

## REQUEST FOR PROPOSAL (RFP)

### RFP Proposal # SA-08

#### NEW YORK STATE EDUCATION DEPARTMENT

#### Title: Virtual Advanced Placement® (VAP) Program

<b>Legislative Authority</b>	Race to the Top (RttT) funds through the New York State Education Department (NYSED).
<b>Purpose</b>	To develop the capacity of local school districts and other eligible applicant entities to provide virtual learning (online and blended) Advanced Placement® (AP®) coursework to eligible students.
<b>Eligible Applicants</b>	<p>Public school districts and public charter schools which have at least 25% of students from low-income families as determined using the criteria specified under section 1113(a)(5) of the Elementary and Secondary Education Act (ESEA); a Boards of Cooperative Educational Services (BOCES)-led consortium of public school districts which have at least 25% of students from low-income families as determined by the criteria specified; or a charter school consortium in which all schools meet the 25% of students from low-income families criteria specified and the lead applicant is a charter school (not a charter management organization). All applicants must be located in New York State.</p> <p>ESEA criteria: <a href="http://www2.ed.gov/policy/elsec/leg/esea02/pg2.html#sec1113">http://www2.ed.gov/policy/elsec/leg/esea02/pg2.html#sec1113</a>.</p> <p>Eligible districts and charter schools are listed in Appendix B of this RFP. Note: If you believe your district or school is eligible to submit an application in response to this RFP and your school or district is not included on the list of eligible districts or schools please contact NYSED immediately at <a href="mailto:VirtualNY@mail.nysed.gov">VirtualNY@mail.nysed.gov</a>.</p>
<b>Funding</b>	<p>Source: RttT</p> <p>Estimated Funds Available: \$17,105,000</p> <p><b><u>Awards will be made subject to availability of funding by the U.S. Department of Education.</u></b></p>
<b>Distribution of funding</b>	<p>Funds available will be divided into two categories: single public school district or individual charter school awards, and consortium awards. The funding allocated for individual school district/public charter school applications is \$7,105,000 and the funding allocated for consortium applications is \$10,000,000.</p> <p>Only those proposals that receive a final score of 75 or higher on the application will be considered for funding.</p>

	Eligible applicants can apply individually or as a part of a consortium, but not both. No school, school district, or BOCES may apply for or be listed in a consortium as a participant for more than one Virtual Advanced Placement® (VAP) Program grant application. Please see the Funding & Awards section for information on funding levels.		
<b>Important Dates for Awarding Grants</b>	Applications must be postmarked by: October 1, 2012	Anticipated Preliminary Award Notification: November 16, 2012	Anticipated Project Period: 1/2/13-8/31/14
<b>Additional Information</b>	Questions about this RFP should be sent no later than September 7, 2012 to the e-mail address identified below. Questions and Answers will be posted on September 14, 2012 at <a href="http://usny.nysed.gov/rttt/rfp/">http://usny.nysed.gov/rttt/rfp/</a> . No individual responses will be provided.		
<b>NYSED Contacts</b>	Program Matters: Lawrence Paska <a href="mailto:VirtualNY@mail.nysed.gov">VirtualNY@mail.nysed.gov</a>	Fiscal Matters: Lynn Caruso <a href="mailto:VirtualNY@mail.nysed.gov">VirtualNY@mail.nysed.gov</a>	

Note: All entities except for public entities exempted by the State Comptroller are required to go through the contract process. Any agency that has not previously received funding with the State Education Department must complete and submit a [Payee Information Form](#) with their application.

### Timetable of Important Dates

Activity	Date
RFP issued and posted	8/6/12
Final Receipt of Questions	9/7/12
Official Responses to Questions posted	9/14/12
Proposal Due Date (postmarked by)	10/1/12
Anticipated Preliminary Award Notification	11/16/12
Anticipated Program Start	1/2/13

The New York State Education Department does not discriminate on the basis of age, color, religion, creed, disability, marital status, veteran status, national origin, race, gender, genetic predisposition or carrier status, or sexual orientation in its educational programs, services and activities. Portion of any publication designed for distribution can be made available in a variety of formats, including Braille, large print or audiotape, upon request. Inquiries regarding this policy of nondiscrimination should be directed to the Department's Office for Diversity, Ethics, and Access, Room 530, Education Building, Albany, NY 12234.

## Table of Contents

REQUEST FOR PROPOSAL (RFP).....	1
Table of Contents .....	3
APPLICATION GUIDANCE .....	5
Introduction .....	5
Eligibility Requirements .....	8
Mandatory Requirements.....	9
Funding & Awards.....	9
PROGRAM APPLICATION .....	19
Required Elements of the Proposal Narrative .....	19
Section A – Program Overview – 15 points .....	20
Section B – VAP Program Design and Proposed Activities - 25 points .....	22
Section C – Applicant Capacity, Project Personnel, and Virtual Learning Resources – 15 points ..	24
Section D – Management Plan – 15 points.....	25
Section E – Program Evaluation – 10 points .....	26
Budget & Budget Narrative - 30 Points.....	26
FS-10 .....	26
Budget Summary.....	26
Budget Narrative.....	27
Budget: Additional Information .....	27
Application Review and Scoring.....	29
Award Methodology .....	29
Debriefing Procedures .....	41
Award Protest Procedures .....	41
Winning Applicants’ Responsibility.....	41
Vendor Responsibility .....	42
Payee Information Form/NYSED Substitute W-9 Form .....	43
APPLICATION INSTRUCTIONS .....	44
Program Narrative Standards .....	44

Submission .....	44
ASSURANCES .....	47
ATTACHMENTS .....	59
Attachment A: Application Cover Page .....	60
Attachment B: Multi-Year Budget Summary .....	62
Attachment C: Memorandum of Understanding (MOU) .....	63
Attachment D: Letter of Intent .....	65
Attachment E: Mandatory Requirements Certification.....	66
APPENDICES.....	67
Appendix A: Standard Clauses for NYS Contracts.....	68
Appendix A-1 G: Additional NYS Standard Clauses for NYS Contracts .....	75
Appendix A-2: American Recovery and Reinvestment Act of 2009 (ARRA) .....	77
Appendix B: List of Eligible Applicants .....	78
Appendix C: Definitions .....	87
Appendix D: Allowable Funding Activities .....	92

## APPLICATION GUIDANCE

### Introduction

The New York State Education Department (NYSED) was awarded Race to the Top (RttT) funds to implement a statewide virtual learning strategy. NYSED is seeking competitive grant proposals for funding to:

- develop on-demand virtual learning Advanced Placement® (AP®) courses for low-wealth/high-need students, schools, and districts in New York State;
- deliver on-demand virtual learning AP® courses to students in BOCES, school districts, and charter schools who would not otherwise have access to such courses for the duration of the grant;
- administer the Preliminary SAT/National Merit Scholarship Qualifying Test® (PSAT/NMSQT®) and AP® assessment to these students;
- provide professional development for educators and administrators for the development and delivery of on-demand virtual learning AP® courses to low-wealth/high-need students, schools, and districts in New York State;
- provide technical assistance to support and further the virtual learning services identified above, resulting in increased AP® virtual learning course offerings to participating LEAs and other eligible entities; and
- publish and offer AP® courses courseware to an Open Educational Resources (OER) statewide virtual learning course repository for use by New York State teachers.

### Background

The Virtual Advanced Placement® (VAP) Program, funded through Federal Race to the Top (RttT) dollars, will award competitive grants designed to increase the successful participation of low-income students in Preliminary SAT/National Merit Scholarship Qualifying Test® (PSAT/NMSQT®) and virtual learning (online and blended instruction) Advanced Placement® (AP®) courses and tests. By supporting increased access to PSAT® tests and virtual learning participation in AP® courses and AP® tests, the program provides greater opportunities for low-income students to demonstrate college- and career-readiness, and to demonstrate mastery of the New York State Learning Standards. The program goals are to provide incentives for larger and more diverse groups of students to participate and succeed in virtual learning AP® programs, and to increase the numbers of low-income and other disadvantaged students who receive AP® credits.

In New York State, there has been a steady increase in the number of public school students who benefit from the AP® experience. According to the 8th Annual *AP® Report to the Nation*, released by the College Board®, an increasing percentage of New York's high school graduates are succeeding on AP® Exams, affirming the vision of educators that many more students deserve access to this type of course work. More than 26 percent of New York's public high school graduates scored 3 or higher on an AP® Exam

during high school, which is the second highest rate in the nation and far exceeds the national average of 18.1 percent. 40.3 percent (63,032) of graduates from New York's public high school class of 2011 took at least one AP® Examination during high school, compared to 31.9 percent (50,884) from the class of 2006 and 27.9 percent (39,590) from the class of 2001. 26.5 percent (41,427) of graduates from New York's public high school class of 2011 scored 3 or higher on at least one AP® Examination during high school, compared to 21.0 percent (33,430) from the class of 2006 and 18.7 percent (26,463) in 2001.

New York's traditionally underserved public high school graduates are participating and succeeding in AP® courses. However, these students remain underrepresented not only in AP® classrooms but also among Americans earning a college degree. Equitable preparation for AP® and increased AP® course-taking opportunities are vital efforts that must be made. Research consistently shows that minority and low-income students who earn a 3 or higher on an AP® Exam are more likely than their peers to earn higher grades in college and to earn a college degree within five years. The AP® community strives to achieve equity and excellence for its students. But this can only be accomplished when the diversity of each state's students is proportionately represented among its successful AP® student population.

14.5 percent of New York's class of 2011 was Hispanic/Latino, and 12.0 percent of successful AP® students from the 2011 graduating class were Hispanic/Latino. New York has achieved 82.8 percent AP® equity and excellence for Hispanic/Latino students. The number of Hispanic/Latino graduates who took at least one AP® Examination during high school increased from 5,539 in 2006 to 8,434 in 2011. The number of these students who scored a 3 or higher on at least one AP Examination® increased from 3,579 to 4,966 during that time.

The number of black/African American graduates who took at least one AP® Exam during high school increased from 3,493 in 2006 to 5,520 in 2011, and the number of these students who scored 3 or higher on at least one AP® Exam increased from 1,082 to 1,809. Despite these gains, however, black/African American students in New York remain significantly under-represented in AP® classrooms and within that group of students experiencing success in AP®.

The number of low-income graduates who took at least one AP® Exam during high school increased from 9,276 in the class of 2006 to 14,330 in the class of 2011. The number of low-income students who scored 3 or higher on at least one AP® Examination increased from 4,802 to 7,408 during that time. All together, low-income graduates from the state of New York took 35,944 AP Examinations® during the course of their high school careers.

The 10 most popular AP® Exams taken by New York's public high school graduates during high school, in descending order of popularity, were: U.S. History, English Literature and Composition, English Language and Composition, Calculus AB, Biology, World History, U.S. Government and Politics, Psychology, Physics B, and European History.

The rigorous curricula used in AP® courses encourage students to think critically, construct solid arguments, and see many sides of an issue — all skills that prepare students for success in college and career. Research shows that students who score 3 or higher on AP® Exams typically experience greater academic success in college and are more likely to earn a college degree than non-AP® students. There is

still room to improve on access and preparation, and through the VAP Program, New York's AP® community will continue to grow and will continue to offer all students the opportunity to succeed in college and beyond.

### **Purpose**

Through the NYSED VAP Program, more minority and low-income students can participate and succeed in virtual learning (online and blended instruction) Advanced Placement® courses. The NYSED VAP Program provides an opportunity for eligible entities to create and offer new or expanded virtual learning Advanced Placement® programs in schools identified as serving low-income families.

The VAP Program supports NYSED's effort to allow local education agencies (LEAs), BOCES, and charter schools to offer more rigorous high school virtual learning Advanced Placement® courses. In addition to improving academic achievement for all students, the program strives to raise expectations for low-income children in a virtual learning environment. The development, enhancement, and expansion of virtual learning Advanced Placement® courses is a key strategy for increasing the participation of students, especially low-income and other disadvantaged students, in such courses.

The VAP Program promotes greater access to, and participation in, PSAT® tests and virtual learning Advanced Placement® courses and tests for low-income and other disadvantaged students. Covered programs include virtual learning Advanced Placement® courses, as well as the Advanced Placement® tests administered by the College Board®.

### **Program Goals**

NYSED believes VAP Program funding can significantly contribute to expanding the capacity of districts, charter schools, and consortia of districts and charter schools throughout New York State to effectively and efficiently offer a comprehensive virtual learning Advanced Placement® program to low-income students through strategic investments in:

- Providing professional development of teachers to develop, conduct, and support virtual learning Advanced Placement® courses;
- Improving targeted student access to virtual learning Advanced Placement® courses through the development of adequate programming infrastructure (hardware, software, courseware, licenses, administering tests, etc.); and
- Developing more virtual learning Advanced Placement® courses for a repository to be shared statewide.

This "ground-up" approach relies heavily on the active, sustained investment in instructional staff to support effective program implementation. For example, teachers selected by the BOCES, districts, and charter schools that are awarded NYSED VAP Program grants may participate in sustained, high-quality professional development activities designed to:

- Improve teacher content area knowledge and virtual instruction capacity;
- Increase utilization of research-based classroom and online classroom practices that foster achievement online for low-income students; and

- Strengthen the alignment of virtual learning pre-Advanced Placement® programs and virtual learning Advanced Placement® curricula.

NYSED anticipates that, with adequate human resources available to support a school's or district's Virtual AP® Program, efforts to build out the program through investments in infrastructure (including the development of new courseware to be shared statewide through a NYSED-sponsored statewide virtual learning course repository) will enable more districts and charter schools to participate and take advantage of existing virtual learning resources to benefit all students attending their schools.

### **Additional Professional Development Resources**

In early 2012, NYSED awarded a contract to the College Board® to conduct regional Advanced Placement® (AP®) Professional Development for teachers in the Science, Technology, Engineering, and Mathematics (STEM) disciplines. The funded professional development program seeks to enhance a STEM teacher's ability to increase student learning and achievement in secondary mathematics or science courses in public school districts that have a middle or high school in improvement status based on the 2010-11 and 2011-12 accountability lists (see:

<http://www.p12.nysed.gov/irs/accountability/designations/2010/Nov/Schools-identified-in-improvement-status.pdf> and

<http://www.p12.nysed.gov/irs/accountability/2011-12/November2011SchoolsInImprovementStatus.pdf> respectively).

Eligible applicants submitting proposals in response to the VAP Program RFP may leverage the VAP Program to initiate new or augment existing virtual learning programs they may already sponsor, to expand the capacity of secondary teachers (7-12) in high-needs schools and districts, and to prepare students for college-level studies and careers in STEM fields.

### **Eligibility Requirements**

Public school districts and public charter schools which have at least 25% of students from low-income families as determined using the criteria specified under section 1113(a)(5) of the Elementary and Secondary Education Act (ESEA) based upon data collected by NYSED for the 2010-2011 School Year; a Boards of Cooperative Educational Services (BOCES)-led consortium of eligible public school districts which have at least 25% of students from low-income families as determined by the criteria specified; or a charter school consortium in which all participating schools meet the 25% of students from low-income families eligibility criteria specified above and the lead applicant is a charter school (not a charter management organization). *NOTE: This list includes all public charter schools with 25% or higher poverty. Only those public charter schools from this list that are high schools, or that are middle schools adding a high school grade in the 2012-2013 or 2013-2014 school years, are eligible to apply.*

Eligible applicants for this grant include:

- Individual school districts or public charter schools with an enrollment as reported to NYSED for the 2010-2011 School year of at least 25% of students from low-income families. A list of all eligible school districts and public charter schools are included in Appendix B of this RFP.

- Boards of Cooperative Educational Services (BOCES)-led consortium of eligible school districts.
- Consortium of eligible public charter schools lead by an eligible public charter school.

All applicants must be located in New York State.

Eligible applicants can apply individually or as a part of a consortium, but not both. No school, school district, or BOCES may apply for or be listed in a consortium as a participant for more than one VAP Program grant application. Please see the Funding & Awards section for information on funding levels.

ESEA criteria: <http://www2.ed.gov/policy/elsec/leg/esea02/pg2.html#sec1113>

### **Mandatory Requirements**

1. Consortia applications and applications from school districts located in cities with a population of greater than one-hundred and twenty-five thousand inhabitants must ensure the provision of anticipated services to the student population identified as the target for the grant are provided to eligible students in more than one school building. Failure to propose to serve students from more than one school building will disqualify these applicants for funding consideration.
2. Lead applicants submitting applications on behalf of either a BOCES-led or public charter school-led consortium are required to provide a minimum of 20% of the direct program services proposed in their application.
3. Public Charter School consortium applications must include a signed Memorandum of Understanding (MOU) for each consortium member describing the roles and responsibilities of each member as well as the related grant expenditures required by each member.
4. BOCES-led consortium applications must include a signed Letter of Intent (LOI) for each consortium member describing the roles and responsibilities of each member as well as the related grant expenditures required by each member.
5. Applications must first meet the mandatory requirements set forth to advance to the programmatic scoring. In accordance with the Attachment E certification, attachments will be reviewed by an evaluation team to confirm that the mandatory requirements have been met. If an application fails to meet all of the mandatory requirements the application will be disqualified and removed from further consideration.

### **Funding & Awards**

Funds available will be divided into two categories: single school district or individual charter school awards, and consortium awards.

Only those proposals that receive a final score of 75 or higher on the application as scored by the evaluation team will be considered for funding.

Eligible applicants can apply individually or as a part of a consortium, but not both. No consortium lead applicant (BOCES or charter school), or individual school or school district, may apply for or be listed in

the consortium as a participant for more than one VAP Program grant application. If a charter school or school district submits an individual application and is included in a consortium application or BOCES application, the application from the individual charter school or school district will be disqualified from further consideration. If a charter school or school district is listed in multiple consortia or BOCES applications, NYSED will reserve the right to remove the charter school or school district from one of the consortia applications.

For a city school district located in a city with a population of one million or more inhabitants, NYSED anticipates awarding up to one grant to the eligible public school district of up to \$1,000,000.

For city school districts located in cities having a population of one hundred twenty-five thousand inhabitants or more, NYSED anticipates awarding up to 4 grants to eligible public school districts of up to \$750,000 each.

For all other single school district or public charter school applications, NYSED anticipates awarding approximately 6 grants of up to \$500,000 each.

For BOCES-led consortium or public charter school consortium applications, NYSED anticipates awarding 5 grants of up to \$2,000,000 each.

**Please note:** Any excess funds in one or more allocations will be combined and awarded to the highest ranked unfunded proposal(s) statewide.

All schools and school districts included on the eligibility list included in Appendix B of this RFP meet the eligibility criteria that at least 25% of students are from low-income families and are therefore eligible to submit applications in response to this RFP.

NYSED will enter into a grant contract with a charter school that is awarded a grant either individually or as a lead applicant for a consortium. Grant contracts are subject to review and approval of the State Comptroller. Payments under the grant contract will be made directly to the charter school upon submission of properly completed claim forms and as indicated in the Fiscal Guidelines for Federal and State Aided Grants (<http://www.oms.nysed.gov/cafe/guidance/guidelines.html>).

