

FULLERTON SCHOOL DISTRICT
Special Meeting of the Board of Trustees
Thursday, January 7, 2010, 4:30 p.m. Open Session
District Administration Offices Board Room, 1401 W. Valencia Drive, Fullerton, California

Agenda

To: Board of Trustees and Press

From: Beverly Berryman, President, Board of Trustees

Subject: The President of the Board of Trustees of the Fullerton School District has called a Special Meeting of said Board of Trustees to be held at the District Administration Offices Board Room, 1401 W. Valencia Drive, Fullerton, California, on Thursday, January 7, 2010.

Call to Order and Pledge of Allegiance

Public Comments – Policy

The Board meeting follows rules of decorum. The public may address the Board on items of public interest within the Board's jurisdiction. Per Board Bylaw 9323, individual speakers shall be allowed three minutes to address the Board on each agenda or non-agenda item. The Board limits the total time for public input on each item to 20 minutes. The total time allowed for public comment shall be 30 minutes. Public comments or questions about an item that is on the posted agenda will be heard at the time the agenda item is considered by the Board. Public comment about an item that is not on the posted agenda will be heard during this time. No action or discussion may take place on an item that is not on the posted agenda except as expressly authorized by law. Since the Board cannot take action on items that are not on the agenda, such items will be referred to the Superintendent. Persons wishing to address the Board are invited to complete and submit a "request to speak" slip to the secretary. These slips are available at the reception counter.

4:30 p.m. Call to Order, Pledge of Allegiance

Board Study Session

Federal Race to the Top (RTTT) reforms

Public Comments – Policy (see above)

Action Item

- 1a. Approve California's Race to the Top Memorandum of Understanding (MOU) between the State of California and Fullerton School District.

Adjournment

ACTION ITEM

DATE: January 7, 2010

TO: Board of Trustees

FROM: Mitch Hovey, Ed.D., District Superintendent

PREPARED BY: Kathy Ikola, Assistant to the Superintendent

SUBJECT: APPROVE CALIFORNIA'S RACE TO THE TOP MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE STATE OF CALIFORNIA AND FULLERTON SCHOOL DISTRICT

Background: Race to the Top (RTTT) provides competitive grants to encourage and reward states that are creating the conditions for education innovation and reform; implementing ambitious plans in the four education reform areas described in the *American Recovery and Reinvestment Act of 2009 (ARRA)*; and achieving significant improvement in student outcomes, including making substantial gains in student achievement, closing achievement gaps, improving high school graduation rates, and ensuring that students are prepared for success in college and careers.

ARRA provides \$4.35 billion nationally for Race to the Top funding. California has been invited to participate and prepare a grant application to be submitted to the U.S. Department of Education by January 19, 2010. Local educational agencies (LEA's) in California have been invited to participate as partners with the State in its application. On December 18, 2009, Fullerton School District submitted its letter of intent to participate in California's RTTT. The State has also requested a Memorandum of Understanding from each LEA as a final requirement for participation in its application process. MOU's are due to the State no later than January 8, 2010.

Approval of California's Race to the Top MOU between the State of California and Fullerton School District indicates that the District would participate in implementing the State Plan in each of the areas identified below:

- 1) Standards and Assessments
- 2) Data Systems to Support Instruction
- 3) Great Teachers and Leaders
- 4) Turning Around the Lowest-Achieving Schools
- 5) Voluntary Elements
 - Science, Technology, Engineering, and Math (STEM)
 - Innovative Uses of Technology
 - Instruction for English Learners
 - Early Childhood Education
 - Afterschool Programs and Community Partnerships

Rationale: Partnering with California to implement the State Plan in each of the areas noted above aligns with the District's goals of improving student learning, closing achievement gaps, and promoting success for all students. It is an opportunity that supports the ongoing efforts of the Fullerton School District to promote "*Great Schools – Successful Kids.*"

Funding: Not applicable.

Recommendation: Approve California's Race to the Top Memorandum of Understanding (MOU) between the State of California and Fullerton School District.

MH:ki
Attachments

**California's Race to the Top
Fullerton School District
Memorandum of Understanding**

This Memorandum of Understanding ("MOU") is entered into by and between the State of California and Fullerton School District ("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 State in its implementation of an approved Race to the Top grant project.

I. SCOPE OF WORK

Exhibit I, the Preliminary Scope of Work, indicates the Participating LEA is agreeing to implement all of the State's proposed reform plans ("State Plan" listed in Exhibit I) should the State's application be approved by the U.S. Department of Education (ED).

II. PROJECT ADMINISTRATION

A. PARTICIPATING LEA RESPONSIBILITIES

In assisting the State in implementing the tasks and activities described in the State's Race to the Top application, the Participating LEA subgrantee:

1) As a condition for participating in and receiving an allocation of funds under the State's Race to the Top program, must enter into an agreement with the State that will describe more specifically the mutual responsibilities of the State and LEA for planning and implementing the State's plan. The agreement will include the final scope of work and must be produced in collaboration with the State after participation in statewide conversations with participating LEAs. The agreement must be provided to the State within 90 days of the Race to the Top award to the State and must be approved by the State.

