



Massachusetts Department of Elementary and Secondary Education

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December 11, 2009

Dear District Leader,

We are all grappling with the realities of the state's difficult economy. Budgets have been cut and cut again, and early predictions show that the next fiscal year may be worse. As a result, we have had to set aside many new initiatives to ensure funding remains to keep our schools afloat. Difficult economy or not, our children need to continue to learn.

Earlier this year, President Obama launched an extraordinary opportunity for states to move forward on ground-breaking, transformative ideas in education that would be otherwise cost prohibitive. The federal Race to the Top (RTTT) grant is a competitive, \$4.35 billion education reform program enacted as part of the American Recovery and Reinvestment Act (ARRA). This could result in an award of up to \$250 million in additional federal dollars for Massachusetts.

But the money is not meant only for the state – it is meant for use in the districts to build capacity for continued change, so that when the federal dollars are gone, the work it has funded can be sustained and continue to grow. At least half of the grant award will go to districts that sign a Memorandum of Understanding (MOU) and commit to implement the initiatives in our proposal. Each MOU must be signed by the LEA leader, union president and School Committee chair. The more districts that sign, the more points our proposal will receive in the final scoring process.

We have been at work for months to develop a bold, yet achievable proposal that will make the Commonwealth stand out among the other states, and many of you have participated in our webinars, regional forums and conference calls. Our focus has been on developing forward-thinking initiatives that will turn around our lowest-achieving schools and districts, put great teachers and leaders in every school and classroom, and ensure that all students are provided with the education they need to succeed in the 21st century.

The Massachusetts MOU is attached to this letter, and includes details about the initiatives included in our proposal. Please review it carefully, and let us know if you have any questions. We aim to have all of the MOUs signed and collected by January 13, 2010.

I recognize that some of what is contained in this proposal may seem challenging or controversial and may prompt some difficult conversations. I encourage all parties to work to reach consensus so that you can join us in this unique opportunity to move the state's education reform efforts forward in a dramatic, transformative way.

Sincerely,

Mitchell D. Chester, Ed.D.
Commissioner of Elementary and Secondary Education

OVERVIEW OF MASSACHUSETTS RACE TO THE TOP PROPOSAL AND MOU

The Race to the Top Opportunity: Massachusetts is competing in Race to the Top – a competitive \$4.35 billion education reform program enacted as part of the American Recovery and Reinvestment Act (ARRA). It offers an unprecedented level of supplemental funding to a limited number of states and their participating Local Education Agencies (LEAs) to pursue transformational reform. Initial guidance from the U.S. Department of Education (“ED”) has indicated that Massachusetts could qualify for up to \$250 million over four years. At least half of the state's grant will flow to LEAs that agree to implement initiatives in the state's proposal.

While Race to the Top presents us all with a tremendous opportunity, it also creates challenges. ED has asked us to set bold, yet achievable goals across four “assurance” areas to demonstrate that the state and its participating LEAs are taking a systemic approach to education reform. ED will only consider states with strong commitments from participating LEAs that have signed a Memorandum of Understanding (MOU) (see Attachment 2 for ED guidance). It made clear that states in which participating LEAs “implement all or significant portions of the state’s Race to the Top plans” will score higher than those where the local LEA commitment is piecemeal. The ED also released a model MOU to clarify the strong partnership that states and participating LEAs are expected to create.

ED has signaled that in the future other federal education grants are likely to mirror the requirements of Race to the Top for LEAs to “sign on” to specific assurances. One example is the criteria for the Title I “G” School Improvement Grants. It requires LEAs to commit to using the same measures of teacher and leader effectiveness that are a requirement in Race to the Top. Participating in Massachusetts’ Race to the Top proposal provides LEAs the up front opportunity to influence how these reforms take shape in Massachusetts schools.