**NYSED Charter School Consortium Policy for the VAP Program RFP:**

A group of two or more eligible charter schools can form a consortium to apply for a grant under this RFP. A memorandum of understanding (MOU) must be included with the grant application outlining the roles and responsibilities of each consortium member and related budget expenditure information that comports to the lead applicant's budget submission. The consortium must meet the following requirements:

- The consortium must designate one of the participating public charter schools (not a charter management organization) to serve as the lead applicant and fiscal agent for the grant. The lead applicant must be an eligible grant recipient and must provide a minimum of 20% of the direct program services to be funded with this grant. All other consortium members must be eligible grant recipients and must be identified with signed MOU included with this application. The applicant must use the template provided in this RFP (Attachment C). The specific services that

each member will provide must be outlined in the application and the consortium MOU(s), and each MOU must be included with the application.

- In the event a grant is awarded to an eligible public charter school consortium, the grant contract will be prepared in the name of the lead applicant/fiscal agent, not the consortium, since the group is not a legal entity.
- The lead applicant/fiscal agent must meet the following requirements:
  - a. Must be an eligible grant recipient as defined by this RFP.
  - b. Must provide a minimum of 20% of the direct program services or activities funded by this grant.
  - c. Must receive and administer the grant funds and submit the required reports to account for the use of grant funds including Federal ARRA reporting.
  - d. Must require consortium partners to sign a Memorandum of Understanding that specifically outlines all services and related grant program expenses each partner agrees to provide including the funding required to be provided to them from the grant to support these services or activities.
  - e. Is PROHIBITED from sub-granting funds to other recipients. The fiscal agent is permitted to contract for services with other consortium partners or sub-contractors/consultants to provide services that the fiscal agent cannot provide itself, provided, however, that sub-contracted expenses of other than consortium members does not exceed 30% of grant award funds.
  - f. Must be responsible for the performance of any services provided by the partners, consultants, or other sub-contractors and must coordinate how each one will participate.

**NYSED BOCES Consortium Policy for the VAP Program RFP:**

A BOCES and a group of two or more eligible school districts can form a consortium to apply for a grant under this RFP. A Letter of Intent signed by the district superintendent must be included with the grant application demonstrating the district's commitment to participating in the application and, if funded, the Virtual AP® Program as developed by the BOCES acting as lead applicant.

- The BOCES applicant/fiscal agent must meet the following requirements:
  - a. Must provide a minimum of 20% of the direct program services or activities funded by this grant.
  - b. Must receive and administer the grant funds and submit the required reports to account for the use of grant funds including Federal ARRA reporting.
  - c. Must require consortium partners to sign a letter of intent that specifically outlines all services and related grant program expenses each partner agrees to provide including the funding required to be provided to them from the grant to support these services or activities.
  - d. Is PROHIBITED from sub-granting funds to other recipients. The fiscal agent is permitted to contract for services with other consortium partners or sub-contractors/consultants to provide services that the fiscal agent cannot provide itself, provided, however, that sub-contracted expenses of other than consortium members does not exceed 30% of grant award funds.

- e. Must be responsible for the performance of any services provided by the partners, consultants, or sub-contractors and must coordinate how each one will participate.

## **Mandatory Reports**

Applicants approved for funding under this program will be required to submit to NYSED, for each Advanced Placement® subject supported by the grant, interim and annual reports on: the number of students served by the grantee who are taking a virtual learning Advanced Placement® course in that subject; the number of Advanced Placement® tests in that subject taken by students served by the grantee; and the students served by the grantee scores on the Advanced Placement® tests in that subject.

In addition, grantees must submit disaggregated data (by race, ethnicity, sex, English proficiency status, and socio-economic status) on individuals in the program taking virtual learning Advanced Placement® courses and tests. The grantee must supply NYSED with a file of the New York State Student Identifier System (NYSSIS) unique student identifier of every student who is involved in the VAP Program. Unique identifiers enhance student data reporting and improve data quality and ensure that students can be tracked longitudinally. In the Student Information Repository System (SIRS), each student record is uniquely identified with a 10-digit number assigned when the student first enters a State public school, public agency, child-care institution that operates a school, or participating nonpublic school.

A Final Narrative Report and a Final Expenditure Form (FS10-F) will be required at the end of each fiscal year.

### *Equipment Inventory*

Consistent with federal regulations, procedures for managing equipment (including replacement equipment), acquired in whole or in part with these grant funds, must meet the following requirements:

- Property records must be maintained that include a description of the property, a serial number or other identification number, the source of property, who holds title, the acquisition date, and cost of the property, percentage of Federal participation in the cost of the property, the location, use and condition of the property, and any ultimate disposition data including the date of disposal and sale price of the property.
- A physical inventory of the property must be taken and the results reconciled with the property records at the conclusion of each grant year.
- A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft shall be investigated.
- Adequate maintenance procedures must be developed to keep the property in good condition.

## **Mandatory Interim Reporting**

All VAP Program grant recipients will be required to submit by May 15, 2013 of the first year and February 15, 2014 of year 2 an interim report, in a format specified by the NYSED VAP grant program office, to include:

- The number of students taking AP® exams for each course in each subject area as a result of VAP Program funding.
- The guidelines for student recruitment and student selection criteria and strategies to provide virtual learning (online and blended) AP® coursework to target students.
- A summary of the development, enhancement, or expansion of professional development opportunities for teachers to conduct and support virtual learning AP® courses at the high school level for the targeted student population.
- A summary of the development, enhancement, or expansion of institutional infrastructure to support the district(s) or school(s) Virtual AP® Program or enable improved access to virtual learning Virtual AP® courses by the targeted student population.
- A summary of the development, enhancement, or expansion of virtual learning AP® courses at the high school level to enable low-income students to enroll and succeed on AP® tests.
- A file of the New York State Student Identifier System (NYSSIS) unique student identifiers of every student who is involved in the VAP Program.
- Detailed demographic data (disaggregated by race, ethnicity, sex, English proficiency status, socioeconomic status, and special education status) on individuals taking advanced placement courses and test, by subject area offered, as a result of the VAP Program.
- Proof of increases and decreases in the number of students taking the AP® exams.
- Any changes in number of actual students taking AP® exams for each course in each subject area from projected numbers.
- The number of students successfully completing AP® exams to date measured by receiving a score of 3 or better on an exam.
- Proof of increases and decreases in the number of students passing the AP® exams as a result of the VAP Program grant.
- Detailed information on the number and type of direct student services (before-and after-school tutorials, summer classes, and online reviews and courses) received by students taking advanced placement exams; hours of services each student received, as a result of the VAP Program grant.
- Detailed information about the number and subject matter of new AP® courses to be offered in the upcoming school year and an estimate of the number of disadvantaged and low-income students likely to enroll as a result of VAP grant funding.
- The number and type of staff completing professional development for becoming an effective AP® teacher, those assigned to teach AP® courses beginning in the upcoming school year (include training hours as well as highly qualified status) as a result of VAP Program funding.
- Equipment Inventory report, as specified above in this RFP

Grant recipients are required to respond to periodic e-mail inquiries on the grant's progress, changes, and any problems throughout the grant year. NOTE: Any requests for significant changes in a grantee's VAP Program and approved activities must be requested by the VAP Program grant coordinator and approved by NYSED prior to the change being made.

Failure to submit timely and accurate reports may result in delay or suspension of grant payments.

## Program Guidance

### NYSED Criteria for Online and Blended Courses

Note: Course development activities expenditures are limited to a total of 30% of the total grant funding.

NYSED has established the criteria for the components of an online and blended course for statewide dissemination and use. The applicant is responsible for demonstrating the application of these criteria in demonstrating its ability to provide virtual learning AP® courses. These criteria include:

1. Completeness: the course includes the specific content to be taught, a scope and sequence of units, formative and summative assessment tools and techniques, and high quality, detailed instructional strategies.
2. Delivery: the course is delivered online or through other electronic means, and has the potential for ease of adoption by schools, BOCES, school districts, or charter schools.
3. Support: the course includes regular and substantive interaction between students and the instructor(s), which shall include, in public schools and BOCES, New York State certified teacher(s) certified in the course's subject area.
4. Standards: the course is aligned with the relevant New York State Learning Standards, where applicable, and curriculum frameworks at the commencement level.
5. Rigor: the course is academically rigorous, is comparable to or exceeds coursework offered in a traditional classroom setting, and provides a demonstrated record of or potential for effectiveness in improving student academic achievement.
6. Accessibility: the course adheres to standard principles of universal design and accessibility for all learners, including (but not limited to) students with disabilities, English Language Learners, hospitalized students, incarcerated youth, home bound students, etc.
7. Cost: the course has practical costs for adoption by schools, BOCES, school districts, charter schools, and its use can reasonably be sustained over time.
8. Time: the course meets the equivalent of 180 minutes of instruction per week throughout the school year for a full credit (a minimum of 108 hours). For more information, please see Part 100.1(a) Commissioner's Regulations, available at <http://www.p12.nysed.gov/part100/pages/1001.html>.
9. Assessment: the course results in measurable outcomes of student achievement and use of the AP® Exam as a summative assessment, which documents each student's course progression and completion.

10. Professional Development Plan: the course submission includes provisions for substantive and ongoing professional development for teachers. Courses must include instruction and continuous support on how to teach and implement a course in an online environment prior to starting the course.

## **NYSED Components for Online and Blended Courses**

Note: course development activities expenditures are limited to a total of 30% of the total grant funding.

### **I. Introduction**

- A. Course **title** and **abstract** addressing students served, grade levels, content, prerequisites, completion time, etc.
- B. **Needs/placement assessment/process** that describes how each student's knowledge and skill/readiness will be determined prior to course admission.

### **II. Course Description**

- A. **Scope and sequence** of units with time allocations.
- B. Main **instructional strategies** with associated units and major learner outcomes addressed.
- C. **Unique** instructional requirements - for example, science laboratories, group/team tasks, field trips, etc.

### **III. Assessments/Evaluation**

- A. **Formative** assessments - frequency and use in guiding instruction. At least quarterly assessments must be provided and documented.
- B. **Summative** assessments - final examination for course and steps for assuring students are prepared to take the AP® test as a summative assessment, Regents Examination, where applicable, or an approved alternative, where applicable. A list of *Department-Approved Alternative Examinations Acceptable for Meeting Requirements for a Local or Regents Diploma* can be found at:

<http://www.p12.nysed.gov/osa/hsgen/archive/list.pdf>.

- C. Other **evaluative** tools and techniques, such as projects, papers, presentations.
- D. Student **identification** and **assurance** process - procedures for assuring each enrolled student is completing all required course components and assessments.

### **IV. Course Delivery and Revision**

- A. Components for addressing **universal design** and **accessibility** for students with disabilities, English language learners, incarcerated youth, and homebound children.
- B. Provisions for initial and ongoing online and face-to-face **professional development** for local teachers.

- C. **Cost** to local school districts, or charter schools.
- D. Process for **critical review** and **improvement**.

In addition, the following assurances are made about the course components:

- The unit of analysis would be one (1) unit of credit toward the high school diploma, with course completion preparing a student to take and pass the corresponding Regents examination (or an approved alternative) where appropriate.
- The principles of universal design and accessibility are met for (but not limited to) students with disabilities, English language learners, incarcerated youth, hospitalized students, homebound students, etc.
- There is an optional provision to offer courses in the languages in which Regents examinations may be taken (Chinese, English, Haitian Creole, Korean, Russian, and Spanish).
- For science courses, laboratories must be provided to satisfy the State regulation for 1,200 minutes of hands-on (not simulated) laboratory experience for courses culminating in a Regents examination, as outlined in section 100.5(b)(7)(iv)(d) of the Regulations of the Commissioner of Education. (See <http://www.p12.nysed.gov/part100/pages/1005.html#regentsdiploma> for information.)
- Course presentation must, at a minimum, be asynchronous. Eligible applicants must identify how teachers will be available to students for instruction and extra support, and the expectations for student course completion (e.g., time, location, duration).
- All courses offered to satisfy general education and diploma requirements must satisfy all requirements outlined in section 100.5(d) (10) of the Regulations of the Commissioner of Education regarding credit for online and blended coursework. (See <http://www.p12.nysed.gov/part100/pages/1005.html#Credit> for information.)
- All materials developed for and within the course (e.g., video recordings of lectures and activities, teacher-created assignments and assessments, and student work samples) must be preserved for inclusion in the statewide virtual learning repository (see Year 2).
- Proposed course development activities expenditures are limited to a total of 20% of the total grant funding.

### **Process for Conducting an Infrastructure Analysis to Provide Virtual Learning AP® Courses**

The applicants bidding on this proposal should be able to assist NYSED in implementing the following recommended steps for school districts, BOCES, or charter schools to take. These steps will ensure readiness in providing opportunities to offer online and/or blended courses. Successful bidders will demonstrate evidence of careful planning and research in preparing online and/or blended courses that allow students to satisfy general education and diploma requirements. Such evidence will include the ability of the applicant to:

- Form a district-level committee(s), including administrators, teachers, parents and other community stakeholders, to examine online learning policies and practices in a comprehensive manner. Be sure to also consider any access and equity issues involving technology hardware and software in your district.
- Ensure that courses adhere to standard principles of universal design and accessibility for all learners (see <http://www.udlcenter.org/>), including (but not limited to) students with disabilities, English Language Learners, hospitalized students, incarcerated youth, homebound students, etc.
- Assess student needs and interests for online and blended course opportunities. Take into consideration the social, emotional, and academic needs, benefits, and consequences associated with the online experiences.
- Assess online program availability as compared to student needs.
- Create and adopt local district policy for online and blended courses, including criteria for determining online course equivalency.
- Provide initial and sustained professional development opportunities through the applicant's Professional Development Plan in the pedagogy of digital learning and online study so that teachers may more effectively use online tools for instruction.
- Use common evaluation standards for online coursework, such as those available from the International Association of K-12 Online Learning (iNACOL) and the International Society for Technology in Education (ISTE). These standards are available at:
  - **iNACOL:** <http://www.inacol.org/>,
  - **ISTE:** <http://www.iste.org/AM/Template.cfm?Section=NETS>
- Communicate with parents on measures and standards of online learning and its equivalence to classroom-based instruction.
- Evaluate district-created and vendor-purchased online content and online courses on an annual basis.

All services provided will reflect the following principles in teaching and learning:

- Be grounded in theory and research;
- Incorporate continuing evaluation and improvement;
- Provide high-quality staff development, support, and resources; and
- Support school districts, BOCES, or charter schools to coordinate and unify relevant programs and practices.

### **Process for Developing and Offering Professional Development**

Successful bidders will offer and provide professional development related to teaching in a virtual environment, along with follow-up support related to teaching in a virtual environment, through a planned set of skill-building processes and activities designed to assist targeted school districts, BOCES, and charter schools in mastering goals and outcomes set forth in this RFP. Such events are to be delivered in a time-span consistent with evidence-based best practice in professional development and adult learning science, and may include organizational and policy analysis and change, curriculum and instructional design, and other training, workshops, and online or distance learning courses. The

applicant should demonstrate their understanding of the role of professional development to teaching in an online environment to improving student academic achievement through:

- a plan described for LEAs serviced through this RFP to demonstrate sustainable support and expertise for teaching and learning in a virtual environment, embedded within the educational services available within the region;
- a narrative proposal for improvements for linkages between teachers, administrators, and quality resources in school districts, BOCES, and charter schools for online instruction, and look to increase the use of existing resources to improve the professional development of teachers and educational administrators;
- a description of the professional development activities that will be provided directly by the applicant's staff or through contracted consultants for training and assistance offered to teachers and administrators who teach or administer online and blended courses;
- assurance that the applicant can provide high-quality staff development, support, and resources;
- indication of how teachers and administrators will be selected for professional development;
- a focused approach to providing an online and field- based specialized technical assistance network in providing accurate and timely professional development online, in multiple subject areas;
- embedding accessibility to digital technology for students with disabilities (SWDs); and
- a methodology and evaluation plan which objectively determines the impact and effectiveness of the professional development and which ensures the achievement of learning standards in New York State, as aligned with Thomas Guskey's *Evaluating Professional Development* (1999).

## PROGRAM APPLICATION

The proposal narrative should describe the 2013 – 2014 proposed activities of the VAP Program in detail, including the overall goals, objectives, strategies, planning, implementation, and evaluation of all proposed activities, and the elements within the VAP Program.

The narrative should present a cohesive document with each individual section related to all other sections and must adhere to the formatting requirements described in the Program Application Instructions section.

Applicants must include the following in the proposal, in the following format, sequence, and order:

- Grant application cover page – Attachment A
- Grant application checklist
- A detailed proposal narrative (see below)
- Budget Narrative
- Budget FS-10
- Multi-Year Budget Summary – Attachment B

## Required Elements of the Proposal Narrative

Applicants must include a Proposal Narrative for Sections A-E as detailed below.

- Section A – Program Overview
- Section B – VAP Program Design and Proposed Activities
- Section C – Applicant Capacity, Program Personnel, and Virtual Learning Resources
- Section D – Management Plan
- Section E – Program Evaluation

Please be sure to review the following appendices for additional information:

- Appendix C: Definitions
- Appendix D: Allowable Funding Activities

## Required Program Activities

In accordance with the Program Goals described earlier in this RFP, the following required program activities must be included and addressed in your proposal narrative. At a minimum, requested funds must support activities directly aligned to the required program activities:

- A. Propose the development, enhancement, or expansion of **professional development opportunities for teachers** to effectively conduct and support virtual learning AP® courses at the high school level for the targeted student population.
- B. Propose the **development, enhancement, or expansion of institutional infrastructure** to support the district(s) or school(s) Virtual AP® Program or enable improved access to virtual learning AP® courses by the targeted student population.
- C. Propose to **develop, enhance, or expand virtual learning AP® courses** at the high school level. Explain why the virtual learning courses supported by the proposed program qualify as AP®

courses. Effective virtual learning AP® courses must enable low-income students to enroll and succeed on AP® tests. Note: course development activities expenditures are limited to a total of 30% of the total grant funding.

### **Section A – Program Overview – 15 points**

**Provide an overview of the applicant’s envisioned approach to the provision of a virtual learning Advanced Placement® (AP®) program and coursework to the targeted population.** The applicant should effectively demonstrate knowledge of the key components of an effective Virtual AP® Program, including a thorough assessment of the applicant’s capacity to deliver these resources to the targeted student population, the current “gaps” in this service capability, and their overall approach to strategically “close the gaps” through the development, expansion or enhancement of a Virtual AP® Program with requested grant funds.

NYSED is aware that many applicants are in different stages of implementation of virtual learning coursework, including the provision of online or blended AP® courses. While some applicants are conducting extensive virtual learning activities in AP® subjects, many have not yet initiated these activities and lack adequate human resources and infrastructure, including teachers trained in providing instruction and support in a virtual learning environment. Applicants may also find that their current virtual learning services do not meet the needs of their highest need schools or students.

In Section A of the Proposal Narrative include the following:

1. Provide an overview of the applicant’s envisioned VAP Program, including what a fully-developed and implemented VAP Program would look like, for targeted students and teachers. Include low-income student need justification as well as a description of how the proposed program would build institutional capacity to provide virtual learning AP® coursework. Adequately demonstrate that the student population and schools identified as the target for the grant have difficulty or inability to gain access to AP® courses or tests, or to a sufficient number of AP® courses or tests. The proposal must align with the intention of the grant to broaden and support increased AP® participation levels, not to supplant existing participation levels. Explain how and why proposed VAP Program funding would help meet the unique needs of the applicant’s targeted student population.
2. Identify the service gaps: areas where current provision of virtual learning AP® coursework meets district needs and expectations and those where improvements are desired, describing the rationale for your identification of strengths and areas for improvement.
3. Include a brief description – with details to be described further in Section B - of the applicant’s overall VAP Program goals, objectives and strategies for the envisioned end-state VAP Program and targeted student outcomes.

