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# Sprinting to the Finish

Why New York lost Round 1 of the *Race to the Top*,  
and how it can win \$700 million in Round 2

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*Issue Brief*

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## Executive Summary

When Secretary of Education Arne Duncan announced that New York had failed to win \$700 million of federal funding in the first round of the “Race to the Top” (RTTT) competition, it was bad news for New York’s schools and state budget. **New York finished in 15<sup>th</sup> place with a score of 408.6, or 35.6 points below the nearest winner.** Double-digit losses came under four criteria and were driven by a combination of tepid union support for certain reforms and a failure to raise the cap on charter schools.

Although it never came to a vote in the Legislature, a bill backed by the United Federation of Teachers (UFT) had purported to improve New York’s chances in RTTT through a package of changes to the state’s Charter Schools Law. Yet a close reading of the Round 1 scores and reader comments strongly suggests that **the UFT’s bill would actually have hurt New York’s score, not helped it.**

The UFT bill’s provisions to lift the cap—while imposing various restrictions on when, where and how charter schools could be started—would have gained no points and may even have resulted in a lower total score. Reviewers’ comments make clear that reviewers looked behind laws and regulations to sniff out even non-obvious obstacles to charter school enrollment. Where they found them, points were deducted. **Removing authority from the state’s top authorizer (SUNY) would have cost points, too,** while an emphasis on high-need populations would have targeted an area where New York was awarded maximum points anyway. The bill’s transparency and accountability measures would have been irrelevant to RTTT scoring.

**The political secret of the Race to the Top is that it isn’t political.** New York’s failure in Round 1 is largely attributable to the tendency of many state leaders to overlook this. While the federal Department of Education moved through its promised process of rubric-based scoring by independent reviewers, many elected officials in New York viewed the competition as an ordinary political negotiation. Yet while elected officials could rhetorically ‘set aside’ the specifics of any given policy in talking with one another, the detailed scoring rubric never changed. Meanwhile, other states were enacting meaningful reforms.

**New York now must work toward the June 1 application deadline for RTTT Round 2, even as it struggles to close a \$9 billion budget deficit.** The key actors in the next two months will be the state lawmakers, who must pass a cap lift that is designed to win the maximum number of points, and *equally importantly*, the teachers unions, who must actively endorse a plan that includes a cap lift and stronger links between teacher evaluation and student achievement. If the New York State United Teachers (NYSUT) and the UFT embrace the common-sense changes needed to win in Round 2, there will be no stopping New York.

With Round 1 over, every losing state is absorbing the same lesson: *total commitment wins hundreds of millions; half-measures and caveats win nothing.* It isn’t political. It isn’t mysterious. **New Yorkers are watching our leaders, elected and union. They know how to win the money. The only question is, will they?**