Massachusetts’ proposal and MOU: Over the past several months, ESE leadership and staff have developed an initial set of Race to the Top initiatives, anchored in the Governor’s existing Readiness Agenda and shaped by input from stakeholders across the state. In order to be a strong competitor for Race to the Top funding, Massachusetts is asking all participating LEAs to commit to the following initiatives in its plan:

- Improving teacher and principal effectiveness based on performance
- Ensuring effective teachers and leaders in every school and classroom
- For LEAs with level 4 and 5 schools, turning around the lowest-achieving schools
- Using data to improve instruction (integral to implementing all the initiatives in MA’s plan successfully)

Participating LEAs are also strongly encouraged to commit to participating in Massachusetts’ plans to:

- Roll out a statewide P-12 Teaching and Learning System
- Increase college and career readiness

If awarded Race to the Top funds, Massachusetts expects to invest state-level dollars in these initiatives through several channels, including one-time investments in the development of new tools and infrastructure; cost-sharing grants to support selected participating LEAs that volunteer as pilot or start-up sites for the initiatives; competitive grants/incentives for LEAs; grants to non-Title I LEAs to support participation in relevant RTTT initiatives. In turn, the state expects LEAs to invest funds in local projects related to the initiatives and to develop a plan to fund ongoing costs associated with these investments after the life of the grant.

The Massachusetts MOU is a commitment to implementing the state’s plan and outlines general roles and responsibilities for the state and for LEAs. If MA’s application is approved in April 2010, participating LEAs will have 90 days to develop and submit a final Race to the Top grant application with a locally customized work plan that is consistent with Massachusetts’ proposal.

In order to participate in Race to the Top funding, LEAs must submit signed MOUs **no later than** January 13, 2010. LEAs that do not sign-on to the MOU and submit it by this date will not have an opportunity to receive funds if Massachusetts is awarded a Race to the Top grant. Signed MOUs should be delivered to:

Heidi Guarino
Chief of Staff
Massachusetts Department of Elementary & Secondary Education
75 Pleasant Street
Malden, MA 02148-4906

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (“MOU”) is entered into by and between The Massachusetts Department of Elementary and Secondary Education (“Massachusetts” or the “state”) and _____ (“participating LEA”). This agreement establishes a framework of collaboration, roles and responsibilities in support of Massachusetts in its implementation of an approved Race to the Top grant project.

I. PRELIMINARY SCOPE OF WORK

This Preliminary Scope of Work indicates which portions of Massachusetts’ proposed reform plans the participating LEA is agreeing to implement. The initiatives listed below track to the criteria in the federal RFP. See Attachment 1 for a draft summary of MA’s proposal for each of these initiatives, including the role of the LEA in each initiative.

The participating LEA is committing to implementing Massachusetts’ plan to:

- **Improve teacher and principal effectiveness based on performance: LEAs will:**
 - In collaboration with ESE, design and implement evaluation systems that incorporate multiple measures of effectiveness including significant attention to student growth (see Attachment 3 for definition)
 - Conduct annual evaluations and use evaluations to inform professional development and decisions around compensation, promotion, retention, professional teaching status (tenure) and removal
 - Provide effective support to teachers and principals in the form of high-quality professional development, and measure the effectiveness of that professional development
 - Collect and report aggregate effectiveness data and submit to the state annually
- **Ensure effective teachers and leaders in every school and classroom: The state will** expand and strengthen a pipeline of diverse and highly effective teachers and leaders, particularly in science, technology, engineering, and mathematics; special education, and English language learners. **LEAs will** work with the state to access this pipeline to help them achieve an equitable distribution of effective teachers and leaders across their schools.
- **Turn around the lowest-achieving schools (only for LEAs with level 4 or 5 schools):** With support provided by the state, **LEAs will** implement one of four school intervention models:
 - Turnaround model (replace up to 50% of staff)
 - Restart model
 - School closure
 - Transformation model (provided that an LEA with more than nine level 4 or 5 schools may not use the transformation model for more than 50 percent of its schools)
- **Use data to improve instruction:** Integral to implementing all the initiatives in Massachusetts’ plan successfully, **LEAs will:**
 - Support educator access to timely data about student learning and professional development on use of that data to improve instruction
 - Cooperate with the state to make available appropriate data for research and program evaluation

