

DATE: February 7, 2011

TO: Joshua Brammer
Office of Information and Regulatory Affairs
Office of Management and Budget

THROUGH: Kathy Axt
Regulatory Information Management Services
U.S. Department of Education

FROM: Joseph C. Conaty, PhD
Interim Director, Race to the Top Program



SUBJECT: Emergency Clearance of Race to the Top Monitoring Protocol
(Programmatic Review and Evaluation)

The U.S. Department of Education's (ED) has developed a monitoring protocol for the Race to the Top program. The American Recovery and Reinvestment Act of 2009 (ARRA) provided \$4.3 billion for the Race to the Top Fund (referred to in the statute as the State Incentive Grant Fund), of which approximately \$4 billion was used to fund comprehensive statewide reform grants under the Race to the Top program. ED awarded Race to the Top (RTT) grants in two phases. On March 29, 2010, at the conclusion of Phase 1, ED announced RTT grants for two states. Delaware and Tennessee received their grant awards on June 14 and July 28 respectively. On August 24, 2010, at the conclusion of Phase 2, ED announced RTT grants to an additional 9 states and the District of Columbia. All Phase 2 grants were awarded on September 24, 2010.

Since the September grant awards, RTT staff at the Department has been working continuously with RTT Phase 2 grantees to finalize their budgets, as well as to approve state-level scopes of work and review local educational agency (LEA) scopes of work, both of which were due to the Department by November 22, 2010. The staff has also been developing the annual performance report drafts for these grants. Additionally, the Department began work to create an Implementation and Support Unit (ISU) to assist States as they build their capacity to implement and sustain education reform and to ensure that the Department's support of State and local efforts is coordinated across Department programs.

The ISU will serve as the single point of contact at the Department for the Recovery Act programs that require the involvement of the Governor and Chief State School Officers, including the State Fiscal Stabilization Fund program, the Race to the Top State program, the Race to the Top Assessment program, and the Education Jobs program. The creation of this unit, as well as maintaining ongoing program operations, has required significant coordination across the Department in order to finalize both its structure and staffing. Given the demands of all of these efforts, the staff was not able to finalize the RTT common monitoring protocols until late December.

Initially staff believed that monitoring was so individually specific to each state that the Paperwork Reduction Act would not be triggered. However, as work on the protocols has evolved, we concluded that it was more efficient and effective to have a few common questions that would apply to all of the grantees. Due to this unanticipated result of the protocol development, the Department is now requesting that the Office of Management and Budget (OMB) clear the monitoring protocol on an emergency basis. This is the first year of implementation of a \$4 billion dollar program, the largest discretionary grant program ever administered by the Department. As a result, and as you are aware, the program continues to generate high public interest both for the Department and the Administration.

If the routine paperwork processing timeline is followed, we will not be able to begin our formal monitoring process for RTT grantees and subgrantee LEAs at best until late May or early June 2011, nearly a year after the Phase 1 awards and only a few months away from the year mark for Phase 2 grantees. The grantees are also developing sub-recipient monitoring plans and the lack of finality at the Federal level will also impede their capacity to finalize their plans. We believe that in order to robustly fulfill our programmatic and fiscal oversight responsibilities, it is essential for the public interest that we gather this data from RTT grantees and subgrantees as soon as possible.

Delays in finalizing this collection would also impede our ability to use this data to inform our technical assistance (TA) efforts in the first year of program implementation when support is critical. Additionally, as it is our intention to use much of the data gathered through this monitoring protocol to inform the on-site monitoring process, delay of clearance of this document will also hinder our on-site monitoring process.

With your approval, we propose to offer a 30-day expedited comment period during the collection review, which will allow us to begin using the formal monitoring protocol in March. This is critical to ensure that the Department has the required information to inform ongoing performance management discussions with grantees in order to make the necessary and immediate adjustments to program implementation and support, as well as provide appropriate and timely updates to the public on the progress of grantee's program implementation.

ED is requesting OMB approval by March 15, 2010.

Thank you for your prompt consideration of my request. If you have questions, please contact Jim Butler at (202) 260-9737 or james.butler@ed.gov.