

State Fiscal Stabilization Fund: Summary of Final Requirements

Final requirements for States receiving funds under the State Fiscal Stabilization Fund (SFSF) program were published in the Federal Register on November 12, 2009; see <http://edocket.access.gpo.gov/2009/pdf/E9-27161.pdf>. Below is a summary of the final requirements.

I. Assurance Indicators and Descriptors

The American Recovery and Reinvestment Act of 2009 (ARRA) requires a State receiving funds under the SFSF program to provide assurances in four key areas of education reform: (a) achieving equity in teacher distribution, (b) improving collection and use of data, (c) standards and assessments, and (d) supporting struggling schools. For each area of reform, the ARRA prescribes specific actions that the State must assure that it will implement. The U.S. Department of Education (Department) has established specific data and information collection and public reporting requirements (the assurance indicators and descriptors) that a State receiving funds under the SFSF program must meet with respect to the statutory assurances. Together with the State plan requirements summarized in Section II below, these requirements will provide transparency on the extent to which a State is implementing the actions for which it has provided assurance. Further, increased access to and focus on the data and information for these requirements will better enable States and other stakeholders to identify strengths and weaknesses in education systems and determine where concentrated reform effort is warranted.

Below are tables, by education reform area, summarizing the final data and information collection and public reporting requirements for States.

Total number of requirements: 37 (34 indicators, 3 descriptors)

Number of requirements using existing Department data and information collections: 8

Number of indicators that require a yes/no or similar response: 14

Achieving Equity in Teacher Distribution (education reform area (a))			
Citation	Description	Reporting Level	New or Existing Collection?
Indicator (a)(1)	The number and percentage of core academic courses taught, in the highest-poverty and lowest-poverty schools, by teachers who are highly qualified consistent with section 9101(23) of the Elementary and Secondary Education Act of 1965, as amended (ESEA)	State and District	Existing data
Indicator (a)(2)	Whether the State's Teacher Equity Plan (as part of the State's Highly Qualified Teacher Plan) fully reflects the steps the State is currently taking to ensure that students from low-income families and minority students are not taught at higher rates than other students by	State	New information (yes/no indication)

Achieving Equity in Teacher Distribution (education reform area (a))

Citation	Description	Reporting Level	New or Existing Collection?
	inexperienced, unqualified, or out-of-field teachers (as required in section 1111(b)(8)(C) of the ESEA)		
Descriptor (a)(1)	The systems used to evaluate the performance of teachers and the use of results from those systems in decisions regarding teacher development, compensation, promotion, retention, and removal	District	New information
Indicator (a)(3)	Whether the systems used to evaluate the performance of teachers include student achievement outcomes or student growth data as an evaluation criterion	District	New information (yes/no indication)
Indicator (a)(4)	If the district's teachers receive performance ratings or levels through an evaluation system, the number and percentage of teachers rated at each performance rating or level	District	New data
Indicator (a)(5)	If the district's teachers receive performance ratings or levels through an evaluation system, whether the number and percentage of teachers rated at each performance rating or level are publicly reported for each school in the LEA	District	New information (yes/no indication)
Descriptor (a)(2)	The systems used to evaluate the performance of principals and the use of results from those systems in decisions regarding principal development, compensation, promotion, retention, and removal	District	New information
Indicator (a)(6)	Whether the systems used to evaluate the performance of principals include student achievement outcomes or student growth data as an evaluation criterion	District	New information (yes/no indication)
Indicator (a)(7)	If the district's principals receive performance ratings or levels through an evaluation system, the number and percentage of principals rated at each performance rating or level	District	New data

Improving Collection and Use of Data (education reform area (b))

Citation	Description	Reporting Level	New or Existing Collection?
Indicator (b)(1)	Which of the 12 elements described in section 6401(e)(2)(D) of the America COMPETES Act (20 U.S.C. 9871) are included in the State's statewide	State	New information (yes/no

	longitudinal data system		indication with respect to each element)
Indicator (b)(2)	Whether the State provides student growth data on their current students and the students they taught in the previous year to, at a minimum, teachers of reading/language arts and mathematics in grades in which the State administers assessments in those subjects in a manner that is timely and informs instructional programs	State	New information (yes/no indication)
Indicator (b)(3)	Whether the State provides teachers of reading/language arts and mathematics in grades in which the State administers assessments in those subjects with reports of individual teacher impact on student achievement on those assessments	State	New information (yes/no indication)

Standards and Assessments (education reform area (c))

