluation.</p> <ol style="list-style-type: none"> 2. Includes the core of effective practices that have been strongly linked to increased student achievement for the observation portion of the teacher evaluation. The principal, direct supervisor, and any other individual performing observation will use, at a minimum, this same core of effective practices. 3. Includes at least one additional metric to combine with the student performance and principal observation components to develop a “multi-metric” evaluation system for, at a minimum, the teachers who are in the year prior to a milestone career event, such as being awarded a multi-year contract, a promotion, or a significant increase in salary. Examples of additional metrics include, but are not limited to, observations by master teachers or instructional coaches, student input, peer input, and parental input. 4. Includes a comprehensive range of ratings beyond a simple satisfactory or unsatisfactory. <ul style="list-style-type: none"> • The LEA will design and implement a principal evaluation system with teacher and principal involvement that: <ul style="list-style-type: none"> • Utilizes the Department-selected teacher-level student growth measure as the primary factor of the teacher and principal evaluation system. Primary is defined as greater than 50% of the evaluation. • Utilizes the Florida Principal Leadership Standards with an emphasis on recruiting and retaining effective teachers, improving effectiveness of teachers, and removing ineffective teachers as the basis for the remaining portion of the evaluation. • The LEA will submit teacher and principal evaluation systems to the Department for review and approval. • The LEA will utilize student performance data on statewide assessments as a significant factor in the annual evaluations of district-level staff with supervisory responsibilities over principals, curriculum, instruction, or any other position directly related to student learning. • The LEA will report the results of evaluations of each teacher, principal, and district-level supervisor [as described 	

Elements of State Reform Plans	Comments from LEA (optional)
<p>in (D)(2)(ii)] to the Department during Survey 5.</p> <ul style="list-style-type: none"> Note: Each LEA will have the first year of the grant to develop and revise its evaluation system to meet these requirements. The Department will provide the core of effective practices by the end of the 2009-10 school year and other evaluation components as described above. 	
<p><u>(iii) Conduct annual evaluations</u></p> <p>For Teachers:</p> <ul style="list-style-type: none"> The LEA will conduct multiple evaluations for each first-year teacher that are integrated with the district's beginning teacher support program and include observations on the core effective practices described in (D)(2)(ii)2. and reviews of student performance data. The LEA will conduct "multi-metric" evaluations as described in (D)(2)(ii) for teachers who are in the year prior to a milestone career event, such as being awarded a multi-year contract, a promotion, or a significant increase in salary. The LEA plan will include a definition of milestone career event. The LEA will conduct evaluations as described in (D)(2)(ii)1, 2, and 4. for all other teachers at least once per year. <p>For Principals:</p> <ul style="list-style-type: none"> The LEA will conduct evaluations as described in (D)(2)(ii) for principals at least once per year. 	
<p><u>(iv)(a) Use evaluations to inform professional development.</u></p> <p>The LEA will use results from teacher and principal evaluations as described in (D)(2)(ii) in its professional development system as follows:</p> <p>For Teachers:</p> <ul style="list-style-type: none"> Establish an Individual Professional Development Plan (IPDP) for each teacher that is, in part, based on an analysis of student performance data and results of prior evaluations. Individualize the support and training provided to first- and second-year teachers and determine the effective teachers who will provide coaching/mentoring in the district's beginning teacher support program. 	

Elements of State Reform Plans	Comments from LEA (optional)
<p>For Principals:</p> <ul style="list-style-type: none"> Establish an Individual Leadership Development Plan (ILDLP) for each principal that is based, in part, on an analysis of student performance data and results of prior evaluations. 	
<p><u>(iv)(b) Use evaluations to inform compensation, promotion, and retention</u></p> <ul style="list-style-type: none"> The LEA will implement a compensation system for teachers that: <ul style="list-style-type: none"> Ties the most significant gains in salary to effectiveness demonstrated by annual evaluations as described in (D)(2)(ii), rather than to degree level or years of experience. Implements statutory requirements of differentiated pay in s. 1012.22(1)(c)4., F.S., through bonuses or salary supplements. Categories for differentiated pay are additional academic responsibilities, school demographics, critical shortage areas (including STEM areas), and level of job performance difficulties (including working in high-poverty, high-minority, or persistently lowest-achieving schools). Provides promotional opportunities for effective teachers to remain teaching in addition to moving into school leadership positions and bases promotions on effectiveness as demonstrated on annual evaluations as described in (D)(2)(ii), including a multi-metric evaluation in the year prior to promotion. The LEA will implement a compensation system for principals that: <ul style="list-style-type: none"> Ties the most significant gains in salary to effectiveness demonstrated by annual evaluations as described in (D)(2)(ii), rather than to degree level or years of experience. Implements statutory requirements of differentiated pay in s. 1012.22(1)(c)4., F.S., through bonuses or salary supplements. Categories for differentiated pay are additional academic responsibilities, school demographics, critical shortage areas, and level of job performance difficulties (including working in high-poverty, high-minority, or persistently lowest-achieving schools). 	

