



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF THE DEPUTY SECRETARY

February 5, 2014

The Honorable Andrew M. Cuomo
Governor of New York State
New York State Capitol Building
Albany, NY 12224

Dear Governor Cuomo:

I am writing in response to New York'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 December 23, 2013, and February 3, 2014, the State submitted documentation to and held conversations with the U.S. Department of Education (Department) 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 the revisions do not change the overall scope and 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 and elements specific to no cost extensions 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 of grantee States in October 2011.

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

- In the "D7: Teacher and Principal Evaluation" project, shift unexpended funds from Years 2 and 3 to Years 4 and 5 to extend the activities and budget of two sub-projects based on timing of invoicing and refined cost estimates and to provide ongoing support and resources to local educational agencies (LEAs) and educators in SY 2014-2015.

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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.

- *Development of Teacher and Principal Growth and Value-Added Measures of Teacher and Principal Effectiveness (Growth and Value-Added Measures):* New York’s Annual Professional Performance Review (APPR) requires the use of State-provided growth measures for 20 or 25 percent of a teacher or principal APPR.ⁱ The State developed student growth and value-added models, and LEAs began using them as a significant portion of APPRs in SY 2012-2013.

Other funding sources were utilized for a portion of the professional development-related costs associated with overall project D7. The State will redirect these funds totaling \$1,121,473 to the *Growth and Value-Added Measures* sub-project based on higher than initially budgeted costs for developing and disseminating local growth reports and to expand development to include additional growth measures to be used for institutional accountability purposes in alignment with the State’s approved Elementary and Secondary Education Act (ESEA) flexibility request.

Additionally, in order to provide ongoing support to LEAs and educators to review results and receive technical assistance from the State based on the release of growth scores through SY 2014-2015, the State is approved to extend a total of up to \$2,326,806 in this project to support activities related to the implementation and refinement of the student growth model to June 30, 2015.

- *Teacher and Principal Practice Videos:* New York’s approach to supporting educators around APPR implementation, Common Core State Standards (CCSS) instructional shifts, and data-driven instruction includes development of effective practice video resources. Initial videos are now available on EngageNY.org; however, the State reported experiencing initial delays in production to ensure quality and alignment to the State’s theory of action and other resources.ⁱⁱ To support development and dissemination of the total planned library of videos, the State is approved to extend up to \$3,745,097 to June 30, 2015.
- In the “D1: Advanced Placement Professional Development for Science, Technology, Engineering, and Mathematics (STEM) Teachers” project, extend the time period to implement activities and shift funds based on refined costs to meet the commitments of this project.
 - Consistent with its Scope of Work, the State is delivering professional development to secondary teachers in high-need LEAs to expand the number of teachers qualified to teach Advanced Placement coursework. According to the State, approximately 900 teachers have completed a portion of the total hours of training required by the program. The State experienced initial delays in the

procurement and contract process and additional challenges scheduling professional development due in part to Superstorm Sandy. To provide additional time for teachers to complete the full training program, including developing plans for local sustainability, and for the State to begin analyzing the impact of the program, the State is approved for a no-cost extension of up to \$1,999,210 in this project budget to June 30, 2015. The State believes serving 900 teachers meets the commitment in its initial Scope of Work, as described above and is approved to shift \$1,939,562 from the initial four-year budget to support another aspect of its plan. ⁱⁱⁱ

- o The State also established four-year targets for the State-established STEM measures included in its Annual Performance Report (APR). Specifically, based on results from SYs 2011-2012 and 2012-2013, the State established targets for SYs 2013-2014 and 2014-2015 as follows:

	SY 2013-2014	SY 2014-2015
Number of career and technical education (CTE) students graduating with concentrations in STEM-related programs	19,526	19,819
Graduation rate for CTE concentrators	93.7 percent	94.6 percent

As described in a May 29, 2013, amendment approval letter, the Department indicated that it generally approves the State's process to review LEA subgrant requests to obligate and liquidate funds after September 23, 2014. 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 existing performance measures and outcomes, nor will they substantially change the scope and objectives 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 any 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 any assistance or have any questions regarding Race to the Top, please do not hesitate to contact New York's Race to the Top Program Officer, Jessie Harteis, at 202-453-6651 or Jessie.Harteis@ed.gov.

Sincerely,

/s/

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

cc: Dr. John B. King, Jr., Commissioner of Education
Ken Slentz, Deputy Commissioner, Office of P-12 Education
Don Juron, Chief Financial Officer, New York State Education Department
John Delaney, Director of Operations, Office of P-12 Education
Karen Daugherty, Project Manager, Performance Management Office

ⁱ In SY 2014-2015, the 20 percent measure based on student growth on State tests or other comparable measures will increase to 25 percent for educators with a value-added score and, for such educators, the locally selected growth or achievement measure will be reduced to 15 percent. See <http://www.regents.nysed.gov/meetings/2013Meetings/June2013/613p12hea1.pdf> for more information.

ⁱⁱ Videos are available at: <http://www.engageny.org/video-library>

ⁱⁱⁱ It is the Department's understanding that the State will submit additional amendment(s) to propose use(s) of \$1,939,562.