Section A will be scored based on the following criteria:

1. Clarity and Comprehensiveness: points awarded based on the clarity and comprehensiveness of the envisioned VAP Program and its potential benefits, including an explanation of the needs and difficulties of the target student population in accessing AP® courses as well as inclusion of relevant data (student as well as institutional) on which a gap analysis is based. This analysis should be based upon a comprehensive and thorough infrastructure analysis that demonstrates that the applicant will adhere to the best practices outlined in the “Process for Conducting an

Infrastructure Analysis to Provide Virtual Learning AP® Courses” portion of the Program Guidance section above, including:

- Forming a district-level committee, including administrators, teachers, parents and other community stakeholders, to examine online learning policies and practices in a comprehensive manner. Be sure to also consider any access and equity issues involving technology hardware and software in your district.
  - Ensuring that courses adhere to standard principles of universal design and accessibility for all learners (see <http://www.udlcenter.org/>), including (but not limited to) students with disabilities, English Language Learners, hospitalized students, incarcerated youth, homebound students, etc.
  - Assessing student needs and interests for online and blended course opportunities. Take into consideration the social, emotional, and academic needs, benefits, and consequences associated with the online experiences.
  - Assessing online program availability as compared to student needs.
  - Created and adopted local district policy for online and blended courses, including criteria for determining online course equivalency.
  - Providing initial and sustained professional development opportunities through the district’s Professional Development Plan in the pedagogy of digital learning and online study so that teachers may more effectively use online tools for instruction.
  - Use of common evaluation standards for online coursework, such as those available from the International Association of K-12 Online Learning (iNACOL) and the International Society for Technology in Education (ISTE).
  - Communicating with parents on measures and standards of online learning and its equivalence to classroom-based instruction.
  - Evaluating district-created and vendor-purchased online content and online courses on an annual basis.
  - Anticipates providing services that reflect the following principles in teaching and learning:
    - Are grounded in theory and research;
    - Incorporate continuing evaluation and improvement;
    - Incorporate high-quality staff development, support, and resources; and
    - Support school districts, BOCES, or charter schools to coordinate and unify relevant programs and practices.
2. Alignment to VAP Program Goals: The extent to which the required overview elements are included and adequately addressed and how well the applicant has addressed the three required program activities.
3. Proposed VAP Program Impact: NYSED will consider the potential impact of the proposed program on addressing identified service gaps and institutional capacity. In determining the significance of the proposed project, NYSED considers the following factors:
- The likelihood that the proposed program will result in system changes or improvements that provide greater access to virtual learning AP® courses and highly-trained teachers teaching in virtual learning environments for low-income and other disadvantaged students.
  - The importance or magnitude of the results or outcomes likely to be attained by the proposed program, especially improvements in virtual teaching and student achievement.

## **Section B – VAP Program Design and Proposed Activities - 25 points**

This RFP puts special emphasis on VAP Programs targeted to high needs students to advance student learning in preparation to successfully complete Advanced Placement® (AP®) exams, improve the equitable distribution of access to virtual learning AP® coursework, and increase the number of effective and highly effective educators trained in the provision and support of online and blended AP® courses. These issues must be addressed within the applicant’s proposed program design.

Allowable activities are those activities that are directly related to meeting the goals **of the applicant’s envisioned approach to the provision of a virtual learning Advanced Placement® (AP®) program and coursework to the targeted population.**

Describe in detail the overall program design, including how the grant will address the required program activities:

- guidelines for student recruitment and student selection criteria and strategies;
- professional development activities;
- specific infrastructure or student access activities;
- specific courses in development or newly offered; and
- teachers with their qualifications to pilot the courses.

The VAP Program Design should include the applicant’s plan to take specific “next steps” to close the gap between the applicant’s envisioned VAP Program and current practices. Building upon the required program activities, applicants should describe new and/or enhanced initiatives for which funding is being requested. NYSED is seeking well-thought-out proposals that reflect current best practices and are highly likely to substantially improve access to virtual learning AP® courses for high-needs students. Please review Appendix D for a partial list of allowable funding activities. Applicants are encouraged to incorporate any number of these activities as well as other initiatives the applicant developed to ensure the program is successful.

Consistent with the VAP Program Goals and the strategy articulated in Section A based on applicant need, the program design should include a compelling rationale explaining why the chosen new or enhanced initiatives are the most logical “next steps” and why the proposed initiatives will advance the applicant toward achieving specific and measurable goals for improved student access to virtual learning (online/blended) AP® courses, improved teacher preparation to conduct virtual courses, and/or overall applicant capacity to provide virtual courses to students.

The VAP Program Design must address:

- How the applicant will use this grant to fund specific allowable activities designed to strengthen its ability to improve capacity to provide additional virtual AP® coursework aligned to the NYSED Components for Online and Blended Courses for eligible students;
- What the specific and measurable goals the applicant expects to achieve with their VAP Program; and
- How the applicant’s selected specific initiatives based upon the available allowable activities will help meet these goals and sustain the benefits of the initiatives beyond the grant period.

Section B will be scored by the evaluation team based on the following criteria:

1. The extent to which the proposed program design:
  - aligns with the applicant’s identified program needs based upon the infrastructure analysis undertaken in support of the applicant’s proposed VAP Program plan and directly supports achieving the program goals established for the funding competition;
  - aligns with and incorporates required program activities including:
    - a. a professional development component that successfully demonstrates the applicant’s understanding of the role of professional development to teaching in an online environment to improve student academic achievement through:
      - a plan to demonstrate sustainable support and expertise for teaching and learning in an online environment, embedded within the educational services available within the region;
      - a plan to improve linkages between teachers, administrators, and quality resources of the applicant for online instruction, and increase the use of existing resources to improve the professional development of teachers and educational administrators;
      - a description of the professional development activities that will be provided directly by the applicant or through contracted consultants for training and assistance offered to teachers and administrators who teach or administer online and blended courses;
      - a plan to provide high-quality staff development, support, and resources;
      - a description of how teachers and administrators will be selected for professional development;
      - a plan to provide professional development for AP® course development and virtual learning for teachers and administrators, in multiple subject areas; and
      - a strategy to embed accessibility to digital technology for students with disabilities (SWDs).
    - b. improved student access to virtual learning AP® courses through the development of adequate programming infrastructure (hardware, courseware, software, licenses, administering tests, etc.); and
    - c. the development of additional virtual learning AP® courses that incorporate the components and reflect the criteria outlined in the NYSED Components for Online and Blended Courses and the NYSED Criteria for Online and Blended Courses, respectively, for inclusion in the statewide virtual learning course repository for use by New York State teachers throughout the state.
2. Additional Scoring Criteria to be used for Section B include:
  - a. Quality and comprehensiveness of the proposed services or activities drawn from the list of Allowable Funding Activities described in Appendix D incorporated in the applicant’s VAP Program Design. Points awarded based on the coherence and clarity of the plan for new and/or enhanced initiatives and the rationale for why these initiatives best meet the applicant’s needs. Specifically, NYSED will consider the quality of program services and courses to be provided by the proposed program. In determining the quality of the services and courses to be provided, NYSED considers the quality and sufficiency of strategies for ensuring equal online access and treatment for target population. In addition, NYSED will consider the following factors:

- The extent to which the services to be provided by the proposed project reflect up-to-date knowledge from research of effective online practices.
  - The extent to which the design of the proposed project is appropriate to, and will successfully address, the needs of the target population.
  - The extent to which the application adheres to the components and criteria for Online and Blended Courses incorporated in this RFP (see the NYSED Components for Online and Blended Courses and the NYSED Criteria for Online and Blended Courses, respectively).
- b. Probability of Desired Outcomes: points awarded for the likelihood that the proposed plan will lead to strengthening its capacity to provide virtual AP® coursework.
- c. Sustainability of the Effort: points awarded based on the probability that the benefits of the new initiatives will carry on beyond the end of the grant period.

### **Section C – Applicant Capacity, Project Personnel, and Virtual Learning Resources – 15 points**

**Describe the organizational capacity of the applicant and any consortium partners (if applicable) to achieve the results envisioned from this proposal.**

Describe the applicant’s organizational capacity (and the organizational capacity of any application partners) to undertake this work, along with a comprehensive accounting of the current virtual resources (assets), the human and physical resources and their availability for the proposed VAP Program.

Section C will be scored against the following criteria for the applicant’s organizational capacity including the quality of the applicant’s physical and human resource capacity and program personnel who will carry out the proposed VAP Program. The applicant should include resumes of all key personnel if known and duties descriptions of positions if personnel are not known. In determining the applicant’s organizational capacity and quality of project personnel, NYSED considers the following factors:

1. Overall scope of the program including the number of teachers and students to be served through the proposed VAP Program.
2. The qualifications, including relevant training and online experience, of a program director or other key personnel as indicated in the application narrative (attach resumes of key personnel if known or anticipated duties descriptions).
3. The qualifications, including relevant online training and experience, of program partners, consultants or subcontractors, if any.
4. Documentation of applicant experience complying with Federal and State laws, regulations, and policies governing virtual learning, including evidence of developed curriculum, instruction, and assessment experience.
5. Documentation of a comprehensive inventory of physical assets that may be deployed in support of the proposed VAP Program.
6. Evidence the applicant has demonstrated sufficient organizational capacity and expertise to:

- Successfully apply the components and criteria for developing and delivering the courses and/or programs according to the components and criteria included in this RFP (see the NYSED Components for Online and Blended Courses and the NYSED Criteria for Online and Blended Courses, respectively);
  - Provide high-quality staff development, support, and resources;
  - Ensure program availability and access by telephone or Internet-based communications (including e-mail) Monday through Friday 9:00 am – 4:00 pm Eastern time, except for State and Federal holidays for NYSED staff, program participants and partners; and
  - Respond to NYSED communications regarding the VAP Program within 5 business days.
7. The adequacy of online support, including technical support facilities, computer equipment, information technology supplies, and other computing and online resources, from the applicant organization.

### **Section D – Management Plan – 15 points**

Describe the Management Plan for the entire grant period. Describe how the applicant intends to manage their proposed VAP Program incorporating and building upon relevant elements from Section C: Applicant Capacity and including: a detailed project or program plan allocating human and physical resources in a manner that will result in successful program outcomes; program timeline and evidence of providing adequate institutional oversight and accountability in support of this initiative. The Management Plan should also incorporate the following elements:

- Program timeline with anticipated milestones for each program activity, including the provision of timely reports to NYSED;
- Key roles and responsibilities of program staff, including staff from any program partners or consultants;
- Staff time allocated to the program for each activity; and
- Program organization chart indicating clear lines of authority and responsibility and the relationship to the applicant's organization and partner organizations.
- Equipment inventory maintenance and reporting procedures as specified in this RFP.

In determining the quality of the management plan for the proposed VAP Program, the NYSED evaluators will consider the following factors:

1. Overall scope of the program including program goals and objectives to be achieved through the VAP Program Management Plan.
2. The likelihood of the management plan to achieve the objectives of the proposed VAP Program on time and within budget, including clearly defined responsibilities, time lines, and milestones for accomplishing project tasks.
3. The extent to which the time commitments of a program director or other key VAP Program personnel are appropriate and adequate to meet the objectives of the proposed VAP Program.
4. The activities identified are to be provided annually for the duration of the contract.
5. Training sessions and professional development activities are identified and described.
6. Professional development activities are provided directly by qualified VAP Program staff or

through qualified subcontracted consultants.

7. Initially proposed staffing level will be maintained for the duration of the grant period.
8. Extent to which applicant's proposal plans include interim and final reports by a Program Director or project point person to be provided to NYSED on an annual basis for the duration of the grant.
9. Assurance of equipment maintenance, inventory, and reporting procedures.

### **Section E – Program Evaluation – 10 points**

Each VAP Program and program activity funded by NYSED must be evaluated to determine the extent to which identified program goals and outcomes have been achieved. Program evaluation may be undertaken either by the applicant or via an independent sub-contract with a vendor specifically selected for this purpose. Applicants should provide a detailed description of how they intend to satisfy this requirement, including data collection, data security, data validity and qualifying the results of the evaluation which must be incorporated in the final VAP Program report to NYSED.

The NYSED evaluation will consider the quality of the program evaluation. In determining the quality of the program evaluation, NYSED considers the following factors:

1. The extent to which the methods of evaluation include the use of objective performance measures that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data to the extent possible.
2. The strategy for data collection and analysis of student achievement, as demonstrated by scores attained on Regents examinations, or scores attained on the AP® test as a summative assessment or other summative assessments developed for the course where a Regents examination is not applicable.
3. The extent to which the applicant's proposal demonstrates that all accomplishments supported by data and metrics will be detailed in an annual report as described in Section D (8), above.
4. The extent to which the applicant's proposal demonstrates that all research and evaluation activities will be documented and provided to NYSED in a paper and electronic report format.

### **Budget & Budget Narrative - 30 Points**

#### **FS-10**

Complete an FS-10 (Proposed Budget for a Federal or State Project) for each year of the program, Year 1 (covering the period 1/2/2013-8/31/13) and Year 2 (covering the period 9/1/2013-8/31/2014). The most current form is available online at: <http://www.oms.nysed.gov/cafe/forms/>.

#### **Budget Summary**

Complete Attachment C: Multi-Year Budget Summary. This must be completed by program year, Year 1 and Year 2, as labeled in the form.

## Budget Narrative

Include a Budget Narrative that justifies all proposed expenditures and indicates the basis of calculation for each cost during Years 1 and 2. If the application includes a consortium, clearly describe the proposed expenditures required by each partner.

Criteria for submitted budgets for scoring:

- The budget is thorough, specific, and supports the proposed project.
- The proposed project budget presents expenses that are allowable, realistic, accurate, cost-efficient, and clearly relate to and reflect project activities, objectives, and outcomes.
- The budget allocates funding to allowable teacher professional development activities consistent with the application's program design.
- The costs are reasonable in relation to the objectives, design, and potential significance of the proposed project.
- The estimated number of students and educators to be served in each school is stated, and the costs per school are reasonable and cost-efficient in relation to the number of estimated students and educators to be served and to the anticipated results and benefits.
- The required personnel, professional and technical services, and/or travel for the proposed project are clearly and adequately explained.
- The justifications for expenditures are reasonable and clearly explained.
- The costs for equipment, supplies, and materials are reasonable and adequately justified.
- Application clearly demonstrates that the proposed expenditures are supplemental and do not supplant or duplicate services currently provided.
- Course development activities expenditures are limited to a total of 30% of the total grant funding.

## Budget: Additional Information

Information about the categories of expenditures, general information on allowable costs and applicable federal costs principles and administrative regulations are available in the [Fiscal Guidelines for Federal and State Aided Grants](#). Refer to the Application Guidance in this RFP for additional specific requirements and information about the allowable and non-allowable activities for the program.

The totals from each of the Budget Category Forms must correspond to amounts shown on the Budget Summary Form (FS-10). Please be sure to check your math.

Only equipment items with a unit cost that equals or exceeds \$5,000 should be included under Equipment, Code 20. Equipment items under \$5,000 should be included under Supplies and Materials, Code 45.

## Allowable Activities and Costs

Program office staff will review budgets and eliminate any items that are deemed non-allowable or inappropriate. If any changes are made to a budget category form as a result of an expenditure being

non-allowable or inappropriate, the program office staff person will communicate with the contact person identified on the Application Cover Page and return a copy of the corrected budget category form.

If the application includes a consortium of school districts or charter schools, the lead applicant must provide at a minimum twenty percent of the direct activities of the grant.

Subcontracting for services of consultants or other subcontractors may not exceed thirty percent (30%) of each grant period. The budget narrative must clearly state the vendor, the work to be done, and the cost for each consultant and/or subcontractor.

Note: Equipment is defined as items with a unit value of \$5,000 or more and having a useful life of more than one year. All equipment purchased with these funds must have the prior approval from the New York State Education Department. Computer equipment to be purchased by a BOCES within this grant is to be located in the participating school districts and not at the BOCES, unless a rationale as to why it must be located within a BOCES is provided in the application and approved by NYSED.

### **Non-Allowable Expenditures**

The following items are not allowed and will not be funded:

- Non-instructional equipment purchases;
- Furniture purchases;
- New construction or renovation of facilities;
- Minor remodeling;
- Conference attendance not related specifically to this RFP;
- Food or refreshment costs; and
- Course development activities expenditures in excess of 30% of the total grant funding.

### **Grant Period**

NYSED will award multiple grants pursuant to this RFP. The grants resulting from this RFP will be for a term beginning January 2, 2013 and ending August 31, 2014.

### **Electronic Processing of Payments**

In accordance with a directive dated January 22, 2010 by the Director of State Operations - Office of Taxpayer Accountability, all state agency contracts, grants, and purchase orders executed after February 28, 2010 shall contain a provision requiring that contractors and grantees accept electronic payments. Additional information and authorization forms are available at the State Comptroller's website at [www.osc.state.ny.us/epay/index.htm](http://www.osc.state.ny.us/epay/index.htm).

## Application Review and Scoring

Upon receipt, an applicant's eligibility will be determined. Upon determination that an applicant is eligible, an evaluation team shall determine if the mandatory requirements certification has been completed and the application will be reviewed. **If a proposal does not meet all of the mandatory requirements it will be rejected as non-responsive and will not be reviewed.**

Reviewers from representatives of NYSED will evaluate proposals on a variety of criteria as specified in the RFP. Each reviewer shall assign up to the maximum number of points for each evaluation item to each of applicant proposals. The NYSED reviewer shall determine scores on the basis of 110 possible points: 80 points for the *Proposal Narrative*, including 15 points for Section A, 25 points for Section B, 15 points for Section C, 15 points for Section D, 10 points for Section E and 30 points for the *Budget and Budget Narrative (includes FS-10 submission and multi-year summary)*. Each eligible proposal will be reviewed by two reviewers. Each reviewer will score the proposal according to the indicated point criteria. If individual scores are more than 20 points apart, a third reviewer will rate the application. The two scores closest in numeric value will be averaged to compute the final average score for each proposal unless the third reviewer's score is equidistant of the others in which case the score of the third reviewer will be solely used.

Proposals must receive a minimum of 75 points out of 110 points in order to be eligible for an award.

## Award Methodology

Applications will be grouped in two categories, each category scored independently from the other. One category is for single school district/public charter school applications, the other category includes BOCES led or charter school consortium applications. Of the single entity applications the funding is further divided depending on population of district/charter school municipality as described below.

Only those proposals that receive a final score of 75 or higher on the application will be considered for funding. Proposals will be ranked from highest to lowest score within their respective allocation categories and awards will be made to the highest scoring applicant(s) until the funds for each allocation category is exhausted.

Eligible applicants can apply individually or as a part of a consortium, but not both. No consortium lead applicant (BOCES or charter school), or individual school or school district may apply for or be listed in the consortium as a participant for more than one VAP Program grant application. If a charter school or district submits an individual application and is included in a consortium application or BOCES application, the application from the individual school district or charter school will be disqualified from further consideration. If a charter school or school district is listed in multiple consortium or BOCES applications, NYSED reserves the right to remove the charter school or school district from one of the consortia applications.

