OFFICE OF PUBLIC INSTRUCTION
STATE OF MONTANA

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August 21, 2009

Office of Elementary and Secondary Education
Attention: Race to the Top Fund Comments
U.S. Department of Education
400 Maryland Avenue, SW
Room 3W329
Washington, DC 20202

RE: Docket ID ED-2009-OESE-0006

To Whom It May Concern:

Thank you for the opportunity to provide comments on the proposed priorities, requirements, definitions, and selection criteria for the Race to the Top Fund (RTTT).

Proposed Priority 1: Absolute Priority- Comprehensive Approach to the Four Education Reform Areas

As indicated in my comments submitted previously to the U.S. Secretary of Education, I support the four key priorities of education reform promoted in the American Recovery and Reinvestment Act. These key areas include Achieving Equity in Teacher Distribution, Improving Collection and Use of Data, Standards and Assessment, and Supporting Struggling Schools. (The link to my letter dated July 28, 2009 is http://opi.mt.gov/PDF/Supt/Charter%20School%20Letter%20to%20Duncan.pdf.) However, it would be very difficult for a small state such as Montana to simultaneously address all four areas in a comprehensive way. Flexibility should be added to give credit to states for addressing each of the reform areas in varying degrees of intensity and completeness at the time of application rather than expecting comprehensive approaches in all four areas to already be in place.

Proposed Selection Criteria

General Comment on the Performance Measures

Many of the proposed performance measures are based on past actions that states may or may not be able to demonstrate. In fact, 19 of the 35 proposed performance measures state "Not applicable – this criterion is about past State Reform Conditions, not future plans." This puts many states at a disadvantage to compete. While this may be intended to spur faster reform, it may have the opposite effect in that barriers and obstacles which

have prevented past action become insurmountable without additional resources (not dictates) from the federal level.

A. Standards and Assessment
Requiring states, in advance of applying for RTTT, to adopt a common set of K-12 standards requires a commitment by the state before the product is known. We recommend revising the timelines related to adopting assesments aligned to common standards as those timelines must accurately reflect the state's ability to work with stakeholders and state procurement processes.

B. Data Systems to Support Instruction
After several attempts to secure IES funding, Montana was recently awarded a $5.7 million federal grant for four years to build a data warehouse and improve our data governance/management structures, policies and practices. If we are able to secure additional federal grant resources, Montana should be able to meet the goals of the America COMPETES Act, but we do not currently have it in place and it will not be complete by September 30, 2011 (as the State Fiscal Stabilization Fund Phase 2 requires). We urge the U.S. Department of Education to recognize in its regulations and timelines that these system developments need to be sequenced in a manner that provides for adequate planning processes and implementation phases.

C. Great Teachers and Leaders
The criteria stated for alternative routes for certification of teachers and principals again relies on past state reform actions that may not have been deemed desirable by some states due to lack of evidence as to effectiveness of these approaches.

The requirement to differentiate teacher and principal effectiveness based on performance is untenable to the Montana education system. The evaluation of teachers and principals in a public school system is more complex than the posting of ratings on a web page. Montana has 423 operating school districts with only 142,078 students, 10,559 teachers, and 520 principals. Montana also has a strong constitutional tradition of local control, which extends to teacher and administrator hiring, termination, and evaluation. The state education agency does not attempt to collect school evaluation tools nor do we intend to spend valuable personnel time doing so as we are a small state education agency that works with very small rural/frontier schools. This type of collection is an undue burden at both the state and local level. I believe that an enormous amount of time and energy will be invested in this effort with no direct connection to improving student achievement.

Montana is currently unable to meet the requirements to estimate the impact of an individual teacher on student achievement; link information regarding the extent to which students transition successfully from secondary school to postsecondary education, including whether students enroll in remedial coursework; supply student-level transcript information, including information on courses completed and grades earned; access and integrate student-level college readiness test scores; and analyze the appropriateness and effectiveness of testing accommodations for students with disabilities and for limited

English proficient students. Also, linking teacher performance to student academic outcomes may create unintended consequences for good education practice that reaches all students. This particular data link should be more thoroughly researched before implementation to ensure it is good practice that leads to academic success for all students. Lastly, there are no mechanisms currently for linking student achievement to the credentialing programs of student's teachers and principals. This requirement is totally unrealistic to achieve within a reasonable period of time.

D. Turning Around Struggling Schools
First, please see attached letter previously sent to the U.S. Department of Education regarding charter schools at http://opi.mt.gov/PDF/Supt/Charter%20School%20Letter%20to%20Duncan.pdf. We recommend a focus on innovation rather than an overly prescriptive focus on charter schools.

Additionally, Montana cannot close schools in the areas where turnaround efforts are needed. The schools in most need of support are in very rural/frontier areas and there is not an alternative system that can be established if a school were to close. As it currently stands, we cannot find supplemental education service providers to launch any services in those areas, much less find any companies to set up a new school.

It is also not feasible to terminate and replace current staff at those schools. These schools struggle with recruitment and high turnover already. Resources are sparse in rural /frontier communities. We need to focus on assisting the public school system and the local community in their efforts to build challenging academic programs and learning supports for students. The Office of Public Instruction is engaged in internal teamwork about turning around our lowest performing schools. This plan will be context-based to our state and local communities. It will not include requiring charter schools, opening a new school, or creating new staffing schemes because these activities simply won't work in our rural/frontier state. Therefore, we urge the consideration of alternatives to the prescriptive language to turnaround efforts in the proposed criteria.

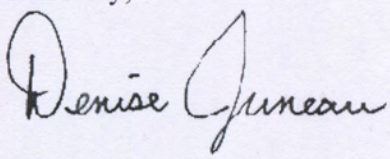
E. Overall Selection Criteria
Much of this section is based on past actions that states may or may not be able to demonstrate. We cannot change the past; we can only go forward with productive plans to improve the future.

The use of NAEP as the determiner of student progress presents at least three problems:

- this moves away from our state standards-based approach and NAEP's limited alignment with state standards is problematic;
- the structure of NAEP only allows for use at the broad state level; this creates a problem in directing resources to schools whose scores negatively impact the overall state average;
- it seems problematic that NAEP does not have an alternate assessment for children with significant cognitive disabilities.

Thank you again for the opportunity to comment on the proposed regulations for the RTTT. I look forward to your response to the comments received from states and school systems.

Sincerely,



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