



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF THE DEPUTY SECRETARY

April 2, 2014

The Honorable Jack Markell
Office of the Governor
Carvel State Office Building
820 N. French Street 12th Floor
Wilmington, DE 19801

Dear Governor Markell:

I am writing in response to Delaware's request to amend its approved Race to the Top grant project, including revisions to the project period to implement a portion of its plan. Between January 31 and April 1, 2014, the State submitted documentation to and held conversations with the U.S. Department of Education (Department) staff in the Implementation and Support Unit (ISU) to support amendment requests to its approved Race to the Top plan. As you are aware, the Department has the authority to approve amendments to your plan and budget, provided that such a change does not alter the scope or objectives of the approved proposal. In March 2013, the Department issued "Amendment Requests with No-cost Extension Guidance and Principles" indicating the process by which amendments containing requests to provide additional time for a grantee to accomplish the reform goals and deliverables it committed to in its Race to the Top application and approved Scope of Work would be reviewed and approved or denied. To determine whether approval could be granted, the Department has applied the conditions noted in the document, and compared it with the Race to the Top program *Principles* included in the "Grant Amendment Submission Process" document issued to Governors to grantee States in October 2011.

I approve following amendments, including an extension to the time period for implementation of projects and activities described below.

- Update the State's overall budget to reflect the total funds made available for local educational agencies (LEAs) to extend the timelines for LEAs to implement activities of the grant from September 23, 2014 to July 1, 2015. The State determined that LEAs would benefit from additional time to effectively implement and enhance sustainability of many reforms enacted as a part of the Race to the Top grant.

Additionally, the State is approved to shift up to \$768,000 of unspent funds from Years 3-4 within the State's overall budget to Year 5 to sustain the project management office (PMO) to

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

adequately monitor and support LEAs as they implement locally developed Race to the Top delivery plans during the extended grant period. The Delaware Department of Education (DDOE) reports that its PMO, made up of three functional units – the Delivery Unit (DU), the Teacher and Leader Effectiveness Unit (TLEU), and the School Turnaround Unit (STU) have proven critical to monitoring and supporting LEA implementation during the first four years of the grant.

In order to consider amendment requests with no cost extensions, the Department indicated that States must address the timelines and implications of the amendment on the 50 percent LEA sub-grants (i.e., allocations to participating LEAs), as well as the process the State will use to review LEA sub-grant requests to obligate and liquidate funds after the current project period. Through conversations with DDOE and documentation submitted as part of its no-cost extension amendment request, we understand that the State will review requests from participating LEAs to extend the project period to complete Race to the Top activities on a case-by-case basis. The Department generally approves the State's process as described in Appendix 1. Prior to June 30, 2014, the Department expects the State to submit a record of each participating LEA project approved by the State for a no-cost extension and the total funding approved for LEAs' Year 5 Scopes of Work.

It is our understanding that these amendments and no-cost extensions will not result in a change in your State's performance measures and outcomes, nor will they substantially change the scope and objective of the work. Please note that we are expecting grantees with no-cost extensions to liquidate all funds by September 1, 2015, given that by law all Race to the Top funds revert to the U.S. Department of Treasury as of October 1, 2015. The State must request and receive approval to move forward with no-cost extensions for additional projects. This letter will be posted on the Department's website as a record of the amendments. The State's Scope of Work will also be updated to reflect approved extensions.

If you need assistance or have any questions regarding Race to the Top, please do not hesitate to contact Delaware's Race to the Top Program Officers, Rachael Tutwiler Fortune at 202-205-8651 or Rachael.tutwilerfortune@ed.gov or Meredith Farace at 202-401-8368 or meredith.farace@ed.gov.

Sincerely,

//s//

Ann Whalen
Director, Policy and Program Implementation
Implementation and Support Unit

cc: Mark T. Murphy, Secretary of Education
Kate Villari, Chief Performance Officer, Race to the Top Delivery Unit

Appendix 1: Process the State will use to review LEA sub-grant requests to obligate and liquidate funds after the current project period, as described by the Delaware Department of Education (DDOE).

