

**FREQUENTLY ASKED QUESTIONS FOR
LOCAL EDUCATIONAL AGENCIES
ON
SCHOOL IMPROVEMENT GRANTS
UNDER SECTION 1003(g) OF THE ELEMENTARY AND SECONDARY EDUCATION
ACT OF 1965**



U.S. Department of Education
Office of Elementary and Secondary Education

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School Improvement Grants Under Section 1003(g) of the Elementary and Secondary Education Act of 1965

PURPOSE OF THIS DOCUMENT

The School Improvement Grants (SIG) program is authorized by section 1003(g) of the Elementary and Secondary Education Act of 1965 (ESEA). The U.S. Department of Education (Department) has published final requirements for the SIG program, which were published in the Federal Register at 74 FR 65618 (Dec. 10, 2009), and amended by interim final requirements, which were published in the Federal Register at 75 FR 3375 (Jan. 21, 2010) (collectively, final requirements).

The Department previously issued Guidance on the SIG program (SIG Guidance, available at: <http://www2.ed.gov/programs/sif/faq.html>) to provide assistance to State educational agencies (SEAs), local educational agencies (LEAs), and schools in implementing the final requirements. The Department has also posted on its website addenda to the SIG Guidance (available at: <http://www2.ed.gov/programs/sif/faq.html>) to address questions that have been raised by SEAs, LEAs, and other stakeholders since the publication of the final requirements.

The purpose of this document is to draw attention to specific questions and answers that are included in the January 2010 SIG Guidance and in the addenda that address issues about which the Department has received numerous inquiries from LEAs. The order in which these questions and answers are presented reflects the frequency with which we have received inquiries about the issues addressed, but the numbering of the questions reflects the number of the question in the January 2010 SIG Guidance (*i.e.*, the questions and answers appear “out of order” so that we can address the most commonly raised issues first). Although we believe that the frequently asked questions (FAQs) included in this document are of particular interest to LEAs, we encourage all LEAs and other stakeholders to review carefully the final requirements, the complete SIG Guidance, and the addenda thereto in order to ensure that you have the most complete and up-to-date information about the SIG program.

This guidance does not impose any requirements beyond those required to comply with applicable law or regulations. It does not create or confer any rights for or on any person. If you are interested in commenting on this guidance, please e-mail us your comments at OESEGuidanceDocument@ed.gov or write to us at the following address:

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F-2. What is the timeline for implementing an intervention model in a Tier I or Tier II school using FY 2009 funds?

Consistent with the intent of the ARRA both to infuse funds into the economy and to support significant improvement in our Nation’s persistently lowest-achieving schools, the Department expects that the majority of the FY 2009 SIG funds will be used to fully implement intervention models in Tier I and Tier II schools in the 2010–2011 school year. The Department recognizes, however, that certain model components, such as job-embedded professional development or identifying and rewarding teachers and principals who have increased student achievement and high school graduation rates through effective implementation of a model, will occur later in the process of implementing a model.

Additionally, in some cases an LEA may need more time to take the necessary precursor actions to implement a model in a Tier I school. Therefore, if not every Tier I school in a State is served with FY 2009 SIG funds in the 2010–2011 school year, an SEA must carry over 25 percent of those funds, combine them with FY 2010 SIG funds, and award those funds to LEAs in the same manner as FY 2009 SIG funds are awarded. This would provide an LEA that can implement interventions in some, but not all, of its Tier I schools with more time to take the necessary preparatory actions to implement an intervention in those Tier I schools that are not ready to implement interventions at the beginning of the 2010–2011 school year.

G-1. May an SEA award SIG funds to an LEA for a Tier I or Tier II school that has implemented, in whole or in part, a turnaround model, restart model, or transformation model within the last two years?

