

REQUEST FOR PROPOSAL (RFP)

RFP Proposal SA-14

NEW YORK STATE EDUCATION DEPARTMENT

Title: Virtual Advanced Placement® (VAP) Program _ Round 2

Legislative Authority	Race to the Top (RttT) funds through the New York State Education Department (NYSED).
Purpose	To develop the capacity to provide virtual learning (online and blended) Advanced Placement® (AP®) coursework to eligible students.
Eligible Applicants	<ol style="list-style-type: none">1. Public school districts in a city having a population in excess of one hundred twenty-five thousand inhabitants, 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), and are not a component of the board of cooperative educational services of the supervisory district serving its geographic area, exclusive of any district which received an award in response to RFP Proposal SA-08 [Virtual Advanced Placement® Program (VAP Round 1 – see http://usny.nysed.gov/rttt/rfp/sa-08/home.html or http://www.p12.nysed.gov/technology/Online/VAP.html]; or2. a BOCES-led consortium of a group of two or more public school districts which have at least 25% of students from low-income families as determined by the criteria specified, exclusive of any district which received an award in response to RFP Proposal SA-08 or provided a letter of intent to participate in a BOCES led consortium which received an award in response to RFP Proposal SA-08 , exclusive of any BOCES which received an award in response to VAP Round 1; or3. a consortium of a BOCES-led Multiple-BOCES consortium, with two or more public school districts from each participating BOCES which have at least 25% of students from low-income families as determined by the criteria specified, exclusive of any district which received an award in response to RFP Proposal SA-08 or provided a letter of intent to participate in a BOCES led consortium which received an award in response to RFP Proposal SA-08 exclusive of any BOCES participating in a BOCES-led consortium which received an award in response to VAP Round 1. <p>All applicants must be located in New York State.</p> <p>No restrictions are placed upon the eligible BOCES as to which districts may be</p>

	<p>included in a BOCES-led consortium, other than that the districts are on the list of eligible applicants included in Appendix B of this RFP, and that there are two or more districts per BOCES participating, and no districts provided a letter of intent to participate in a BOCES led consortium which received an award in response to RFP Proposal SA-08. Eligible districts not in a city having a population in excess of one hundred twenty-five thousand inhabitants that wish to respond to this RFP may not submit an individual application but must participate as part of a BOCES-led consortium. An application from a partnership of multiple eligible public school districts without BOCES leadership is not allowable.</p> <p>No 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 Round 2 (VAP Round 2) grant application. No school district or BOCES listed in an application receiving an award in VAP Round 1 may apply or be listed as a participant in VAP round 2.</p> <p>ESEA criteria: http://www2.ed.gov/policy/elsec/leg/esea02/pg2.html#sec1113.</p> <p>Eligible districts are listed in Appendix B of this RFP.</p>		
Funding	<p>Source: RttT</p> <p>Estimated Funds Available: \$3,000,000</p> <p><u>Awards will be made subject to availability of funding by the U.S. Department of Education.</u></p>		
Distribution of funding	<p>Only those proposals scoring an average of 70 or higher on the total application score will be considered for funding.</p> <p>Please see the Funding & Awards section for information on funding levels.</p>		
M/WBE Requirement	<p>Minority and Women-Owned Business Enterprise (M/WBE) Participation Goals Pursuant to Article 15-A of the New York State Executive Law of 20% of The M/WBE participation goal for this grant is 20% of each applicant's total discretionary non-personal service budget. See Appendix E for further information and forms for completion.</p>		
Important Dates for Awarding Grants	<p>Applications must be postmarked by: May 23, 2014</p>	<p>Anticipated Preliminary Award Notification: July 21, 2014</p>	<p>Anticipated Project Period: August 1, 2014, June 30, 2015</p>
Additional Information	<p>Questions about this RFP should be sent no later than April 21, 2014 to the e-mail address identified below. Questions and Answers will be posted on April 28, 2014 at http://usny.nysed.gov/rttt/rfp/. No individual responses will be provided.</p>		
NYSED Contacts	<p>Program Matters: John Brock VirtualNY2@mail.nysed.gov</p>	<p>Fiscal Matters: Richard Duprey VirtualNY2@mail.nysed.gov</p>	

