



State of New Jersey
DEPARTMENT OF EDUCATION
PO Box 500
TRENTON, NJ 08625-0500

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

KIMBERLEY HARRINGTON
Commissioner

July 26, 2017

Mr. Frank Haines
Legislative Budget and Finance Officer
Office of Legislative Services
State House Annex
P.O. Box 068
Trenton, NJ 08625-0068

Dear Mr. Haines:

Below are the New Jersey Department of Education's (Department's) responses to the questions raised by the Senate Budget and Appropriations Committee in the correspondence dated May 5, 2017.

Senators Ruiz and Cruz-Perez:

- Please provide an update of the department's review of the Educational Information and Resource Center. Is it the department's intent to provide funding to the center in future years, or has the department determined that the center should cease operations at the conclusion of the current fiscal year?

A: The Department worked through the spring and early summer of this year to review the Educational Information and Resource Center's (EIRC) financial situation. The EIRC is closed as of July, 1 2017. In working with the EIRC, the Department was able to assist the organization's orderly closure and limit the impact on students and school districts.

Senator Cruz-Perez:

- Please provide an update on the process of awarding grants under the County Vocational School District Partnership Grant program. What barriers has the department encountered such that the grants have not been awarded to date?

A: One of the four applicants was awarded their grant on May 9, 2017. The Department expects the remaining three grants to be awarded during the summer of 2017, pending each applicant's satisfactory completion of required pre-award application revisions within the prescribed timeline.

Mr. Frank Haines

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Senator Diegnan:

- The FY 2017 Appropriations Act included a provision stipulating that the commissioner enter into a contract with a nonprofit entity, having the largest library of audio textbooks, for the provision of products and services to public schools. Please provide a copy of that contract.

A: A copy of the contract is attached (Attachment A).

If my team or I can be of any further assistance, please don't hesitate to ask.

Sincerely,

A handwritten signature in blue ink that reads "Kimberley Harrington". The signature is written in a cursive, flowing style.

Kimberley Harrington
Commissioner
Department of Education

Governor's Literacy Initiative

COOPERATIVE AGREEMENT

Fiscal Year

2017

STATE OF NEW JERSEY COOPERATIVE AGREEMENT BETWEEN

The Department of Education

AND

"LEARNING ALLY, INC."

NJDOE Document ID#: 380-20170009

Governor's Literacy Initiative

I. COOPERATIVE AGREEMENT DESCRIPTION

Recipient

Organization Name: Learning Ally, Inc.
Address: 20 Roszel Road
Princeton, NJ 08540

Authorized Signatory: Cindy Cortina
Vice President Education Solutions

Project Director: Sakeenah Daniels
School and Student Success Manager

Chief Operating Officer: Cynthia Hamburger, COO

State Agency Subject to the FY 2017 Appropriation Act

Agency Name: Department of Education
Office of Special Education Programs

Address: 100 Riverview Plaza – 2nd floor
P.O. Box 500
Trenton, NJ 08625-0500

Sources of Funding -

<u>Fiscal Year</u>	<u>Amount</u>	<u>Account Number</u>
2017	\$220,000.00	17-100-034-5065-086-HRID-6030-2007
2017	\$270,000.00	17-100-034-5063-288-H300-6030

Account Titles Special Education – CFDA # 84.027A (Federal)
State Appropriation – Governor's Literacy Initiative

II. SCOPE OF AGREEMENT

This agreement, entered into by the above-named parties, for the time frame set forth in section III, below, sets out the specific programs, projects and activities in which Learning Ally shall engage in return for funding as provided by the Department of Education, as set forth above.

TERM OF AGREEMENT

- III. This agreement covers activities commencing on July 1, 2016 and continuing through June 30, 2017.

IV. AGREEMENT SPECIFICATIONS

Learning Ally agrees to perform the activities described on pages 5 through 7 of this Agreement.

Method of Payment

The Department of Education (NJDOE) will award up to \$490,000 for SFY 2017. The scope of work outlined in this cooperative agreement is for one year (SFY 2017).

Payments will be made by the department in accordance with the following:


- a. \$ 0 upfront funding
- b. \$490,000 upon receipt and approval of invoices from Learning Ally, Inc. detailing the schools served. The deadline for memberships will be April 1, 2017.

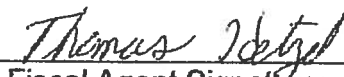
Governor's Literacy Initiative

V. AGREEMENT SIGNATURES

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be duly executed.

LEARNING ALLY, INC.