The awards to individual school districts are divided into three sub-categories based upon population of inhabitants in municipalities in which the district or public charter school is located:

- For a school district located in a city with a population of one million or more inhabitants, **NYSED anticipates awarding up to one grant to the eligible public school district of up to \$1,000,000.**

- For school districts located in cities with a population of one hundred and twenty-five thousand inhabitants or more, **NYSED anticipates awarding up to 4 grants to eligible public school districts of up to \$750,000 each.**
- For those single school district or charter school applications from districts or charter schools located in municipalities with less than one hundred and twenty-five thousand inhabitants **NYSED anticipates awarding approximately 6 grants of up to \$500,000 each.**

For a BOCES-led consortium application or a charter school consortium application scoring 75 or higher on the application, **NYSED anticipates awarding approximately 5 grants of up to \$2,000,000 each. All consortium applications will be grouped and ranked from high to low score and awards will be made to the highest ranking applications until the funds are exhausted for this group.**

Applicants receiving the highest scores by the evaluation team in each category will be approved until all funds for that category are expended. In the event there are insufficient funds to fund the next ranked applicant in full, the next ranked applicant may be given the opportunity to operate a smaller program using the remaining funds. If the applicant declines, the applicant's funding will be entered into the statewide pool of applicants. If there are no applicants in a category, or if there are monies left over in a category, all excess funds will be pooled and awarded in a statewide ranking to the next highest ranked unfunded applicant(s) statewide. In the case of a tied score in any funding group, those applicants in the group of tied scores with the higher score in Section B of the evaluation instrument will be awarded the grant. In the event that two applicants have the same overall score AND the same score in Section B, the applicant who's proposed VAP Program is expected to serve the greater number of students will be awarded the grant.

**PROPOSAL EVALUATION RUBRIC**

Score Sheet

New York State Education Department

**RFP Proposal #SA-08, VIRTUAL ADVANCED PLACEMENT PROGRAM**

When final technical scores are compiled, any proposal that scores less than 75 points out of 110 will not be considered further.

<b>Reviewer Number:</b>	<b>Applicant LEA/School Name:</b>
<b>Project Code:</b>	
<b>Date Reviewed:</b>	<b>Total Score: _____ out of 110 pts</b>

**Rating Guidelines**

<b>Quality Indicator</b>	<b>Description</b>
<b>Very Good</b>	Comprehensive and thorough with exceptional detail. Submission is highly responsive and specific and of outstanding quality.
<b>Good</b>	Reasonably comprehensive and includes sufficient detail. It contains many of the characteristics of a response that is very good even though it may lack some specificity, support or elaboration in places.
<b>Fair</b>	Non-specific and lacks focus and detail. The response addresses some of the selection criteria, but not all. Some ideas presented are sound, but others are not responsive to the purpose of the RFP/performance task. Additional information would be needed in order to be reasonably comprehensive and meet the criteria of a response that is good.
<b>Poor</b>	Does not meet many criteria; provides inaccurate information or provides information that would require substantial clarification as to how the criteria are met; lacks meaningful detail; demonstrates lack of preparation; or otherwise raises substantial concerns about the applicant’s understanding of the issue in concept and/or ability to meet the requirement in practice.

**ELEMENTS OF THE PROPOSAL NARRATIVE**

<b>Section A: Program Overview</b>			
0-5	6-10	11-13	14- 15
<input type="checkbox"/> Poor	<input type="checkbox"/> Fair	<input type="checkbox"/> Good	<input type="checkbox"/> Very Good
Score:	Score:	Score:	Score:
<p><b>Technical Elements for this Section</b></p> <p>Clarity and Comprehensiveness of the proposed project (Max 6 points):</p> <p>Award points based on the clarity and comprehensiveness of the envisioned VAP Program and its potential benefits, including an explanation of the needs and difficulties of the target student population in accessing AP® courses as well as inclusion of relevant data (student as well as institutional) on which a gap analysis is based. Elements a – e address this area:</p> <ol style="list-style-type: none"> <li>The applicant provides an overview of the envisioned approach to the provision of a virtual learning Advanced Placement® (AP®) program and coursework to the targeted population, including what a fully-developed and implemented VAP Program would look like, for targeted students and teachers.</li> <li>The proposal includes low-income student need justification as well as a description of how the proposed program would build institutional capacity to provide virtual learning AP® coursework.</li> <li>The proposal adequately demonstrates that the student population and schools identified as the target for the grant have difficulty or inability to gain access to AP® courses or tests, or to a sufficient number of AP® courses or tests.</li> <li>The proposal must align with the intention of the grant to broaden and support increased AP® participation levels, not to supplant existing participation levels.</li> <li>The proposal identifies the service gaps: areas where current provision of virtual learning AP® coursework meets district needs and expectations and those where improvements are desired, describing their rationale for identification of strengths and areas for improvement.</li> </ol> <p>Alignment to VAP goals (Max 6 points).</p> <p>Award points based on the extent to which the required overview elements are included and adequately addressed and how well the applicant has addressed the three required program activities. Elements f-g address this area:</p> <ol style="list-style-type: none"> <li>The applicant includes a brief description – with details to be described further in Section B - of the applicant’s overall VAP Program goals, objectives and strategies for the envisioned end-state VAP Program and targeted student outcomes.</li> <li>The applicant has addressed the three priority funding areas as defined in the “Program Goals” section of the RFP: <ul style="list-style-type: none"> <li>Provides for professional development of teachers to develop, conduct, and support virtual</li> </ul> </li> </ol>			

<p>learning Advanced Placement® courses;</p> <ul style="list-style-type: none"> <li>• Seeks to improve targeted student access to virtual learning Advanced Placement® courses through the development of adequate programming infrastructure (hardware, software, courseware, licenses, administering tests, etc.); and</li> <li>• Plans for developing more virtual learning Advanced Placement® courses for a repository to be shared statewide.</li> </ul> <p>VAP Program Impact (Max 3 points).</p> <p>Award points based on the potential impact of the proposed program on addressing identified service gaps and institutional capacity. In determining the significance of the proposed project, NYSED considers the following factors</p> <p>h. The applicant has addressed the potential impact of the proposed programs in providing greater access to virtual learning AP® courses and highly-trained teachers teaching in virtual learning environments for low-income and other disadvantaged students</p> <p>i. The likelihood that the proposed program will result in system changes or improvements that provide greater access to virtual learning AP® courses and highly-trained teachers teaching in virtual learning environments for low-income and other disadvantaged students.</p> <p>j. The importance or magnitude of the results or outcomes likely to be attained by the proposed program, especially improvements in virtual teaching and student achievement.</p>			
<p><b>Comments on Section A</b> (Each section MUST contain comments justifying the score given):</p>          			
<p><b>Section B: VAP Program Design and Proposed Activities</b></p>			
<p>0-8</p>	<p>9-14</p>	<p>15-19</p>	<p>20 -25</p>
<p><input type="checkbox"/> Poor</p>	<p><input type="checkbox"/> Fair</p>	<p><input type="checkbox"/> Good</p>	<p><input type="checkbox"/> Very Good</p>
<p>Score:</p>	<p>Score:</p>	<p>Score:</p>	<p>Score:</p>
<p><b>Technical Elements for this Section</b></p>			
<p>Coherence and Clarity of Proposed Services (Max 10 points)</p> <p>a. Award points based on the coherence and clarity of the plan for new and/or enhanced initiatives and the rationale for why these initiatives best meet the applicant’s needs. Specifically, NYSED will consider the quality of program services and courses to be provided by the proposed program. In</p>			

determining the quality of the services and courses to be provided, NYSED considers the quality and sufficiency of strategies for ensuring equal online access and treatment for target population. In addition, NYSED will consider the following factors:

- The extent to which the services to be provided by the proposed project reflect up-to-date knowledge from research of effective online practices.
- The extent to which the design of the proposed project is appropriate to, and will successfully address, the needs of the target population.
- a strategy to embed accessibility to digital technology for students with disabilities
- The extent to which the application adheres to the criteria for Online Courses incorporated in this RFP (see NYS Components for Online and Blended Courses)

**Probability of Desired Outcomes (Max 10 points)**

Award points based on the the likelihood that the proposed plan will lead to strengthening its capacity to provide virtual AP coursework through addressing the following program activities:

- b. The extent to which the proposed program design aligns with the applicant’s identified program needs based upon the infrastructure analysis
- c. Applicant describes in detail the guidelines to be used for student recruitment and student selection criteria and strategies;
- d. Applicant describes in detail the professional development activities for teachers and administrators to improve student academic achievement in an online environment;
- e. Applicant provides a description of how teachers and administrators will be selected for professional development
- f. Applicant describes in detail the specific infrastructure or student access activities;
- g. Applicant describes in detail the specific courses in development or newly offered; and
- h. Applicant describes in detail teachers’ qualifications to pilot new AP® courses.

**Sustainability of Effort (Max 5 points)**

Award points based on the probability that the benefits of the new initiatives will carry on beyond the end of the grant period through addressing the following:

- i. Applicant describes in detail a plan to demonstrate sustainable support and expertise for teaching and learning in an online environment
- j. Applicant discusses in detail how the support and expertise for teaching and learning in an online environment will be embedded within the educational services available within the region;.

**Comments on Section B:** (Each section MUST contain comments justifying the score given):

<b>Section C: Applicant Capacity, Program Personnel, and Virtual Learning Resources</b>			
0-5	6-10	11-13	14- 15
<input type="checkbox"/> Poor  Score:	<input type="checkbox"/> Fair  Score:	<input type="checkbox"/> Good  Score:	<input type="checkbox"/> Very Good  Score:
<p><b>Technical Elements for this Section</b></p> <p><b>Award points based on:</b></p> <ol style="list-style-type: none"> <li>a. Overall scope of the program including the number of teachers and students to be served through the proposed VAP Program.</li> <li>b. The qualifications, including relevant training and online experience, of a program director or other key personnel as indicated in the application narrative (attach resumes of key personnel if known or anticipated duties descriptions).</li> <li>c. The qualifications, including relevant online training and experience, of program partners, consultants or subcontractors, if any.</li> <li>d. Documentation of applicant experience complying with Federal and State laws, regulations, and policies governing virtual learning, including evidence of developed curriculum, instruction, and assessment experience.</li> <li>e. Documentation of a comprehensive inventory of physical assets that may be deployed in support of the proposed VAP Program.</li> <li>f. Evidence the applicant has demonstrated sufficient organizational capacity and expertise to:                         <ul style="list-style-type: none"> <li>• Successfully apply criteria for developing and delivering the courses and/or programs according to the criteria included in this RFP (see NYS Components for Online and Blended Courses);</li> <li>• Provide high-quality staff development, support, and resources;</li> <li>• Ensure program availability and access by telephone or Internet-based communications (including e-mail) Monday through Friday 9:00 am – 4:00 pm Eastern time, except for State and Federal holidays for NYSED staff, program participants and partners; and</li> <li>• Respond to NYSED communications regarding the VAP Program within 5 business days.</li> </ul> </li> </ol>			

g. The adequacy of online support, including technical support facilities, computer equipment, information technology supplies, and other computing and online resources, from the applicant organization.

**Comments on Section C:** (Each section MUST contain comments justifying the score given):

**Section D: Management Plan**

0-5	6-10	11-13	14- 15
<input type="checkbox"/> Poor	<input type="checkbox"/> Fair	<input type="checkbox"/> Good	<input type="checkbox"/> Very Good
Score:	Score:	Score:	Score:

**Technical Elements for this Section**

**Award points based on:**

- Overall scope of the program including program goals and objectives to be achieved through the VAP Program Management Plan.
- The likelihood of the management plan to achieve the objectives of the proposed VAP Program on time and within budget, including clearly defined responsibilities, time lines, and milestones for accomplishing project tasks.
- The extent to which the time commitments of a program director or other key VAP Program personnel are appropriate and adequate to meet the objectives of the proposed VAP Program.
- The activities identified are to be provided annually for the duration of the contract.
- Training sessions and professional development activities are identified and described.
- Professional development activities are provided directly by qualified VAP Program staff or through qualified subcontracted consultants.
- Initially proposed staffing level will be maintained for the duration of the contract.
- Extent to which applicant’s proposal plans include interim and final reports by a Program Director or project point person to be provided to NYSED on an annual basis for the duration of the grant.
- Assurance of equipment maintenance, inventory, and reporting procedures

**Comments on Section D:** (Each section MUST contain comments justifying the score given):

Section E: Program Evaluation			
0-4	5-7	7-8	9-10
<input type="checkbox"/> Poor	<input type="checkbox"/> Fair	<input type="checkbox"/> Good	<input type="checkbox"/> Very Good
Score:	Score:	Score:	Score:
<p><b>Technical Elements for this Section</b></p> <p><b>Award points based on:</b></p> <ol style="list-style-type: none"> <li>The extent to which the methods of evaluation include the use of objective performance measures that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data to the extent possible.</li> <li>The strategy for data collection and analysis of student achievement, as demonstrated by scores attained on Regents examinations, or scores attained on the AP® test as a summative assessment or other summative assessments developed for the course where a Regents examination is not applicable.</li> <li>The extent to which the applicant’s proposal demonstrates that all accomplishments supported by data and metrics will be detailed in an annual report as described in Section D (8), above.</li> <li>The extent to which the applicant’s proposal demonstrates that all research and evaluation activities will be documented and provided to NYSED in a paper and electronic report format.</li> </ol>			

**Comments on Section E:** (Each section MUST contain comments justifying the score given):

<b>Budget Narrative/Budget (FS-10)</b>			
0-12	12-19	20-25	25-30
<input type="checkbox"/> Poor	<input type="checkbox"/> Fair	<input type="checkbox"/> Good	<input type="checkbox"/> Very Good
Score:	Score:	Score:	Score:

**Technical Elements for this Section**

**1. Proposed expenditures will be used to support the proposal’s initiatives and goals (Max 10 points)**

- a. The budget is thorough, specific, and supports the proposed project.
- b. The budget allocates funding to allowable teacher professional development activities consistent with the application’s program design.
- c. The required personnel, professional and technical services, and/or travel for the proposed project are clearly and adequately explained.

**2. Costs are reasonable and necessary to support the proposal’s initiatives and goals (Max 10 points)**

- d. Course development activities expenditures are limited to no more than 30% of total grant funding
- e. Proposed program budget presents expenses that are allowable, realistic, accurate, cost-efficient, and clearly relate to and reflect program activities, objectives, and outcomes.
- f. The costs are reasonable in relation to the objectives, design, and potential significance of the proposed project.
- g. The estimated number of students and educators to be served in each school is stated, and the costs per school are reasonable and cost-efficient in relation to the number of estimated students

and educators to be served and to the anticipated results and benefits.

h. The justifications for expenditures are reasonable and clearly explained.

i. The costs for equipment, supplies, and materials are reasonable and adequately justified.

**3. Proposed expenditures are supplemental and do not supplant or duplicate current initiatives (may enhance current initiatives) (Max 10 points)**

j. The budget narrative, budget, and FS-10 Demonstrate that the proposed expenditures are supplemental and do not supplant or duplicate services currently provided.

**Comments on This Section** (Each section MUST contain comments justifying the score given):

<b>OVERALL EVALUATION</b>			
<i><b>Instructions:</b> Transcribe the scores you awarded for each Section on to this chart and total the scores.</i>			
<i><b>PLEASE CHECK YOUR MATH</b></i>			
<b>Section</b>	<b>Possible Points</b>	<b>SCORE</b>	<b>Additional Comments</b>
<b>A: Program Overview</b>	<b>15</b>		
<b>B: VAP Program Design</b>	<b>25</b>		
<b>C: Applicant Capacity</b>	<b>15</b>		
<b>D: Management Plan</b>	<b>15</b>		

<b>E: Program Evaluation</b>	<b>10</b>		
<b>Budget Narrative / Budget</b>	<b>30</b>		
<b>TOTAL SCORE:</b>	<b>110</b>		<b>* Total scores lower than 75 will not be eligible for funding.</b>
<b>Overall Recommendation:</b>			

RATER CERTIFICATION	
<p>Unless specifically authorized by the New York State Education Department, I will not discuss a proposal or my written comments or scores with anyone else before, during, or after my review. I will not divulge the names of any bidders or the number of proposals I review; and I will not share with anyone else copies of proposals, completed rubrics or any other documents related to the review.</p> <p>I will not, under any circumstances, contact an applicant to obtain further information or otherwise discuss the application, without prior approval from the New York State Education Department's Contract Administration Unit.</p> <p>I certify that this evaluation was conducted independently and the resulting score was in no way influenced by any outside party.</p>	
<b>REVIEW Signature:</b>	<b>Date:</b>

## Debriefing Procedures

All applicants may request a debriefing within five (5) business days of receiving notice of non-award from NYSED. Applicants may request a debriefing on the selection process regarding this Grant by emailing the request to: [VirtualNY@mail.nysed.gov](mailto:VirtualNY@mail.nysed.gov).

A summary of the strengths and weaknesses of the application, as well as recommendations for improvement will be emailed back to the applicant within ten (10) business days.

## Award Protest Procedures

Applicants who receive a debriefing may protest the NYSED award decision subject to the following:

1. The protest must be in writing and must contain specific factual and/or legal allegations setting forth the basis on which the protesting party challenges the contract award by NYSED.
2. The protest must be filed within ten (10) business days of receipt of the notice of the written debriefing letter. The protest letter must be filed with:

NYS Education Department  
Contract Administration Unit, RFP# SA-08  
89 Washington Avenue  
Room 505W EB  
Albany, NY 12234

3. The NYSED Contract Administration Unit (CAU) will convene a review team that will include at least one staff member from each of NYSED's Office of Counsel, CAU, and the Program Office. The review team will review and consider the merits of the protest and will decide whether the protest is approved or denied. Counsel's Office will provide the applicant with written notification of the review team's decision within seven (7) business days of the receipt of the protest. The original protest and decision will be filed with OSC when the contract procurement record is submitted for approval and CAU will advise OSC that a protest was filed.
4. The NYSED Contract Administration Unit (CAU) may summarily deny a protest that fails to contain specific factual or legal allegations, or where the protest only raises issues of law that have already been decided by the courts.

***The New York State Education Department reserves the right to reject all proposals received or cancel this RFP if it is in the best interest of the Department.***

## Winning Applicants' Responsibility

Projects must operate under the jurisdiction of the local board of education or other appropriate governing body and are subject to at least the same degree of accountability as all other expenditures of the local agency. The local board of education or other appropriate governing body is responsible for the proper disbursement of, and accounting for, project funds. Written agency policy concerning wages, mileage and travel allowances, overtime compensation, or fringe benefits, as well as State rules

pertaining to competitive bidding, safety regulations, and inventory control must be followed. Supporting or source documents are required for all grant related transactions entered into the local agency's recordkeeping system. Source documents that authorize the disbursement of grant funds consist of purchase orders, contracts, time & effort records, delivery receipts, vendor invoices, travel documentation and payment documents, including check stubs.

Supporting documentation for grants and grant contracts must be kept for at least six years after the last payment was made unless otherwise specified by program requirements. Additionally, audit or litigation will "freeze the clock" for records retention purposes until the issue is resolved. All records and documentation must be available for inspection by State Education Department officials or its representatives.

For additional information about grants, please refer to the [Fiscal Guidelines for Federal and State Aided Grants](#).

Contracts resulting from this RFP are funded by federal Race to the Top grant funds. Recipients of awards pursuant to this RFP are subject to the provisions of 34 CFR § 80.34, including the right of the federal government to use or authorize others to use any copyrightable work produced by a recipient under this federally funded contract, for federal purposes and royalty-free.