The state also strongly encourages the participating LEA to commit to participating in Massachusetts’ plan to:

- | | <u>LEA participation (Y/N)</u> |
|---|--|
| • <u>Roll out statewide P-12 Teaching and Learning System: LEAs are encouraged to</u> partner with the state to develop and implement a new P-12 Teaching and Learning System aligned to the Common Core of standards, including: <ul style="list-style-type: none">○ Summative, benchmark, formative assessments and curriculum-embedded performance tasks○ Exemplar curricula and instructional units○ Educator professional development○ Innovative technology solutions | <div style="border: 1px solid black; height: 100px; width: 100%;"></div> |
| • <u>Increase college and career readiness: LEAs are encouraged to</u> partner with the state to develop and implement new programs, supports or incentives (such as International Baccalaureate middle and high schools, early college/dual enrollment programs, and an enhanced Adams Scholarship) to improve students’ preparation for college and careers | <div style="border: 1px solid black; height: 50px; width: 100%;"></div> |

II. PROJECT ADMINISTRATION

A. PARTICIPATING LEA RESPONSIBILITIES

To assist Massachusetts in implementing the initiatives and achieving the goals described in Massachusetts' Race to the Top application, the participating LEA will:

1. Implement the initiatives according to a Final Scope of Work proposed by the LEA in a manner that is consistent with the Preliminary Scope of Work above and with Massachusetts' Plan
2. 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");
3. Post to any website specified by the state or ED, in a timely manner, all non-proprietary products and lessons learned developed using funds associated with the Race to the Top grant;
4. Participate, as requested, in any evaluations of this grant conducted by the state or ED;
5. 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;
6. 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

To support and collaborate with participating LEAs in implementing their tasks and activities described in Massachusetts' Race to the Top application, the state will:

1. Work collaboratively with and support the participating LEA in carrying out the Final Scope of Work;
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 Plan identified in Exhibit II;
3. Provide feedback on the LEA's status updates, annual reports, any interim reports, and project plans and products; and
4. Identify sources of technical assistance for the project.

C. JOINT RESPONSIBILITIES

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

D. STATE RECOURSE FOR LEA NON-PERFORMANCE

If Massachusetts determines that the LEA is not meeting its goals, timelines, budget, or annual targets or is not fulfilling other applicable requirements, the state 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 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 Massachusetts' Race to the Top grant application and is supportive of and committed to working on all or significant portions of Massachusetts' Plan;
3. Agrees to be a participating LEA and, if the application is funded, the signatories agree to work together in good faith to implement those portions of Massachusetts' Plan indicated in the Preliminary Scope of Work. Nothing in this MOU shall be construed to override any rights or duties as provided by collective bargaining law or collective bargaining agreements. The LEA and the local collective bargaining agent agree to negotiate in good faith, and those portions subject to collective bargaining shall be implemented only upon the agreement of the LEA and local collective bargaining agent.

4. Will provide a Final Scope of Work to be attached to this MOU only if Massachusetts' application is funded; will do so in a timely fashion but no later than 90 days after a grant is awarded; and 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 and with Massachusetts' Plan; and
5. Will comply with all of the terms of the Grant, the State 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, or upon mutual agreement of the parties, whichever occurs first.

VI. SIGNATURES

Signed MOUs must be submitted to the Massachusetts Department of Elementary and Secondary Education by no later than January 13, 2010.

LEA Superintendent (or equivalent authorized signatory) - required:

Signature/Date

Print Name/Title

Chair of the Local School Committee (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

ATTACHMENTS

ATTACHMENT 1 – DRAFT SUMMARY OF MA’S RACE TO THE TOP PROPOSAL

The descriptions below provide LEAs with explanations of which RTTT criteria Massachusetts’ initiatives address, and the state and LEA’s role in implementation.