Yes, Section I.B.1. of the final requirements allows an SEA to award SIG funds to an LEA for a Tier I or Tier II school that has implemented, in whole or in part, one of the models within the last two years so that the LEA and school can continue or complete the intervention being implemented. For example, if a Tier I or Tier II school has replaced its principal within the last two years, the SEA may award funds to the school’s LEA to implement a turnaround model in the school even though the school will not be required to hire another new principal. A school that receives SIG funds in accordance with this flexibility must fully implement the selected model as required by the final requirements. In other words, if the school had been implementing the model only in part, it must use the funds it receives to expand its implementation so that it fully complies with the regulatory requirements.

Addendum: The two years referenced with respect to this flexibility are the two years prior to the full implementation of the model in accordance with the notice using SIG funds for which an LEA has complete achievement data. In other words, with respect to the award of FY 2009 funds for implementation in the 2010–2011 school year, the “last two years” are the 2007–2008 and 2008–2009 school years.

Addendum. If an SEA or LEA has initiated steps to close a school, must the SEA include the school on its list of persistently lowest-achieving schools?

No. An SEA is not required to include on its list of persistently lowest-achieving schools a school that an SEA or LEA has initiated steps to close.

F-7. How can an LEA ensure that it is able to implement fully and effectively all required components of a selected school intervention model, given that some components may be affected by collective bargaining agreements or other contracts?

Some of the required components of the intervention models may be affected by collective bargaining agreements or other contracts. For example, a collective bargaining agreement may include provisions regarding systems that may be used to evaluate teachers, professional development requirements, or strategies that may be used to retain staff. Because such provisions may impact an LEA's ability to implement the intervention models, effective implementation is dependent on the close collaboration of LEA and school administrators, teachers, and other partners, as appropriate. The Department encourages such collaboration with respect to all model components. The Department also recognizes that, beyond collaboration, full and effective implementation of a selected model may require negotiation with teachers' unions. The Department encourages LEAs to involve teachers' unions early in the process of implementing the final requirements to ensure that the LEA can implement fully and effectively the selected intervention model in each Tier I and Tier II school it commits to serve.

In addition to collective bargaining agreements or teacher contracts, other types of agreements may impact an LEA's ability to implement fully and effectively one or more of the school intervention models. For example, if an LEA contracts with an outside provider to provide certain services that are necessary for full implementation of a model (*e.g.*, a contract to provide community-oriented services and supports as required for the turnaround model or a contract to provide ongoing mechanisms for family and community engagement as required by the transformation model), that contract will likely impact how the model is implemented. Although an LEA may outsource the implementation of some components of a selected intervention model in this manner, ultimately, the LEA is responsible for ensuring that the model is implemented fully and effectively. Accordingly, the LEA should include in any contracts with outside providers terms or provisions that will enable the LEA to ensure full and effective implementation of the model.

F-9. May an SEA require an LEA to adopt a particular model for a particular school?

No. Each LEA has the discretion to determine which model to implement for each school it elects to serve with SIG funds. The only exception to this is if, consistent with State law, the SEA takes over the LEA or school.

I-10. May an SEA award an LEA a lesser amount of SIG funds than the LEA requests in its application?

Yes. An SEA's decision to award SIG funds to a particular LEA does not obligate the SEA to award the LEA all of the funds it requested. An SEA's decision to award fewer SIG funds than the LEA requested could come about in two different ways: (1) the SEA could decide to award fewer funds than the LEA requested for each school the LEA commits to serve; or (2) the SEA could

decide to award funds for only some of the schools the LEA commits to serve. For example, consistent with the priority established in the final requirements, an SEA could approve an LEA's application with respect to all of its Tier I and Tier II schools, but only a portion (or none) of its Tier III schools. An SEA might also decide to award fewer funds than the LEA requested if the SEA determines, for example, that the LEA has not properly analyzed the needs of its schools or identified appropriate services for the schools.

H-6. Must an LEA commit to serve every Tier I school located within the LEA?

