



State of New Jersey
OFFICE OF THE GOVERNOR
PO Box 001
TRENTON, NJ 08625-0001

CHRIS CHRISTIE
Governor

June 1, 2010

Honorable Arne Duncan
U.S. Secretary of Education
Lyndon Baines Johnson (LBJ)
Department of Education Building
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary Duncan:

I am pleased to submit New Jersey's application for the Race to the Top program.

New Jersey is rightly proud of its outstanding public schools, many of which are recognized as among the best in the country. So, too, are we proud of our children's academic achievement, as evidenced, for example, on the National Assessment of Educational Progress.

Still, given the money that New Jersey taxpayers spend on public education - - we are currently the second highest state in per-pupil spending - - student achievement is not what it should be.

Perhaps more troubling is the fact that the state which boasts some of the nation's best public schools also is home to some of its worst. This long-standing achievement gap has been treated as intractable. It persists despite massive infusions of funds into chronically failing school districts and schools.

This application embodies my administration's belief that the path to progress leads through the classroom directly to student achievement. It recognizes that after a child walks through the school house doors, no single factor influences that student's academic success more than the quality of his or her teachers.

Accordingly, this application emphasizes and includes several bold initiatives to improve teacher quality. These initiatives elevate the importance of teacher evaluations. Currently, however, the data does not exist to make proper evaluations. This application proposes to enhance school districts' capabilities to measure student learning in the classroom and use those measures to evaluate teachers' effectiveness.

A merit-pay system will financially reward highly effective teachers and serve as an incentive for adequate teachers to improve their craft. It also rewards effective teachers who accept assignments in low-performing schools.

This application also proposes to evaluate teacher training programs, so that the most effective programs can be identified and teachers schooled in those programs can be recruited.

We also recognize that together with rewarding and promoting effective teachers, it is necessary to weed out ineffective teachers. Specifically, the application proposes to make it easier for school districts to terminate ineffective teachers and completely overhaul low-performing schools.

Under this application, teacher evaluation based on student achievement will form the basis for decisions to grant tenure, promote and develop teachers. In the event of a workforce reduction, educational effectiveness, not seniority, will determine which teachers retain their jobs.

Successful schools usually are led by effective principals. This application proposes to offer a financial incentive to effective principals, as it does to effective teachers, to relocate to low-performing schools.

Please know that my Administration is committed to implementing these initiatives regardless of whether or not this application is successful.

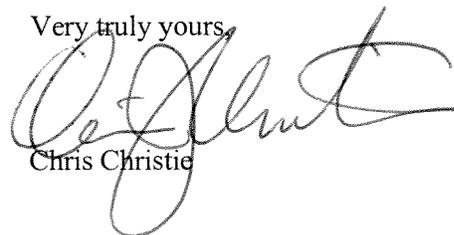
Indeed, I am so committed to them that I decided that they should not be compromised to achieve a contrived consensus among the various affected special interest groups. Winning the federal government's financial support is not the end, but rather a means to an end, which is to improve the quality of education provided to New Jersey students. Special interests that have selfishly thwarted reform should not be permitted to hold good ideas hostage.

That said, I am proud that so many organizations that represent New Jersey's public schools and educators have endorsed this application and committed themselves to implementing these reform initiatives.

I am particularly proud that the New Jersey Legislature through a unanimous vote endorsed the principles which form the basis of this application.

Student achievement is the cornerstone of the education reform plan that is embodied in this application. We ask for your support of this application and look forward to working with the US Department of Education and the full range of New Jersey stakeholders in public education to implement this plan and improve educational achievement by our students.

Very truly yours,

A handwritten signature in black ink, appearing to read "Chris Christie", written in a cursive style.

Chris Christie



State of New Jersey
DEPARTMENT OF EDUCATION
PO Box 500
TRENTON, NJ 08625-0500

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

BRET SCHUNDLER
Commissioner

June 25, 2010

In New Jersey, we believe it is possible for education to compensate for disadvantage, and that social justice demands that this possibility be actualized.

These beliefs are held in many states. But in NO other state have the people and their government demonstrated so deep a commitment to these tenets.

Not surprisingly, there is broad-based support in New Jersey for the Obama Administration's Race To the Top initiative. We see it as a federal endorsement of the education reform principles to which we have long been committed, and an opportunity to accelerate the improvement of our public education system, advance towards our vision of social justice, benefit every New Jerseyan, and benefit every American as we prove just how powerfully progressive in impact an excellently-designed, constantly learning and improving public education system can be.