Delaware requests that all LEA funds remaining at the conclusion of Yr. 4 of the grant period be made available to participating LEAs that have been approved for a no-cost extension (for Yr. 5) in parallel with the state’s amendment. Based upon the number of participating LEAs granted a fifth year of implementation, funds would be distributed on the same formula basis as originally distributed to LEAs at the beginning of the grant period.

Delaware will communicate the required documentation needed for any LEA interested in submitting such an amendment. Initial announcements and technical assistance will be provided through monthly Delaware Chiefs Meetings, LEA performance management routines, and via ad-hoc requests made by LEAs. In considering approval, DDOE will review all amendments under the terms provided above, and scrutinize each LEA submission as to whether it has met the following requirements:

- Has been a “Participating LEA” for the entirety of the grant period
- Has sufficiently delivered on all Delaware required strategies/activities (or amended from them, as approved by DDOE)
- Has sufficiently delivered on the vast majority of district developed strategies/activities (or amended from them, as approved by DDOE)
- Has responded with timeliness and quality to DDOE requests from RTTT routines, as documented in ongoing feedback to the LEA

Process:

- Any LEA may submit an amendment for an extension; however DDOE reserves the right to deny amendments under the provisions outlined [within the State’s no-cost extension amendment request] as approved/denied by the Secretary of Education.
- An LEA should first review their grant implementation to-date, based on the above characteristics, to determine if they believe they are in good standing, based upon feedback received from DDOE over the past three years in conjunction with their own internal assessment of their implementation.
- If an LEA concludes that DDOE may not deem its status as such, the LEA can address it in their no-cost extension amendment/application.
- A required strategy/activity is a *required strategy/activity*, and shall be considered by LEAs as such.
- DDOE is applying a similar framework to LEAs that it believes USED is applying to DDOE—that the entity applying for additional funding bears the burden for first addressing their plan implementation to-date.

All LEAs would be eligible to submit amendments. The state would consider approval of all LEAs that seek/submit requests for “no-cost extensions” no later than April 25, 2014. The criteria for DDOE’s consideration include:

- Has sufficiently delivered on the requirements described in their LEA MOU, the Implementation Support Guide, and the annual NOTOG provided by DDOE.

- Is currently in good standing on all required goals, objectives (1-9), strategies, and activities as assessed by the appropriate branch/unit of DDOE as part of the state's ongoing progress monitoring routines.
- Provides a compelling rationale for granting a no-cost extension, which is outlined in the LEAs amendment request form.
- Has met all expectations/ requirements of DDOE's progress/ performance routines (under RTTT) during SY 2013-2014.
- Completes and submits and LEA Amendment Form (akin to the amendment proposals submitted throughout the grant period and approved in the same fashion) outlining:
 - The vision for how a no-cost extension will help the LEA meets its student achievement goals and targets.
 - The programmatic, policy, and/or budgetary rationale for the LEA no-cost extension.
 - The strategies/activities/projects that would be impacted.
 - The strategies/activities that have not be well-executed or fully executed during the original RTTT grant period.
 - The updated timelines for the impacted activities and relevant deliverables.
 - An exploration of how the work could be sustained beyond RTTT and/or;
 - An explanation of how the extension allows the LEA to further innovate/push the boundaries of traditional district practice.
 - Budget documentation on potential rollover funds.
- Demonstrates reasonable alignment to the state's no-cost extension in terms of the goals, objectives, strategies, activities, targets, and deliverables for which Delaware has yet to fully deliver, thus becoming a state partner in those efforts upon request.
- Commits in-writing, upon approval, with the SEA to a fifth year of the full terms and conditions of RTTT as described in their LEA MOU, the Implementation Support Guide and the annual NOTOG provided by DDOE.

The LEA Amendment Form must be signed by the Superintendent.

DDOE seeks to approve/deny any LEA subgrant extension amendments no later than June 13, 2014, with feedback provided to LEAs no later than May 20, 2014, on their April 25, 2014 submissions.