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	4/7/14
Final Receipt of Questions	4/21/14
Official Responses to Questions posted	4/28/14
Proposal Due Date (postmarked by)	5/23/14
Anticipated Preliminary Award Notification	7/21/14
Anticipated Program Start	8/1/14

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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 school districts 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
- publish and offer AP® courses and courseware to an Open Educational Resources (OER) for repeated use by teachers in the district, BOCES, and region, and/or align curricular materials to the Common Core, as appropriate, for inclusion on the NYSED website.

Background

The Virtual Advanced Placement® (VAP) Program Round 2, 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 9th 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. 28.0 percent of graduates from New York’s public high school class of 2012 scored 3 or higher on at least one AP Exam during high school, compared to 22.4 percent from the class of 2007 and 20.1 percent from the class of 2002. More graduates in the New York class of 2012 scored a 3 or higher on at least one AP Exam than took AP Exams in 2002. 42.7 percent of graduates from New York’s public high school class of 2012 took at least one AP Exam during high school, compared to 33.9 percent from the class of 2007 and 30.0 percent from the class of 2002. The number of public school graduates leaving high school having taken an AP Exam in New York has increased by 55 percent in the last decade.

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.

The College Board and the New York AP community are committed to increasing student diversity in AP classrooms while simultaneously increasing AP success to ensure that the demographics of both AP participation and success reflect the demographics of the overall student population. Over the last decade, progress has been made to increase AP participation and success among New York’s underserved minority and low-income students.

Closing Equity Gaps in Participation and Success in New York	2002	2007	2012
Black/African American			
Percentage of the graduating class who were black/African American	14.0	15.1	15.0
Percentage of AP Exam takers in the graduating class who were black/African American	6.4	7.6	9.1
Percentage of graduates scoring 3+ on an AP Exam during high school who were black/African American	3.5	3.7	4.8
Hispanic/Latino			
Percentage of the graduating class who were Hispanic/Latino	11.1	13.1	14.5
Percentage of AP Exam takers in the graduating class who were Hispanic/Latino	9.3	11.1	13.9
Percentage of graduates scoring 3+ on an AP Exam during high school who were Hispanic/Latino	9.7	10.3	12.1
American Indian/Alaska Native			
Percentage of the graduating class who were American Indian/Alaska Native	0.3	0.4	0.6
Percentage of AP Exam takers in the graduating class who were American Indian/Alaska Native	0.2	0.3	0.3
Percentage of graduates scoring 3+ on an AP Exam during high school who were American Indian/Alaska Native	0.2	0.2	0.2

Low-Income*			
Percentage of AP Exam takers in the graduating class who were low income	N/A	18.7	24.6
Percentage of graduates scoring 3+ on an AP Exam during high school who were low income	N/A	14.4	19.1

While more underserved minority and low-income graduates are participating and succeeding in AP, these students remain underrepresented not only in many of the nation’s AP classrooms but also among Americans earning a college degree. Research consistently shows that underserved minority and low-income students who score 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.

It is vital that all students who are academically prepared for the intellectual demands of college-level AP course work during high school — no matter their location, background or socioeconomic status — have a right to fulfill that potential.

Source and Table: Advanced Placement® Results for New York’s Class of 2012 www.collegeboard.org

Purpose

Through the NYSED VAP Program Round 2, more minority and low-income students can participate and succeed in virtual learning (online and blended instruction) Advanced Placement® courses. The NYSED VAP Program Round 2 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 Round 2 supports NYSED’s effort to allow local education agencies (LEAs), BOCES, and BOCES consortium which did not participate in a grant in VAP Round 1 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 Round 2 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 Round 2 funding can significantly contribute to expanding the capacity of districts throughout New York State to effectively and efficiently offer a comprehensive virtual learning Advanced Placement® program to low-income students through strategic investments in:

- Improving targeted student access to virtual learning Advanced Placement® courses and tests, PSAT® tests, and pre-AP courses;
- Increase opportunities for teachers to conduct and support virtual learning AP® courses for the targeted student population through the development of adequate programming infrastructure (hardware, software, courseware, licenses, administering tests, etc.);
- Providing professional development of teachers to develop, conduct, and support virtual learning Advanced Placement® courses;
- Publish and offer AP® courses and courseware to an Open Educational Resources (OER) for repeated use by teachers in the district, BOCES, and region, and/or align curricular materials to the Common Core, as appropriate, for inclusion in the NYSED website.

