



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF THE DEPUTY SECRETARY

May 10, 2012

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. Between November 30, 2011 and April 20, 2012, the State submitted amendment requests to the U. S. Department of Education (Department); the State then provided additional clarification as requested. 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. On October 4, 2011, the Department sent a letter and revised "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 approve the following amendments:

- For project B1: Development of P-12 Curriculum Models (now Curriculum Modules):
  - Extend timelines for the English Language Arts & Literacy and Mathematics curriculum modules Request for Proposals (RFP) to March 2012. The posting of the RFP (originally posted in early November 2011) was extended to allow potential vendors additional time to develop quality proposals for consideration. As a result of this initial RFP, the New York State Education Department (NYSED) did not receive bids for certain grade bands and/or content areas and so NYSED chose to issue an additional RFP to seek new bids for the outstanding curriculum modules. The State released this revised RFP on March 26, 2012. The Department understands that remaining vendors for the English Language Arts & Literacy and Mathematics outstanding grade bands and/or content areas will be selected by June 2012.

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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.*

- Postpone procuring curriculum resources for the Arts until the State releases its subsequent Curriculum Modules RFP in June 2012, which will now be focused on Science, Social Studies, and the Arts. While the Arts were initially intended to be included with the English Language Arts & Literacy and Mathematics RFP, the State requested approval for this postponement to include Arts with the Science and Social Studies Curriculum Modules RFP in order to focus its initial procurement efforts on areas that are aligned with its efforts related to the Common Core State Standards.
  - Postpone the release of the Science, Social Studies, and the Arts Curriculum Modules RFP from December 31, 2011, until late June 2012. The State anticipates selecting vendors for this RFP by September 2012. This change was made in order to accommodate the timeline revisions for the ELA & Literacy and Mathematics curriculum modules RFP.
  - These timeline shifts are accompanied by corresponding changes in funding; the State will move \$11,211,919 in contractual funding out of Year 2 and add \$7,160,658 into Year 3 and \$4,051,260 into Year 4.
- For project B3: Development of Grades 6-8 Assessments:
    - Change the initial operational administration of these tests from the 2012-2013 school year to the 2013-2014 school year to accommodate the revision of the State's social studies and science content frameworks and because the State would like to align these tests with the Next Generation Science Standards. As such, change the release date for the RFP for a testing vendor from June 2011 to June 2012. The Department understands that contracts will be awarded by mid-November 2012.
    - These timeline shifts are accompanied by corresponding changes in funding; the State will move \$6,666,666 out of Year 2 and split this funding evenly between Years 3 and 4.
    - The Department expects the State to update its performance targets for these exams, which currently include blank dates for "End of SY 2012-13" and "End of SY 2013-14." (See page 17 of the State's scope of work document.)
- For project C1: Education Data Portal (EDP) and Instructional reporting and Improvement System (IRIS) with Customized Reports and Collaboration Features:
    - Postpone deployment of the EDP until October 2013. The State encountered a delay when its initial proposed single source contract for vendor support was not approved, which resulted in a Department-approved timeline shift for the ultimate launch of the EDP.<sup>1</sup> As the State further refined its plans, it revised its strategy and will now publish two RFPs for the EDP: one for data dashboards solutions and another to support collaboration functions and content management. The Department understands that these RFPs were posted in April 2012.
    - The following project interim milestones will have associated timeline shifts:
      - Develop Capacity to Authenticate Users: Shift from October-December 2010 to On-going-April 2013;
      - Building the Early Warning System: Shift from September 2011 to September 2013;
      - Publish School and District Aggregate Data Tables: Shift completion date from June 2011 to September 2012;
      - Publish Data Tables for Student Subgroups: Shift completion from June 2011 to September 2012;

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<sup>1</sup> <http://www2.ed.gov/programs/racetothetop/amendments/new-york-3.pdf>