An LEA that applies for a SIG grant must serve each of its Tier I schools—including both Tier I schools that are among the State's persistently lowest-achieving schools and Tier I schools that are newly eligible to receive SIG funds that the SEA has identified as Tier I schools—using one of the four school intervention models unless the LEA demonstrates that it lacks sufficient capacity to do so. See section II.A.3 of the final requirements.

H-22. If an LEA lacks capacity to implement any of the four interventions in all of its Tier I schools, may it apply for SIG funds to provide other services to some of its Tier I schools?

No. The only services an LEA may provide to a Tier I school using SIG funds are services entailed in the implementation of one of the four interventions described in the final requirements (*i.e.*, turnaround model, restart model, school closure, or transformation model). If an LEA lacks capacity to implement one of those models in some or all of its Tier I schools, the LEA may not use any SIG funds in those schools. See section II.A.3 of the final requirements.

B-9. May an LEA omit any of the actions outlined in the final requirements and implement its own version of a turnaround model?

No. An LEA implementing a turnaround model in one or more of its schools must take all of the actions required by the final requirements. As discussed in B-2, an LEA may take additional actions to supplement those that are required as part of a turnaround model, but it may not implement its own version of a turnaround model that does not include all of the elements required by the final requirements. Thus, an LEA could not, for example, convert a turnaround school to a magnet school without also taking the other actions specifically required as part of a turnaround model.

B-3. What is the definition of “staff” as that term is used in the discussion of a turnaround model?

As used in the discussion of a turnaround model, “staff” includes all instructional staff, but an LEA has discretion to determine whether or not “staff” also includes non-instructional staff. An LEA may decide that it is appropriate to include non-instructional staff in the definition of “staff,” as all members of a school's staff contribute to the school environment and are important to the success of a turnaround model.

In determining the number of staff members that may be rehired, an LEA should count the total number of staff positions (however staff is defined) within the school in which the model is being implemented, including any positions that may be vacant at the time of the implementation. For example, if a school has a total of 100 staff positions, only 90 of which are filled at the time the

model is implemented, the LEA may rehire 50 staff members; the LEA is not limited to rehiring only 45 individuals (50 percent of the filled staff positions).

Addendum: “All instructional staff” includes teachers of core academic subjects as well as teachers of non-core academic subjects.

F-6. May an LEA use SIG funds for general district-level improvement activities?

An LEA may use SIG funds to pay for district-level activities to support implementation one of the four school intervention models in each Tier I and Tier II school it commits to serve and to support other school improvement strategies in the Tier III schools it commits to serve. For example, an LEA might hire a district-level turnaround specialist to establish an “early warning system” designed to identify students in Tier I or Tier II schools who may be at risk of failing to achieve high standards or graduate, or to support implementation of a turnaround model. However, an LEA may not use SIG funds to support district-level activities for schools that are not receiving SIG funds.

Addendum. Is there a limit on the amount of SIG funds an LEA may carry over?

No. The provision in section 1127(a) of the ESEA that limits the amount of Title I, Part A funds an LEA may carry over to the subsequent fiscal year does not apply to SIG funds.

I-8. May an SEA award an LEA funds to serve its Tier III schools before it awards funds to serve all of the Tier I and Tier II schools that its LEAs commit to serve and that its LEAs have capacity to serve?

No. An SEA may not award SIG funds to an LEA for any Tier III schools unless and until the SEA has awarded funds to support the full and effective implementation of one of the four school intervention models throughout the period of availability in each Tier I and Tier II school its LEAs commit to serve and that the SEA determines its LEAs have capacity to serve. In other words, only if an SEA has awarded funds to serve each Tier I and Tier II school that its LEAs commit to serve, and that the SEA determines its LEAs have the capacity to serve, may the SEA award funds to its LEAs to serve any Tier III schools. See section II.B.7 of the final requirements.

H-23. May an LEA use SIG funds to serve a school that feeds into a Tier I, Tier II, or Tier III school, but is not itself a Tier I, Tier II, or Tier III school?