This approach relies heavily on the active, sustained investment in instructional staff to support effective program implementation. For example, teachers selected by the BOCES and districts, that are awarded NYSED VAP Program Round 2 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 Round 2, efforts to build out the program through investments in infrastructure will enable more districts to participate and take advantage of existing virtual learning resources to benefit all students attending their schools.

Eligibility Applicants/ Requirements

- Public school districts in a city having a population in excess of one hundred twenty-five thousand inhabitants, 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), and are not a component of the board of cooperative educational services of the supervisory district serving its geographic area, exclusive of any district which received an award in response to RFP Proposal SA-08;
- Boards of Cooperative Educational Services (BOCES)-led consortium of at least 2 or more eligible public school districts which have at least 25% of students from low-income families as determined by the criteria specified, exclusive of those BOCES or districts that are funded (except as a service provider to VAP Round 1 awardees) in VAP Program Round 1;
- a BOCES consortium of BOCES of at least 2 or more eligible public school districts per each participating BOCES in which all participating districts meet the 25% of students from low-income families eligibility criteria specified above, exclusive of those BOCES or districts that are funded (except as a service provider to VAP Round 1 awardees) in VAP Program Round 1.
- For all BOCES led consortiums in either category above, assurances must be provided from the lead BOCES that all eligible component school districts of any BOCES in the consortium, and any eligible district in the geographic area not a component of any board of cooperative

educational services in the State, is allowed to participate and was invited to provide a letter of intent (LOI).

- No school district, or BOCES may apply for or be listed in a consortium as a participant for more than one VAP Program Round 2 grant application.
- Please see the Funding & Awards section for information on funding levels.

Mandatory Requirements

1. Lead applicants submitting applications on behalf of a BOCES-led consortium are required to provide a minimum of 20% of the direct program services proposed in their application.
2. BOCES-led consortium applications must include a signed Letter of Intent (LOI) for each consortium member – districts and BOCES - describing the roles and responsibilities of each member as well as the related grant expenditures required by each member.
3. BOCES-led consortium applications must provide assurances that all eligible component districts of each BOCES participating in the application, and any eligible district in the geographic area not a component of any board of cooperative educational services in the State, were allowed to participate and were invited to provide a letter of intent (LOI).
4. BOCES-led or BOCES-led consortium applications provide at least two eligible school districts per each BOCES participating in the application.
5. Applications must first meet the mandatory requirements set forth to advance to the programmatic scoring. In accordance with the Attachment C 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

Only those proposals scoring an average of 70 or higher on the complete application as scored by the evaluation team will be considered for funding.

Eligible single school districts may apply for grants of up to \$500,000.

Eligible BOCES-led consortium may apply for grants of up to \$1,000,000 each.

All eligible component districts of the BOCES, and any eligible district in the geographic area not a component of any board of cooperative educational services in the State, must be allowed to participate (via LOI).

Eligible consortium of more than one eligible BOCES may apply for grants up to \$1,500,000.

All eligible component districts of each BOCES, and any eligible district in the geographic area not

a component of any board of cooperative educational services in the State, must be allowed to participate (via LOI).

All 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 participate in a grant application.

NYSED BOCES Consortium Policy for the VAP Program Round 2 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 school 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 Round 2 as developed by the BOCES acting as lead applicant. All eligible component districts of a BOCES-led consortium, and any eligible district in the geographic area of each BOCES not a component of any board of cooperative educational services in the State, must be allowed to provide an LOI.

