



COLORADO DEPARTMENT OF EDUCATION

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Dwight D. Jones
Commissioner of Education

Robert K. Hammond
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Kenneth R. Turner
Deputy Commissioner

MEMORANDUM

Date: February 19, 2009
To: Members of the Joint Education Committee
From: Dwight D. Jones, Commissioner of Education
Re: Summary of PreK-12 Provisions and CDE Priorities in the ARRA of 2009

The ARRA presents a vital opportunity for Colorado to make strategic investments in our educational system that promise to pay dividends in improved student outcomes for years to come.

As you requested, the following is a brief analysis of the PreK-12 provisions in the American Reinvestment and Recovery Act of 2009 (ARRA) prepared by my staff. Please note that the numbers in the document are estimates based on the best available information today.

The Colorado Department of Education and the State Board of Education are committed to taking full advantage of this opportunity and to working closely with the legislature and Governor to maximize the resources brought to Colorado. Specific priorities identified by the Department and the State Board of Education for the stimulus funds, including State Incentive Grants, formula grants, and discretionary grants, include the following:

1. Modernizing data and performance management systems, including teacher identifier, Colorado Growth Model, education technology and broadband connectivity
2. Updating Colorado's standards and assessments, including formative assessment
3. Investing in teacher and leadership quality, including recruitment, training and, retention and career advancement
4. Strengthening school improvement strategies and turnaround support for struggling schools and districts
5. New school development and innovation, including partnerships with nonprofits with proven approaches

As the additional details of ARRA funding unfold, CDE staff will continue to work with the governor's office and you to maximize these resources for Colorado. Associate Commissioner Rich Wenning is monitoring this bill for me. Please direct any comments to him at wenning_r@cde.state.co.us or 303-866-6764.

American Reinvestment and Recovery Act – PreK-12 Summary

On February 17, 2009 in Denver, President Obama signed the Act into law.

Total new appropriations in Division A of the Act¹: \$311 billion (est. \$2 billion for Colorado), most of which will be available during school years 2009-10 and 2010-11

Total education spending: \$53.6 billion (est. \$900 million for CO)

State Stabilization Fund: \$53,600,000,000 for FY 2010, including \$39.5 billion for Pre K-20 (est. \$760.2 million for CO). Governors apply for these funds and provide assurances. Includes estimated \$611.5 million for CO school districts and public colleges and universities. Purpose is to restore education spending to 2008 or 2009 levels.

State Incentive Grants for Education: \$5 billion. Governors apply to Secretary of Education for these funds and provide assurances. Colorado is well-positioned to meet criteria and receive a portion of these funds, given our work with CAP4K, quality data systems and current accountability alignment and teacher identifier legislation. **Possible opportunities for Colorado:** e.g., data and performance management systems, teacher identifier systems, statewide IEP system, standards and assessment, teacher quality, new school development.

Education Innovation Fund - Achievement Awards: \$650 million. Provides grants for school districts or partnerships between nonprofit organizations and LEAs or one or more schools. Potential for partnerships related to teacher quality, leadership development, new school development (e.g., math and science academy, relationships with education service providers to scale effective school designs and school networks).

ESEA Title I formula grants (targeted and incentive): \$10 billion (est. \$110.9 million for CO)

ESEA Title I School Improvement Grants: \$3 billion (est. \$30 million for CO)

- *Opportunity to invest in school improvement and turnaround strategy:* New Title I resources will allow strategic investment in school improvement efforts, including with external partners and potential expansion of Title I resources to secondary schools (given encouragement to use 40% of school improvement allocation for middle and high schools).

Special Education State Grants: \$12.2 billion (est. \$148.7 million for CO)

Part B Grants to States: 11.3 billion (est. \$148.7 million for CO), **Part B Preschool Grants:** \$400 million (est. \$5.3 million for CO), **Part C Grants for Infants and Families:** \$500 million (est. \$7 million for CO)

Vocational Rehabilitation State Grants: \$540 million (est. \$7.3 million for CO)

Independent Living: \$140 million for Independent Living (est. \$242,913 for CO)

¹ The ARRA includes Division A – Appropriations Provisions and Division B – Tax, Unemployment, Health, State Fiscal Relief, and Other Provisions.

Impact Aid: \$100 million. Note: the conferees modified current law to allow for greater participation of school districts impacted by both students whose parents are with military and residing on tribal lands, and to allow funding to be better targeted to districts that have “shovel ready” facility projects.

Education for Homeless Children and Youth: \$70 million with state grants proportionate to number of homeless students identified during 2007-2008 school year.

Enhancing Education through Technology (ESEA Title II Part D-1): \$650 million (est. \$7 million for CO)

Teacher Incentive Fund (ESEA Title V, Part D Subpart 1): \$200 million (competitive grant)

Statewide Data Systems: \$250 million (competitive grant). CDE should be well positioned to apply for this and leverage State Incentive Grants in this area as well.

School Modernization and Repair: Part of Stabilization Fund.

Assurances, Requirements, and Other Items of Interest

State Fiscal Stabilization Fund: Governors must provide assurances that the State will: in each of fiscal years 2009, 2010, 2011, maintain State support for elementary, secondary, and public postsecondary education at least at levels for 2006, and address 4 key areas: (1) achieve equity in teacher distribution, (2) establish a longitudinal data system that includes the elements in the America Competes Act, (3) enhance the quality of academic standards and assessments, and (4) ensure compliance with corrective actions for low-performing schools.

State Incentive Grants: Each state receiving an Incentive Grant shall use at least 50% of its grant to provide subgrants based on their most recent relative Title I allocations.

LEA requirements: Each school district that receives funding shall report to its SEA, a school-by-school listing of per pupil expenditures, from State and local services, during the 2008-2009 academic year, no later than December 1, 2009. States shall compile and submit this information to the Secretary of Education no later than March 1, 2010.

Sec. 1554. Special Contracting Provisions. (Subtitle D – Additional Accountability and Transparency Requirements). The conference report includes a modification of a provision proposed by the House specifying that to the maximum extent feasible, contracts using funds in this Act shall be awarded as fixed-price contracts through competitive procedures.

Sec. 1552. Set-Aside for State and Local Government Reporting and Recordkeeping (Subtitle D – Additional Accountability and Transparency Requirements). The conference agreement includes new language allowing agencies to reasonably adjust limits on administrative expenditures for federal grants to help recipients defray costs of data collection requirements under this ACT.

Elements Required by the America Competes Act for Statewide P-16 Education Data Systems

- (1) For preschool through grade 12 and postsecondary education:
 - a. A unique statewide student identifier that does not permit a student to be individually identified by users of the system;
 - b. Student-level enrollment, demographic and program participation information;
 - c. Student-level information about the points at which students exit, transfer in, transfer out, drop out, or complete P-16 education programs;
 - d. The capacity to communicate with higher education data systems; and
 - e. A State data audit system assessing data quality, validity, and reliability.
- (2) For preschool through grade 12:
 - a. Yearly test records of individual students with respect to Title I statewide assessments;
 - b. Information on students not tested by grade and subject;
 - c. A teacher identifier system with the ability to match teachers to students;
 - d. Student-level transcript information, including information on courses completed and grades earned; and
 - e. Student-level college readiness test scores.
- (3) For postsecondary education:
 - a. Information regarding the extent to which students transition successfully from secondary school to postsecondary education, including whether students enroll in remedial coursework; and
 - b. Other information determined necessary to address alignment and adequate preparation for success in postsecondary education.