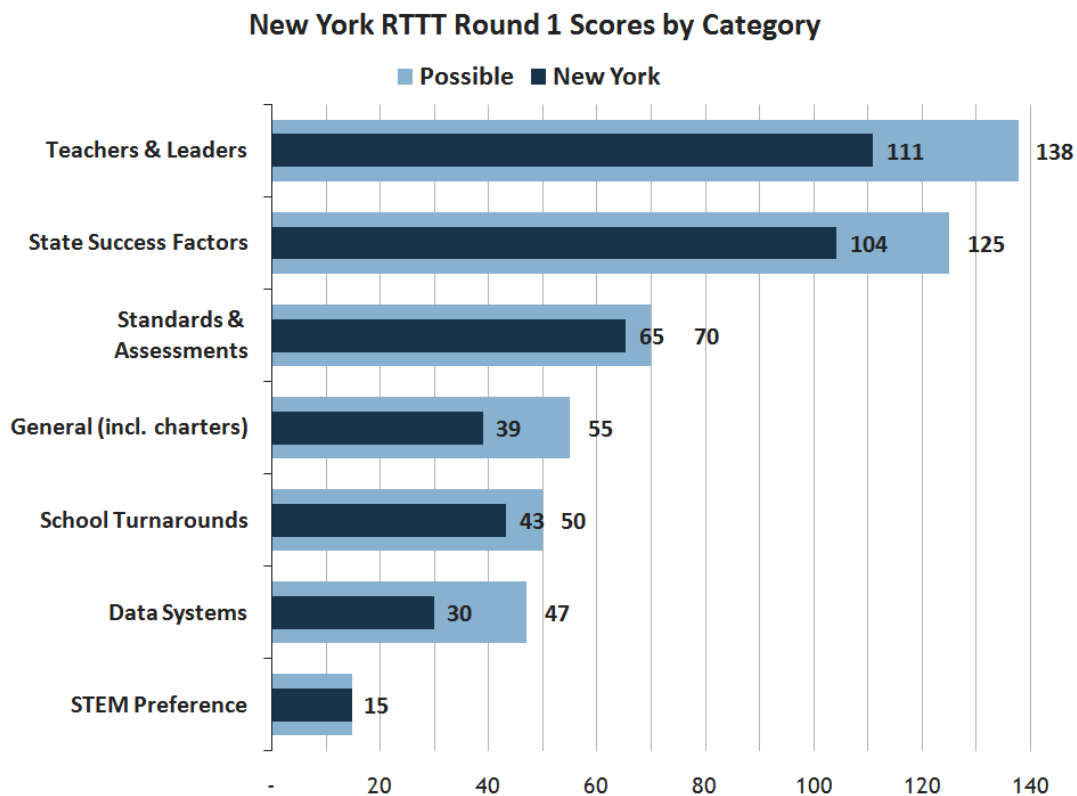
## When Secretary of Education Arne Duncan announced that New York State had *not* won federal funding

in the first round of the “Race to the Top,” it was bad news in the Empire State—for public schools, public school students, and the state budget. Race to the Top (RTTT) is a \$4.3 billion competition that awards large grants for public education, but only to the states whose education reform efforts are scored highest against federal criteria. New York is eligible to receive up to \$700 million, a critical infusion of resources during a time of educational need and budgetary crisis.

Now those resources will total \$0 unless New York can win Round 2.

### WHERE NEW YORK LOST POINTS

The RTTT reviewers scored New York’s application at 15<sup>th</sup> out of 16 finalists, with 408.6 points out of a possible 500. This left a 35.6-point gap from Tennessee, the lower-scoring of the two winning states. New York’s point losses came in six of the seven scoring areas:



New York’s final score sheet showed double-digit point losses under four individual criteria, which offer varying prospects for improvement by Round 2:

<b>Criterion</b>	<b>Description</b>	<b>Possible Points</b>	<b>Points Won</b>	<b>Points Lost</b>
D(2)	Improving teacher/principal effectiveness ( <i>Teachers &amp; Leaders</i> )	58	41.2	-16.8
C(1)	Statewide longitudinal data system ( <i>Data Systems</i> )	24	10	-14.0
F(2)	Charter schools and charter-like schools ( <i>General</i> )	40	27.4	-12.6
A(1)	Articulating reform agenda and LEA participation ( <i>State Success Factors</i> )	65	53.6	-11.4

### **Lost points: Teacher and principal effectiveness (-16.8)**

New York’s plan for “improving teacher and principal effectiveness based on performance” (D(2)) calls for stronger certification standards and teacher development programs, plus collaboration with school districts to develop a system of teacher ratings that would inform decisions about professional development, tenure, promotion, and compensation.

The five RTTT reviewers had mixed opinions about this, with total scores ranging from 34-51 out of 58 possible points. They shared a general concern about whether the state’s goals would be achievable considering districts’ Collective Bargaining Agreements and the need for district buy-in, and voiced specific worries about how the state would remove ineffective teachers and structure a teaching career ladder.

In one reviewer’s opinion, New York’s application “describes positive recent efforts to change the methods of teacher and principal career advancement... There is not, however, an aggressive commitment to roll these changes out across the state at this point. Applicant describes the intent to have LEAs use evaluation information to inform important decisions, such as those regarding compensation and tenure, but it is not evident that there is commitment from all LEAs to do so.”