Two or more BOCES can form a consortium to apply for a grant under this RFP. One BOCES must act as the lead applicant. Each BOCES must propose to support two or more eligible school districts. A Letter of Intent signed by the BOCES superintendent and each district superintendent must be included with the grant application demonstrating the BOCES and district's commitment to participating in the application and, if funded, the Virtual AP® Program Round 2 as developed by the BOCES acting as lead applicant. All eligible component districts of each BOCES, and any eligible district in the geographic area of each BOCES not a component of any board of cooperative educational services in the State, must be allowed to provide an LOI.

- 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 NYSED MVPS, and 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 and to NYSED's VAP Evaluation and Program Monitoring SUNY Partner, 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, and other data as specified by NYSED or the SUNY partner.

The grantee must supply NYSED with a file of the school district student ID and the New York State Student Identifier System (NYSSIS) unique student identifier of every student who is involved in the VAP Program Round 2. 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.

Grant recipients are required to allow NYSED's VAP Evaluation and Program Monitoring SUNY Partner access to observe and monitor VAP Program Round 2 activities upon advance notification and request. Grant recipients are required respond to NYSED and to NYSED's VAP Evaluation and Program Monitoring SUNY Partner 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 Round 2 and approved activities must be requested by the VAP Program Round 2 grant coordinator and approved by NYSED prior to the change being made.

A Final Narrative Report and a Final Expenditure Form (FS10-F) will be required at the end of each fiscal year. Additionally, the grantee must respond in a timely manner to requests for:

- ARRA reporting
- Race to the Top reporting, Monitoring and Vendor Performance Systems

Mandatory Interim Reporting

All VAP Program Round 2 grant recipients will be required to submit an interim report at the mid-point of the grant period to NYSED and/or to NYSED's VAP Evaluation and Program Monitoring SUNY Partner on a date and in a format specified by NYSED, and a final report at the close of the program period, in a format specified by the NYSED. The report will include:

- The number of students taking AP® exams for each course in each subject area as a result of VAP Program Round 2 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 round 2 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 school district student ID and the New York State Student Identifier System (NYSSIS) unique student identifiers of every student who is involved in the VAP Program Round 2.
- 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 Round 2 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 Round 2 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 Program Round 2 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 Round 2 funding.
- Equipment Inventory report, as specified above in this RFP

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

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.

VAP Program Round 2 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.

All course development funded through VAP Program Round 2 must demonstrate knowledge of and comportment with New York State Regulations of the Commissioner of Education part 100.5(d) (10), Credit for Online and Blended Learning,

<http://www.regents.nysed.gov/meetings/2011Meetings/June2011/611p12a5.pdf>

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 school districts or BOCES.
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 school districts or BOCES, 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.

All course developed through funding from the VAP Program Round 2 must comport with New York State Regulations of the Commissioner of Education part 100.5(d)(10), Credit for Online and Blended Learning, <http://www.regents.nysed.gov/meetings/2011Meetings/June2011/611p12a5.pdf>

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 BOCES.
- 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 partially 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).
- Technology purchases for components of VAP Program Round 2 must meet minimum standards in Smarter Balanced and PARCC Issue Guidance for New Instructional Technology Purchases and provide assurance that new devices will be compatible with next-generation assessments.
- 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.regents.nysed.gov/meetings/2011Meetings/June2011/611p12a5.pdf>.)

- 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 a district, BOCES, or regional virtual learning repository, and/or aligned to the Common Core as appropriate and submitted for inclusion on the NYSED website. Proposed course development activities expenditures are limited to a total of 30% of the total grant funding.

Conducting an Infrastructure Analysis to Provide Virtual Learning AP® Courses

Successful bidders will demonstrate evidence of 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 the 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.
- Ensure that technology purchases must meet minimum standards in Smarter Balanced and PARCC Issue Guidance for New Instructional Technology Purchases and provide assurance those new devices will be compatible with next-generation assessments.
- 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, or BOCES 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 or BOCES 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 and BOCES 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 2014 – 2015 proposed activities of the VAP Program Round 2 in detail, including the overall goals, objectives, strategies, planning, implementation, and evaluation of all proposed activities, and the elements within the VAP Program Round 2.