The agreement will include a detailed work plan describing specific goals, activities timelines, budgets, key personnel, and annual targets for key performance measures. The work plan must be consistent with the LEA's preliminary scope of work in this Memorandum of Understanding, with the approved State plan, and with further guidance that the State may provide. The State will approve the LEA for funding based on the scope and quality of the workplan and the LEA's capacity to implement the plan and address at the local level significant elements of the State's approved plan in a meaningful and high quality way. The agreement between the State and the LEA will also detail the State's responsibilities for providing or coordinating technical assistance, professional development, and other support for

the LEA in carrying out these functions, and how the State and LEA activities will be sequenced.

2) Will implement the LEA Plan as identified in this MOU, including Exhibits I (See Attachment 2.) and II (the agreement to be reached consistent with Section II-A-1) of this agreement;

3) Will, over the course of the project, work in good faith with the State and other participating LEAs to identify needs for modifications to the project and to make appropriate modifications in order to achieve the core goals of the project;

4) Will actively participate in all relevant convenings, communities of practice, or other practice-sharing events that are organized or sponsored by the State or by the U.S. Department of Education (“ED”);

5) Will post to any website specified by the State or ED, in a timely manner, all non-proprietary products and lessons learned that were developed using funds under the Race to the Top grant;

6) Will participate, as requested, in any evaluations of this grant conducted by the State or ED;

7) Will be responsive to State or ED requests for information including on the status of the project, project implementation, outcomes, and any problems anticipated or encountered;

8) Will participate in meetings and telephone conferences with the State 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. STATE RESPONSIBILITIES

In assisting Participating LEAs in implementing their tasks and activities described in the State’s Race to the Top application, the State grantee will:

1) Work collaboratively with, and support the Participating LEA in carrying out the LEA Plan as identified in Exhibit I and in the agreement to be developed under Section II-A-1 above;

2) Timely distribute the LEA’s portion of Race to the Top grant funds during the course of the project period and in accordance with the LEA’s approved work plan described in Section II-A-1 above;

3) Provide feedback on the LEA's status updates, annual reports, any interim reports, and project plans and products; and

4) Provide or coordinate technical assistance, professional development, and support consistent with Section II-A-1 above.

C. JOINT RESPONSIBILITIES

1) The State and the Participating LEA will collaborate in good faith to ensure alignment and coordination of State and local planning and implementation activities in order to effectively and efficiently achieve the core goals of the State's plan, consistent with their respective roles under State law and policy.

2) The State and the Participating LEA will each appoint a key contact person for the Race to the Top grant.

3) These key contacts from the State and the Participating LEA will maintain frequent communication to facilitate cooperation under this MOU.

4) State and Participating LEA grant personnel will work together to determine appropriate timelines for project updates and status reports throughout the whole grant period.

5) State 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. STATE RECOURSE FOR LEA NON-PERFORMANCE

If the State determines that the LEA is not meeting its goals, timelines, budget, or annual targets or is not fulfilling other applicable requirements, the State grantee will take appropriate enforcement action, which could include a collaborative process between the State and the LEA, or any of the enforcement measures that are detailed in 34 CFR section 80.43 including, for example, 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 and will work to implement the entire State plan, as defined by the State, and consistent with Exhibit I;
- 3) Will provide a Final Scope of Work and detailed work plans consistent with Section II-A-1 above if the State's application is funded; will do so in a timely fashion but no later than 90 days after a grant is awarded; and will enter into an agreement with the State consistent with Section II-A-1 above; and
- 4) Will comply with all of the terms of the Grant, the State's subgrant, 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. MODIFICATIONS

This Memorandum of Understanding may be amended only by written agreement signed by each of the parties involved, and in consultation with ED.

V. DURATION/TERMINATION

This Memorandum of Understanding 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, upon termination for non-compliance, or upon mutual agreement of the parties, whichever occurs first.

Nothing in this Memorandum of Understanding shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or school district employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers. By way of the signatures below, the LEA and local collective bargaining representative agree to confer in good faith over matters within the scope of the MOU and agree further that those portions of the MOU subject to collective bargaining shall be implemented only upon the agreement of the LEA and the local collective bargaining representative.

Please submit a statement of intent to participate by December 31, 2009 by e-mail to info@caracetothetop.org.

Please submit a copy of the signed MOU in PDF format by e-mail to info@caracetothetop.org or by fax to the California Department of Education at 916-319-0100 on or before January 8, 2010.

VI. SIGNATURES

LEA Superintendent (or equivalent authorized signatory) - required:

Signature/Date

Print Name/Title

President of Local School Board (or equivalent, if applicable):

Signature/Date

Print Name/Title

Local Teachers Union Leader (if applicable):

Signature/Date

Print Name/Title

Authorized State Official (required)

By its signature below, the State hereby accepts the LEA as a Participating LEA.

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.

(In addition to this checklist, within 90 days of the announcement of the State's Race to the Top award, the LEA must provide an agreement to be known at Exhibit II, as described in Section II-A-1 of this MOU.)