Elements of State Reform Plans	Comments from LEA (optional)
<ul style="list-style-type: none"> The LEA will provide annually to the Department its salary schedule indicating how this requirement has been met. 	
<p><u>(iv)(c) Use evaluations to inform tenure and/or full certification</u></p> <ul style="list-style-type: none"> The LEA will base decisions to award employment contracts to teachers and principals on effectiveness as demonstrated through annual evaluations as described in (D)(2)(ii). 	
<p><u>(iv)(d) Use evaluations to inform removal</u></p> <ul style="list-style-type: none"> The LEA will base decisions surrounding reductions in staff, including teachers and principals holding employment contracts, on their level of effectiveness demonstrated on annual evaluations as described in (D)(2)(ii). When this factor yields equal results, seniority and other factors may be used in decisions. The LEA will hold principals, their supervisors, and all LEA staff who have a responsibility in the dismissal process accountable for utilizing the process and timeline in statute (ss. 1012.33 and 1012.34, F.S.) to remove ineffective teachers from the classroom. The LEA will report annually to the Department through Survey 5 the teachers and principals who were dismissed for ineffective performance as demonstrated through the district's evaluation system. The LEA will report annually to the Department through Survey 5 the highly effective teachers and principals who have resigned or who are no longer employed by the District. 	
<p><u>(D)(3) Ensuring equitable distribution of effective teachers and principals:</u></p>	
<p><u>(i) High-poverty and/or high-minority schools</u></p> <ul style="list-style-type: none"> The LEA will develop a plan, with timetables and goals, that uses effectiveness data from annual evaluations as described in (D)(2)(ii) to attract and retain highly effective teachers and principals to schools that are high-poverty, high-minority, and persistently lowest-achieving. The LEA plan may also be designed to attract and retain new teachers from high performing teacher preparation programs as defined by the Department in the grant to these schools. The LEA will implement a compensation system as described in (D)(2)(iv)(b) to provide incentives for 	

Elements of State Reform Plans	Comments from LEA (optional)
<p>encouraging effective teachers and principals to work in these schools.</p> <ul style="list-style-type: none"> The LEA will present a plan that includes strategies in addition to compensation to staff these schools with a team of highly effective teachers led by a highly effective principal, including how the success of these individuals will be supported by the district. The LEA will report the effectiveness data of all teachers and principals annually during Survey 5. 	
<p><u>(ii) Hard-to-staff subjects and specialty areas</u></p> <ul style="list-style-type: none"> The LEA will implement a compensation system as described in (D)(2)(iv)(b) to provide incentives for the recruitment of effective teachers in these subjects and areas. The LEA will implement recruitment and professional development strategies to increase the pool of teachers available in the district in these subject areas. 	
<p><u>(D)(5) Providing effective support to teachers and principals:</u></p>	
<p><u>(i) Quality professional development</u></p> <ul style="list-style-type: none"> The LEA will implement a district professional development system that utilizes the state's protocol standards for effective professional development as follows: <p>For Teachers:</p> <ul style="list-style-type: none"> The LEA will modify school schedules to allow for common planning time by grade level (elementary) or subject area (secondary) for lesson study focused on instructional quality, student work, and outcomes, without reducing time devoted to student instruction. The LEA will devote a minimum of one lesson study per week for each grade level or subject area. The LEA will ensure that professional development programs in all schools focus on the new common core standards, while employing the principles of lesson study and formative assessment. Implement IPDPs for teachers based on analysis of student performance data and results of prior evaluations as described in (D)(2)(ii). 	