All participating LEAs commit to implementing Massachusetts’ plan to:

- Improve teacher and principal effectiveness based on performance: Massachusetts will create a statewide system to measure teacher and principal effectiveness via multiple measures (anchored in student performance), and develop new tools, approaches, and policies to strengthen LEA and state educator development.
 - RTTT criteria: (D)(2) Improving teacher and principal effectiveness based on performance
 - **The state will:**
 - Collaborate with LEA leaders, unions, higher education and national experts to develop multiple measures of teacher and principal effectiveness, anchored in student performance
 - Provide assistance and, when feasible and appropriate, start-up funds to selected LEAs and develop model contracts, evaluation systems, career ladders, peer coaching, and professional development approaches
 - Develop and launch a statewide performance-based, tiered licensure system for teachers and principals based on measures of effectiveness and new educator roles
 - Revise evaluation and induction guidelines
 - Create new tools for assessing and monitoring the effectiveness of professional development and connecting it more closely to professional practice, evaluation, and licensure
 - **LEAs will:**
 - Partner with the state in developing effectiveness measures, including multiple measures of effectiveness and significant attention to student growth
 - Design and implement local evaluation systems based on those measures of effectiveness
 - Conduct annual evaluations and use evaluations to inform professional development and decisions around compensation, promotion, retention, professional teaching status (tenure), and removal
 - Provide effective support to teachers and principals in the form of high-quality professional development and measure the effectiveness of that professional development
 - Collect and report aggregate effectiveness data and submit to the state annually
- Ensure effective teachers and leaders in every school and classroom: Massachusetts will expand and strengthen a pipeline of diverse and highly effective teachers and leaders, particularly in science, technology, engineering, and mathematics; special education, and English language learners, and ensure their equitable distribution across the state and across schools.
 - RTTT criteria: (D)(3) Ensuring equitable distribution of effective teachers and principals and (D)(5) Providing effective support to teachers and principals
 - **The state will:**
 - Publish “Status of Educator Workforce” Report annually with data on supply, demand and distribution
 - Create statewide recruitment and preparation initiatives, and invest in practice-based preparation programs focused on diversity, hard-to-staff subjects and schools
 - Hold prep programs (both traditional and alternative) accountable for developing effective educators and expand highest quality programs
 - Promote equitable distribution of effective educators via the collaborative development of new strategies and incentives in concert with unions, LEAs, and other stakeholders
 - Build and sustain capacity of the 6 regional Readiness Centers and DSACs to support high-quality professional development, induction support and human resource management
 - **LEAs will** work with ESE to access this pipeline to help achieve an equitable distribution of effective teachers and leaders across their schools.
- Turn around MA’s lowest-achieving schools (only for LEAs with level 4 or 5 schools): Massachusetts will build LEA capacity to prevent schools from entering into levels 4 and 5 and to sustain progress, create a selective corps of teachers and leaders committed to turning around schools, and provide intensive social supports to struggling schools.
 - RTTT criteria: (E)(2) Turning around the lowest-achieving schools
 - **The state will:**
 - Help fund partners to train and consult with level 3 and 4 districts on turnaround work; Increase availability of social/health services in lowest performing schools

- Launch a new statewide program to place specially trained turnaround teachers and leaders in the lowest-achieving schools
 - Identify and help fund proven high school models, e.g., STEM Early College High Schools, International Baccalaureate, AP/Pre-AP programs, and hybrid online courses
 - **LEAs will implement one of four school intervention models:**
 - Turnaround model (replace up to 50% of staff)
 - Restart model
 - School closure
 - Transformation model (provided that an LEA with more than nine level 4 or 5 schools may not use the transformation model for more than 50 percent of its schools)
- Use data to improve instruction: Integral to implementing all other initiatives successfully, Massachusetts will strengthen and expand data use to ensure that all educators are able to access, analyze, interpret and use data for continuous improvement and informed decision making. It will help provide schools and LEAs with data tools, resources and training to support the implementation of Massachusetts' RTTT plan
 - RTTT criteria: (C)(3) Using data to improve instruction
 - **The state will:**
 - Continue to build out the state's longitudinal data system (LDS) and the state-level infrastructure for system interoperability (SIF), with emphasis on increased access to and usability of timely, relevant data for teachers and school leaders
 - Invest in training for LEAs, school leaders and teachers to ensure successful implementation of data platform, tools and resources required to implement the state's teaching and learning system
 - Continue to provide local and national researchers with access to Massachusetts's data and invest in research projects tied to measuring and enhancing the impact of the state's five key initiatives
 - **LEAs will:**
 - Support educator access to timely data about student learning and professional development on use of that data to improve instruction
 - Cooperate with the state to make available appropriate data for research and program evaluation