No. Only a school that is a Tier I, Tier II, or Tier III school may be served with SIG funds. See section II.A.1 of the final requirements.

I-21. Must an SEA run another SIG competition for grants funded with FY 2010 funds?

Yes. The Consolidated Appropriations Act, 2010 appropriated \$546 million in SIG funds for FY 2010. Accordingly, an SEA must run another competition for those funds, combined with any FY 2009 funds the SEA must carry over (see I-22). Like the competition for the FY 2009 funds, the competition for FY 2010 funds, and any subsequent competition, must be conducted consistent with the final requirements.

Addendum. May an SEA carry over more than 25 percent of its FY 2009 SIG funds?

Yes. An SEA may carry over more than 25 percent of its FY 2009 SIG funds as long as the SEA is able to fund, for the full period of availability, all of the Tier I and Tier II schools its LEAs have committed to serve, and that the SEA determines they have the capacity to serve, in the 2010-2011 school year. For example, an SEA may find that its LEAs do not apply to serve all of their Tier I and Tier II schools, perhaps because they do not have the capacity to implement a school intervention model in each such school in the 2010-2011 school year. As a result, the SEA may find, again, by way of example, that it only needs to award 65 percent of its FY 2009 funds to fully fund interventions in each Tier I and Tier II school its LEAs do commit to serve. Under such circumstances, the SEA may award funds to its LEAs for those Tier I and Tier II schools they commit to serve in the 2010-2011 school year and carry over the remaining FY 2009 funds (*i.e.*, more than 25 percent) and combine those funds with its FY 2010 SIG funds. The SEA has this flexibility even if it has funded only a portion, or none, of the Tier III schools that LEAs have applied to serve with FY 2009 SIG funds.

D-2. What costs associated with closing a school can be paid for with SIG funds?

An LEA may use SIG funds to pay certain reasonable and necessary costs associated with closing a Tier I or Tier II school, such as costs related to parent and community outreach, including, but not limited to, press releases, newsletters, newspaper announcements, hotlines, direct mail notices, or meetings regarding the school closure; services to help parents and students transition to a new school; or orientation activities, including open houses, that are specifically designed for students attending a new school after their prior school closes. Other costs, such as revising transportation routes, transporting students to their new school, or making class assignments in a new school, are regular responsibilities an LEA carries out for all students and generally may not be paid for with SIG funds. However, an LEA may use SIG funds to cover these types of costs associated with its general responsibilities if the costs are directly attributable to the school closure and exceed the costs the LEA would have incurred in the absence of the closure.

D-3. May SIG funds be used in the school that is receiving students who previously attended a school that is subject to closure in order to cover the costs associated with accommodating those students?

No. In general, the costs a receiving school will incur to accommodate students who are moved from a closed school are costs that an LEA is expected to cover, and may not be paid for with SIG funds. However, to the extent a receiving school is a Title I school that increases its population of children from low-income families, the school should receive additional Title I, Part A funds through the Title I, Part A funding formula, and those Title I, Part A funds could be used to cover the educational costs for these new students. If the school is not currently a Title I school, the addition of children from low-income families from a closed school might make it an eligible school.

C-6. Which students must be permitted to enroll in a school implementing a restart model?

A restart school must enroll, within the grades it serves, all former students who wish to attend the school. The purpose of this requirement is to ensure that restarting the school benefits the population of students who would be served by the school in the absence of “restarting” the school. Accordingly, the obligation to enroll any former student who wishes to attend the school includes the obligation to enroll a student who did not actually previously attend the school — for example, because the student was previously enrolled in grade 3 but the school serves only grades 4 through 6 — but who would now be able to enroll in the school were it not implementing the restart model. If the restart school no longer serves a particular grade or grades that previously had been served by the school, the restart school is not obligated to enroll a student in the grade or grades that are no longer served.