Elements of State Reform Plans	Comments from LEA (optional)
<ul style="list-style-type: none"> • Implement a beginning teacher support program for teachers in the first and second year that integrates data from multiple evaluations, coaching/mentoring, and assistance on using student data to improve instruction; builds in time for observation of effective teachers; includes collaboration with colleges of education, as appropriate; and defines a clear process for selecting and training coaches/mentors. <p>For Principals:</p> <ul style="list-style-type: none"> • Implement professional development programs at all schools that focus on the new common standards. • Implement professional development based on the principles of lesson study and formative assessment as described by the Department in this grant and the process needed to implement lesson study in a school. • Implement ILDPs for principals based on analysis of student performance data and results of prior evaluations as described in (D)(2)(ii). 	
<p><u>(ii) Measure effectiveness of professional development</u></p> <ul style="list-style-type: none"> • The LEA will evaluate professional development based on student results and changes in classroom/leadership practice (as appropriate for the teacher/principal). 	
<p><u>Toward the absolute priority of comprehensive education reform:</u></p> <ul style="list-style-type: none"> • The LEA will document the use of Title II A funds specifically to supplement and enhance the initiatives implemented in this grant, including documentation in the district's budget for the first year and each subsequent year of the grant. 	
<p><u>E. Turning Around the Lowest-Achieving Schools</u></p>	
<p><u>(E)(2) Turning around the lowest-achieving schools</u></p> <ul style="list-style-type: none"> • The LEA will select and implement one of the four school intervention models described in the grant application in all persistently lowest-achieving schools located in the district (see Appendix A to the MOU). The Department will identify the schools based upon the school categories devised for school accountability under s. 1008.33, F.S., and set forth in proposed Rule 6A-1.099811, F.A.C. (see Appendices B and C to the MOU). • An LEA with more than nine persistently lowest-achieving 	

Elements of State Reform Plans	Comments from LEA (optional)
<p>schools will not select the transformational option for more than one-half of the schools.</p> <ul style="list-style-type: none"> • All actions undertaken by the LEA under this element of the grant will be in accordance with the requirements of s. 1008.33, F.S. (Differentiated Accountability). • The LEA will submit a plan for the Department’s approval that implements one or more of the following programs in each persistently lowest-achieving school and within the feeder pattern of each persistently lowest-achieving high school: <ol style="list-style-type: none"> 1. In Intervene schools, the LEA will implement a schedule that provides increased learning time beyond the minimum 180 days and/or implement an extended school day, beyond the current hours of instruction. 2. The LEA will offer prekindergarten on a full day basis using the Department’s Title I Full Day PreK model, for children residing in the attendance zone of such schools. 3. The LEA will expand opportunities for students to attend career and professional academies, especially STEM academies, under s. 1003.493, F.S. 4. The LEA will expand or introduce proven programs to encourage advanced classes, positive behavior support systems, mentoring, and curriculum that provide high-need students with college-ready skills. 5. The Department may approve other programs that demonstrate a strong record of improving student achievement in these district schools. • The LEA will use effectiveness data from annual evaluations to determine incentives for the most effective teachers to work in the district’s elementary, middle, and high schools that are the persistently lowest-achieving. • The LEA will only assign new teachers (those in their first and second year) in the district’s schools that are the persistently lowest-achieving if these teachers have completed or are participating in a high-performing teacher preparation program, as defined in the grant application. The LEA will ensure that such teachers are provided additional support by staffing a mix of new and proven teachers across all content areas and grade levels in the school. 	
<u>F. General</u>	

Elements of State Reform Plans	Comments from LEA (optional)
<p><u>(F)(2) Ensuring successful conditions for high-performing charter schools and other innovative schools</u></p> <ul style="list-style-type: none"> • The LEA will offer charter schools located within their district the opportunity to participate in the grant on the same terms as any other district school. • Consistent with federal requirements, the LEA will ensure that participating charter schools receive a commensurate share of any grant funds and services funded by the grant. <p>The LEA will provide data and reports necessary for the evaluation of the grant conducted by the Department's evaluation team and will require charter schools to provide the LEA with the data necessary for such evaluations.</p>	

For the Participating LEA

For the Florida Department of Education

Authorized LEA Signature/Date

Authorized State Signature/Date

Print Name/Title

Print Name/Title