There has often been controversy in the past attached to the steps we have taken to progress towards our vision of what public education can achieve. But our citizens' commitment to social justice has propelled us forward in spite of the controversy, and in every instance our hope of what might be gained has been confirmed by empirical evidence, with the result that what was once debated has become increasingly affirmed by all.

We believe this experience will be repeated as we complete the implementation of the reforms highlighted in this grant application. There will be controversy. But deep popular and political support for reform will enable us to press on, implement our plan, benefit our children, and prove the justice-advancing power of the Race To the Top reform principles to which both we and the Obama Administration are passionately committed.

New Jersey will be better for it. America too.

**The Power of Education to Compensate for Disadvantage,
And the Demand of Social Justice that this Potential be Actualized**

In New Jersey, we have never bought into the belief that poverty is destiny. We acknowledge that parental wealth and education remain powerful predictors of whether a child will succeed in school and proceed to a successful life. But we reject the idea that it must always be so – that our public schools can never so improve as to lift the life prospects of a disadvantaged child to the same level as his or her more advantaged peers.

Our abiding faith in the potential of public education derives not from our hearts speaking louder than our minds. It proceeds from our parents, teachers and principals so often seeing exceptional educators make a difference in children's lives.

We believe our faith was confirmed by the federal government's Effective Schools Research some years back. It threw a spotlight on No Excuses schools where exceptional leaders established cultures of success, fully developed the educational effectiveness of their teaching staffs, and dramatically improved the learning and life prospects of even their most disadvantaged students. A great example of such a public school is the Harriet Tubman School in Newark.

Empirical data to the contrary has not stopped some people from arguing that nothing can be done to help children from disadvantaged backgrounds learn more successfully. But these arguments no longer persuade many. Those who want to justify the educational failure schools now must turn to other canards. Some are arguing that great teaching and school leadership are natural or developed abilities that individuals may serendipitously possess, but that cannot be taught.

Happily, accumulating research data persuades that this second justification for school failure is also invalid. The research indicates that people who love teaching and are dedicated to doing it well (both qualities which are in great abundance amongst educators) can be taught to teach *very* skillfully with a hugely positive impact on their students' learning.

Research is now focusing on the factors necessary to support effective teacher development, and how such factors can be scaled up in a school district and, even more broadly, throughout a state public education system.

These are not small questions. Some organizations – for instance, the KIPP Academies – have demonstrated that they can establish one school after the next capable of dramatically increasing the learning and life prospects of disadvantaged children. But no one knows yet how to manufacture such schools rapidly.

Social justice demands that we search for answers to such questions and that our public education systems implement the kinds of incentives and accountability mechanisms that will encourage district and school decision-makers to make use of such answers.

**Evidence of New Jersey's Historic Commitment
To Actualizing the Justice-Advancing Potential
Of an Excellent Public Education System**

In New Jersey, we have written into our state constitution the requirement that the State make freely available to every child a THOROUGH education.

Many states say they are committed to such an ideal, but no other state has so put its money where its mouth is. New Jersey spends more per child on its public schools than any other state in America, and both its courts and its legislature have worked to ensure that the state's poorest school districts have financial resources absolutely equal to its wealthiest.

Of course, justice demands more than merely equalizing the financial resources of rich and poor school districts. It also demands that greater resources be made available to educate children with greater needs. Here too New Jersey stands out. It allocates dollars for the education of a child based on the child's needs and these dollars follow the child to the public school (and even, in some instances, to the privately managed school) in which the child enrolls. In poor school districts, the state provides the resources necessary to make a pre-school education available to children for free. We were the first state in America to do this. In all districts, the State covers extraordinary costs attached to the education of special needs children. In both of these examples, the state and local tax dollars committed to the education of a child follow that child to the public or privately managed school in which he or she enrolls.

The evidence of New Jersey's historic commitment to actualizing the justice-advancing potential of public education is much more than monetary. We long ago began putting into place the education reform elements being so excellently encouraged by the United States Department of Education through this Race To the Top initiative.

For instance, in recent years, when some other states were lowering their academic standards and loosening their assessment procedures to obscure educational problems, New Jersey was raising its academic standards and improving its assessment instruments and procedures to flag our educational problems. Our goal was to concentrate effort on successfully addressing them.