## **Vendor Responsibility**

State law requires that the award of state contracts be made to responsible vendors. Before an award is made to a not-for-profit entity, a for-profit entity, a private college or university or a public entity not exempted by the Office of the State Comptroller, NYSED must make an affirmative responsibility determination. The factors to be considered include: legal authority to do business in New York State; integrity; capacity- both organizational and financial; and previous performance. Before an award of \$100,000 or greater can be made to a covered entity, the entity will be required to complete and submit a Vendor Responsibility Questionnaire. School districts, Charter Schools, BOCES, public colleges and universities, public libraries, and the Research Foundation for SUNY and CUNY are some of the exempt entities. For a complete list, see: [http://www.osc.state.ny.us/vendrep/resources\\_docreq\\_agency.htm](http://www.osc.state.ny.us/vendrep/resources_docreq_agency.htm).

NYSED recommends that vendors file the required Vendor Responsibility Questionnaire online via the New York State VendRep System. To enroll in and use the New York State VendRep System, see the VendRep System Instructions available at [http://www.osc.state.ny.us/vendrep/vendor\\_index.htm](http://www.osc.state.ny.us/vendrep/vendor_index.htm) or go directly to the VendRep System online at <https://portal.osc.state.ny.us/>.

Vendors must provide their New York State Vendor Identification Number when enrolling. To request assignment of a Vendor ID or for VendRep System assistance, contact the Office of the State Comptroller's Help Desk at 866-370-4672 or 518-408-4672 or by email at [ciohelpdesk@osc.state.ny.us](mailto:ciohelpdesk@osc.state.ny.us).

Vendors opting to complete and submit a paper questionnaire can obtain the appropriate questionnaire from the VendRep website <http://www.osc.state.ny.us/vendrep/> or may contact NYSED or the Office of the State Comptroller's Help Desk for a copy of the paper form.

## **Payee Information Form/NYSED Substitute W-9 Form**

General Instructions: The Payee Information Form is a packet consisting of the Payee Information Form itself and an accompanying form known as the NYSED Substitute W-9 Form. The NYSED Substitute W-9 form may or may not be needed from your agency. Please follow the instructions for each as outlined below.

The Payee Information Form is used to establish the identity of applicant organizations and enables them to receive funds from the NYSED. An online version is available at <http://www.oms.nysed.gov/cafe/forms/PIform.pdf>.

## APPLICATION INSTRUCTIONS

Please adhere to the following instructions or your application will **not** be considered for review.

### Application Cover Page – Attachment A

Please submit this in accordance with direction on the sheet. Be sure to check the Consortium/Partnership application checkbox if you are applying as a lead or fiscal agent of a consortium or partnership grant application.

### Required Signature(s)

The original signature of the Chief School Administrative Officer/Chief Financial Officer must appear on the Application Cover Page in **blue** ink.

### Checklist

Please use the Application Checklist to ensure that you send a complete application package. Incomplete applications will not be considered for review.

### Program Narrative Standards

The proposal narrative must adhere to the following standards:

- A page is 8.5" x 11" (on one side only) with one-inch margins (top, bottom, and sides). Charts/tables are not required to adhere to this standard.
- Single space all text in the proposal narrative; double space between titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, figures, and graphs.
- Use a Times Roman or Arial font in a 12-point size.
- Include page numbers.
- Each page should include a header with the applicant's name.

### Submission

Applicants are responsible for making sure the application package is complete based on the included Application Checklist. All required application documents, as detailed in the RFP, must be postmarked by October 1, 2012:

- One (1) original and four (4) paper copies of the application (in the format described in RFP) labeled - RFP #SA-08.
- One (1) CD or flash drive containing a copy of the application in Microsoft Word (.doc) format (keyword searchable) or portable document format (.PDF). Include all appendices, MOUs or LOIs (if applicable), and attachments on the CD or flash drive.

The mailing address for all the above documentation is:

NYS Education Department  
Bureau of Fiscal Management  
Contract Administration Unit  
89 Washington Avenue, Room 505W EB  
Albany, NY 12234

**ATTN: Lynn Caruso, RFP #SA-08**

**(Facsimile copies of the proposals are NOT acceptable)**

### Submission Checklist

This grant application must contain the following documents:

Required Documents		Checked – Applicant	Checked – NYSED
Application Cover Page – Attachment A		Yes <input type="checkbox"/>	<input type="checkbox"/>
<b>Proposal Narrative</b>	<b>Program Narrative - Section A</b> – Overview of the Envisioned VAP Program –	Yes <input type="checkbox"/>	<input type="checkbox"/>
	<b>Section B</b> – VAP Program Design and Proposed Activities –	Yes <input type="checkbox"/>	<input type="checkbox"/>
	<b>Section C</b> – Applicant Capacity, Program Personnel and Virtual Learning Resources –	Yes <input type="checkbox"/>	<input type="checkbox"/>
	<b>Section D</b> – Management Plan –	Yes <input type="checkbox"/>	<input type="checkbox"/>
	<b>Section E</b> – Program Evaluation –	Yes <input type="checkbox"/>	<input type="checkbox"/>
Budget Narrative –		Yes <input type="checkbox"/>	<input type="checkbox"/>
FS-10 for each period of the grant – <a href="http://www.oms.nysed.gov/cafe/forms/">http://www.oms.nysed.gov/cafe/forms/</a>		Yes <input type="checkbox"/>	<input type="checkbox"/>
Budget Summary (multi-year) – Attachment B		Yes <input type="checkbox"/>	<input type="checkbox"/>
Signed MOU(s) or Letter(s) of Intent with partner(s) (if applicable) – Attachment C or D		Yes <input type="checkbox"/> NA <input type="checkbox"/>	<input type="checkbox"/>
Mandatory Requirements Certification – Attachment E		Yes <input type="checkbox"/>	<input type="checkbox"/>
Payee Information Form/NYSED Substitute W-9 Form (if applicable)		Yes <input type="checkbox"/> NA <input type="checkbox"/>	<input type="checkbox"/>
<b>NYSED Comments: Has the applicant complied with the application instructions?</b> _____			
<b>Reviewer:</b> _____		<b>Date:</b> _____	

## ASSURANCES

New York State Education Department

---

### **Assurances for Federal Discretionary Program Funds**

---

The following assurances are a component of your application. By signing the certification on the application cover page you are ensuring accountability and compliance with State and federal laws, regulations, and grants management requirements.

Federal Assurances and Certifications, General:

- Assurances – Non-Construction Programs
- Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters
- Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions
- General Education Provisions Act Assurances

Federal Assurances and Certifications, NCLB (if appropriate):

The following are required as a condition for receiving any federal funds under the Elementary and Secondary Education Act, as amended by the No Child Left Behind Act of 2001.

- NCLB Assurances
- School Prayer Certification

New York State Assurances and Certifications: (For discretionary grant programs only.)

- Appendix A
- Appendix A-1G
- Appendix A-2

---

## ASSURANCES - NON-CONSTRUCTION PROGRAMS

---

**Note:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Education Department Program Contact listed in the Application. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, and by signing the Application Cover Page, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) "§§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§" 290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific

statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328), which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §§874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1721 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.), which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, Audits of States, Local Governments, and Non-Profit Organizations.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

**Standard Form 424B (Rev. 7-97), Prescribed by OMB Circular A-102, Authorized for Local Reproduction, as amended by New York State Education Department**

---

## **CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS**

---

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of the Application Cover Page provides for compliance with certification requirements under 34 CFR Part 82, "New Restrictions on Lobbying," and 34 CFR Part 85, "Government-wide Debarment and Suspension (Nonprocurement)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Education determines to award the covered transaction, grant, or cooperative agreement.

### **1. LOBBYING**

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 34 CFR Part 82, Sections 82.105 and 82.110, the applicant certifies that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

### **2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS**

As required by Executive Order 12549, Debarment and Suspension, and implemented at 34 CFR Part 85, for prospective participants in primary covered transactions, as defined at 34 CFR Part 85, Sections 85.105 and 85.110--

A. The applicant certifies that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

- (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (2)(b) of this certification; and
- (d) Have not within a three-year period preceding this application had one or more public transaction (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

**ED 80-0013, as amended by the New York State Education Department**

---

## **CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION — LOWER TIER COVERED TRANSACTIONS**

---

This certification is required by the Department of Education regulations implementing Executive Order 12549, Debarment and Suspension, 34 CFR Part 85, for all lower tier transactions meeting the threshold and tier requirements stated at Section 85.110.

### Instructions for Certification

1. By signing the Application Cover Page, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms “covered transaction,” “debarred,” “suspended,” “ineligible,” “lower tier covered transaction,” “participant,” “person,” “primary covered transaction,” “principal,” “proposal,” and “voluntarily excluded,” as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled “Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion-Lower Tier Covered Transactions,” without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge

and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

---

**Certification**

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**ED 80-0014, as amended by the New York State Education Department**

---

## NEW YORK STATE EDUCATION DEPARTMENT GENERAL EDUCATION PROVISIONS ACT ASSURANCES

---

These assurances are required by the General Education Provisions Act for certain programs funded by the U.S. Department of Education. These assurances are not applicable to certain programs, such as the No Child Left Behind Act. If you have any questions, please contact NYSED.

As the authorized representative of the applicant, by signing the Application Cover Page, I certify that:

- (1) that the local educational agency will administer each program covered by the application in accordance with all applicable statutes, regulations, program plans, and applications;
- (2) that the control of funds provided to the local educational agency under each program, and title to property acquired with those funds, will be in a public agency and that a public agency will administer those funds and property;
- (3) that the local educational agency will use fiscal control and fund accounting procedures that will ensure proper disbursement of, and accounting for, Federal funds paid to that agency under each program;
- (4) that the local educational agency will make reports to the State agency or board and to the Secretary as may reasonably be necessary to enable the State agency or board and the Secretary to perform their duties and that the local educational agency will maintain such records, including the records required under section [1232f](#) of this title, and provide access to those records, as the State agency or board or the Secretary deem necessary to perform their duties;
- (5) that the local educational agency will provide reasonable opportunities for the participation by teachers, parents, and other interested agencies, organizations, and individuals in the planning for and operation of each program;
- (6) that any application, evaluation, periodic program plan or report relating to each program will be made readily available to parents and other members of the general public;
- (7) that in the case of any project involving construction –
  - (A) the project is not inconsistent with overall State plans for the construction of school facilities, and
  - (B) in developing plans for construction, due consideration will be given to excellence of architecture and design and to compliance with standards prescribed by the Secretary under section [794](#) of title [29](#) in order to ensure that facilities constructed with the use of Federal funds are accessible to and usable by individuals with disabilities;
- (8) that the local educational agency has adopted effective procedures for acquiring and disseminating to teachers and administrators participating in each program significant information from educational research, demonstrations, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects; and

- (9) that none of the funds expended under any applicable program will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity or its employees or any affiliate of such an organization.

---

## **NEW YORK STATE EDUCATION DEPARTMENT NO CHILD LEFT BEHIND ACT ASSURANCES**

---

These assurances are required for programs funded under the No Child Left Behind Act.

As the authorized representative of the applicant, by signing the Application Cover Page, I certify that:

(1) Each such program will be administered in accordance with all applicable statutes, regulations, program plans, and applications;

(2) (A) the control of funds provided under each such program and title to property acquired with program funds will be in a public agency or in a nonprofit private agency, institution, organization, or Indian tribe, if the law authorizing the program provides for assistance to those entities; and  
(B) The public agency, nonprofit private agency, institution, or organization, or Indian tribe will administer the funds and property to the extent required by the authorizing statutes;

(3) The applicant will adopt and use proper methods of administering each such program, including—

(A) the enforcement of any obligations imposed by law on agencies, institutions, organizations, and other recipients responsible for carrying out each program; and

(B) The correction of deficiencies in program operations that are identified through audits, monitoring, or evaluation;

(4) The applicant will cooperate in carrying out any evaluation of each such program conducted by or for the State educational agency, the Secretary, or other Federal officials;

(5) the applicant will use such fiscal control and fund accounting procedures as will ensure proper disbursement of, and accounting for, Federal funds paid to the applicant under each such program;

(6) The applicant will—

(A) submit such reports to the State educational agency (which shall make the reports available to the Governor) and the Secretary as the State educational agency and Secretary may require to enable the State educational agency and the Secretary to perform their duties under each such program; and

(B) maintain such records, provide such information, and afford such access to the records as the State educational agency (after consultation with the Governor) or the Secretary may reasonably require to carry out the State educational agency's or the Secretary's duties;

(7) Before the application was submitted, the applicant afforded a reasonable opportunity for public comment on the application and considered such comment;

(8) the applicant has consulted with teachers, school administrators, parents, nonpublic school representatives and others in the development of the application to the extent required for the applicant under the program pursuant to the applicable provisions of the No Child Left Behind Act;

(9) in the case of a local educational agency, as a condition of receiving funds under the No Child Left Behind Act, the applicant is complying with the requirements of Education Law § 3214(3)(d) and (f) and the Gun-Free Schools Act (20 U.S.C. § 7151);

(10) in the case of a local educational agency, as a condition of receiving funds under the No Child Left Behind Act, the applicant is complying with the requirements of 20 U.S.C. § 7908 on military recruiter access;

(11) in the case of a local educational agency, as a condition of receiving funds under the No Child Left Behind Act, the applicant is complying with the requirements of 20 U.S.C. § 7904 on constitutionally protected prayer in public elementary and secondary schools;

(12) in the case of a local educational agency, as a condition of receiving funds under the No Child Left Behind Act, the applicant is complying with the requirements of Education Law § 2802(7), and any state regulations implementing such statute and 20 U.S.C. § 7912 on unsafe school choice; and

(13) In the case of a local educational agency, the applicant is complying with all fiscal requirements that apply to the program, including but not limited to any applicable supplement not supplant or local maintenance of effort requirements.

## **SCHOOL PRAYER CERTIFICATION**

As a condition of receiving federal funds under the Elementary and Secondary Education Act, as amended by the No Child Left Behind Act of 2001 (NCLB), the local educational agency hereby certifies that no policy of the local educational agency prevents, or otherwise denies participation in, constitutionally protected prayer in public elementary schools and secondary schools, as detailed in the current guidance issued pursuant to NCLB Section 9524(a).

## ATTACHMENTS

ATTACHMENTS .....	59
Attachment A: Application Cover Page .....	60
Attachment B: Multi-Year Budget Summary .....	62
Attachment C: Memorandum of Understanding (MOU) .....	63
Attachment D: Letter of Intent .....	65
Attachment E: Mandatory Requirements Certification.....	66

## Attachment A: Application Cover Page

### For Competitive Grant Program

## NYSED Virtual Advanced Placement® Program Grant Request for Proposals #SA-08

Please refer to the Application Instructions for detailed information about completing this page and the other required components of this application.

**DISTRICT BEDS CODE**

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Check here if Consortium application (MOUs/LOIs included with this application)

<b>Lead/Applicant Name:</b>			
<b><u>Employer's Federal Tax ID Number (BOCES &amp; Charter Schools):</u></b>			
<b><u>NYS Vendor ID (BOCES &amp; Charter Schools):</u></b>			
<b>Address:</b>			
<b>City:</b>		<b>Zip Code:</b>	
<b>Contact Person:</b>		<b>Reporting Contact:</b>	
<b>Title:</b>		<b>Title:</b>	
<b>Telephone:</b>		<b>Telephone:</b>	
<b>Fax:</b>		<b>Fax:</b>	
<b>Email:</b>		<b>Email:</b>	
<b>Total number of students in the <u>individual</u> district/School: Or, for Consortia applications, total combined number of students from consortia partners: (in the Eligibility List)</b>		<b>Total Funding Amount Requested:</b>	
<p>I hereby certify that I am the applicant's chief school/administrative officer and that the information contained in this application is, to the best of my knowledge, complete and accurate. I further certify, to the best of my knowledge, that any ensuing program and activity will be conducted in accordance with all applicable Federal and State laws and regulations, application guidelines and instructions, Assurances, Certifications, Appendix A, and that the requested budget amounts are necessary for the implementation of this project. It is understood by the applicant that this application constitutes an offer and, if accepted by the NYS Education Department or renegotiated to acceptance, will form a binding agreement. It is also understood by the applicant that immediate written notice will be provided to the grant program office if at any time the applicant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.</p>			

<b>Authorized Signature</b> (in blue ink)		<b>Title</b> (Chief School Administrative Officer/Chief Financial Officer)	
<b>Typed Name</b>		<b>Date</b>	

## Attachment B: Multi-Year Budget Summary

Directions: If applying as an individual school district or charter school, complete this form for:

**Project Period: 1/2/13-8/30/14**

<b>SUBTOTAL</b>	<b>CODE</b>	<b>PROGRAM COSTS YEAR 1 1/2/13 – 8/31/13</b>	<b>PROGRAM COSTS YEAR 2 9/1/13 – 8/31/14</b>	<b>TOTAL</b>
Professional Salaries	15			
Support Staff Salaries	16			
Purchased Services	40			
Supplies and Materials	45			
Travel Expenses	46			
Employee Benefits	80			
Indirect Cost	90			
BOCES Services	49			
Minor Remodeling	30			
Equipment	20			
<b>GRANT TOTAL</b>				

This form should reflect all funds requested for your proposal summarized for each year of the project period.

## Attachment C: Memorandum of Understanding (MOU) For Charter School Consortium Applications

TEMPLATE

**(Insert Lead Applicant Name) Charter School and (Insert Partner Name) Partnering Charter School**

### **NYSED Virtual Advanced Placement® Program**

This cooperative agreement reflects the overall commitment as well as the specific responsibilities and the roles of the (Insert Lead Applicant Name) Charter School and (Insert Partner Name) Partnering Charter School(s) to the Virtual Advanced Placement Program (VAP Program). The overarching purpose of this partnership is to develop, implement and/or enhance, in part, the VAP program for (Insert Applicant Name) Charter School and (Insert Partner Name) Partnering Charter School(s). (Insert Lead Applicant Name) Charter School will provide at least twenty percent (20%) of the funded direct services/activities from this partnership. This partnership will only benefit the (Insert Applicant Name) and (Insert Partner Name) Partnering Charter School(s) Charter School’s student population.

**Up-front Planning Activities:** \_\_\_\_\_

### **SPECIFIC ROLES AND RESPONSIBILITIES**

The partnership of the (Insert Lead Applicant Name) Charter School and the (Insert Partner Name) Partnering Charter School(s)/ entails the following:

<b>The (Insert Lead Applicant Name) Charter School agrees to:</b>	<b>The (Insert Partner Name) Partnering Charter School agrees to:</b>
List all activities, services, etc. that the Lead Applicant Charter School will provide to the partnership.	List all activities, services, etc. that the partner will provide to the partnership.

**Name of Lead Applicant Charter School:**

\_\_\_\_\_

**Signature** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date** \_\_\_\_\_

**Name of Partnering School Charter School:**

\_\_\_\_\_

**Signature** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date** \_\_\_\_\_

**THE AGREEMENT FOR YOUR PROGRAM SHOULD REFLECT THE SPECIFICS OF YOUR PROGRAM AND YOUR PARTNERS. ALL ACTIVITIES, SERVICES, ETC. THAT ARE PERTINENT TO YOUR PROJECT SHOULD BE INCLUDED.**

## **Attachment D: Letter of Intent**

**To:** *Insert name of BOCES VAP Program grant application coordinator*

**From:** **Superintendent of School District**

**Re:** **BOCES-led Virtual AP® Program participation Letter of Intent**

Indicate the interest of School district in participating in a BOCES-led Virtual Advanced Placement® Program to develop the capacity of the district to provide virtual learning (online and blended) AP® coursework to eligible students.