Elements of State Reform Plan	LEA Participation Required Elements
A. Standards and Assessments	
(B)(3) Supporting the transition to enhanced standards and high-quality assessments by informing state standards about adopting the common core standards, informing the State in its transition to statewide implement of the common core standards, offering professional development related to new state curriculum, and piloting a new student growth accountability data.	Yes
B. Data Systems to Support Instruction	
(C)(3) Using data to improve instruction:	
(i) Implementing/enhancing and using a local instructional improvement system (see definition provided by the U.S. Department of Education) that provides teachers, principals, and administrators, with the information and resources they need to inform and improve their instructional practices, decision-making, and overall effectiveness	Yes
(ii) Offering professional development to teachers and school leaders related to using data to inform instructional improvement	Yes
(iii) Make data from the instructional improvement system available to researchers pending appropriate local approval of such data requests in order to	Yes

Elements of State Reform Plan	LEA Participation Required Elements
ensure the protection of student and employee rights to privacy	
(iv) Using formative assessments (either by using state-developed formative assessment items or using your LEA's formative assessments that are already aligned to state standards)	Yes
(v) Collecting and providing data elements required by Race to the Top (e.g., data related to the evaluation of teachers and leaders) as well as additional research-based data (e.g. student attendance data, teacher attendance data) to the State as collaboratively agreed to by the participating LEAs and the State	Yes
C. Great Teachers and Leaders	
(D)(2) Improving teacher and principal effectiveness based on performance:	
(i) Utilize the state-developed growth accountability model to measure student growth	Yes
(ii) Design/refine and implementing rigorous, transparent, and fair evaluation systems for teachers and principals that use multiple measures that include student growth as a significant factor and area designed with teacher and principal involvement	Yes
(iii) Conduct annual evaluations of teachers and principals and providing teachers and principals with data on student growth for their students, classes, and schools.	Yes
(iv)(a) Use evaluations to inform development of teachers and principals including providing relevant coaching, induction support, and/or professional development	Yes

Elements of State Reform Plan	LEA Participation Required Elements
(iv)(b) Use evaluations to inform decisions on compensation, promotion, and retention of teachers and principals, including by providing opportunities for highly effective teachers and principals to obtain additional compensation and be given additional responsibilities	Yes
(iv)(c) Use evaluations to inform decisions on tenure and/or full certification of teachers and principals using rigorous standards and streamlined, transparent and fair procedures	Yes
(iv)(d) Use evaluations to inform removal of ineffective teachers and principals who have had ample opportunities to improve, and ensure that such decisions are made using rigorous standards and streamlined, transparent, and fair procedures	Yes
(D)(3) Developing and implementing a plan to ensure equitable distribution of effective teachers and principals:	
(i) High-poverty and/or high-minority schools	Yes
(ii) Hard-to-staff subjects and specialty areas such as mathematics, science, and special education.	Yes
(D)(5) Providing effective support to teachers and principals which includes:	
(i) Providing effective, data-informed professional development, coaching, induction, and common planning and collaboration time to teachers and principals	Yes
(ii) Measuring and/or participating in evaluation of the effectiveness of these this professional development for teachers and principals	

Elements of State Reform Plan	LEA Participation Required Elements
D. Turning Around the Lowest-Achieving Schools	
(E)(2) If your LEA has one of the State's lowest-achieving schools, turn around these lowest-achieving schools using one of the four intervention models (i.e., turnaround model, restart model, school closure, or transformation model) as specified in the Race to the Top Application	Yes
(E)(3) For all LEAs, document LEA turnaround efforts to assist low-performing schools	Yes
State-Local Collaboration	
Collaboratively determining specific student achievement and program implementation benchmarks in an LEA and working with the State to reach these benchmarks in order to achieve district and statewide goals for student outcomes	Yes
Participating in statewide communities of practice; collaboration with an appropriate partner for capacity building and support; and participate in statewide or regional training opportunities on the four assurance area	Yes

In addition, LEAs are strongly encouraged to commit to one or more of the following priority initiatives in their preliminary scope of work:

Voluntary Elements	(Please indicate with a "Yes" or "No" those areas in which your district will also participate.)
<p>Address Science, Technology, Engineering, and Math (STEM) needs of students and staff by working with industry experts, museums, universities, research centers, and/or other STEM-capable community partners to</p> <ul style="list-style-type: none"> • Prepare and assist teachers in integrating STEM content across grades and disciplines; • Promote effective and relevant instruction; and/or • Offer applied learning opportunities for students. 	Yes
<p>Explore innovative uses of technology to improve learning, especially focused on all types of differentiated instruction.</p>	Yes
<p>Engage in a concerted effort to improve instruction for English learners, including building communities of practice and sharing promising practices.</p>	Yes
<p>Improve the quality of early childhood education by helping students better transition between preschool and kindergarten.</p>	Yes
<p>Build on afterschool programs and community partnership efforts as a means to increase learning time, especially among low performing schools.</p>	Yes
<p>Develop multiple pathways for students in High School and additional Career Technical Education options.</p>	N/A