Addendum: Notwithstanding this requirement, under the restart model, a provider may require all former students who wish to attend the restart school to sign student or parent/student agreements covering student behavior, attendance, or other commitments related to academic performance. In other words, a decision by a student or parent not to sign such an agreement amounts to an indication that the student does not wish to attend the school implementing the restart model. A provider may not, however, require students to meet, for example, certain academic standards prior to enrolling in the school.

C-7. May a restart school serve fewer grades than were previously served by the school in which the model is being implemented?

Yes. An LEA has flexibility to work with providers to develop the appropriate sequence and timetable for a restart partnership. Thus, for example, an LEA could allow a restart operator to take over one grade in the school at a time.

If an LEA allows a restart operator to serve only some of the grades that were previously served by the school in which the model is being implemented, the LEA must ensure that the SIG funds it receives for the school are used only for the grades being served by the restart operator, unless the LEA is implementing one of the other SIG models with respect to the other grades served by the school. For example, if the school in question previously served grades K-6 and the LEA allows a restart operator to take over the school only with respect to grades K-3, the LEA could use SIG funds to serve the students in grades 4-6 if it implements a turnaround model or school closure, consistent with the final requirements, with respect to those grades.

E-7. Which activities related to comprehensive instructional reform strategies are required as part of the implementation of a transformation model?

An LEA implementing a transformation model must:

- (1) Use data to identify and implement an instructional program that is research-based and vertically aligned from one grade to the next as well as aligned with State academic standards; and

- (2) Promote the continuous use of student data (such as from formative, interim, and summative assessments) in order to inform and differentiate instruction to meet the academic needs of individual students.

E-4. Under the final requirements, an LEA implementing the transformation model must remove staff “who, after ample opportunities have been provided for them to improve their professional practice, have not done so.” Does an LEA have discretion to determine the appropriate number of such opportunities that must be provided and what are some examples of such “opportunities” to improve?

In general, LEAs have flexibility to determine both the type and number of opportunities for staff to improve their professional practice before they are removed from a school implementing the transformation model. Examples of such opportunities include professional development in such areas as differentiated instruction and using data to improve instruction, mentoring or partnering with a master teacher, or increased time for collaboration designed to improve instruction.

Addendum. May an LEA implement the transformation model in a high school that has grades 9-12, by assigning the current principal to grades 10-12 and hiring a new principal to lead a 9th-grade academy?

No. The final requirements for the SIG program are intended to support interventions designed to turn around an entire school (or, in the case of the school closure model, provide better educational options to all students in a Tier I or Tier II school). Removing a single grade from a Tier II high school to create a new school for that grade as part of a strategy to improve the performance of feeder schools would not meet this requirement for whole-school intervention. Similarly, to meet the requirement that a principal be replaced, the new principal must serve all grades in a school, not just one particular grade.

A-31. What is the definition of “increased learning time”?

“Increased learning time” means using a longer school day, week, or year schedule to significantly increase the total number of school hours to include additional time for (a) instruction in core academic subjects including English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography; (b) instruction in other subjects and enrichment activities that contribute to a well-rounded education, including, for example, physical education, service learning, and experiential and work-based learning opportunities that are provided by partnering, as appropriate, with other organizations; and (c) teachers to collaborate, plan, and engage in professional development within and across grades and subjects.

A-32. Does the definition of “increased learning time” include before- or after-school instructional programs?

Research supports the effectiveness of well-designed programs that expand learning time by a minimum of 300 hours per school year. (See Frazier, Julie A.; Morrison, Frederick J. “The Influence of Extended-year Schooling on Growth of Achievement and Perceived Competence in Early Elementary School.” *Child Development*. Vol. 69 (2), April 1998, pp.495-497 and research done by Mass2020.) Extending learning into before- and after-school hours can be difficult to implement effectively, but is permissible under this definition, although the Department encourages LEAs to

closely integrate and coordinate academic work between in school and out of school. To satisfy the requirements in Section I.A.2(a)(1)(viii) of the turnaround model and Section I.A.2(d)(3)(i)(A) of the transformation model for providing increased learning time, a before- or after-school instructional program must be available to all students in the school.