This letter of intent should confirm that participation in the program proposes to address the gap of the school district related to aspects of its ability to offer on-demand virtual learning Advanced Placement® (AP®) courses for low-wealth/high-need students.

Identify the course or courses, teachers, professional development activities, or other activities such as online capacity or infrastructure analyses the district would like to participate in as part of the VAP Program, and provide some additional information, e.g. about themselves and their projected needs, anticipated scope of participation, and objectives in participating. In this request, online refers to courses that are largely or wholly online. Letters of Intent will be reviewed by NYSED grant application reviewers as part of the grant application.

Letters of Intent should be submitted under the signature of school district superintendent in electronic format, to the BOCES coordinator of the grant application, well prior to the application due date.

The LOI should include the following information:

1. Name, department, school campus, and school principals of projected district administration and faculty to be involved in the program.
2. What course(s) will be developed? If the course(s) are currently offered through traditional methods, list the course names/number(s). Note if the course(s) are currently offered online and, hence, whether this submittal is for an update or modification.
3. Through what academic department(s) would the course(s) be offered to enrolled students?
4. Estimate the number of low-income<sup>1</sup> high school students that may be expected to enroll in the course(s) the first time it is offered. Estimates may be expressed as a range (e.g., 50-75).

Please consult the Virtual AP® Program RFP for questions regarding the request for Letters of Intent, or other questions. General inquiries can also be directed to the BOCES grant coordinator for this grant.

---

<sup>1</sup> See RFP for a list of districts eligible to participate in this Virtual AP Program solicitation.

## Attachment E: Mandatory Requirements Certification NYSED Virtual Advanced Placement® Program

By signing this form, the undersigned certifies it can provide and/or meet the mandatory requirements listed below and outlined in the RFP.

1. Consortia applications and applications from school districts located in cities with a population of greater than one-hundred and twenty-five thousand inhabitants must ensure the provision of anticipated services to the student population identified as the target for the grant are provided to eligible students in more than one school building.
2. Lead applicants submitting applications on behalf of either a BOCES-led or Public Charter School-led consortium are required to provide a minimum of 20% of the services proposed in their application.
3. Public Charter School consortium applications must include a signed Memorandum of Understanding (MOU) for each consortium member describing the roles and responsibilities of each member as well as the related grant expenditures required by each member.
4. BOCES-led consortium applications must include a signed Letter of Intent (LOI) for each consortium member describing the roles and responsibilities of each member as well as the related grant expenditures required by each member.

**Proposals that do not include the complete and signed Mandatory Requirements Certification will be disqualified and removed from further consideration.**

Certification for (Insert Applicant Name)	
Authorized Signature (in blue ink)	Date
Type or print name	

## APPENDICES

APPENDICES.....	67
Appendix A: Standard Clauses for NYS Contracts.....	68
Appendix A-1 G: Additional NYS Standard Clauses for NYS Contracts .....	75
Appendix A-2: American Recovery and Reinvestment Act of 2009 (ARRA) .....	77
Appendix B: List of Eligible Applicants .....	78
Appendix C: Definitions .....	87
Appendix D: Allowable Funding Activities .....	92

## Appendix A: Standard Clauses for NYS Contracts

The parties to the attached contract, license, lease, amendment or other agreement of any kind (hereinafter, "the contract" or "this contract") agree to be bound by the following clauses which are hereby made a part of the contract (the word "Contractor" herein refers to any party other than the State, whether a contractor, licensor, licensee, lessor, lessee or any other party):

**1. EXECUTORY CLAUSE.** In accordance with Section 41 of the State Finance Law, the State shall have no liability under this contract to the Contractor or to anyone else beyond funds appropriated and available for this contract.

**2. NON-ASSIGNMENT CLAUSE.** In accordance with Section 138 of the State Finance Law, this contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the State's previous written consent, and attempts to do so are null and void. Notwithstanding the foregoing, such prior written consent of an assignment of a contract let pursuant to Article XI of the State Finance Law may be waived at the discretion of the contracting agency and with the concurrence of the State Comptroller where the original contract was subject to the State Comptroller's approval, where the assignment is due to a reorganization, merger or consolidation of the Contractor's business entity or enterprise. The State retains its right to approve an assignment and to require that any Contractor demonstrate its responsibility to do business with the State. The Contractor may, however, assign its right to receive payments without the State's prior written consent unless this contract concerns Certificates of Participation pursuant to Article 5-A of the State Finance Law.

**3. COMPTROLLER'S APPROVAL.** In accordance with Section 112 of the State Finance Law (or, if this contract is with the State University or City University of New York, Section 355 or Section 6218 of the Education Law), if this contract exceeds \$50,000 (or the minimum thresholds agreed to by the Office of the State Comptroller for certain S.U.N.Y. and C.U.N.Y. contracts), or if this is an amendment for any amount to a contract which, as so amended, exceeds said statutory amount, or if, by this contract, the State agrees to give something other than money when the value or reasonably estimated value of such consideration exceeds \$10,000, it shall not be valid, effective or binding upon the State until it has been approved by the State Comptroller and filed in his office. Comptroller's approval of contracts let by the Office of General Services is required when such contracts exceed \$85,000 (State Finance Law Section 163.6.a).

**4. WORKERS' COMPENSATION BENEFITS.** In accordance with Section 142 of the State Finance Law, this contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of this contract for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.

**5. NON-DISCRIMINATION REQUIREMENTS.** To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, sexual orientation, age, disability, genetic predisposition or carrier status, or marital status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public

work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of \$50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

**6. WAGE AND HOURS PROVISIONS.** If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law. Additionally, effective April 28, 2008, if this is a public work contract covered by Article 8 of the Labor Law, the Contractor understands and agrees that the filing of payrolls in a manner consistent with Subdivision 3-a of Section 220 of the Labor Law shall be a condition precedent to payment by the State of any State approved sums due and owing for work done upon the project.

**7. NON-COLLUSIVE BIDDING CERTIFICATION.** In accordance with Section 139-d of the State Finance Law, if this contract was awarded based upon the submission of bids, Contractor affirms, under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further affirms that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification on Contractor's behalf.

**8. INTERNATIONAL BOYCOTT PROHIBITION.** In accordance with Section 220-f of the Labor Law and Section 139-h of the State Finance Law, if this contract exceeds \$5,000, the Contractor agrees, as a material condition of the contract, that neither the Contractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated, is participating, or shall participate in an international boycott in violation of the federal Export Administration Act of 1979 (50 USC App. Sections 2401 et seq.) or regulations thereunder. If such Contractor, or any of the aforesaid affiliates of Contractor, is convicted or is otherwise found to have violated said laws or regulations upon the final determination of the United States Commerce Department or any other appropriate agency of the United States subsequent to the contract's execution, such contract, amendment or modification thereto shall be rendered forfeit and void. The Contractor shall so notify the State Comptroller within five (5) business days of such conviction, determination or disposition of appeal (2NYCRR 105.4).

**9. SET-OFF RIGHTS.** The State shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of set-

off any moneys due to the Contractor under this contract up to any amounts due and owing to the State with regard to this contract, any other contract with any State department or agency, including any contract for a term commencing prior to the term of this contract, plus any amounts due and owing to the State for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The State shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the State agency, its representatives, or the State Comptroller.

**10. RECORDS.** The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (hereinafter, collectively, "the Records"). The Records must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter. The State Comptroller, the Attorney General and any other person or entity authorized to conduct an examination, as well as the agency or agencies involved in this contract, shall have access to the Records during normal business hours at an office of the Contractor within the State of New York or, if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying. The State shall take reasonable steps to protect from public disclosure any of the Records which are exempt from disclosure under Section 87 of the Public Officers Law (the "Statute") provided that: (i) the Contractor shall timely inform an appropriate State official, in writing, that said records should not be disclosed; and (ii) said records shall be sufficiently identified; and (iii) designation of said records as exempt under the Statute is reasonable. Nothing contained herein shall diminish, or in any way adversely affect, the State's right to discovery in any pending or future litigation.

**11. IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION.** (a) Identification Number(s). Every invoice or New York State Claim for Payment submitted to a New York State agency by a payee, for payment for the sale of goods or services or for transactions (e.g., leases, easements, licenses, etc.) related to real or personal property must include the payee's identification number. The number is any or all of the following: (i) the payee's Federal employer identification number, (ii) the payee's Federal social security number, and/or (iii) the payee's Vendor Identification Number assigned by the Statewide Financial System. Failure to include such number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on its invoice or Claim for Payment, must give the reason or reasons why the payee does not have such number or numbers.

(b) Privacy Notification. (1) The authority to request the above personal information from a seller of goods or services or a lessor of real or personal property, and the authority to maintain such information, is found in Section 5 of the State Tax Law. Disclosure of this information by the seller or lessor to the State is mandatory. The principal purpose for which the information is collected is to enable the State to identify individuals, businesses and others who have been delinquent in filing tax returns or may have understated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. The information will be used for tax administration purposes and for any other purpose authorized by law. (2) The personal information is requested by the purchasing unit of the agency contracting to purchase the goods or services or lease the real or personal property covered by this contract or lease. The information is maintained in the Statewide Financial System by the Vendor Management Unit within the Bureau of State Expenditures, Office of the State Comptroller, 110 State Street, Albany, New York 12236.

**12. EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN.** In accordance with Section 312 of the Executive Law and 5 NYCRR 143, if this contract is: (i) a written agreement or purchase order

instrument, providing for a total expenditure in excess of \$25,000.00, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the contracting agency; or (ii) a written agreement in excess of \$100,000.00 whereby a contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon; or (iii) a written agreement in excess of \$100,000.00 whereby the owner of a State assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project, then the following shall apply and by signing this agreement the Contractor certifies and affirms that it is Contractor's equal employment opportunity policy that:

(a) The Contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, shall make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on State contracts and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgradings, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation;

(b) at the request of the contracting agency, the Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the Contractor's obligations herein; and

(c) the Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the State contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Contractor will include the provisions of "a", "b", and "c" above, in every subcontract over \$25,000.00 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work") except where the Work is for the beneficial use of the Contractor. Section 312 does not apply to: (i) work, goods or services unrelated to this contract; or (ii) employment outside New York State. The State shall consider compliance by a contractor or subcontractor with the requirements of any federal law concerning equal employment opportunity which effectuates the purpose of this section. The contracting agency shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict with any such federal law and if such duplication or conflict exists, the contracting agency shall waive the applicability of Section 312 to the extent of such duplication or conflict. Contractor will comply with all duly promulgated and lawful rules and regulations of the Department of Economic Development's Division of Minority and Women's Business Development pertaining hereto.

**13. CONFLICTING TERMS.** In the event of a conflict between the terms of the contract (including any and all attachments thereto and amendments thereof) and the terms of this Appendix A, the terms of this Appendix A shall control.

**14. GOVERNING LAW.** This contract shall be governed by the laws of the State of New York except where the Federal supremacy clause requires otherwise.

**15. LATE PAYMENT.** Timeliness of payment and any interest to be paid to Contractor for late payment shall be governed by Article 11-A of the State Finance Law to the extent required by law.

**16. NO ARBITRATION.** Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration (except where statutorily authorized), but must, instead, be heard in a court of competent jurisdiction of the State of New York.

**17. SERVICE OF PROCESS.** In addition to the methods of service allowed by the State Civil Practice Law & Rules ("CPLR"), Contractor hereby consents to service of process upon it by registered or certified mail, return receipt requested. Service hereunder shall be complete upon Contractor's actual receipt of process or upon the State's receipt of the return thereof by the United States Postal Service as refused or undeliverable. Contractor must promptly notify the State, in writing, of each and every change of address to which service of process can be made. Service by the State to the last known address shall be sufficient. Contractor will have thirty (30) calendar days after service hereunder is complete in which to respond.

**18. PROHIBITION ON PURCHASE OF TROPICAL HARDWOODS.** The Contractor certifies and warrants that all wood products to be used under this contract award will be in accordance with, but not limited to, the specifications and provisions of Section 165 of the State Finance Law, (Use of Tropical Hardwoods) which prohibits purchase and use of tropical hardwoods, unless specifically exempted, by the State or any governmental agency or political subdivision or public benefit corporation. Qualification for an exemption under this law will be the responsibility of the contractor to establish to meet with the approval of the State.

In addition, when any portion of this contract involving the use of woods, whether supply or installation, is to be performed by any subcontractor, the prime Contractor will indicate and certify in the submitted bid proposal that the subcontractor has been informed and is in compliance with specifications and provisions regarding use of tropical hardwoods as detailed in §165 State Finance Law. Any such use must meet with the approval of the State; otherwise, the bid may not be considered responsive. Under bidder certifications, proof of qualification for exemption will be the responsibility of the Contractor to meet with the approval of the State.

**19. MACBRIDE FAIR EMPLOYMENT PRINCIPLES.** In accordance with the MacBride Fair Employment Principles (Chapter 807 of the Laws of 1992), the Contractor hereby stipulates that the Contractor either (a) has no business operations in Northern Ireland, or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles (as described in Section 165 of the New York State Finance Law), and shall permit independent monitoring of compliance with such principles.

**20. OMNIBUS PROCUREMENT ACT OF 1992.** It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority and women-owned business enterprises as bidders, subcontractors and suppliers on its procurement contracts.

Information on the availability of New York State subcontractors and suppliers is available from:

NYS Department of Economic Development  
Division for Small Business  
30 South Pearl St -- 7<sup>th</sup> Floor  
Albany, New York 12245  
Telephone: 518-292-5220  
Fax: 518-292-5884  
<http://www.empire.state.ny.us>

A directory of certified minority and women-owned business enterprises is available from:

NYS Department of Economic Development  
Division of Minority and Women's Business Development  
30 South Pearl St -- 2nd Floor  
Albany, New York 12245  
Telephone: 518-292-5250  
Fax: 518-292-5803  
<http://www.empire.state.ny.us>

The Omnibus Procurement Act of 1992 requires that by signing this bid proposal or contract, as applicable, Contractors certify that whenever the total bid amount is greater than \$1 million:

(a) The Contractor has made reasonable efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors, including certified minority and women-owned business enterprises, on this project, and has retained the documentation of these efforts to be provided upon request to the State;

(b) The Contractor has complied with the Federal Equal Opportunity Act of 1972 (P.L. 92-261), as amended;

(c) The Contractor agrees to make reasonable efforts to provide notification to New York State residents of employment opportunities on this project through listing any such positions with the Job Service Division of the New York State Department of Labor, or providing such notification in such manner as is consistent with existing collective bargaining contracts or agreements. The Contractor agrees to document these efforts and to provide said documentation to the State upon request; and

(d) The Contractor acknowledges notice that the State may seek to obtain offset credits from foreign countries as a result of this contract and agrees to cooperate with the State in these efforts.

**21. RECIPROCITY AND SANCTIONS PROVISIONS.** Bidders are hereby notified that if their principal place of business is located in a country, nation, province, state or political subdivision that penalizes New York State vendors, and if the goods or services they offer will be substantially produced or performed outside New York State, the Omnibus Procurement Act 1994 and 2000 amendments (Chapter 684 and Chapter 383, respectively) require that they be denied contracts which they would otherwise obtain. NOTE: As of May 15, 2002, the list of discriminatory jurisdictions subject to this provision includes the states of South Carolina, Alaska, West Virginia, Wyoming, Louisiana and Hawaii. Contact NYS Department of Economic Development for a current list of jurisdictions subject to this provision.

**22. COMPLIANCE WITH New York STATE INFORMATION SECURITY BREACH AND NOTIFICATION ACT.**

Contractor shall comply with the provisions of the New York State Information Security Breach and Notification Act (General Business Law Section 899-aa; State Technology Law Section 208).

**23. COMPLIANCE WITH CONSULTANT DISCLOSURE LAW.** If this is a contract for consulting services, defined for purposes of this requirement to include analysis, evaluation, research, training, data processing, computer programming, engineering, environmental, health, and mental health services, accounting, auditing, paralegal, legal or similar services, then, in accordance with Section 163 (4-g) of the State Finance Law (as amended by Chapter 10 of the Laws of 2006), the Contractor shall timely, accurately and properly comply with the requirement to submit an annual employment report for the contract to the agency that awarded the contract, the Department of Civil Service and the State Comptroller.

**24. PROCUREMENT LOBBYING.** To the extent this agreement is a "procurement contract" as defined by State Finance Law Sections 139-j and 139-k, by signing this agreement the contractor certifies and affirms that all disclosures made in accordance with State Finance Law Sections 139-j and 139-k are complete, true and accurate. In the event such certification is found to be intentionally false or intentionally incomplete, the State may terminate the agreement by providing written notification to the Contractor in accordance with the terms of the agreement.

**25. CERTIFICATION OF REGISTRATION TO COLLECT SALES AND COMPENSATING USE TAX BY CERTAIN STATE CONTRACTORS, AFFILIATES AND SUBCONTRACTORS.**

To the extent this agreement is a contract as defined by Tax Law Section 5-a, if the contractor fails to make the certification required by Tax Law Section 5-a or if during the term of the contract, the Department of Taxation and Finance or the covered agency, as defined by Tax Law 5-a, discovers that the certification, made under penalty of perjury, is false, then such failure to file or false certification shall be a material breach of this contract and this contract may be terminated, by providing written notification to the Contractor in accordance with the terms of the agreement, if the covered agency determines that such action is in the best interest of the State. (December 2011)

## Appendix A-1 G: Additional NYS Standard Clauses for NYS Contracts

### APPENDIX A-1 G

#### General

- A. In the event that the Contractor shall receive, from any source whatsoever, sums the payment of which is in consideration for the same costs and services provided to the State, the monetary obligation of the State hereunder shall be reduced by an equivalent amount provided, however, that nothing contained herein shall require such reimbursement where additional similar services are provided and no duplicative payments are received.
- B. This agreement is subject to applicable Federal and State Laws and regulations and the policies and procedures stipulated in the NYS Education Department Fiscal Guidelines found at <http://www.nysed.gov/cafe/>.
- C. For each individual for whom costs are claimed under this agreement, the contractor warrants that the individual has been classified as an employee or as an independent contractor in accordance with 2 NYCRR 315 and all applicable laws including, but not limited to, the Internal Revenue Code, the New York Retirement and Social Security Law, the New York Education Law, the New York Labor Law, and the New York Tax Law. Furthermore, the contractor warrants that all project funds allocated to the proposed budget for Employee Benefits, represent costs for employees of the contractor only and that such funds will not be expended on any individual classified as an independent contractor.
- D. Variations in each budget category in Appendix B which exceed ten percent (10%) of such category must receive the approval of the Commissioner of Education and the Office of the State Comptroller.
- E. Funds provided by this contract may not be used to pay any expenses of the State Education Department or any of its employees.

#### Terminations

- A. The State may terminate this Agreement without cause by thirty (30) days prior written notice. In the event of such termination, the parties will adjust the accounts due and the Contractor will undertake no additional expenditures not already required. Upon any such termination, the parties shall endeavor in an orderly manner to wind down activities hereunder.

#### Safeguards for Services and Confidentiality

- A. Any copyrightable work produced pursuant to said agreement shall be the sole and exclusive property of the New York State Education Department. The material prepared under the terms of this agreement by the Contractor shall be prepared by the Contractor in a form so that it will be ready for copyright in the name of the New York State Education Department. Should the Contractor use the services of consultants or other organizations or individuals who are not regular employees of the Contractor, the Contractor and such organization or individual shall, prior to the performance of any work pursuant to this agreement, enter into a written agreement, duly executed, which shall set forth the services to be provided by such organization or individual and the consideration therefor. Such agreement shall provide that any copyrightable work produced pursuant to said agreement shall be the

sole and exclusive property of the New York State Education Department and that such work shall be prepared in a form ready for copyright by the New York State Education Department. A copy of such agreement shall be provided to the State.

