



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF THE DEPUTY SECRETARY

May 4, 2011

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 and to use its initial 12.5 percent allocation of funds to provide funding to participating local educational agencies (LEAs). Between March 18 and May 2, 2011, the State submitted amendment requests to the U.S. Department of Education (the Department). As you are aware, the Department has the authority to approve amendments to the State's plan and budget, provided that such changes do not alter the scope or objectives of the approved proposal. On January 6, 2011, the Department sent a letter and "Grant Amendment Submission Process" document to Governors of grantee States indicating the process by which amendments 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*, which are also included in that document.

I am pleased to approve the following amendments:

- In "Project D3: Clinically Rich Teacher Preparation Programs" the approved application proposed to provide stipends or funding for educational expenses to teacher candidates, beginning in 2011. The State's approved budget proposed that LEAs would serve as the fiscal agents for this project. The State has since requested to transfer the funding from "Supplemental Funding to Participating LEAs" to "Contractual" to allow the institutions of higher education (IHEs) that enroll the participating teacher candidates to serve as the fiscal agents. LEAs will still be required partners in these programs and this change will not impact teacher candidates' funding. The State also requested a timeline shift, to issue the undergraduate program Request for Proposals (RFP) in fall 2011, make awards in spring 2012, and begin implementation in fall 2012; in conjunction, the State requested to evenly allocate funds across years 2-4 of the grant, rather than years 1-4 as initially proposed.
- Similarly, in "Project D4: Clinically Rich Principal Preparation Programs" the approved application proposed to provide principal candidates with stipends, beginning in 2011. The State's approved budget proposed that LEAs would serve as the fiscal agents for this project. The State has since requested to transfer the funding from "Supplemental Funding to Participating LEAs" to "Contractual" to allow the IHEs that enroll the participating principal candidates 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.*

serve as the fiscal agents. LEAs will still be required partners in these programs and this change will not impact principal candidates' funding. The State also requested a timeline shift, to issue the RFP in fall 2011, make awards in spring 2012, and begin implementation in fall 2012; in conjunction, the State requested to evenly allocate funds across years 2-4 of the grant, rather than years 1-4 as initially proposed. Lastly, the State requested to move \$20,000 from Project D4 to "Project D7: APPR: Evaluation Model for Teachers and Principals," to partially fund activities related to implementation of the State's new Teacher and Principal Evaluation System.

- The addition of Kiryas Joel School District as a participating LEA. According to NYSED, the district required additional consultation and collaboration to ensure that its local scope of work was properly aligned with the requirements that NYSED had put forth. The addition of this LEA will not require a change in allocation and/or distribution of funds to LEAs as Kiryas Joel's allocation was included in the State's original total.

In addition, I would like to address the State's request to begin providing funding to participating LEAs. Through our conversations with New York's Race to the Top team and our own internal review process, we understand that the State has received a scope of work document and budget from all 715 participating LEAs. The State reviewed these documents to ensure that the LEAs allocated at least 25 percent of funds to support the implementation of the State's teacher and leader evaluation system as defined in New York State Education Law §3012-c and no more than 75 percent of their allocation to support the activities of the State's Network Teams. As we understand it, all LEA budgets are conditionally approved at present and will be reviewed annually against their scopes of work. In addition, based on a review process that combines input from the State's 37 Board of Cooperative Education Services (BOCES), the BOCES District Superintendents, principals, and teachers, NYSED will assess LEAs' progress against goals and timelines prior to making the subsequent year's funding available. Should either the budget or the scope of work require modifications, the State will require revisions and conduct a thorough review of new documents. The Department supports this annual revision process and will work closely with NYSED to determine how we can best support New York's efforts. The State's plans are consistent with our view that the scopes of work are living documents that can be subject to additional review and revision where appropriate over time.

Therefore, because the State has demonstrated that the LEA scopes of work include all of the required elements, NYSED may continue to draw down funds within the available 12.5 percent of the grant for State-level activities, as well as on behalf of the participating LEAs. Upon approval of the State scope of work, New York will be given access to the remaining award balance.

If you have any questions concerning your Race to the Top award, please contact Rachel Vessey at [rachel.vessey@ed.gov](mailto:rachel.vessey@ed.gov) or (202) 453-5545.

Sincerely,

//s//

Ann Whalen  
Deputy Director, Implementation and Support Unit

cc: John B. King Jr.  
John Delaney  
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