Addendum: Although research supports the effectiveness of increasing learning time by a minimum of 300 hours, the final requirements do not require that an LEA implementing either the turnaround model or the transformation model necessarily provide at least 300 hours of increased learning time. An LEA has the flexibility to determine precisely how to meet the requirement to establish schedules that provide increased learning time, and should do so with an eye toward the goal of increasing learning time enough to have a meaningful impact on the academic program in which the model is being implemented.

B-4. What are “locally adopted competencies”?

A “competency,” which is a skill or consistent pattern of thinking, feeling, acting, or speaking that causes a person to be effective in a particular job or role, is a key predictor of how someone will perform at work. Given that every teacher brings a unique skill set to the classroom, thoughtfully developed assessments of such competencies can be used as part of a rigorous recruitment, screening, and selection process to identify educators with the unique qualities that equip them to succeed in the turnaround environment and can help ensure a strong match between teachers and particular turnaround schools. As part of a rigorous recruitment, screening and selection process, assessments of turnaround teachers’ competencies can be used by the principal or district leader to distinguish between very high performers and more typical or lower-performing teachers in a turnaround setting. Although an LEA may already have and use a set of tools to screen for appropriate competencies as part of its normal hiring practices, it is important to develop a set of competencies specifically designed to identify staff that can be effective in a turnaround situation because, in a turnaround school, failure has become an entrenched way of life for students and staff, and staff members need stronger and more consistent habits in critical areas to transform the school’s wide-scale failure into learning success.

While each LEA should identify the skills and expertise needed for its local context, in addition to reviewing evidence of effectiveness in previous teaching positions (or other pre-service experience) in the form of recommendations, portfolios, or student outcomes, examples of locally adopted competencies might include acting with initiative and persistence, planning ahead, flexibility, respect for and sensitivity to norms of interaction in different situations, self-confidence, team leadership, developing others, analytical thinking, and conceptual thinking.

The value and utility of turnaround competencies for selection are dependent on the process by which an LEA or school leader or team uses them. In addition to assessing a candidate’s subject knowledge and mastery of specific instructional practices that the turnaround school uses, using a robust and multi-tiered selection process that includes interviews that ask about past practice in the classroom or situational scenarios, reviewing writing samples, observing teachers in their classrooms, and asking teachers to perform job-related tasks such as presenting information to a group of parents, are all common techniques used to screen candidates against turnaround competencies.

Note that these are merely examples of a process and set of competencies an LEA might measure and use in screening and selecting staff to meet the unique needs of the schools in which it will implement a turnaround model.

TABLE 1

	Schools an SEA MUST identify in each tier	Newly eligible schools an SEA MAY identify in each tier
Tier I	Schools that meet the criteria in paragraph (a)(1) in the definition of “persistently lowest-achieving schools.” ¹	Title I eligible ² elementary schools that are no higher achieving than the highest-achieving school that meets the criteria in paragraph (a)(1)(i) in the definition of “persistently lowest-achieving schools” <u>and</u> that are: <ul style="list-style-type: none"> • in the bottom 20% of all schools in the State based on proficiency rates; <u>or</u> • have not made AYP for two consecutive years.
Tier II	Schools that meet the criteria in paragraph (a)(2) in the definition of “persistently lowest-achieving schools.”	Title I eligible secondary schools that are (1) no higher achieving than the highest-achieving school that meets the criteria in paragraph (a)(2)(i) in the definition of “persistently lowest-achieving schools” or (2) high schools that have had a graduation rate of less than 60 percent over a number of years <u>and</u> that are: <ul style="list-style-type: none"> • in the bottom 20% of all schools in the State based on proficiency rates; <u>or</u> • have not made AYP for two consecutive years.
Tier III	Title I schools in improvement, corrective action, or restructuring that are not in Tier I. ³	Title I eligible schools that do not meet the requirements to be in Tier I or Tier II <u>and</u> that are: <ul style="list-style-type: none"> • in the bottom 20% of all schools in the State based on proficiency rates; <u>or</u> • have not made AYP for two years.