Significant improvement in this criterion will be politically difficult, and support from districts and unions will be essential. No reformer has a greater reputation in this area than Commissioner David Steiner, but the RTTT reviewers want to understand how his State initiatives will translate into district-level change.

### **Lost points: Statewide longitudinal data system (-14.0)**

This criterion is a simple checklist: states report whether or not their *current* longitudinal data systems include each of twelve elements defined in the America COMPETES Act. Each “Yes” answer earns 2 points. New York answered “Yes” to five elements, “No” to two, and “Partial” to five—which were scored as “No.”

It is unlikely that *any* of the “Partial” or “No” responses could be turned into “Yes” by the June 1 deadline for Round 2. Most of these responses describe ongoing pilots, with plans to expand in future years; statewide implementation in the next two months may be impossible.

## Lost points: Charter schools (-12.6)

“Ensuring conditions for high-performing charter schools and other innovative schools” is a 40-point criterion with five sub-criteria. Out of 40 possible points, the five reviewers’ final scores were 23, 24, 24, 32, and 34. Although only the total score is reported, the reviewer comments reveal that:

- The charter cap was the *overwhelming* concern of the reviewers, who only varied in how severely they scored it. (See Appendix 3 for individual reviewers’ scores.)
- New York’s claim that the cap is actually *not* an inhibition to charter growth (because any public school could convert to a charter) was rejected by every reviewer. Three reviewers revised their scores downward after this was discussed in the in-person presentation. One reviewer explicitly called the cap’s inhibition “severe” and two others seem to have scored it that way.
- The cap seems to have had a larger, symbolic significance. As one reviewer commented:  
**“When asked about the cap, the NY team’s response was not convincing enough to allay fears that, as a state, NY lacks the collective will to make critical changes to existing laws that act as impediments to substantive reform.”**
- Individual reviewers also mentioned concerns about the equitable funding of charter schools and whether innovative, autonomous, non-charter schools were too few in number.
- Enrollment of high-need students only received positive mentions—except for one reviewer who expressed concern that authorizers’ emphasis on this may *go too far* and hurt growth.

The charter school cap can be increased through simple legislation, with no district negotiations or program roll-outs required. New York could qualify for “high” points—and signal a larger commitment—by raising the cap to *at least* 454 (i.e. 10% of all public schools, an explicit threshold in the RTTT reviewer guidelines). A raise to the round number of 460 would be prudent.

## Lost points: LEA participation (-11.4)

The last of New York’s double-digit point losses came under “Articulating State’s education reform agenda and LEAs’ participation in it.” Although reviewers praised the New York’s agenda itself, they all noted that only 61% of teachers’ unions had endorsed the application. As one put it, “...the fact that many of the unions have not signed on to support the reform plans could inhibit the ability to achieve statewide impact.”

Three reviewers also noted that New York had departed from the standard Memorandum of Understanding (MOU), adding a stipulation that the MOU would not be binding if it contradicted a Collective Bargaining Agreement.

## WHAT WENT WRONG IN ROUND 1

Given the gap in scores between New York and the winning states, no single criterion made the difference between winning and losing. Of the four criteria with double-digit point losses, New York would have had to do much better in at least three in order to bridge the full 35.6-point gap from Tennessee. There were smaller losses in other areas, of course, but it is generally hard to predict where a given panel of judges will choose to deduct a point or two.

Generally speaking, New York's loss was driven by two factors:

**1) Tepid support from teachers' unions**, which cost points for LEA support (A(1)) and made reviewers skeptical of the State's ability to carry out its agenda for educational improvement (D(2)).

**2) The charter school cap**, which reviewers recognized as a moderate-to-severe inhibition on charter school enrollment, and which suggested a larger reluctance about school reform.

The example of the winning states also shows the significance of these factors. Delaware has no cap on charter schools and Tennessee lawmakers, in response to RTTT, raised that state's cap and eliminated other restrictions on charter school enrollment. Both Delaware and Tennessee also submitted applications with exceptionally strong stakeholder support.

In New York, of course, the issues of union support and the charter schools cap are intertwined—and not just because the union pushed its own charter schools bill before the Round 1 deadline. New York's failures in both areas result from state leaders overlooking the secret political truth: RTTT isn't political.