Citation	Description	Reporting Level	New or Existing Collection?
Indicator (c)(1)	The approval status, as determined by the Department, of the State's assessment system under section 1111(b)(3) of the ESEA with respect to reading/language arts, mathematics, and science assessments	State	Existing information
Indicator (c)(2)	Whether the State has developed and implemented valid and reliable alternate assessments for students with disabilities that are approved by the Department	State	Existing information
Indicator (c)(3)	Whether the State's alternate assessments for students with disabilities, if approved by the Department, are based on grade-level, modified, or alternate academic achievement standards	State	Existing information
Indicator (c)(4)	Whether the State has completed, within the last two years, an analysis of the appropriateness and effectiveness of the accommodations it provides students with disabilities to ensure their meaningful participation in State assessments	State	New information (yes/no indication)
Indicator (c)(5)	The number and percentage of students with disabilities who are included in State reading/language arts and mathematics assessments	State	Existing data
Indicator (c)(6)	Whether the State has completed, within the last two years, an analysis of the appropriateness and effectiveness of the accommodations it provides limited English proficient students to ensure their meaningful	State	New information (yes/no indication)

Standards and Assessments (education reform area (c))

Citation	Description	Reporting Level	New or Existing Collection?
	participation in State assessments		
Indicator (c)(7)	Whether the State provides native language versions of State assessments for limited English proficient students that are approved by the Department	State	Existing information
Indicator (c)(8)	The number and percentage of limited English proficient students who are included in State reading/language arts and mathematics assessments	State	Existing data
Indicator (c)(9)	Whether the State's annual State Report Card (under section 1111(h)(1) of the ESEA) contains the most recent available State reading and mathematics National Assessment of Educational Progress (NAEP) results as required by 34 CFR 200.11(c)	State	New information (yes/no indication)
Indicator (c)(10)	The number and percentage of students who graduate from high school using a four-year adjusted cohort graduation rate as required by 34 CFR 200.19(b)(1)(i)	State, district, and school (by subgroup)	New data
Indicator (c)(11)	Of the students who graduate from high school consistent with 34 CFR 200.19(b)(1)(i), the number and percentage who enroll in an institution of higher education (IHE) (as defined in section 101(a) of the Higher Education Act of 1965, as amended (HEA)) within 16 months of receiving a regular high school diploma	State, district, and school (by subgroup)	New data
Indicator (c)(12)	Of the students who graduate from high school consistent with 34 CFR 200.19(b)(1)(i) who enroll in a public IHE (as defined in section 101(a) of the HEA) in the State within 16 months of receiving a regular high school diploma, the number and percentage who complete at least one year's worth of college credit (applicable to a degree) within two years of enrollment in the IHE	State, district, and school (by subgroup)	New data

Supporting Struggling Schools (education reform area (d))

Citation	Description	Reporting Level	New or Existing Collection?
Indicator (d)(1)	The average statewide school gain in the "all students" category and the average statewide school gain for each student subgroup (as under section 1111(b)(2)(C)(v) of the ESEA) on the State assessments in reading/language arts, and the number and percentage of Title I schools in	State; State and district	New data

Supporting Struggling Schools (education reform area (d))			
Citation	Description	Reporting Level	New or Existing Collection?
	improvement, corrective action, or restructuring that have made progress on State assessments in reading/language arts, in the last year		
Indicator (d)(2)	The average statewide school gain in the “all students” category and the average statewide school gain for each student subgroup (as under section 1111(b)(2)(C)(v) of the ESEA) on State assessments in mathematics, and the number and percentage of Title I schools in improvement, corrective action, or restructuring that have made progress on State assessments in mathematics, in the last year	State; State and district	New data
Descriptor (d)(1)	The definition of “persistently lowest-achieving schools” that the State uses to identify such schools	State	New information
Indicator (d)(3)	The number and identity of the schools that are Title I schools in improvement, corrective action, or restructuring that are identified as persistently lowest-achieving schools	State	New data and information
Indicator (d)(4)	Of the persistently lowest-achieving schools that are Title I schools in improvement, corrective action, or restructuring, the number and identity of those schools that have been turned around, restarted, closed, or transformed (as defined in this notice) in the last year	State	New data and information
Indicator (d)(5)	The number and identity of the schools that are secondary schools that are eligible for, but do not receive, Title I funds that are identified as persistently lowest-achieving schools	State	New data and information
Indicator (d)(6)	Of the persistently lowest-achieving schools that are secondary schools that are eligible for, but do not receive, Title I funds, the number and identity of those schools that have been turned around, restarted, closed, or transformed in the last year	State	New data and information
Indicator (d)(7)	The number of charter schools that are currently permitted to operate under State law	State and (if applicable) district	New data
Indicator (d)(8)	The number of charter schools currently operating	State and (if applicable) district	Existing data
Indicator (d)(9)	The number and percentage of charter schools that have made progress on State assessments in reading/language	State and (if	New data

