



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF THE DEPUTY SECRETARY

September 19, 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 May 21, 2014, and September 4, 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. 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 one project, as described below.

- In the "D1: Advanced Placement Professional Development for Science, Technology, Engineering, and Mathematics (STEM)" project, redirect \$1,939,562 in unexpended funds discussed in a February 5, 2014, amendment and an additional \$376,136 based on contract costs for current participation to project "B1: Development and Evaluation of P-12 Curriculum Modules," as described below.

The State now anticipates 829 rather than 900 teachers will complete the total hours of training required by the program by June 2015. According to the State, this level of

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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.

participation continues to meet the commitment in its initial Scope of Work to deliver professional development to secondary teachers in high-need local educational agencies (LEAs) to expand the number of teachers qualified to teach Advanced Placement coursework.

- In the “B3: Teaching is the Core (formerly Grade 6-8 Assessment for Teacher/School Leader Evaluation)” project, redirect \$7,427,308 to the “B1: Development and Evaluation of P-12 Curriculum Modules” project based on the total granted to support LEAs to improve the quality of existing educational assessments and reduce the number of assessments that do not contribute to teaching and learning. The State announced awards in August 2014 totaling \$9.2 million for 31 grantees serving 267 LEAs across the State (25 BOCES, representing 257 LEAs, four individual large LEAs, and two additional LEA consortia). According to the State, while the total awarded is lower than budgeted, the level of participation and collaboration among LEAs, including through a secure network for grantees to share resources, will meet the State’s goals of building local capacity, improving the quality of existing educational assessments, and reducing the number of assessments that do not contribute to teaching and learning. Unobligated funds in “B3: Teaching is the Core” will shift to “B1: Development and Evaluation of P-12 Curriculum Modules,” as described below.
- In the “E3: Office of School Innovation” project, redirect \$693,932 of the unexpended funds discussed in a March 5, 2014, amendment due to revised contractual costs to “B1: Development and Evaluation of P-12 Curriculum Modules,” as described below.
- In the “B1: Development and Evaluation of P-12 Curriculum Modules” project, redirect a total of \$10,436,938 from other projects, as described above, to Year 5 and shift a total of up to \$26,851,467 from Years 2-4 to Year 5 as a result of revisions to approaches, delays in development to ensure alignment and quality, and timing of expenditures. Based on implementation of curricular modules through school year (SY) 2013-2014, including feedback from the field, the State determined that additional refinement is needed to ensure the modules meet the needs of all educators and students. Unexpended funds shifting from within the B1 project and from projects D1, B3, and E3 to support activities discussed below will extend and enhance the State’s approach to developing and refining curricular materials and providing professional development to educators to support the transition to Common Core Learning Standards (CCLS) through SY 2014-2015.
 - The State’s initial plan included a formative assessment data system application to provide a technology platform for teachers to record, track, and analyze student results on formative performance tasks. According to the State, the “C1: EngageNY Portal” project will meet the intended goals of this project through currently available resources and additional planned technology infrastructure

and will therefore shift \$5 million budgeted within B1 to support other aspects of its approach to the transition to CCLS, as described below.

- The State utilized other funding sources for personnel and related costs, and will shift \$851,200 from Years 1-4 to support B1 contractual costs, as described below.
- Redirect \$778,138 in unexpended funds discussed in an August 1, 2014, amendment to support B1 contractual costs, as described below.
- The State's initial plan also included developing science, social studies, and arts modules similar to the English language arts (ELA) and mathematics modules. In May 2012, the Department acknowledged the State's delay in releasing of a request for proposals (RFP) for these modules while the State focused initial procurements on ELA and mathematics. The State encountered additional delays in order to ensure alignment of planned resources with the State's standards in these subject areas. The New York Board of Regents adopted the New York State (NYS) Common Core K-12 Social Studies Framework in April 2014 but has not yet made decisions on the State's science or arts standards. Based on the status of current decisions by the NYS Board of Regents and the instructional needs in the field, the State now plans to develop a K-12 resource toolkit and deliver professional development associated with the recently adopted NYS Social Studies Framework. According to the State, this revised strategy is responsive to the requests from the field for guides and exemplar units and will meet the intended commitment of providing instructional support for social studies educators. The State indicated that it intends to develop a strategic plan on how best to meet the goals of the CCLS in arts and science classrooms following decisions by the Board of Regents. The State will utilize \$3,181,478 to support its revised approach to subject area resource development through June 30, 2015, and shift \$5,818,522 to support other aspects of its approach to the transition to CCLS, as described below.
- According to the State, it experienced delays expending funds related to ELA and mathematics module development due to the complexity of the work and need for adequate time to ensure alignment and incorporate guidance and feedback from the field, national experts, and NYS staff. The State reported modules for ELA and mathematics are currently complete and publicly available on EngageNY.org for prekindergarten to grade nine, with the remaining high school modules now expected by the end of 2014. The State will utilize funds budgeted but not expended within this activity and shifted from other activities as described above totaling up to \$11,633,670 to support contractual obligations to complete initial ELA and mathematics module development as well as development of curricular scaffolds for students with disabilities and English learners (ELs) through June 30, 2015.