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
- M/WBE documentation

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 Round 2 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 should 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 or pre-AP courses for the targeted student population.
- B. Propose the **development, enhancement, or expansion of institutional infrastructure** to support the district(s) Virtual AP® Program Round 2 or enable improved access to virtual learning AP® courses by the targeted student population. Such infrastructure must comport with minimum standards in Smarter Balanced and PARCC Issue Guidance for New Instructional Technology Purchases compatible with next-generation assessments.

- C. Propose to **develop, enhance, or expand virtual learning AP® courses** or pre-AP courses. Explain why the virtual learning courses supported by the proposed program qualify as AP® courses or pre-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.
- D. The applicant must make Virtual Advanced Placement courses developed through this grant available to eligible schools and students in the district, BOCES, or region, to help provide for their college and career-ready preparation through a web-based, online or blended, synchronized or asynchronous, learning environment. The applicant must provide plans to publish effective content and possibly other Open Educational Resources (OER), to a virtual course repository for repeated use by teachers in the district, BOCES, region, and/or propose to align curricular materials to the Common Core, where appropriate, and submit for inclusion in the NYSED website.

Section A – Program Overview – 15 points

Applicant’s overview of the envisioned approach to the provision of a virtual learning Advanced Placement® (AP®) Round 2 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.

In Section A of the Proposal Narrative include the following:

1. Provide an overview of the applicant’s envisioned VAP Program Round 2, 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. Adequately demonstrate that such institutional capacity meets with, or proposes to meet with the minimum standards in Smarter Balanced and PARCC Issue Guidance for New Instructional Technology Purchases compatible with next-generation assessments. 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 Round 2 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 or pre-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 Round 2 goals, objectives and strategies for the envisioned end-state VAP

Program Round 2 and targeted student outcomes. Adequately demonstrate that goals, objectives, and strategies are consistent with New York State Regulations of the Commissioner of Education part 100.5(d) (10), Credit for Online and Blended Learning.

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 Round 2 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 analysis that demonstrates that the applicant will adhere to the best practices outlined in the “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.
 - Providing assurances that technology purchases meet minimum standards in Smarter Balanced and PARCC Issue Guidance for New Instructional Technology Purchases that new devices will be compatible with next-generation assessments.
 - 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 or BOCES to coordinate and unify relevant programs and practices.

2. Alignment to VAP Program Round 2 Goals: The extent to which the required overview elements are included and adequately addressed and how well the applicant has addressed the required program activities.
3. Proposed VAP Program Round 2 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, or pre-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.
 - Assurance that the course development funded through VAP Program Round 2 demonstrates knowledge and understanding of Regulations of the Commissioner of Education part 100.5(d)(10), Credit for Online and Blended Learning.

Section B – VAP Program Round 2 Design and Proposed Activities - 25 points

This RFP puts special emphasis on VAP Programs Round 2 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 pre-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 Round 2 Design should include the applicant’s plan to take specific “next steps” to close the gap between current practices and the applicant’s envisioned VAP Program Round 2. Building upon the required program activities, applicants should describe new and/or an enhanced initiative for which funding is being requested. NYSED is seeking proposals that reflect promising practices and are highly likely to substantially improve access to virtual learning AP® courses or pre-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 Round 2 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 Round 2 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; how this coursework is aligned with Regulations of the Commissioner of Education part 100.5(d)(10), Credit for Online and Blended Learning
- What the specific and measurable goals the applicant expects to achieve with their VAP Program Round 2; 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 an infrastructure analysis undertaken in support of the applicant’s proposed VAP Program Round 2 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;
 - demonstration of knowledge and understanding of Regulations of the Commissioner of Education part 100.5(d)(10), Credit for Online and Blended Learning
 - 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.); assurances are provided that technologies meet minimum standards compatible with next-generation assessments.
- c. The applicant proposes an online course repository to support online course searching, cataloging, registration, and reporting.
- applicants demonstrates sufficient capacity to develop and implement a medium to large-scale content management system or course repository
 - 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) are planned to be preserved for inclusion in a district, BOCES, region, or proposed for curricular materials to be aligned to the Common Core and submitted for inclusion in the NYSED website.