By  Date: 3/30/17
Authorized Signature:
Cindy Cortina, Vice President Education Solutions

By:  Date: 3/30/17
Fiscal Agent Signature:
Thomas Hetzel, Comptroller

New Jersey Department of Education

By  Date: 4/12/17
Kimberley Harrington, Acting Commissioner
New Jersey Department of Education

I attest that sufficient funds have been appropriated by the State legislature to cover the current state fiscal year portion of the grant.

By  Date: 4-10-17
Kevin Dehmer, Chief Financial Officer
New Jersey Department of Education

Background and Intent

Learning Ally, a national 501(c) 3 nonprofit, is partnering with the state of New Jersey to ensure that literacy objectives are met. Learning Ally is a premier provider of accessible textbooks for K-12 and post-secondary schools. Learning Ally is a national organization with 11 recording studios around the country, and the national headquarters is located in New Jersey.

This Agreement with Learning Ally comes in two parts.

Governor's Literacy Initiative

The first part of the Agreement is funded through the Governor's Literacy Initiative (GLI) with the following language from the FY 2017 Appropriations Act: *"The amount herein above appropriated for the Governor's Literacy Initiative shall be used for a grant for the "Learning Through Listening" program at the New Jersey Unit of Learning Ally."*

Learning Ally will enroll schools in the following priority:

- 1) Renewing site licenses with FY 2016 GLI funded schools
- 2) Filling any available site licenses with schools within districts classified as School Development Authority (SDA) districts

The Governor's Literacy Initiative component will provide the following services to 323 K-12 schools in New Jersey:

- School Memberships
- Unlimited Educator Accounts
- Unlimited student accounts (24/7 access) providing access at school and at home, creating a consistent learning environment to support their individual learning needs
- Unlimited and free download of the Learning Ally Audio iOS App and Android App
- Unlimited and free download of LINK playback software for listening on a PC or Mac computer
- Unlimited access to downloaded human recorded audiobooks from the 80,000+ titles in Learning Ally's library
- 2,000+ titles that include human and synthetic audio synchronized with highlighted text, a feature only available to Learning Ally members
- Access to the only library of STEM audiobooks with full and complete figure and picture descriptions
- A communication plan incorporating email, custom landing page, interactive webinars and telecommunication outreach to special education directors, school administrators and/or teachers
- Learning Ally Teacher Tool access

Governor's Literacy Initiative

- Teachers, students and parents will have access to Learning Ally technology and customer support personnel
- Unlimited use of a customized section of Learning Ally's website that houses Learning Ally's online audiobook catalog allowing New Jersey educators to access and download audiobooks instantly, replay trainings and review a variety of support documents: <http://www.learningally.org/New Jersey/>

Federal Funds

The second part of the Agreement is funded through federal funds, with the following language from the FY 2017 Appropriations Act: *"Subject to the availability of federal funds, the Commissioner of Education shall enter into a contract with a nonprofit entity, having the largest library of audio textbooks, for the provision of products and services to public schools to assist students who are unable to use standard text due to a learning disability, visual impairment, or a physical disability. The products and services to be provided may include, but need not be limited to, accessible, human-narrated audiobooks that are available through both mainstream and specialized devices, software capable of recording and reporting data for instructional purposes, and professional development opportunities for instructional and support staff."*

This second part of the Agreement will provide the same services to 100 schools to be funded through the Office of Special Education Programs (NJOSPE) federal IDEA-B funds. Schools included in this initiative will be expected to fully fund membership after year two. It is the hope of NJOSPE that this initiative will allow more students with print disabilities to receive support through Learning Ally.

The IDEA funds are divided into two parts:

- Part 1 (\$110,000) will fund 50% of the 2016-2017 membership costs for the 100 schools funded at 100% through the 2016 agreement.
 - In the event schools decline to continue participation with Learning Ally, Learning Ally may use the unexpended funds to provide memberships to new schools.
- Part 2 (\$110,000) will be provided to fund 100% of membership costs to 50 additional schools. Learning Ally will conduct outreach to identify the 50 schools for membership. These memberships must be for schools new to Learning Ally and the schools cannot have received membership or services from Learning Ally in previous year through the Governor's Literacy Initiative or IDEA funding.

Reporting Requirements

- By April 15, 2017, Learning Ally will submit a list to NJDOE/OSEP with the following information:
 - The 100 schools fully funded in 2015-2016 and which of those schools are continuing membership at 50% funding in 2016-2017.
 - A list of schools receiving membership at 100% funding in the 2016-2017 school year.

Governor's Literacy Initiative

- By August 1, 2017, Learning Ally will submit a report detailing the schools enrolled through the IDEA funded project in 2015-2016 and 2016-2017, the number of staff/educators trained, students enrolled, books distributed, and pages read.