### **The political secret of the Race to the Top: it isn't political.**

The U.S. Department of Education promised that RTTT would be an open competition, in which states would be scored against a public rubric, by savvy peer reviewers whose work would be made public. That's exactly what has happened.

Despite this, the entire debate surrounding New York's Round 1 application was characterized by a sense that it was an ordinary political negotiation, rather than a competition with other states according to well-defined criteria. At first, rumors of an "inside deal" suggested that there was nothing to worry about; New York's friends in Washington, D.C. had arranged for a victory.

As those rumors faded, the confusion centered on Albany, where state politics were somehow expected to bend the RTTT rules. For example, a Legislative leader repeatedly asked to "set the number aside" when discussing the charter cap, and a teachers' union president dismissed the media spotlight on charter school policy as "political." Meanwhile, the rubric said what the rubric said, and other states were using it as a blueprint for action.<sup>1</sup>

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<sup>1</sup> For an overview covering DE and TN, see the recent report by Policy Innovators in Education: <http://bit.ly/d3B0rN>

## **WHAT IF THE UFT’S CHARTER SCHOOL BILL HAD PASSED?**

In New York there were certainly calls for legislative action, especially close to the Round 1 deadline. In addition to a straightforward cap lift bill, the Legislature debated a charter schools bill backed by the United Federation of Teachers (UFT), which would lift the cap but also restructure the basic ways in which charter schools are created and authorized.<sup>2</sup> This bill (S6468/A9558) was presented as an effort to improve New York’s RTTT chances, so it is worth considering what effect it would have had.

### **Cap lift with new restrictions: No added points, possible lost points**

Under Criterion F(2)(i), even a state with no cap cannot win maximum points if it has other restrictions on charter school enrollment “that would be considered even mildly inhibiting.” The UFT bill would make new charter schools contingent on specific requests from a centralized bureaucracy, a radical enough change that it would doubtlessly have prompted a critical discussion during the in-person presentation.

When the reviewers would have asked about the bill’s intention to prevent charter school “saturation” in certain areas—i.e., too much charter school enrollment where there is high demand—it is difficult to imagine more than two reviewers considering New York’s inhibitions as “moderate” or better. If fewer than two reviewers held that view, New York’s score would likely have been lower than what it received based on the current law.

### **High-need enrollment: No added points**

Part of criterion F(2)(ii) is a state’s “encourage[ment] [of] charter schools that serve student populations that are similar to local district student populations, especially relative to high-need students (as defined in this notice).” Although backers of the UFT bill drew attention this requirement, not a single RTTT reviewer found New York’s current law lacking in this area. Indeed, as mentioned above, one reviewer worried about New York’s emphasis in this area being a detriment to charter school growth.

### **Weakened authorizers: Lost points**

F(2)(ii) also covers charter school authorizing—an area of strength for New York where the UFT bill could have actually *lost* points. New York’s charter schooling successes to date have been led by the SUNY Charter Schools Institute. US DOE officials have publicly named the Institute as a national model—a fact widely noted by the reviewers—but the UFT bill would have removed its authorizing power altogether. Since the same reviewers challenged and rejected New York’s “no inhibitions” assertion and removed points accordingly, it is unlikely that the state could remove its best authorizer without negative impact.

### **Transparency provisions: No effect**

Both charter school bills also contained provisions about the related to the transparency and accountability of charter schools and their governing boards. Whatever their merits, such provisions are not a factor in RTTT scoring.

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<sup>2</sup> The full bill is available here, courtesy of Gotham Schools: <http://bit.ly/aaEq97>

## WINNING ROUND 2

New York has indicated that it will re-apply for Round 2 of RTTT, but less than two months remain before the June 1 deadline. Since Tennessee and Delaware are smaller states, there is plenty of funding left for New York to receive the full \$700 million—but again, only if its next application scores high enough to be named a winner. Meanwhile, other states are gearing up for Round 2, with some of them poised to pass dramatic reforms that are squarely aimed at improving RTTT competitiveness.