One major problem identified is the size of New Jersey's achievement gap. We are proud that our NAEP scores are among the highest in the nation – especially since we have such a complete cross-section of students being sampled. But we are horrified that our achievement gap is simultaneously one of the largest in America.

New Jersey has been working hard to close its achievement gap, and the latest NAEP results show a narrowing. But in this application you will learn about many brand new initiatives that we believe will even more successfully and rapidly narrow the gap – and that will do so while raising the average achievement scores of *every* quintile of New Jersey students.

A key to successful standards-based reform is the capacity to track student learning growth and correlate it with diverse factors in the learning experience of students. New Jersey has been working hard to develop its longitudinal data tracking capabilities, and while we are not where we want to be, we are making steady progress. Winning this Race To the Top grant competition would significantly accelerate that progress and with our expanded longitudinal data tracking capacity, make New Jersey a national model of data-driven education reform.

Of course, for data to drive reform a state must have the political will to act upon it. New Jersey has always been at the cutting edge of education reform in America because New Jersey has always had the political will to press forward towards its vision of a justice-advancing public education system.

We pioneered the use of alternate-route teacher certification. We were the first to have the state take direct administrative control of failing school districts as a way to enforce educational accountability. We were an early passer of charter school legislation.

Of greater importance than our historic commitment to public education excellence is our commitment to press forward from where we are today all the way to the TOP: that mountaintop where all the individual pieces of education reform have been assembled, so all the world can begin to see just how powerfully public education can advance the actualization of social justice.

**The Commitment We Make Today That New Jersey WILL Race To The Top
And FULLY Actualize the Justice-Advancing Potential
Of An Excellent Public Education System**

New Jersey is seeking via its Race To the Top initiatives to:

- Close our academic achievement gap even as we substantially raise the achievement level of every quintile of New Jersey students;
- Cut our drop-out rate by more than half; and
- Graduate our students from high school truly college or work-ready.

To guide our steps in this effort, we commit that we will make student learning growth the yardstick by which we measure the educational effectiveness of everything we do in public education. We believe this focus will make New Jersey's education system one which constantly learns and improves.

We are already enroute, as mentioned earlier, to having the necessary elements of such a public education system in place. As the political and educational leaders who are most responsible for public education in New Jersey, we commit to finishing the job by working to implement all of the additional legislative and regulatory changes needed. Specifically, we will work to:

- 1) Incorporate the Common Core into New Jersey's high-quality academic standards;
- 2) Develop and support easily-administered assessments that support instructional analysis, and accountability;
- 3) Deploy a cloud-based longitudinal data system that tracks student learning growth, facilitates good analyses of "what works," and supports good decision-making by teachers, educational leaders and parents;
- 4) Create incentive, support, and accountability frameworks for our teachers, principals and school district leaders that are aligned with student learning growth and success;
- 5) Do what it takes to boldly turn around our most struggling schools and districts; and
- 6) Sustain reform conditions to advance and improve educational services across our state.

Together, these reform initiatives map directly to the assurances being sought by the United State Department of Education in this Race to the Top grant competition. More importantly, they form a coherent plan of action for a constantly learning, constantly improving public education system:

Incorporate the Common Core into New Jersey's high-quality academic standards:

New Jersey is nationally recognized for the quality and high level of its academic standards. The collaborative effort between states has developed an even better set of Common Core Standards which reflects a clear and high set of aspirations for students across the country that we see as

building on our state's work. We will adopt these standards for English Language Arts and for Mathematics, while retaining our own high standards in other subject areas.

Develop and support easily-administered assessments that support instructional analysis and accountability:

We will complete our building of an assessment and curricular support framework – the “Curriculum and Assessment Spine” – to link formative and summative data with teaching supports. For “untested” grades and subjects, and for formative classroom assessment, we will establish a state model of assessment but allow for local approaches to be used, so long as they meet rigorous quality criteria. In parallel, we will participate in two state-led consortia that are developing assessments based on the Common Core as part of a Federal grant program, with expected availability in 2014-2015. We are enthusiastic about the potential innovations that these consortia may yield, but do not believe that our reform agenda can wait four years. Finally, recognizing that new standards, assessments, and instructional practices require changes in classroom practice, we will provide large-scale professional development, coaching, and support to teachers to transition from our current system.