The state also strongly encourages the participating LEA to commit to participating in Massachusetts' plan to:

- Roll out statewide P-12 Teaching and Learning System: Aligned to the Common Core of standards, this system will include summative, benchmark, formative assessments and curriculum-embedded performance tasks, exemplar curricula and instructional units, professional development, and innovative technology solutions
 - RTTT criteria: (B)(3) Supporting the transition to enhanced standards and high-quality assessments
 - The state will lead a collaboration of LEAs and national experts to design and implement the system statewide; includes funding for one-time infrastructure and subsidies for selected LEAs to roll out
 - **LEAs are encouraged to:**
 - Partner with the state and national experts to develop benchmark and curriculum-embedded performance tasks, exemplar curricula, instructional units with matching formative assessments
 - Support educator access to state-developed training and assistance, both face-to-face and online
 - Integrate local systems with state systems so that educators have timely access to data
- Increase college and career readiness: Enhance MA's standards to include more rigorous definition of college and career readiness, in particular for STEM, and invest in new programs, supports and incentives to drive achievement of these standards
 - RTTT criteria: (B)(3) Supporting the transition to enhanced standards and high-quality assessments
 - **The state will:**
 - Enhance the Adams Scholarship to serve as a rigorous standard of college and career readiness
 - Activate the state's "Certificate of Occupational Proficiency" and create incentives for attainment
 - Provide start-up funding, teacher training and technical assistance for selected LEAs to expand rigorous college and career pathways, e.g., by creating new International Baccalaureate middle and high schools (with a focus on level 3 districts) or expanding early college/dual enrollment programs, in particular for STEM
 - Engage Readiness Centers to convene K-12 (particularly HS) educators, college faculty, businesses, and the Department of Higher Education
 - **LEAs are encouraged to partner with the state to develop and implement the programs, supports and incentives described above**

ATTACHMENT 2 – ED BACKGROUND ON MEMORANDUM OF UNDERSTANDING

(Excerpt from Appendix D in the ED Notice of Final Priorities, Requirements, Definitions, and Selection Criteria; and in the Notice Inviting Applications)

Participating LEAs (as defined in the ED Notice of Final Priorities) in a State’s Race to the Top plans are required to enter into a Memorandum of Understanding (MOU) or other binding agreement with the State that specifies the scope of the work being implemented by the participating LEA.

To support States in working efficiently with LEAs to determine which LEAs will participate in the State’s Race to the Top application, the U.S. Department of Education (“ED”) has produced a model MOU, which is attached (in the ED Notice of Final Priorities). This model MOU may serve as a template for States; however, States are not required to use it. They may use a different document that includes the key features noted below and in the model, and they should consult with their State and local attorneys on what is most appropriate for their State that includes, at a minimum, these key elements.

The purpose of the model MOU is to help to specify a relationship that is specific to Race to the Top and is not meant to detail all typical aspects of State/LEA grant management or administration. At a minimum, a strong MOU should include the following, each of which is described in detail below: (i) terms and conditions; (ii) a scope of work; and, (iii) signatures.

(i) Terms and conditions: Each participating LEA should sign a standard set of terms and conditions that includes, at a minimum, key roles and responsibilities of the State and the LEA; State recourse for LEA non-performance; and assurances that make clear what the participating LEA is agreeing to do.

