



D.A.T.E. Cycle 2 Supplemental FAQ's

1. Are districts required to continue funding for the D.A.T.E. program if the Texas Legislature does not appropriate funds after the 2010-2011 school year?

Districts are not required to continue the implementation of their D.A.T.E. performance pay program after the 2010-2011 school year if the Texas Legislature does not appropriate the necessary funds to continue the program.

2. What is the process required for the design and implementation of the D.A.T.E. plan within a district?

According to statute, districts are required to conduct three activities during the design and implementation of the D.A.T.E. program. These activities include:

- Acquiring superintendent approval for the plan;
- Conducting at least one public stakeholder meeting; and
- Making plan accessible (usually online) to the public no later than September 1, 2010.

3. What are the requirements for rewarding teachers under Part I?

Awards under Part I must:

- Be based on quantifiable, objective, valid, and reliable student achievement data;
- Include only full time teachers, as defined by the Texas Education Code; and
- Utilize criteria viewed as a measure of student excellence and quality.

4. Can award amounts be split between Parts I and II in order to meet the minimum award amount for teachers under Part I?

Yes. All teachers who are listed under Part I must be *eligible* for a minimum award amount identified in the D.A.T.E. program commissioner's rules, currently listed as at least \$1,000. However, this total can come in combination with program requirements listed in Part II (i.e. teacher is able to earn up to \$750 in Part I and \$250 in Part II). Teacher may not earn the entire award amount, but they had the opportunity to earn \$1,000.

5. What is the difference between the redistribution of contingency funds under Part I and Part II?

Any leftover Part I funds can only be redistributed to the teachers included in the program plan under Part I while Part II funds can be redistributed to staff included in both Parts I and II, with both being subject to the contingency plan included by the district.





6. What types of technology can districts purchase under the Part II funds for building data capacity?

Districts are only allowed to purchase data systems that can be used to collect, disaggregate, analyze, and disseminate student and teacher data. Computers, servers, and other technological pieces are not allowed for purchase with the D.A.T.E. funds.

7. Can districts utilize the Part II funds to supplement and/or supplant current district practices?

No. Districts cannot utilize Part II funds to supplant current district practices, such as recruitment and retention. However, Part II funds can be used to supplement practices already in place within the district.

8. How does the state utilize ADA for determining allocation of funds?

TEA distributes D.A.T.E. funds based upon the ADA for the school year prior to the D.A.T.E. planning year. Therefore, the grant amounts given to D.A.T.E. Cycle 2 districts in October 2009 will be based on the district's ADA for the 2008-2009 school year.

9. With the 5% administration funds coming out of Part II, can districts use these funds to cover indirect costs (either at the districts indirect cost rate or 5%, whichever is lower)?

Districts can use Part II money to cover indirect costs up to the district's approved rate, but total administrative costs, including indirect costs, cannot exceed 5% of the total grant amount.

10. If a district wishes to use local funds in order to award more teachers and staff under their D.A.T.E. plan, can they write these teachers and staff into the plan and indicate that the district will make up the difference?

Districts cannot include non-D.A.T.E. funds in their D.A.T.E. grant calculations. The grant states, "Acknowledgement of Superintendent: The application cannot reflect an amount greater than the amount awarded. If local decisions include additional incentive amounts, the amounts cannot be included in this application." Therefore, the grant application does not allow districts to incorporate amounts greater than the allotted award. However, districts are allowed to provide local funds for the enhancement of their D.A.T.E. performance pay program.

11. Are districts allowed to use the Texas Projection Measure to determine awards through the D.A.T.E. grant?

Districts are not encouraged to use the Texas Projection Measure to determine awards through the D.A.T.E. grant by TEA. However, TEA will not prohibit the use of TPM in determining awards through the grant.





12. Are districts able to reward teachers and principals extra compensation due to restrictions imposed by BQB Legal?

The D.A.T.E. program awards were written into legislation. Therefore, as state law, it supersedes any prior rules or regulations and allows districts to provide teachers and principals performance pay awards.

13. Are districts able to put awards towards other monetary benefits, such as annuities, 401(k)s, etc.?

Districts are able to put awards towards other privileges. The Commissioner's definition states that tangible benefits can be "awarded to classroom teachers, principals, and district employees in accordance with the district local awards plan. Awards may be monetary such as checks or deposits with a 401(K) or similar plan or other forms such as privileges, travel, professional development, equipment, and other valuable considerations."

14. Can Cycle 2, Year 1 districts mandate that teachers attend professional development during the summer of 2010 as a prerequisite for eligibility for a performance award?

Districts cannot use professional development before the start of the grant period in determining awards.