- Network Teams will not have access to the full system until October 2013, instead of the application date of October 2012.
  - These timeline shifts are accompanied by corresponding changes in funding; the State will move \$34,664,000 out of Year 2 and add \$11,659,000 into Year 3 and \$23,005,000 into Year 4.
  - Adjust performance measures as follows: Change the number of EDP users for the 2012-2013 school year to 100, reflecting the anticipated number of test users for an alpha release. Originally, the State anticipated having 80,000 EDP users by the end of the 2012-2013 school year (the target was N/A for the end of the 2011-2012 school year).
- For project D3, Clinically-rich Teacher Preparation Programs:
  - The issuance of the RFP for the undergraduate-level program was postponed to April 30, 2012. The State's scope of work called for this RFP to be issued in October 2011. NYSED chose to make significant revisions as a process improvement from the previous graduate-level RFP, in order to expedite contract approval and to strengthen program design to ensure that pilot programs will prepare candidates to implement the Common Core State Standards and data-driven instruction, and to require that the schools in which candidates complete their clinical experience implement the State's new teacher and principal evaluation system. The Department understands that winners will be selected by August 2012 so that programs can begin operations in October 2012.
  - There are small related financial shifts but these do not rise to the level of requiring an amendment (i.e. they are under \$500,000).
  - We acknowledge that the awards for the graduate-level programs were approved by the New York State Office of the State Comptroller in January 2012, rather than August 2011 as described in the State's scope of work. While NYSED had announced preliminary awards by the scheduled date, the full contract approval process took longer than initially expected.
- For project E2, Continuum of Supports for PLA Schools:
  - Delay the identification of Commissioner's Schools from October 2011 to June 15, 2012, which will require adjustments in the timelines for issuing the Dissemination Grant and Replication Grant RFPs, as follows:
    - Dissemination Grant: Change the timeline to post the RFP from March 2012 to June 15, 2012, and change the award timeline from April 2012 to July 2012.
    - Replication Grant: Change the timeline to post the RFP from March 2012 to July 2012, and change the award timeline from April 2012 to September 2012.
 The State wishes to align the criteria to identify Commissioner's Schools with those that New York will propose for Reward Schools under the State's ESEA Flexibility Waiver Request. This delay will provide more time between posting of the RFPs and the dates for the submission and review of applications.
  - There is no change in the four-year budget totals for the project. However, NYSED proposes changes in the annual contractual expenditures to better align the anticipated expenditure of the funds to the timeline for the issuance of the RFPs. The State will move \$6,000,000 out of Year 2 and add \$3,000,000 into Year 3 and \$2,999,369 into Year 4.
- For project E4, School Innovation Fund:
  - Issue a second RFP/application kit by June 15, 2012. Two schools were selected for funding (approximately \$12,500,000 total) during the first round of School Innovation Fund applications.

In the event that all funds are not awarded under this second competition, NYSED will issue additional RFPs/application kits until the fund has been fully expended.

- There is no change in the four-year budget total for this project. NYSED does, however, propose changes in the annual contractual expenditures to reflect the changes in the timeline for the issuance of these RFPs. NYSED will reallocate \$1,286,666 of the Year 2 contractual funds evenly to Years 3 and 4.

As we have discussed with NYSED staff on the phone, we have noted a number of milestones in this letter and expect to check back on the status of these milestones with the State in six months, in early November 2012. Additionally, NYSED has indicated that it intends to submit an updated Scope of Work on May 28, 2012, which will contain the milestones and timelines described above.

If you need any assistance or have any questions regarding Race to the Top, please do not hesitate to contact your Race to the Top Program Officer, Shelley Kahn, at [shelley.kahn@ed.gov](mailto:shelley.kahn@ed.gov) or 202-453-5999.

Sincerely,

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

cc: Dr. John B. King, Jr., Commissioner of Education  
Ken Slentz, Deputy Commissioner, Office of P-12 Education  
Rebecca Kennard, Executive Director, Race to the Top Performance Management Office  
John Delaney, Director of Operations, Office of P-12 Education