- In February 2013, the Department approved the State's request to expand resources to support the transition to CCLS for ELs.ⁱ The State reported that the majority of Memoranda of Understanding (MOUs) for the components of this work are executed and that work is underway, but that additional time is needed to complete deliverables due to delays in Years 3 and 4 with finalizing the New York Bilingual Common Core Progressions and staffing changes at the New York State Education Department. The State will utilize funds budgeted but not expended within this activity and shifted from other activities as described above totaling up to \$6,502,583 through June 30, 2015, to support contractual obligations to complete resource development.
- The State will utilize up to \$5.5 million of the unexpended funds, as described above, to support a competitive grant opportunity to LEAs and Boards of Cooperative Education Services (BOCES) to engage educators to improve current curriculum modules. It is the Department's understanding that this grant will invite LEAs and BOCES to nominate educators to support New York's efforts to integrate feedback received and scaffolds developed to date to create updated versions of the curricular modules for use in SY 2015-2016. Selected educators, known as Common Core Fellows, will collaborate as pairs in coordination with NYS staff and existing content vendors to revise existing ELA and mathematics materials, integrate EL scaffolds, develop additional supporting resources, and deliver professional development on CCLS implementation locally during SY 2014-2015. The State also intends to issue a project and document management contract for up to \$2 million to support timely completion of deliverables related to enhanced versions of the curricular modules and readiness for posting on EngageNY.org in summer 2015.
- The State will utilize \$3,998,897 of the unexpended funds, as described above, in order to provide additional professional development to educators on the transition to CCLS and utilizing curricular modules, including through at least three statewide Network Team Institutes in SY 2014-2015. According to the State, this budget was determined based on contractual costs for similar events in SY 2013-2014.

Overall, in order to provide additional time to complete initial planned P-12 ELA and mathematics curricular modules as well as to deliver planned and enhanced scaffolds and other resources and training and ensure the modules better meet the needs diverse learners and educators and respond to feedback from the field, the State is approved for a no-cost extension for up to \$37,288,405 to June 30, 2015.ⁱⁱ It is the Department's understanding that \$12,576,855 of this total is based on contracts or other agreements that are not yet formally executed. The Department appreciates the State's implementation efforts to date, and the State's commitment to continue and enhance support for educators and to ensure the modules meet the needs of all educators and

students. We also have concern about the status of executed contracts and New York's rate of expenditure at this point in the grant period; we encourage the State to accelerate efforts around the activities described above to enable it to obligate funds by June 30, 2015 and liquidate 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 will continue to provide the Department with biweekly reports on the status of executing agreements for work throughout its plan.

It is our understanding that these amendments and no-cost extension will not result in a change in your State's performance measures and outcomes, nor will they substantially change the scope and objectives of the work. 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. 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. As described in an April 24, 2014, amendment approval letter, prior to October 31, 2014, the Department expects to receive a record of the total funding approved for LEAs' Year 5 Scopes of Work.

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/

Patrick Rooney
Acting Director, Policy and Program Implementation
Implementation and Support Unit

cc: Dr. John B. King, Jr., Commissioner of Education
Cosimo Tangorra, Jr., 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 See <http://www2.ed.gov/programs/racetothetop/amendments/new-york-11.pdf> for additional detail on planned deliverables.

ⁱⁱ The total of \$37,288,405 refers to the overall amount available through June 30, 2015, for the entire "B1: Curriculum Modules Development and Evaluation" budget and includes \$32,816,628 for activities continuing in B1 as described above as well as \$8,971 in anticipated Year 5 travel and supply costs, \$3,622,134, previously approved for extension on August 1, 2014, and \$840,672 previously approved for extension on August 13, 2013.