Deploy a web (“cloud”) based longitudinal data system that tracks student learning growth, facilitates good analyses of what works, and supports good decision-making by teachers, educational leaders and parents:

Building on our new framework of standards and assessments, we plan to use data to inform instructional planning in our schools, to establish professional development plans and evaluate their effectiveness, to support evaluation of teacher effectiveness, and to monitor the performance of our schools. We will fully bring our data systems into the 21st century. By hosting a web or “cloud” based system to support school operations, instructional planning, human capital management, and public access to our schools data, we will create meaningful efficiencies for our school districts, support high-quality focused instruction, develop virtuous learning cycles about what works and why, and promote public stewardship of our school system.

Create incentive, support, and accountability frameworks for our teachers, principals and school district leaders that are aligned with student learning growth and success:

The quality of a child's teacher is the single most important factor in his or her educational attainment. So we will do everything we can to recruit, develop, support, and retain effective teachers in our classrooms. We will greatly emphasize the role of content courses in our teacher preparation programs, build on our alternate-pathway recruiting initiatives, extend provisional certification to qualified teachers from other states, and facilitate some recruiting and training activity under our County Executive Offices, working with partners that demonstrate the strongest records of success in these areas.

For teachers in the early years of the profession, we will encourage induction and support mechanisms that provide a solid foundation for career success. For our provisional teachers, we will encourage and provide high-quality coaching and support, both in our schools and off-site, to increase skill sets and content knowledge. After the provisional period, we will require that tenure decisions be based on effectiveness, not simply elapsed time.

We will establish a state framework that bases half of the evaluation score upon student achievement, and half on high-quality teaching and leadership practices. The framework will be developed deliberately by a stakeholder committee, incorporating locally-determined factors in addition to the state factors, and will be required in every participating LEA. It will enable the provision of professional development based on meaningful data. It will inform the granting of tenure. And to the extent that economic conditions require reductions in our workforce, we will use these evaluations as a basis for personnel decisions relating to retention.

Importantly, we will implement bonuses to reward teachers and leaders who accelerate broad-based student learning growth, and will place an extra emphasis on the growth of our most struggling students. A bonus pool will be allocated to high-achieving schools, where a local committee will apportion the funds to individual teachers, teacher teams, other personnel and programs. Up to half of a school's pool will be allocable to staff.

We will provide financial incentives for effective teachers who are willing to serve in schools, districts, and classrooms with concentrations of high-needs students. A career ladder, creating a path to "Master Teacher" or "Master Principal" status, will be developed that gives our professionals clear opportunities for advancement and influence.

Finally, we will develop an annual measure of school performance to inform school and district decision-making, and formalize minimum charter and district school performance criteria.

Do what it takes to boldly turn around our most struggling schools and districts:

We will support local LEAs in their selection among the four US Department of Education-approved models for reversing direction in our lowest-performing schools: turnaround, transformation, restart, or closure. To support turnarounds and transformation, we will create a network of "turnaround officers" to oversee and support the improvement of schools. For schools that are restarted, we will assist in the selection of a strong charter operator to manage the school. And in the event that a district elects to close a school, we will support efficient use of the space in support of student learning.

We will also support the implementation of local school board-authorized, teacher-led, small-scale Achievement Academies, embedded in the district. By establishing performance objectives and providing Master Teachers with professional discretion, we believe they can help provide more uniquely-suited schooling opportunities to our children.

Sustain reform conditions to advance and improve educational services across our state:

Despite adverse economic conditions, we will continue to support education funding. Despite enormous budget challenges in 2010, the State *increased* the level of state tax dollars committed to our public schools. We continue to demonstrate our commitment to our children with our pocketbook.

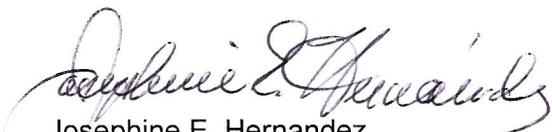
We will engage the offices of our Executive County Superintendents to facilitate contract consolidation, shared services arrangements between school districts, and to enforce sound labor contract standards. We will also reorganize the Department of Education with new divisions to

support Professional Excellence (human capital strategies for our teachers and leaders), Education System Efficiency (to improve service delivery and reduce costs), and School Effectiveness and Choice (to support board development, improved school design, school-level accountability and turnarounds).

The process that we will use to take input from stakeholders is described later in this grant submission.

Per the timeline discussed, we will work to introduce the educational reform bills and regulatory changes informed by this input by July 1, 2011, and to pass final bills and regulations to effectuate all of the reforms highlighted in this application no later than January 1, 2012.