- B. All reports of research, studies, publications, workshops, announcements, and other activities funded as a result of this proposal will acknowledge the support provided by the State of New York.
- C. This agreement cannot be modified, amended, or otherwise changed except by a written agreement signed by all parties to this contract.
- D. No failure to assert any rights or remedies available to the State under this agreement shall be considered a waiver of such right or remedy or any other right or remedy unless such waiver is contained in a writing signed by the party alleged to have waived its right or remedy.
- E. Expenses for travel, lodging, and subsistence shall be reimbursed in accordance with the policies stipulated in the aforementioned Fiscal guidelines.
- F. No fees shall be charged by the Contractor for training provided under this agreement.
- G. Nothing herein shall require the State to adopt the curriculum developed pursuant to this agreement.
- H. All inquiries, requests, and notifications regarding this agreement shall be directed to the Program Contact or Fiscal Contact shown on the Grant Award included as part of this agreement.
- I. This agreement, including all appendices, is, upon signature of the parties and the approval of the Attorney General and the State Comptroller, a legally enforceable contract. Therefore, a signature on behalf of the Contractor will bind the Contractor to all the terms and conditions stated therein.
- J. The parties to this agreement intend the foregoing writing to be the final, complete, and exclusive expression of all the terms of their agreement.

## **Appendix A-2: American Recovery and Reinvestment Act of 2009 (ARRA)**

### **ADDITIONAL CONTRACT RECORD KEEPING REQUIREMENTS**

This grant or contract is funded, in whole or in part, by the American Recovery and Reinvestment Act of 2009 (ARRA). The United States Office of Management and Budget (OMB) have released, "Implementing Guidance for Reports on Use of Funds Pursuant to the American Recovery and Reinvestment Act of 2009." (M-09-21) This guidance provides detailed information on reporting requirements included in Section 1512 of the Recovery Act.

Recipient vendors receiving ARRA funding will be required to submit quarterly information which will include at a minimum the following information:

- Vendor name and zip code of Vendor headquarters;
- Expenditures (per quarter and cumulative);
- Expenditure description; and
- Estimates on jobs created or retained via the expenditure of these funds by the Vendor.

Additional data may be required from vendors as a result of guidance issued by OMB.

Vendors will be required to submit the ARRA data in a form and format to be determined by the New York State Education Department (NYSED). NYSED anticipates that the reporting information will be provided to Vendors no later than August 30th. There will be no additional compensation for this reporting activity and it is anticipated that the Quarterly Reporting forms will be required in both paper and electronic formats.

An employee of any non-federal employer receiving ARRA funds may not be discharged, demoted, and otherwise discriminated against as a reprisal for disclosing to law enforcement and other officials information that the employee reasonably believes is evidence of:

- Gross mismanagement;
- Gross waste of covered funds;
- A danger to public health and safety;
- An abuse of authority; or
- A violation of law.

## Appendix B: List of Eligible Applicants

### Eligibility List

*Under section 1113(a)(5) of the Elementary and Secondary Education Act (ESEA), the following public schools districts and public charter schools are eligible applicants for the Virtual Advanced Placement® Program (VAP Program) RFP based on the criteria that at least 25% of students are from low-income families.*

Please note:

- Only districts or public charter schools with 25% or higher poverty have been included in the list.
- All data is based on the 2010-2011 school year.
- In order to be an eligible applicant for the VAP Program RFP, a public school district and public charter school must be included in the list below.

**Note:** If you believe your district or school is eligible to submit an application in response to this RFP because 25% of your enrolled students meet the above poverty threshold criteria and your district or school is not included on the list of eligible districts or schools below please contact us immediately at [VirtualNY@mail.nysed.gov](mailto:VirtualNY@mail.nysed.gov).

- A BOCES-led consortium of eligible public school districts from the list below is an eligible applicant for this RFP.

### PUBLIC CHARTER SCHOOLS

**Total students, 25% or higher poverty.**

**Public Charter Schools must use the list below to determine compliance with the eligibility criteria that at least 25% of students are from low-income families.**

***NOTE: This list includes all public charter schools with 25% or higher poverty. Only those public charter schools from this list that are high schools, or that are middle schools adding a high school grade in the 2012-2013 or 2013-2014 school years, are eligible to apply.***

ACADEMIC LEADERSHIP CHARTER SCHOOL	ACADEMY CHARTER SCHOOL
ACHIEVEMENT ACADEMY CHARTER SCHOOL	ACHIEVEMENT FIRST APOLLO CHARTER SCHOOL
ACHIEVEMENT FIRST BROWNSVILLE CHARTER SCHOOL "AFBCS"	ACHIEVEMENT FIRST BUSHWICK CHARTER SCHOOL
ACHIEVEMENT FIRST CROWN HEIGHTS CHARTER SCHOOL	ACHIEVEMENT FIRST EAST NEW YORK CHARTER SCHOOL
ACHIEVEMENT FIRST ENDEAVOR CHARTER SCHOOL	ALBANY COMMUNITY CHARTER SCHOOL
ALBANY LEADERSHIP CHARTER HIGH SCHOOL FOR GIRLS	ALBANY PREPARATORY CHARTER SCHOOL

ALOMA D. JOHNSON FRUIT BELT COMMUNITY CHARTER SCHOOL	AMBER CHARTER SCHOOL
ARK COMMUNITY CHARTER SCHOOL	BEDFORD STUYVESANT COLLEGIATE CHARTER SCHOOL
BEDFORD STUYVESANT NEW BEGINNINGS CHARTER SCHOOL	BEGINNING WITH CHILDREN CHARTER SCHOOL
BELIEVE NORTHSIDE CHARTER HIGH SCHOOL	BELIEVE SOUTHSIDE CHARTER HIGH SCHOOL
BRIGHTER CHOICE CHARTER MIDDLE SCHOOL FOR BOYS	BRIGHTER CHOICE CHARTER MIDDLE SCHOOL FOR GIRLS
BRIGHTER CHOICE CHARTER SCHOOL FOR BOYS	BRIGHTER CHOICE CHARTER SCHOOL FOR GIRLS
BRONX ACADEMY OF PROMISE CHARTER SCHOOL	BRONX CHARTER SCHOOL FOR BETTER LEARNING
BRONX CHARTER SCHOOL FOR CHILDREN (THE)	BRONX CHARTER SCHOOL FOR EXCELLENCE
BRONX CHARTER SCHOOL FOR THE ARTS	BRONX COMMUNITY CHARTER SCHOOL (BCCS)
BRONX GLOBAL LEARNING INSTITUTE FOR GIRLS CHARTER SCHOOL	BRONX LIGHTHOUSE CHARTER SCHOOL
BRONX PREPARATORY CHARTER SCHOOL	BRONX SUCCESS ACADEMY CHARTER SCHOOL 1
BRONX SUCCESS ACADEMY CHARTER SCHOOL 2	BROOKLYN ASCEND CHARTER SCHOOL (BACS)
BROOKLYN CHARTER SCHOOL	BROOKLYN DREAMS CHARTER SCHOOL
BROOKLYN EAST COLLEGIATE CHARTER SCHOOL	BROOKLYN EXCELSIOR CHARTER SCHOOL
BROOKLYN PROSPECT CHARTER SCHOOL	BROOKLYN SCHOLARS CHARTER SCHOOL
BROWNSVILLE ASCEND CHARTER SCHOOL	BROWNSVILLE COLLEGIATE CHARTER SCHOOL
BUFFALO ACADEMY OF SCIENCE CHARTER SCHOOL	BUFFALO UNITED CHARTER SCHOOL
BUSHWICK ASCEND CHARTER SCHOOL	CHALLENGE PREPARATORY CHARTER SCHOOL
CHARTER SCHOOL FOR APPLIED TECHNOLOGIES	CHARTER SCHOOL OF EDUCATIONAL EXCELLENCE
COMMUNITY CHARTER SCHOOL	COMMUNITY PARTNERSHIP CHARTER SCHOOL
COMMUNITY ROOTS CHARTER SCHOOL	CONEY ISLAND PREPARATORY PUBLIC CHARTER SCHOOL
CULTURAL ARTS ACADEMY CHARTER SCHOOL AT SPRING CREEK	DEMOCRACY PREP CHARTER SCHOOL - HARLEM
DEMOCRACY PREPARATORY CHARTER SCHOOL	DR. RICHARD IZQUIERDO HEALTH AND SCIENCE CHARTER SCHOOL
DREAM CHARTER SCHOOL	ELMWOOD VILLAGE CHARTER SCHOOL
ENTERPRISE CHARTER SCHOOL	EQUALITY CHARTER SCHOOL
EUGENIO MARIA DE HOSTOS CHARTER SCHOOL	EVERGREEN CHARTER SCHOOL
EXCELLENCE BOYS CHARTER SCHOOL OF BEDFORD STUYVESANT	EXCELLENCE GIRLS CHARTER SCHOOL
EXPLORE CHARTER SCHOOL	EXPLORE EMPOWER CHARTER SCHOOL
FAHARI ACADEMY CHARTER SCHOOL	FAMILY LIFE ACADEMY CHARTER SCHOOL
FUTURE LEADERS INSTITUTE CHARTER SCHOOL	GIRLS PREPARATORY CHARTER SCHOOL OF NEW YORK
GIRLS PREPARATORY CHARTER SCHOOL OF THE BRONX	GLOBAL CONCEPTS CHARTER SCHOOL

GRAND CONCOURSE ACADEMY CHARTER SCHOOL	GREEN DOT NEW YORK CHARTER SCHOOL
GREEN TECH CHARTER HIGH SCHOOL	GROWING UP GREEN CHARTER SCHOOL
HARBOR SCIENCE AND ARTS CHARTER SCHOOL	HARLEM CHILDREN'S ZONE PROMISE ACADEMY CHARTER SCHOOL
HARLEM CHILDREN'S ZONE PROMISE ACADEMY II CHARTER SCHOOL	HARLEM LINK CHARTER SCHOOL
HARLEM PREPARATORY CHARTER SCHOOL	HARLEM SUCCESS ACADEMY CHARTER SCHOOL
HARLEM SUCCESS ACADEMY CHARTER SCHOOL 2	HARLEM SUCCESS ACADEMY CHARTER SCHOOL 3
HARLEM SUCCESS ACADEMY CHARTER SCHOOL 4	HARLEM SUCCESS ACADEMY CHARTER SCHOOL 5
HARLEM VILLAGE ACADEMY CHARTER SCHOOL	HARLEM VILLAGE ACADEMY LEADERSHIP CHARTER SCHOOL
HARRIET TUBMAN CHARTER SCHOOL	HEALTH SCIENCES CHARTER SCHOOL
HEBREW LANGUAGE ACADEMY CHARTER SCHOOL	HELLENIC CLASSICAL CHARTER SCHOOL
HENRY JOHNSON CHARTER SCHOOL	HYDE LEADERSHIP CHARTER SCHOOL
HYDE LEADERSHIP CHARTER SCHOOL - BROOKLYN	ICAHN CHARTER SCHOOL #1
ICAHN CHARTER SCHOOL #2	ICAHN CHARTER SCHOOL #3
ICAHN CHARTER SCHOOL #4	IMAGINE ME LEADERSHIP CHARTER SCHOOL
INTERNATIONAL LEADERSHIP CHARTER SCHOOL	INWOOD ACADEMY FOR LEADERSHIP CHARTER SCHOOL
JOHN V. LINDSAY WILDCAT ACADEMY CHARTER SCHOOL	JOHN W. LAVELLE PREPARATORY CHARTER SCHOOL
KING CENTER CHARTER SCHOOL	KINGS COLLEGIATE CHARTER SCHOOL
KIPP ACADEMY CHARTER SCHOOL	KIPP ALWAYS MENTALLY PREPARED CHARTER SCHOOL
KIPP INFINITY CHARTER SCHOOL	KIPP S.T.A.R. COLLEGE PREP CHARTER SCHOOL
KIPP TECH VALLRY CHARTER SCHOOL	LA CIMA CHARTER SCHOOL
LEADERSHIP PREPARATORY BEDFORD STUYVESANT CHARTER SCHOOL	LEADERSHIP PREPARATORY OCEAN HILL CHARTER SCHOOL
LEFFERTS GARDENS CHARTER SCHOOL	MANHATTAN CHARTER SCHOOL
MERRICK ACADEMY - QUEENS PUBLIC CHARTER SCHOOL	METROPOLITAN LIGHTHOUSE CHARTER SCHOOL
MOTT HAVEN ACADEMY CHARTER SCHOOL	NEW HEIGHTS ACADEMY CHARTER SCHOOL
NEW HOPE ACADEMY CHARTER SCHOOL	NEW ROOTS CHARTER SCHOOL
NEW WORLD PREPARATORY CHARTER SCHOOL	NEW YORK CITY CHARTER HIGH SCHOOL FOR ARCHITECTURE, ENG. & CONSTRUCTION INDUSTRIES
NEW YORK FRENCH-AMERICAN CHARTER SCHOOL	NIAGARA CHARTER SCHOOL
OCEAN HILL COLLEGIATE CHARTER SCHOOL	OPPORTUNITY CHARTER SCHOOL
ORACLE CHARTER SCHOOL	OUR WORLD NEIGHBORHOOD CHARTER

	SCHOOL
PAVE ACADEMY CHARTER SCHOOL	PENINSULA PREPARATORY ACADEMY CHARTER SCHOOL
PINNACLE CHARTER SCHOOL	RENAISSANCE CHARTER HIGH SCHOOL FOR INNOVATION
RENAISSANCE CHARTER SCHOOL	RIVERHEAD CHARTER SCHOOL
RIVERTON STREET CHARTER SCHOOL	ROCHDALE EARLY ADVANTAGE CHARTER SCHOOL
ROCHESTER ACADEMY CHARTER SCHOOL	ROOSEVELT CHILDREN'S ACADEMY CHARTER SCHOOL
SISULU-WALKER CHARTER SCHOOL OF HARLEM	SOUTH BRONX CHARTER SCHOOL FOR INTERNATIONAL CULTURES AND THE ARTS
SOUTH BRONX CLASSICAL CHARTER SCHOOL	SOUTH BUFFALO CHARTER SCHOOL
SOUTHSIDE ACADEMY CHARTER SCHOOL	ST. HOPE LEADERSHIP ACADEMY CHARTER SCHOOL
STATEN ISLAND COMMUNITY CHARTER SCHOOL	SUMMIT ACADEMY CHARTER SCHOOL
SYRACUSE ACADEMY OF SCIENCE CHARTER SCHOOL	TAPESTRY CHARTER SCHOOL
THE EQUITY PROJECT CHARTER SCHOOL	THE ETHICAL COMMUNITY CHARTER SCHOOL
TRUE NORTH ROCHESTER PREPARATORY CHARTER SCHOOL	TRUE NORTH TROY PREPARATORY CHARTER SCHOOL
UFT CHARTER SCHOOL	UNIVERSITY PREPARATORY CHARTER SCHOOL FOR YOUNG MEN
URBAN CHOICE CHARTER SCHOOL	VOICE CHARTER SCHOOL OF NEW YORK
WESTERN NEW YORK MARITIME CHARTER SCHOOL	WESTMINSTER COMMUNITY CHARTER SCHOOL
WILLIAMSBURG CHARTER HIGH SCHOOL	WILLIAMSBURG COLLEGIATE CHARTER SCHOOL

### BUFFALO / WESTERN NEW YORK REGION

**Total students, 25% or higher poverty.**

**Counties in this region: Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans, Wyoming**

AKRON	ALBION	ALDEN
ALEXANDER	ALFRED ALMOND	ALLEGANY-LIMESTONE
AMHERST	ANDOVER	ATTICA
BARKER	BATAVIA	BELFAST
BOLIVAR-RICHBURG	BROCTON	BUFFALO
BYRON BERGEN	CANASERAGA	CASSADAGA VALLEY
CATTARAUGUS	CHAUTAUQUA LAKE	CHEEKTOWAGA
CLEVELAND HILL	CLYMER	CUBA-RUSHFORD
DEPEW	DUNKIRK	ELBA
ELLCOTTVILLE	EVANS-BRANT	FALCONER
FILLMORE	FORESTVILLE	FRANKLINVILLE

FREDONIA	FREWSBURG	FRIENDSHIP
FRONTIER	GENESEE VALLEY CSD	GOWANDA
HINSDALE	HOLLEY	HOPEVALE
JAMESTOWN	KENDALL	KENMORE
LACKAWANNA	LE ROY	LETCHWORTH
LOCKPORT	LYNDONVILLE	MARYVALE
MEDINA	NEWFANE	NIAGARA FALLS
NIAGARA WHEATFIELD	NORTH COLLINS	NORTH TONAWANDA
OAKFIELD ALABAMA	OLEAN	PANAMA
PAVILION	PEMBROKE	PERRY
PINE VALLEY	PORTVILLE	RANDOLPH
RANDOLPH ACADEMY UFSD	RIPLEY	ROYALTON HARTLAND
SALAMANCA	SCIO	SHERMAN
SILVER CREEK	SLOAN	SOUTHWESTERN
SPRINGVILLE-GRIFF	SWEET HOME	TONAWANDA
WARSAW	WELLSVILLE	WEST SENECA
WEST VALLEY	WESTFIELD	WHITESVILLE
WILSON	WYOMING	YORKSHIRE-PIONEER

### CAPITAL REGION

**Total students, 25% or higher poverty.**

**Counties in this region: Albany, Columbia, Delaware, Fulton, Greene, Montgomery, Otsego, Rensselaer, Saratoga, Schenectady, Schoharie, Warren, Washington**

ALBANY	AMSTERDAM	ANDES
ARGYLE	BALLSTON SPA	BERKSHIRE
BERLIN	BERNE KNOX	BROADALBIN-PERTH
CAIRO-DURHAM	CAMBRIDGE	CANAJOHARIE
CATSKILL	CHARLOTTE VALLEY	CHATHAM
CHERRY VLY-SPRGFLD	COBLSKL-RCHMDVL	COHOES
CORINTH	COXSACKIE ATHENS	DELHI
DOWNSVILLE	DUANESBURG	EDINBURG COMMON SD
EDMESTON	FONDA FULTONVILLE	FORT ANN
FORT EDWARD	FORT PLAIN	FRANKLIN
GALWAY	GERMANTOWN	GILBOA CONESVILLE
GLBTSVLE-MT UPTON	GLENS FALLS COM	GLENS FALLS
GLOVERSVILLE	GRANVILLE	GREEN ISLAND
GREENVILLE	HADLEY LUZERNE	HANCOCK
HARTFORD	HOOSIC VALLEY	HOOSICK FALLS
HUDSON	HUDSON FALLS	HUNTER TANNERSVL
JEFFERSON	JOHNSBURG	JOHNSTOWN
LANSINGBURGH	LAURENS	MARGARETVILLE
MAYFIELD	MECHANICVILLE	MENANDS