To be in a position to win Round 2, New York must come together in a coordinated, all-out effort to:

- Institute an effective review system for teachers and school leader review system that is aligned with RTTT criteria, including by incorporating student achievement data;
- Lift the cap on charter schools while not imposing even mild restrictions on their growth (especially given RTTT reviewers' proven tough-mindedness on the subject); and
- Increase stakeholder participation, a challenge that should take care of itself if elected and union officials can find consensus on the other two.

Given New York charter schools' exceptional academic impact on largely disadvantaged students, as well as the state's model authorizing and oversight structures, lifting the cap should be a matter of common sense. The same can be said about pursuing a \$700 million federal grant in a time when the state faces a \$9 billion budget deficit and every school district is planning for painful budget cuts, and likely losses of teaching jobs.

\$700 million would benefit more than taxpayers and teachers, however: RTTT funding would fuel an ambitious education agenda to enrich public schools and attack the stubborn "achievement gap." As its Round 1 application described, New York is poised for a systemwide upgrade including "preparation programs; world class curriculum frameworks; formative, interim, and summative assessments aligned to internationally benchmarked standards; and targeted professional development..."

Over five years, the state's projections suggest that RTT funding would raise 8<sup>th</sup>-grade NAEP Math and Reading scores by 7 additional percentage points, and college enrollment by 5 extra percentage points. In other words, if New York wins Round 2, tens of thousands of additional students—many of them African-American and Latino—would go to college.

The key actors in the next two months will be the state lawmakers, who must pass a clean cap lift, and *equally importantly*, the teachers unions. If the New York State United Teachers (NYSUT) and the UFT embrace the common-sense changes needed to win in Round 2, there will be no stopping New York.

With Round 1 over, every losing state is absorbing the same lesson: *total commitment wins hundreds of millions; half-measures and caveats win nothing*. It isn't political. It isn't mysterious. New Yorkers are watching our leaders, elected and union. They know how to win the money. The only question is, will they?

## Appendix 1: Rank and total scores for RTTT Round 1 applicants

Rank	State	Final score	FINALISTS ONLY:	
			Tier 1 score	Change
1	Delaware	454.6	438.4	16.2
2	Tennessee	444.2	443.4	0.8
3	Georgia	433.6	434.4	-0.8
4	Florida	431.4	425.0	6.4
5	Illinois	423.8	423.4	0.4
6	South Carolina	423.2	423.2	0.0
7	Pennsylvania	420.0	412.2	7.8
8	Rhode Island	419.0	411.0	8.0
9	Kentucky	418.8	416.4	2.4
10	Ohio	418.6	423.4	-4.8
11	Louisiana	418.2	410.8	7.4
12	North Carolina	414.0	407.0	7.0
13	Massachusetts	411.4	403.8	7.6
14	Colorado	409.6	408.8	0.8
<b>15</b>	<b>New York</b>	<b>408.6</b>	<b>411.2</b>	<b>-2.6</b>
16	District of Columbia	402.4	402.0	0.4
17	Arkansas	394.4		
18	New Jersey	387.0		
19	Utah	379.4		
20	Minnesota	375.0		
21	Michigan	366.2		
22	Hawaii	364.6		
23	Indiana	355.6		
24	Iowa	346.0		
25	Connecticut	344.6		
26	Wisconsin	341.2		
27	California	336.8		
28	Idaho	331.0		
29	Kansas	329.6		
30	New Mexico	325.2		
31	Virginia	324.8		
32	Wyoming	318.6		
33	Missouri	301.4		
34	Oklahoma	294.6		
35	Oregon	292.6		
36	West Virginia	292.4		
37	Alabama	291.2		
38	New Hampshire	271.2		
39	Nebraska	247.4		
40	Arizona	240.2		
41	South Dakota	135.8		