Signed,



Josephine E. Hernandez
President
New Jersey State Board of Education



Bret Schundler
Commissioner
New Jersey State Board of Education

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Signed,



Thomas H. Kean, Jr.
Senate Minority Leader & Education Cmte. Ranking Member

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Signed,

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Alex DeCroce
Assembly Republican Leader

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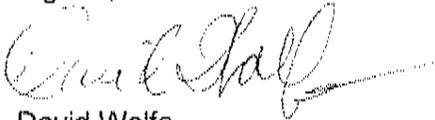
Joseph R. Malone, III
Assembly Education Cmte. Ranking Member

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David Wolfe
Assembly Education Cmte. Ranking Member



NEW JERSEY LEGISLATURE

STEPHEN M. SWEENEY
SENATE PRESIDENT
P.O. Box 099
TRENTON, NEW JERSEY 08625-0099

SHEILA Y. OLIVER
GENERAL ASSEMBLY SPEAKER
P.O. Box 098
TRENTON, NEW JERSEY 08625-0098

June 25, 2010

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These beliefs are held in many states. But in NO other state have the people and their government demonstrated so deep a commitment to these tenets.

Not surprisingly, there is broad-based support in New Jersey for the Obama Administration's Race To the Top initiative. We see it as a federal endorsement of the education reform principles to which we have long been committed, and an opportunity to accelerate the improvement of our public education system, advance towards our vision of social justice, benefit every New Jerseyan, and benefit every American as we prove just how powerfully progressive in impact an excellently-designed, constantly learning and improving public education system can be.

There has often been controversy in the past attached to the steps we have taken to progress towards our vision of what public education can achieve. But our citizens' commitment to social justice has propelled us forward in spite of the controversy, and in every instance our hope of what might be gained has been confirmed by empirical evidence, with the result that what was once debated has become increasingly affirmed by all.

We believe this experience will be repeated as we work together to complete the implementation of the reforms highlighted in this grant application. There will be controversy. But deep popular and political support for reform will enable us to press on, implement our plan, benefit our children, and prove the justice-advancing power of the Race To the Top reform principles to which both we and the Obama Administration are passionately committed.

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For instance, in recent years, when some other states were lowering their academic standards and loosening their assessment procedures to obscure educational problems, New Jersey was raising its academic standards and improving its assessment instruments and procedures to flag our educational problems. Our goal was to concentrate effort on successfully addressing them.

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in America because New Jersey has always had the political will to press forward towards its vision of a justice-advancing public education system.

We pioneered the use of alternate-route teacher certification. We were the first to have the state take direct administrative control of failing school districts as a way to enforce educational accountability. We were an early passer of charter school and school choice legislation. We have the will to work together on bold changes.

**The Commitment We Make Today That New Jersey WILL Race To The
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And FULLY Actualize the Justice-Advancing Potential
Of An Excellent Public Education System**

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- Graduate our students from high school truly college or work-ready.

To guide our steps in this effort, we will work together to make student learning growth central to evaluating the educational effectiveness of our education policies and practices. We believe this focus will make New Jersey's education system one which constantly learns and improves.

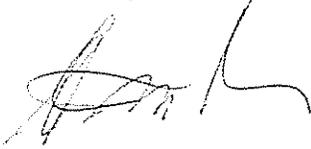
As the political and educational leaders who are most responsible for public education in New Jersey, we commit to working together to make the necessary legislative and regulatory changes to meet the goals of the Race to the Top initiative. These include:

1. Incorporating the Common Core into New Jersey's high-quality academic standards; Developing and supporting multiple, easily-administered assessments that support instructional analysis, and accountability;
2. Developing a longitudinal data system that tracks student learning growth, facilitates good analyses of "what works," and supports good decision-making by teachers, educational leaders and parents;
3. Creating incentive, support, and accountability frameworks for our teachers, principals and school district leaders that are aligned with student learning growth and success;
4. Doing what it takes to boldly turn around our most struggling schools and districts; and
5. Sustaining reform conditions to advance and improve educational services across our state.

Together, these reform initiatives map directly to the assurances being sought by the United States Department of Education in this Race to the Top grant competition. More importantly, they form a coherent plan of action for a constantly learning, constantly improving public education system.

We welcome the opportunity to improve our public educational system by working collaboratively to implement reforms which meet the goals of the Race to the Top initiative.