MIDDLEBURGH	MILFORD	MOHONASEN
MORRIS	NEW LEBANON	NORTH WARREN
NORTHVILLE	ONEONTA	OPPENHEIM EPHRATAH
OTEGO-UNADILLA	PUTNAM	RAVENA COEYMANS
RENSSELAER	RICHFIELD SPRINGS	ROXBURY
SALEM	SCHENECTADY	SCHENEVUS
SCHOHARIE	SHARON SPRINGS	SIDNEY
SOUTH KORTRIGHT	ST JOHNSVILLE	STAMFORD
STILLWATER	TACONIC HILLS	TROY
WALTON	WARRENSBURG	WATERFORD
WATERVLIET	WHEELERVILLE	WHITEHALL
WINDHAM ASHLAND	WORCESTER	

**LONG ISLAND REGION****Total students, 25% or higher poverty.****Counties in this region: Nassau, Suffolk**

AMITYVILLE	BAY SHORE	BRENTWOOD
BRIDGEHAMPTON	CENTRAL ISLIP	COPIAGUE
DEER PARK	ELMONT	FREEPORT
GLEN COVE	GREENPORT	HAMPTON BAYS
HEMPSTEAD	HICKSVILLE	HUNTINGTON
ISLAND PARK	LAWRENCE	LITTLE FLOWER
LONG BEACH	LONGWOOD	MALVERNE
MIDDLE COUNTRY	NORTH BABYLON	PATCHOGUE-MEDFORD
RIVERHEAD	ROOSEVELT	SOUTH COUNTRY
SOUTH HUNTINGTON	SOUTHAMPTON	TUCKAHOE COMMON
UNIONDALE	VALLEY STR HEMP 24	VALLEY STR HEMP 30
WEST BABYLON	WEST HEMPSTEAD	WESTBURY
WILLIAM FLOYD	WYANDANCH	

**NEW YORK CITY REGION****Total students, 25% or higher poverty.****Counties in this region: Bronx, Kings, New York, Queens, Richmond**

New York City

**ROCHESTER / SOUTHERN TIER REGION**

**Total students, 25% or higher poverty.**

**Counties in this region: Monroe, Ontario, Yates, Wayne, Livingston, Steuben, Seneca, Chemung, Tompkins, Cayuga, Broome, Schuyler, Tioga**

ADDISON	ARKPORT	AUBURN
AVOCA	BATH	BINGHAMTON
BRADFORD	BROCKPORT	CALEDONIA MUMFORD
CAMPBELL-SAVONA	CANANDAIGUA	CANDOR
CANISTEO-GREENWOOD CSD	CATO MERIDIAN	CHENANGO FORKS
CHENANGO VALLEY	CHURCHVILLE CHILI	CLYDE-SAVANNAH
CORNING	DALTON-NUNDA	DANSVILLE
DEPOSIT	DRYDEN	DUNDEE
EAST BLOOMFIELD	EAST IRONDEQUOIT	EAST ROCHESTER
ELMIRA	ELMIRA HEIGHTS	GATES CHILI
GENESEO	GENEVA	GEORGE JR REPUBLIC
GORHAM-MIDDLESEX	GREECE	GROTON
HAMMONDSPORT	HARPURSVILLE	HORNELL
ITHACA	JASPER-TRPSBRG	JOHNSON CITY
LYONS	MAINE ENDWELL	MANCHSTR-SHRTSVLE
MARION	MORAVIA	MOUNT MORRIS
NAPLES	NEWARK	NEWARK VALLEY
NEWFIELD	NORTH ROSE WOLCOTT	ODESSA MONTOUR
OWEGO-APALACHIN	PALMYRA-MACEDON	PENN YAN
PHELPS-CLIFTON SPR	PORT BYRON	PRATTSBURGH
RED CREEK	ROCHESTER	ROMULUS
RUSH HENRIETTA	SENECA FALLS	SODUS
SOUTH SENECA	SOUTHERN CAYUGA	SPENCER VAN ETTEN
SPENCERPORT	SUSQUEHANNA VALLEY	TIOGA
TRUMANSBURG	UNION SPRINGS	UNION-ENDICOTT
WATERLOO	WATKINS GLEN	WAVERLY
WAYLAND-COHOCTON	WHEATLAND CHILI	WHITNEY POINT
WILLIAMSON	WINDSOR	YORK

#### SYRACUSE / NORTH COUNTRY REGION

**Total students, 25% or higher poverty.**

**Counties in this region: Chenango, Clinton, Cortland, Essex, Franklin, Hamilton, Herkimer, Jefferson, Lewis, Madison, Oneida, Onondaga, Oswego, St Lawrence**

ADIRONDACK	AFTON	ALEXANDRIA CSD
ALTMAR PARISH	AUSABLE VALLEY	BAINBRIDGE GUILFRD
BEAVER RIVER	BEEKMANTOWN	BELLEVILLE HENDERS
BRASHER FALLS	BROOKFIELD	BRUSHTON MOIRA
CAMDEN	CANASTOTA	CANTON

CARTHAGE	CENTRAL SQUARE	CHATEAUGAY
CHITTENANGO	CINCINNATUS	CLIFTON FINE
COLTON PIERREPONT	COPENHAGEN	CORTLAND
CROWN POINT	DERUYTER	DOLGEVILLE
E SYRACUSE-MINOA	EDWARDS-KNOX	ELIZABETHTOWN
FRANKFORT-SCHUYLER	FULTON	GENERAL BROWN
GOVERNEUR	GREENE	GRGETWN-SO OTSELIC
HAMILTON	HAMMOND	HANNIBAL
HARRISVILLE	HERKIMER	HERMON-DEKALB
HEUVELTON	HOLLAND PATENT	HOMER
ILION	INDIAN LAKE	INDIAN RIVER
JORDAN ELBRIDGE	KEENE	LA FARGEVILLE
LAFAYETTE	LISBON	LITTLE FALLS
LIVERPOOL	LONG LAKE	LOWVILLE
LYME	LYNCOURT	MADISON
MADRID WADDINGTON	MALONE	MARATHON
MASSENA	MCGRAW	MEXICO
MINERVA	MOHAWK	MORIAH
MORRISTOWN	MORRISVILLE EATON	MOUNT MARKHAM
NEW YORK MILLS	NORTH SYRACUSE	NORTHEASTRN CLNTON
NORTHRN ADIRONDACK	NORWICH	NORWOOD NORFOLK
OGDENSBURG	ONEIDA	ONONDAGA
ORISKANY	OSWEGO	OXFORD
PARISHVL HOPKINTON	PERU	PHOENIX
PLATTSBURGH	POLAND	POTSDAM
PULASKI	REMSEN	ROME
SACKETS HARBOR	SALMON RIVER	SANDY CREEK
SARANAC	SARANAC LAKE	SAUQUOIT VALLEY
SCHROON LAKE	SHERBURNE EARLVL	SHERRILL
SOLVAY	SOUTH JEFFERSON	SOUTH LEWIS
ST REGIS FALLS	STOCKBRIDGE VALLEY	SYRACUSE
THOUSAND ISLANDS	TICONDEROGA	TOWN OF WEBB
TULLY	TUPPER LAKE	UNADILLA VALLEY
UTICA	VAN HORNSVILLE	WATERTOWN
WATERVILLE	WELLS	WEST CANADA VALLEY
WESTMORELAND	WESTPORT	WILLSBORO

### YONKERS / LOWER AND MID-HUDSON VALLEY REGION

**Total students, 25% or higher poverty.**

**Counties in this region: Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, Westchester**

ABBOTT	BEACON	CHESTER
DOVER	EAST RAMAPO	ELDRED

ELLENVILLE	ELMSFORD	FALLSBURGH
GREENBRG-NO CASTLE	GREENBURGH	GREENBURGH 11
GREENBURGH-GRAHAM	GREENWOOD LAKE	HAYERSTRAW-STONY POINT
HAWTHORNE KNOLLS	HIGHLAND	HIGHLAND FALLS
HYDE PARK	JEFF YOUNGSVILLE	KINGSTON
KIRYAS JOEL	LIBERTY	LIVINGSTON MANOR
MARLBORO	MIDDLETOWN	MONTICELLO
MOUNT VERNON	MT PLEASANT-COTTAG	NEW ROCHELLE
NEWBURGH	NORTHEAST	ONTEORA
OSSINING	PEEKSKILL	PINE BUSH
PINE PLAINS	PORT CHESTER-RYE	PORT JERVIS
POUGHKEEPSIE	RONDOUT VALLEY	ROSCOE
SAUGERTIES	TARRYTOWN	TRI VALLEY
VALLEY-MONTGMRY	WALKILL	WEST PARK
WHITE PLAINS	YONKERS	

## Appendix C: Definitions

### The Advanced Placement® Course

The AP® course, for purposes of this RFP, is part of the overall AP® Program. AP® course, in this RFP, refers to a year-long AP® course in which the students and teachers focus on AP®-level work. The AP® Program currently offers more than 30 courses across multiple subject areas. Each course is developed by a committee composed of college faculty and AP® teachers, and covers the breadth of information, skills, and assignments found in the corresponding college course.

AP® courses are taught by highly qualified high school teachers who use the *AP® Course Descriptions* to guide them. The Course Description for each discipline outlines the course content, describes the curricular goals of the subject, and provides sample examination questions. While the Course Descriptions are a significant source of information about the course content on which the AP® Exams will be based, AP® teachers have the flexibility to determine how this content is presented.

### The Advanced Placement Program®

The College Board's Advanced Placement® Program (AP®) enables willing and academically prepared students to pursue college-level studies – with the opportunity to earn college credit, advanced placement or both – while still in high school. Through AP courses in 34 subjects, each culminating in a rigorous exam, students learn to think critically, construct solid arguments, and see many sides of an issue – skills that prepare them for college and beyond. Taking AP® courses demonstrates to college admission officers that students have sought the most rigorous curriculum available to them, and research indicates that students who score a 3 or higher on an AP® Exam typically experience greater academic success in college and are more likely to earn a college degree than non-AP® students. Each AP® teacher's syllabus is evaluated and approved by faculty from some of the nation's leading colleges and universities, and AP® Exams are developed and scored by college faculty and experienced AP® teachers. Most four-year colleges and universities in the United States grant credit, advancement placement or both on the basis of successful AP® Exam scores – more than 3,600 institutions worldwide annually receive AP® scores. In the last decade, participation in the AP® Program has more than doubled and graduates succeeding on AP® Exams have nearly doubled. In May 2011, nearly 2 million students representing more than 18,000 schools around the world, both public and nonpublic, took 3.4 million AP® Exams.

### The Advanced Placement Test®

An advanced placement test administered by the College Board®.

Blended course

For purposes of this RFP, *blended course* means instruction in a specific subject consisting of teacher-to-student, student-to-student and/or student-to-content interactions that occur through a combination of classroom-based and digital and/or Internet-connected media.

For example:

- Administrators in a local district, in consultation with their district curriculum review committee, determine that it would take 108 hours of instruction per year for students to earn a unit of credit for a particular course. In addition, the district determines that providing students enrolled in the course the opportunity to receive 90 minutes of instruction per week through face-to-face/classroom time and 90 minutes per week of teacher-to-student, student-to-student, and student-to-content interactions through digital or Internet-connected technology (online) would best meet the needs of its students. This course opportunity would be considered a blended course.

Board of Cooperative Educational Services (BOCES)

A public organization that provides shared educational programs and services to school districts as a formally recognized middle or intermediate unit in New York State's public education system. There are currently 37 BOCES incorporating all but nine of the 697 school districts in New York State.

Broadband

For purposes of this RFP, the term *broadband* is used to indicate that online and blended courses depend on a reliable and affordable infrastructure within school buildings and for students in the community and at home. A bandwidth of 100 megabits per second (100 mbps) is a recognized minimum standard by the Regional Information Centers (RICs) and the State Educational Technology Directors Association (SETDA).

Certified teacher

A teacher who holds a state teaching certificate appropriate to his/her teaching position, including the subject area in which employed.

The College Board®

The College Board® is a mission-driven not-for-profit organization that connects students to college success and opportunity. Founded in 1900, the College Board® was created to expand access to higher education. Today, the membership association is made up of more than 5,900 of the world's leading educational institutions and is dedicated to promoting excellence and equity in education. Each year, the College Board® helps more than seven million students prepare for a successful transition to college through programs and services in college readiness and college success — including the SAT® and the

Advanced Placement Program®. The organization also serves the education community through research and advocacy on behalf of students, educators and schools.

Eligible applicants/grant recipients

- Eligible applicants/grant recipients are Boards of Cooperative Educational Services (BOCES) acting as Lead applicant/fiscal agent on behalf of a consortium of school districts with 25% of their student population low-income as defined by criteria in this RFP; local education agencies (LEA's) with eligible student populations and public charter schools and public charter school consortia with a dedicated public charter school as lead applicant/fiscal agent with eligible student populations. All applicants must be located in New York State.
- An eligible partnership or consortium for purposes of this RFP consists of a BOCES-led application for eligible districts or an eligible charter school (not a charter management organization) in partnership with one or more other eligible charter schools. An eligible charter school partnership or consortium is defined through a signed Memorandum of Understanding (MOU), as a formal agreement among the members of the partnership or consortium and the MOU must be submitted with the application. An eligible BOCES-led school district consortium is defined through a signed Letter of Intent from each participating school district superintendent and must be submitted with the application.

Online course

For purposes of this RFP, an online course is defined as instruction in a specific subject consisting of teacher-to-student, student-to-student and/or student-to-content interactions that occur solely through digital and/or Internet-connected media.

Examples include:

- A school district, BOCES, or charter school uses its own local technology infrastructure to create and house the online course, and district teachers, appropriately certified in the specific subject area, to deliver the instruction to enrolled students.
- A school district, BOCES, or charter school teacher offers a course to students in different locations through distance learning technology.

Online instruction

For purposes of this RFP, online instruction is defined as substantive interactions among students and teachers that occur through online or digital media. Within any specific unit of study, this instruction may range from fully online, to a combination of online and face-to-face or classroom-based interactions.

Professional development

For the purposes of this RFP, professional development is defined as a planned set of skill-building processes and activities designed to assist school districts, BOCES, and charter schools in mastering RFP goals and outcomes. Such events are delivered in a time-span consistent with evidence-based best practice in professional development and adult learning science. Professional development may include organizational and policy analysis and change, curriculum and instructional design and other training, workshops, and online or distance learning courses.

#### Public charter schools

Public charter schools are defined as the publicly funded schools with a current and valid charter approved by the NYS Board of Regents, consistent with all NYS charter school laws and regulations, open to all students in New York State through a non-discriminatory admissions lottery governed by a not-for-profit board of trustees which may include educators, community members, and leaders from the private sector. For purposes of this RFP, 'public charter school' and 'charter school' can be used interchangeably.

#### School district

A public school local education agency (LEA), as defined in Title 2 of the New York State Education Law: a common, union free, central, central high school, enlarged, consolidated, or city school district.

#### Standards for Online Courses

For purposes of this RFP, the Standards for Online Courses is a reference to internationally-recognized benchmarks and standards from the International Association for K-12 Online Learning (iNACOL), used in the development of proposed required criteria components for online and blended courses that can be used in New York State. iNACOL is a leading international K-12 non-profit organization representing the interests of administrators, practitioners, businesses and students involved in online learning. iNACOL's mission is to increase access to educational opportunities and enhance learning by providing collegial expertise and leadership in K-12 online teaching and learning. iNACOL facilitates collaboration, advocacy and research to expand the availability and enhance the quality of K-12 online learning. iNACOL provides support services to new and existing online programs in an effort to promote and assist with accountability and quality implementation of online learning."

Updated in August 2010, iNACOL's National Standards of Quality for Online Courses are based on standards originally developed in 2006 by the Southern Regional Education Board (SREB). National standards were developed in the areas of:

- Content
- Instructional Design
- Student Assessment
- Technology
- Course Evaluation and Management
- 21<sup>st</sup> Century Skills

Technical assistance

For the purposes of this RFP, technical assistance is defined as tailored guidance to meet the specific needs of target school districts, BOCES, and charter schools through collaborative communication with target school personnel. Assistance takes into account site-specific circumstances and culture and will be provided through in-person site visits, telephone, mail, email, or other Internet-connected technologies. In addition, technical assistance is also defined as an infrastructure analysis to determine an LEA's ability to develop and implement an online and blended learning program, through collaborative communication with the target school districts, BOCES, and charter schools personnel.

Virtual learning

Any combination of online and/or blended courses.

Virtual learning AP® Course

An AP® Course delivered online or via a blended medium. An AP® Course must meet the rigor and standards defined by the College Board or, for purposes of this RFP, if developed locally by a VAP Program grant recipient, are substantially equivalent to a College Board-developed AP® course delivered online or via a blended medium. Virtual learning AP® courses are intended to provide high school students with the higher order thinking skills, content knowledge, and study habits necessary for successful participation in virtual learning Advanced Placement® courses.

## Appendix D: Allowable Funding Activities

Eligible entities may implement programs designed to expand access for low-income individuals to virtual learning Advanced Placement® programs through the following non-exclusive list of activities:

- A. **Identify specific Advanced Placement® (AP®) courses and teachers with appropriate certification** to pilot AP® virtual learning in the targeted LEAs.
- B. **Purchase all ancillary course materials** including software and site licenses required to implement the identified AP® virtual learning courses or AP® virtual learning in the targeted schools, BOCES, school districts, or charter schools.
- C. **Purchase sufficient hardware** including laptop or tablet computers, video and web cameras, audio equipment, projectors, and screens, required to provide equity of access for all students enrolled in the identified AP® courses in the targeted schools, BOCES, school districts, or charter schools. Note: computer equipment purchased by a BOCES within this grant must be located in the participating school districts and not at the BOCES, unless a sufficient rationale as to why it must be located within a BOCES is provided in the application and approved by NYSED.
- D. **Acquire a learning management tool** to support implementation of the identified online AP® courses in the targeted schools, BOCES, school districts, or charter schools.
- E. **Use the The Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT)** as a predictor of AP® readiness for students interested in advanced-level coursework online
- F. **Contribute to the development of a statewide virtual learning course repository.** This repository will be a shared resource statewide courtesy of all technical assistance providers, and will house all locally-developed AP® virtual learning courses from the targeted schools, BOCES, school districts, or charter schools.
- G. **Use the AP® test** as a summative assessment.
- H. **Provide data analysis on student achievement** in the identified AP® virtual learning courses in the targeted schools, BOCES, school districts, or charter schools.
- I. **Align the learning management tool** across technical assistance providers for statewide use. Such alignment will support statewide instruction of courses developed and published to the virtual learning platform.

- J. ***Provide for teacher stipends or teacher release time to develop all course materials*** to provide instruction in the identified AP® virtual learning courses in the targeted schools, BOCES, school districts, or charter schools.
- K. ***Provide for teacher stipends or release time for professional development*** in subject matter expertise and pedagogical content knowledge to teach new advanced-level virtual courses in AP® programs.
- L. ***Conduct an infrastructure analysis*** of the human and technological resources required to implement the identified AP® virtual learning courses in the targeted schools, BOCES, school districts, or charter schools.
- M. ***Participate in NYSED-facilitated meetings on the development of interoperability standards*** to inform the development of a statewide virtual learning platform.
- N. ***Provide stipends to teachers to refine and publish their virtual learning courses through the statewide virtual learning course repository.***

### **Non-Allowable Expenditures**

The following items are not allowed and will not be funded:

- Non-instructional equipment purchases;
- Furniture purchases;
- New construction or renovation of facilities;
- Minor remodeling;
- Conference attendance not related specifically to this RFP;
- Food or refreshment costs; and
- Course development activities expenditures in excess of 30% of the total grant funding.