



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

COMMISSIONER OF EDUCATION
PRESIDENT OF THE UNIVERSITY OF THE STATE OF NEW YORK

January 3, 2012

Dr. Raymond Colucciello
Superintendent of Schools
Albany City School District
Academy Park
Albany, NY 12207-1099

Dear Superintendent Colucciello:

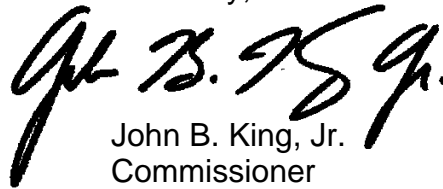
The Board of Education of the Albany City School District has failed to meet the December 31, 2011 deadline for providing sufficient evidence of compliance with the requirements of its 2011-2012 School Improvement Grant (SIG) application related to teacher and leader evaluation and support in its schools, including necessary revisions to teacher and principal contracts, and thus has failed to meet the terms of its 2011-12 SIG grant award. Although you have submitted partial evidence of such compliance, as detailed in the attached table, your submission is deficient in several respects. Since your district is unable to implement the Transformation model as described in your SIG application, the State Education Department is suspending your SIG grant effective immediately to the extent it implements the Transformation model. Your district must immediately cease obligating SIG funds in its Transformation model schools and will be required to submit a revised FS-10 budget to the Department documenting anticipated costs attributable to models other than Transformation, if any. Your district must also notify the Department if it intends to seek approval to amend its application to shift to a different intervention model in the current year.

The approval of your district's SIG application was based in part on signed commitments submitted with your application that stated that the districts and the teachers and principals unions would revise, by December 31, 2011, collective bargaining agreements for classroom teachers and building principals assigned to Transformation schools to implement the provisions of Education Law §3012-c, Commissioner's regulations, and the SIG application. Although §3012-c applies to teachers and principals in grades 4-8 English Language Arts and Math in 2011-12, the SIG application – consistent with the federal SIG guidelines requiring a rigorous evaluation system that takes into account student growth – further required evaluation in the four §3012-c categories (Highly Effective, Effective, Developing, Ineffective) using student growth as at least 20 percent of the composite evaluation score for all other teachers and principals in 2011-12.

Because your district has not provided us with sufficient evidence that these commitments have been fulfilled, we are taking immediate action to suspend all future SIG payments with respect to funds allocated to schools implementing the Transformation model. Please be advised that federal Race to the Top funding could also be in jeopardy; we are reviewing federal guidelines to determine the impact of this situation on those funds.

Pursuant to 34 C.F.R. §§ 80.43(b), 76.783(b) and 76.401(d)(2)-(7), your district may request a hearing to determine if our decision to suspend SIG funds violates any state or federal statute or regulation. Such hearing request must be submitted within 30 days of our action to suspend your SIG grant award and must specify the state or federal statute or regulation alleged to be violated. If you intend to request a hearing, please contact Assistant Commissioner Ira Schwartz at ischwart@mail.nysed.gov or Assistant Commissioner Sally Bachofer at sbachofe@mail.nysed.gov. At any time prior to such hearing, your district may submit evidence of compliance with the terms of your SIG grant, which will be considered by the Department.

Sincerely,

A handwritten signature in black ink, appearing to read "John B. King, Jr.", written in a cursive style.

John B. King, Jr.
Commissioner

Attachment

c: Ira Schwartz
Sally Bachofer
Roberto Reyes

Attachment

ALBANY

ALL SIG SCHOOLS		Teachers	Principals
2011-12			
20% State growth [in APPR]	Acknowledge state-provided growth measures for Grades 4-8 ELA and Math, where applicable	Sufficient	Sufficient
	Describe how growth will be measured outside Grades 4-8 ELA and Math and used in evaluations, including how HEDI criteria will be applied	Insufficient	Insufficient
20% Locally-selected measures of Student Achievement (only required in Grades 4-8 ELA and Math for 11-12) [in APPR]	Name specific assessment(s) by grade/subject	Insufficient	Insufficient
	Articulate HEDI criteria for each local assessment	Insufficient	Insufficient
60 % Other for Grades 4-8 ELA and Math and Up to 80% Other for All Other Grades and Subjects in 2011-12 [in APPR and CBA/MOU]	Name rubric from the State-approved list (or identify whether SED has approved a variance request)	Insufficient	Sufficient

	Commit to minimum of one observation by principal or other trained administrator	Insufficient	Sufficient
	Describe procedures for assessing "Other" including, for example, number of observations, announced/unannounced, who conducts observations, what other assessment tools or processes if any (e.g., portfolio, survey), etc.	Insufficient	Insufficient
	Describe how HEDI criteria will be determined for "Other"	Insufficient	Insufficient
HEDI Composite Rating (in APPR and not inconsistent with CBA)	Commit to using 4 HEDI criteria for all teachers and principals subject to evaluation	Sufficient	Insufficient
Appeals in CBA/MOU	Describe appeals procedures	Sufficient	Insufficient
TIP/PIPS in CBA/MOU	TIPS/PIPS for D and I ratings	Insufficient	Insufficient
	Procedures for TIPS/PIPS	Sufficient	Insufficient
CBA or MOU signed by labor & management		Sufficient	Sufficient