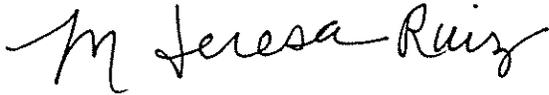
Signed,



Stephen M. Sweeney
Senate President



Sheila Y. Oliver
Assembly Speaker



M. Teresa Ruiz
Chairperson
New Jersey Senate Education Committee
Education Committee



Patrick J. Diegnan, Jr.
Chairperson
New Jersey Assembly

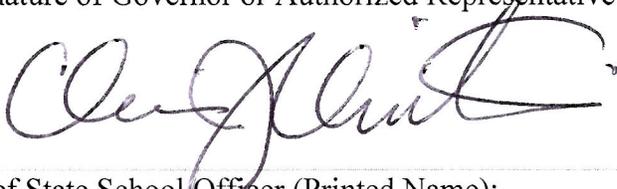
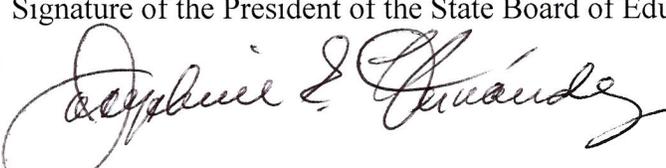
Race to the Top
Application for Initial Funding
CFDA Number: 84.395A



U.S. Department of Education
Washington, D.C. 20202
OMB Number: 1810-0697
Expiration Date: 05/31/2010
Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1810-0697. The time required to complete this information collection is estimated to average 681 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: U.S. Department of Education, Washington, D.C. 20202-4537. If you have comments or concerns regarding the status of your individual submission of this form, write directly to: Race to the Top, Office of Elementary and Secondary Education, U.S. Department of Education, 400 Maryland Ave., S.W., Room 3E108, Washington, D.C. 20202-3118

**I. RACE TO THE TOP APPLICATION ASSURANCES
(CFDA No. 84.395A)**

Legal Name of Applicant (Office of the Governor): Office of the Governor State of New Jersey	Applicant's Mailing Address: P.O. Box 001 Trenton, NJ 08625-0001
Employer Identification Number: 216000928	Organizational DUNS: 067373258
State Race to the Top Contact Name: (Single point of contact for communication) Bret Schundler	Contact Position and Office: Commissioner of Education
Contact Telephone: 609-292-0193	Contact E-mail Address: michael.blaustein@doe.state.nj.us
<p>Required Applicant Signatures:</p> <p>To the best of my knowledge and belief, all of the information and data in this application are true and correct.</p> <p>I further certify that I have read the application, am fully committed to it, and will support its implementation:</p>	
Governor or Authorized Representative of the Governor (Printed Name): Governor Chris Christie	Telephone: 609-292-6000
Signature of Governor or Authorized Representative of the Governor: 	Date: 6/1/10
Chief State School Officer (Printed Name): Commissioner Bret Schundler	Telephone: 609-292-0193
Signature of the Chief State School Officer: 	Date: 6/1/10
President of the State Board of Education (Printed Name): Josephine E. Hernández	Telephone: (908) 553-3384
Signature of the President of the State Board of Education: 	Date: 5/27/10

State Attorney General Certification

I certify that the State's description of, and statements and conclusions concerning, State law, statute, and regulation in its application are complete, accurate, and constitute a reasonable interpretation of State law, statute, and regulation.

(See especially Eligibility Requirement (b), Selection Criteria (B)(1), (D)(1), (E)(1), (F)(2), (F)(3).)

I certify that the State does not have any legal, statutory, or regulatory barriers at the State level to linking data on student achievement (as defined in this notice) or student growth (as defined in this notice) to teachers and principals for the purpose of teacher and principal evaluation.

State Attorney General or Authorized Representative (Printed Name):

*Paula T. Dow
New Jersey Attorney General*

Telephone:

609-292-4930

Signature of the State Attorney General or Authorized Representative:



Date:

6/1/10

II. ACCOUNTABILITY, TRANSPARENCY, REPORTING AND OTHER ASSURANCES AND CERTIFICATIONS

Accountability, Transparency and Reporting Assurances

The Governor or his/her authorized representative assures that the State will comply with all of the accountability, transparency, and reporting requirements that apply to the Race to the Top program, including the following:

- For each year of the program, the State will submit a report to the Secretary, at such time and in such manner as the Secretary may require, that describes:
 - the uses of funds within the State;
 - how the State distributed the funds it received;
 - the number of jobs that the Governor estimates were saved or created with the funds;
 - the State's progress in reducing inequities in the distribution of highly qualified teachers, implementing a State longitudinal data system, and developing and implementing valid and reliable assessments for limited English proficient students and students with disabilities; and
 - if applicable, a description of each modernization, renovation, or repair project approved in the State application and funded, including the amounts awarded and project costs (ARRA Division A, Section 14008)
- The State will cooperate with any U.S. Comptroller General evaluation of the uses of funds and the impact of funding on the progress made toward closing achievement gaps (ARRA Division A, Section 14009)
- If the State uses funds for any infrastructure investment, the State will certify that the investment received the full review and vetting required by law and that the chief executive accepts responsibility that the investment is an appropriate use of taxpayer funds. This certification will include a description of the investment, the estimated total cost, and the amount of covered funds to be used. The certification will be posted on the State's website and linked to www.Recovery.gov. A State or local agency may not use funds under the ARRA for infrastructure investment funding unless this certification is made and posted. (ARRA Division A, Section 1511)
- The State will submit reports, within 10 days after the end of each calendar quarter, that contain the information required under section 1512(c) of the ARRA in accordance with any guidance issued by the Office of Management and Budget or the Department. (ARRA Division A, Section 1512(c))
- The State will cooperate with any appropriate Federal Inspector General's examination of records under the program. (ARRA Division A, Section 1515)

Other Assurances and Certifications

The Governor or his/her authorized representative assures or certifies the following:

- The State will comply with all applicable assurances in OMB Standard Forms 424B (Assurances for Non-Construction Programs) and to the extent consistent with the State's application, OMB Standard Form 424D (Assurances for Construction Programs), including the assurances relating to the legal authority to apply for assistance; access to records; conflict of interest; merit systems; nondiscrimination; Hatch Act provisions; labor standards; flood hazards; historic preservation; protection of human subjects; animal welfare; lead-based paint; Single Audit Act; and the general agreement to comply with all applicable Federal laws, executive orders and regulations.
- With respect to the certification regarding lobbying in Department Form 80-0013, no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making or renewal of Federal grants under this program; the State will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," when required (34 C.F.R. Part 82, Appendix B); and the State will require the full certification, as set forth in 34 C.F.R. Part 82, Appendix A, in the award documents for all subawards at all tiers.
- The State will comply with all of the operational and administrative provisions in Title XV and XIV of the ARRA, including Buy American Requirements (ARRA Division A, Section 1605), Wage Rate Requirements (section 1606), and any applicable environmental impact requirements of the National Environmental Policy Act of 1970 (NEPA), as amended, (42 U.S.C. 4371 et seq.) (ARRA Division A, Section 1609). In using ARRA funds for infrastructure investment, recipients will comply with the requirement regarding Preferences for Quick Start Activities (ARRA Division A, Section 1602).
- Any local educational agency (LEA) receiving funding under this program will have on file with the State a set of assurances that meets the requirements of section 442 of the General Education Provisions Act (GEPA) (20 U.S.C. 1232e).
- Any LEA receiving funding under this program will have on file with the State (through either its Stabilization Fiscal Stabilization Fund application or another U.S. Department of Education Federal grant) a description of how the LEA will comply with the requirements of section 427 of GEPA (20 U.S.C. 1228a). The description must include information on the steps the LEA proposes to take to permit students, teachers, and other program beneficiaries to overcome barriers (including barriers based on gender, race, color, national origin, disability, and age) that impede access to, or participation in, the program.
- The State and other entities will comply with the Education Department General Administrative Regulations (EDGAR), including the following provisions as applicable: 34 CFR Part 74–Administration of Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations; 34 CFR Part 75–Direct Grant Programs; 34 CFR Part 77– Definitions that Apply to Department Regulations; 34 CFR Part

80– Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, including the procurement provisions; 34 CFR Part 81– General Education Provisions Act–Enforcement; 34 CFR Part 82– New Restrictions on Lobbying; 34 CFR Part 84–Governmentwide Requirements for Drug-Free Workplace (Financial Assistance); 34 CFR Part 85–Governmentwide Debarment and Suspension (Nonprocurement).

SIGNATURE BLOCK FOR CERTIFYING OFFICIAL

Governor or Authorized Representative of the Governor (Printed Name):	
Governor Chris Christie	
Signature of Governor or Authorized Representative of the Governor:	Date:
	6/1/10