(ii) Scope of work: MOUs should include a scope of work (included in the model MOU as Exhibit I) that is completed by each participating LEA. The scope of work must be signed and dated by an authorized LEA and State official. In the interest of time and with respect for the effort it will take for LEAs to develop detailed work plans, the scope of work submitted by LEAs and States as part of their Race to the Top applications may be preliminary. Preliminary scopes of work should include the portions of the State’s proposed reform plans that the LEA is agreeing to implement. (Note that in order to participate in a State’s Race to the Top application an LEA must agree to implement all or significant portions of the State’s reform plans.)

If a State is awarded a Race to the Top grant, the participating LEAs will have up to 90 days to complete final scopes of work (which could be attached to the model MOU as Exhibit II), which must contain detailed work plans that are consistent with the preliminary scope of work and with the State’s grant application, and should include the participating LEA’s specific goals, activities, timelines, budgets, key personnel, and annual targets for key performance measures.

(iii) Signatures: The signatures demonstrate (a) an acknowledgement of the relationship between the LEA and the State, and (b) the strength of the participating LEA’s commitment.

- With respect to the relationship between the LEA and the State, the State’s counter-signature on the MOU indicates that the LEA’s commitment is consistent with the requirement that a participating LEA implement all or significant portions of the State’s plans.
- The strength of the participating LEA’s commitment will be demonstrated by the signatures of the LEA superintendent (or an equivalent authorized signatory), the president of the local school board (or equivalent, if applicable) and the local teacher’s union leader (if applicable).

ATTACHMENT 3 – ED DEFINITIONS FROM THE RACE TO THE TOP APPLICATION

Effective principal means a principal whose students, overall and for each subgroup, achieve acceptable rates (*e.g.*, at least one grade level in an academic year) of student growth (as defined in the ED Notice of Final Priorities). States, LEAs, or schools must include multiple measures, provided that principal effectiveness is evaluated, in significant part, by student growth (as defined in the ED Notice of Final Priorities). Supplemental measures may include, for example, high school graduation rates and college enrollment rates, as well as evidence of providing supportive teaching and learning conditions, strong instructional leadership, and positive family and community engagement.

Effective teacher means a teacher whose students achieve acceptable rates (*e.g.*, at least one grade level in an academic year) of student growth (as defined in the ED Notice of Final Priorities). States, LEAs, or schools must include multiple measures, provided that teacher effectiveness is evaluated, in significant part, by student growth (as defined in the ED Notice of Final Priorities). Supplemental measures may include, for example, multiple observation-based assessments of teacher performance.

Instructional improvement systems means technology-based tools and other strategies that provide teachers, principals, and administrators with meaningful support and actionable data to systemically manage continuous instructional improvement, including such activities as: instructional planning; gathering information (*e.g.*, through formative assessments (as defined in the ED Notice of Final Priorities), interim assessments (as defined in the ED Notice of Final Priorities), summative assessments, and looking at student work and other student data); analyzing information with the support of rapid-time (as defined in the ED Notice of Final Priorities) reporting; using this information to inform decisions on appropriate next instructional steps; and evaluating the effectiveness of the actions taken. Such systems promote collaborative problem-solving and action planning; they may also integrate instructional data with student-level data such as attendance, discipline, grades, credit accumulation, and student survey results to provide early warning indicators of a student's risk of educational failure.

Student achievement means—

- (a) For tested grades and subjects: (1) a student's score on the State's assessments under the ESEA; and, as appropriate, (2) other measures of student learning, such as those described in paragraph (b) of this definition, provided they are rigorous and comparable across classrooms.
- (b) For non-tested grades and subjects: alternative measures of student learning and performance such as student scores on pre-tests and end-of-course tests; student performance on English language proficiency assessments; and other measures of student achievement that are rigorous and comparable across classrooms.

Student growth means the change in student achievement (as defined in the ED Notice of Final Priorities) for an individual student between two or more points in time. A State may also include other measures that are rigorous and comparable across classrooms.