¹ “Persistently lowest-achieving schools” means, as determined by the State--

(a)(1) Any Title I school in improvement, corrective action, or restructuring that--

- (i) Is among the lowest-achieving five percent of Title I schools in improvement, corrective action, or restructuring or the lowest-achieving five Title I schools in improvement, corrective action, or restructuring in the State, whichever number of schools is greater; or
- (ii) Is a high school that has had a graduation rate as defined in 34 CFR 200.19(b) that is less than 60 percent over a number of years; and

(2) Any secondary school that is eligible for, but does not receive, Title I funds that--

- (i) Is among the lowest-achieving five percent of secondary schools or the lowest-achieving five secondary schools in the State that are eligible for, but do not receive, Title I funds, whichever number of schools is greater; or
- (ii) Is a high school that has had a graduation rate as defined in 34 CFR 200.19(b) that is less than 60 percent over a number of years.

² For the purposes of schools that may be added to Tier I, Tier II, or Tier III, “Title I eligible” schools may be schools that are eligible for, but do not receive, Title I, Part A funds or schools that are Title I participating (i.e., schools that are eligible for and do receive Title I, Part A funds).

³ Certain Title I schools in improvement, corrective action, or restructuring that are not in Tier I may be in Tier II rather than Tier III. In particular, Title I secondary schools in improvement, corrective action, or restructuring that are not in Tier I may be in Tier II if they meet the criteria in section I.A.1(b)(ii)(A)(2) and (B) and an SEA chooses to include them in Tier II.

TABLE 2

If an LEA has one or more . . .	In order to get SIG funds, the LEA <u>must</u> commit to serve . . .
Tier I, Tier II, and Tier III schools	Each Tier I school it has capacity to serve; at a minimum, at least one Tier I school OR at least one Tier II school ⁴
Tier I and Tier II schools, but no Tier III schools	Each Tier I school it has capacity to serve; at a minimum, at least one Tier I school OR at least one Tier II school ¹
Tier I and III schools, but no Tier II schools	Each Tier I school it has capacity to serve; at a minimum, at least one Tier I school
Tier II and Tier III schools, but no Tier I schools	The LEA has the option to commit to serve as many Tier II and Tier III schools as it wishes
Tier I schools only	Each Tier I school it has capacity to serve
Tier II schools only	The LEA has the option to commit to serve as many Tier II schools as it wishes
Tier III schools only	The LEA has the option to commit to serve as many Tier III schools as it wishes

⁴ The number of Tier I schools an LEA has capacity to serve may be zero if, and only if, the LEA is using all of the capacity it would otherwise use to serve its Tier I schools in order to serve Tier II schools.

TABLE 3

	State	District
Eligible Schools	Identifies list of eligible schools in the State (<i>i.e.</i> , Tier I, II and III)	Applies to serve all or subset of eligible schools in its district
Review Criteria	Develops, disseminates and implements criteria it will use to review and evaluate LEA applications	
4 models	Reviews and approves LEA's capacity to implement proposed model in eligible school	Applies to implement one of the four required models in eligible schools. Selects model after an analysis of local data, resources and capacity.
Prioritization	<u>Must</u> give priority to LEAs that apply to serve Tier I or Tier II schools.	Must serve Tier I schools it has the capacity to serve. May not apply to serve any Tier III school if it has not served all of its Tier I schools it has capacity to serve (at least one)
Budget	Reviews, adjusts and approves LEA budget by school	Submits 3-year budget (or period of availability) for each school it applies to serve (\$50,000-\$2 million per year)
Goals	Approves and monitors achievement goals	Proposes achievement goals for each Tier I, II and III school