Supporting Struggling Schools (education reform area (d))			
Citation	Description	Reporting Level	New or Existing Collection?
	arts in the last year	applicable) district	
Indicator (d)(10)	The number and percentage of charter schools that have made progress on State assessments in mathematics in the last year	State and (if applicable) district	New data
Indicator (d)(11)	The number and identity of charter schools that have closed (including schools that were not reauthorized to operate) within each of the last five years	State and (if applicable) district	New data and information
Indicator (d)(12)	For each charter school that has closed (including a school that was not reauthorized to operate) within each of the last five years, whether the closure of the school was for financial, enrollment, academic, or other reasons	School	New information

II. State Plans

The ARRA also requires a State that seeks funds under the SFSF program to submit an application to the Department containing such information as the Secretary may reasonably require. The Department has established specific requirements for a plan that a State must submit (the State plan), as part of its application for the second phase of funding under the SFSF program, that describes its ability to collect and publicly report the data and other information required for the assurance indicators and descriptors summarized above. Below is a summary of the final State plan requirements.

General Indicator and Descriptor Requirements
Except as discussed below, the State plan must describe the State's current ability to collect the data or other information needed for the assurance indicators and descriptors as well as the State's current ability to make the data or information easily available to the public. If the State is currently able to fully collect and publicly report the required data or other information at least annually, the State must provide the most recent data or information with its plan. If a State is not currently able to fully collect or publicly report the data or other information at least annually, the plan must describe the State's process and timeline for developing and implementing the means to do so as soon as possible but no later than September 30, 2011. The State plan must describe the State's collection and public reporting abilities with respect to each individual indicator or descriptor.

**Requirements for Indicators in Improving Collection and Use of Data
(education reform area (b))**

Indicator (b)(1). With respect to Indicator (b)(1), the State must develop and implement a statewide longitudinal data system that includes each of the 12 elements described in section 6401(e)(2)(D) of the America COMPETES Act. In its plan, the State accordingly must indicate which of the 12 elements are currently included in the State's statewide longitudinal data system. If the State's statewide longitudinal data system does not currently include all 12 elements, the State must describe its process and timeline for developing and implementing, as soon as possible but no later than September 30, 2011, a statewide longitudinal data system that fully includes all 12 elements.

Indicator (b)(2). With respect to Indicator (b)(2), the State must provide student growth data on their students to, at a minimum, teachers of reading/language arts and mathematics in grades in which the State administers assessments in those subjects, in a manner that is timely and informs instructional programs. In its plan, the State accordingly must indicate whether it provides teachers with such data. If the State does not provide teachers with such data, it must describe its process and timeline for developing and implementing, as soon as possible but no later than September 30, 2011, the means to provide teachers with such data.

Indicator (b)(3). With respect to Indicator (b)(3), the State must indicate whether it provides teachers of reading/language arts and mathematics in grades in which the State administers assessments in those subjects with reports of individual teacher impact on student achievement on those assessments. If the State does not provide those teachers with such reports, it must describe the State's process and timeline for developing and implementing the means to provide those teachers with such reports.

Requirements for Indicators (c)(11) and (c)(12)

With respect to Indicators (c)(11) and (c)(12), the State is required to, at a minimum, possess the ability to collect and publicly report the data. As a result, the general indicator and descriptor requirements discussed above apply to these indicators, at a minimum, with respect to the State's development of the means to collect and to publicly report the data. Accordingly, if, for either of these indicators, a State will develop but not implement the means to collect and publicly report the data (i.e., the State will not collect and publicly report the data) by September 30, 2011, the State must submit a plan with respect to the indicator that addresses the general indicator and descriptor requirements only with respect to the State's development of the means to collect and to publicly report the data, and not the State's implementation of those means. If submitting a plan in this manner, a State must include in its plan a description of the evidence it will provide to the Department, by September 30, 2011, to demonstrate that it has developed the means to collect and publicly report that data. If, however, for either of these indicators, a State will develop and implement those means (i.e., the State will collect and publicly report the data) by September 30, 2011, the State must submit a plan with respect to the indicator that fully addresses the general indicator and descriptor requirements.

General Requirements

In its plan, the State must describe the following:

(1) The agency or agencies in the State responsible for the development, execution, and

General Requirements

oversight of the plan, including the institutional infrastructure and capacity of the agency or agencies as they relate to each of those tasks;

(2) The agency or agencies, institutions, or organizations, if any, providing technical assistance or other support in the development, execution, and oversight of the plan, and the nature of such technical assistance or other support;

(3) The overall budget for the development, execution, and oversight of the plan;

(4) The processes the State employs to review and verify the required data and other information; and

(5) The processes the State employs to ensure that, consistent with 34 CFR 99.31(b), the required data and other information are not made publicly available in a manner that personally identifies students, where applicable.