## Appendix 2: Final point totals for New York’s Round 1 application

Criterion	Description ( <i>subcriteria in italics</i> )	Points Possible	Points Won	Points Lost	% Lost	Loss Rank
D(2)	Improving teacher/principal effectiveness	58	41.2	-16.8	18.4%	1
C(1)	Statewide longitudinal data system	24	10	-14	15.3%	2
F(2)	Charter schools and charter-like schools	40	27.4	-12.6	13.8%	3
A(1)	Articulating reform agenda and LEA participation	65	53.6	-11.4	12.5%	4
<i>D(2)(iv)</i>	<i>Using evaluations to inform key decisions</i>	28	17	-11		
<i>A(1)(ii)</i>	<i>LEA commitment</i>	45	37.2	-7.8		
E(2)	Turning around lowest-achieving schools	40	33.4	-6.6	7.2%	5
<i>E(2)(ii)</i>	<i>School turnarounds</i>	35	29.2	-5.8		
A(3)	Raising achievement and closing gaps	30	25.2	-4.8	5.3%	6
A(2)	Capacity to implement, scale, and sustain plans	30	25.4	-4.6	5.0%	7
<i>A(3)(ii)</i>	<i>Improving student outcomes</i>	25	20.4	-4.6		
D(3)	Equitable distribution of teachers/principals	25	21	-4	4.4%	8
<i>D(2)(ii)</i>	<i>Developing teacher/principal evaluation systems</i>	15	11.6	-3.4		
<i>A(1)(iii)</i>	<i>Statewide impact of LEA participation</i>	15	11.8	-3.2		
<i>A(2)(i)</i>	<i>Implementation capacity</i>	20	16.8	-3.2		
B(3)	Transition to better standards & assessments	20	17.2	-2.8	3.1%	9
D(5)	Supporting teachers & principals	20	17.2	-2.8	3.1%	10
<i>D(3)(i)</i>	<i>Educators in high-poverty/high-minority schools</i>	15	12.6	-2.4		
F(1)	Education funding	10	7.6	-2.4	2.6%	11
C(3)	Using data to improve instruction	18	15.8	-2.2	2.4%	12
D(4)	Improving teacher/principal prep programs	14	12.2	-1.8	2.0%	13
<i>D(3)(ii)</i>	<i>Educators in hard-to-staff/specialty areas</i>	10	8.4	-1.6		
<i>A(2)(ii)</i>	<i>Stakeholder support</i>	10	8.6	-1.4		
D(1)	Pathways to teaching and leading	21	19.6	-1.4	1.5%	14
<i>D(2)(iii)</i>	<i>Annual evaluations</i>	10	8.6	-1.4		
B(1)	Developing and adopting common standards	40	38.8	-1.2	1.3%	15
<i>B(1)(ii)</i>	<i>Adopting standards</i>	20	18.8	-1.2		
<i>D(2)(i)</i>	<i>Measuring student growth</i>	5	4	-1		
F(3)	Other conditions	5	4	-1	1.1%	16
<i>E(2)(i)</i>	<i>Identifying persistently low-achieving schools</i>	5	4.2	-0.8		
B(2)	Developing and using high-quality assessments	10	9.4	-0.6	0.7%	17
<i>A(1)(i)</i>	<i>Articulating reform agenda</i>	5	4.6	-0.4		
C(2)	Accessing and using State data	5	4.6	-0.4	0.4%	18
<i>A(3)(i)</i>	<i>Progress in each area</i>	5	4.8	-0.2		
<i>B(1)(i)</i>	<i>Participation in standards consortium</i>	20	20	0		
E(1)	School and district interventions	10	10	0	0.0%	19
STEM		15	15	0	0.0%	20
<b>TOTAL</b>		<b>500</b>	<b>408.6</b>	<b>-91.4</b>	<b>100.0%</b>	

### Appendix 3: Individual scores for New York charter schools (Round 1)

	Initial score	Adjustment	Final score	Final points lost (out of 40)
<b>Reviewer 1</b>	36	-4	32	-8
<b>Reviewer 2</b>	34		34	-6
<b>Reviewer 3</b>	29	-5	24	-16
<b>Reviewer 4</b>	23		23	-17
<b>Reviewer 5</b>	26	-2	24	-16

Full reviews are available online at <http://www2.ed.gov/programs/racetothetop/phase1-applications/>. Note that the reviews appear out of order in that document; Review 2 is not numbered and appears last.