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 Round 2 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), including adherence to regulations 100.5(d)(10).
 - The extent to which assurances are provided that technologies provided through the grant will meet minimum standards compatible with next-generation assessments

- 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 – 10 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 Round 2.

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 Round 2. 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 Round 2.
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 Round 2.
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;
 - Respond to NYSED communications regarding the VAP Program Round 2 within 5 business days.
 - Respond to all reporting requirements for this grant including but not limited to:

- ARRA reporting
 - Race to the Top reporting, Monitoring and Vendor Performance Systems
 - NYSED, Educational Design and Technology, Program Office reporting
 - NYSED, Grants Finance, fiscal reporting – FS-10, FS-10-A, FS-10-F long form
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 Round 2 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, including ARRA, RttT, and fiscal reporting;
- 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 Round 2, 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 Round 2 Management Plan.
2. The likelihood of the management plan to achieve the objectives of the proposed VAP Program Round 2 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 Round 2 personnel are appropriate and adequate to meet the objectives of the proposed VAP Program Round 2.
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 Round 2 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, ARRA reporting, RttT reporting, fiscal reporting, and any other reporting required, 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.
10. Assurances of knowledge of and comportment with NYCRR 100.5(d) (10) and technology standards compatible with next-generation assessments.

Section E – Program Evaluation – 10 points

Each VAP Program Round 2 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 Round 2 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.
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 - 25 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 8/1/14-7/31/15). The most current form is available online at: <http://www.oms.nysed.gov/cafe/forms/>.

Budget Narrative

Include a Budget Narrative that justifies all proposed expenditures and indicates the basis of calculation cost. 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.
- Devices and technologies proposed for purchase meet minimum standards compatible with next-generation assessments
- 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.
- A BOCES does not propose to purchase services from itself (code 49)

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 BOCES-led consortium, 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 August 1, 2014 and ending June 30, 2015.

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.

Application Review and Scoring

Upon receipt, an applicant's eligibility will be determined. BOCES led applications will be checked to confirm the mandatory requirements certification has been completed. **If an application does not meet all of the mandatory requirements it will be rejected as non-responsive and will not be reviewed.**

Applications will be evaluated using the criteria set forth in the evaluation rubric. Each eligible proposal will be reviewed by two reviewers. 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 (1) 75 possible points for the *Proposal Narrative*, including 15 points for Section A, 25 points for Section B, 10 points for Section C, 15 points for Section D, 10 points for Section E. (2) A maximum of 25 points for the *Budget and Budget Narrative (includes FS-10 submission)*. If individual total scores after scoring of the budgets are more than 20 points apart, a third reviewer will rate the budget section of the application. The two total 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.

Award Methodology

Only those proposals that receive a final score of 70 or higher on the application will be considered for funding. Proposals will be ranked from highest to lowest score and awards will be made to the highest scoring applicant(s) in rank order, highest to lowest until the funds are exhausted. 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. In the case of a tied score, the applicant with the higher score in Section B of the evaluation rubric 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 Round 2 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-14, VIRTUAL ADVANCED PLACEMENT PROGRAM Round 2

Only those proposals scoring 70 points or more overall will be considered for funding.

Reviewer Number:	Applicant LEA/District Name:
Project Code:	
Date Reviewed:	Total Score: _____ out of 75 pts (Sections A – E)
	Total Score: _____ out of 100 pts

Rating Guidelines

Quality Indicator	Description
Very Good	Comprehensive and thorough with exceptional detail. Submission is highly responsive and specific and of outstanding quality.
Good	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.
Fair	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.
Poor	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

Section A: Program Overview			
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>Technical Elements for this Section</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 Round 2 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"> 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 Round 2 would look like, for targeted students and teachers. 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 or pre-AP coursework. 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. The proposal must align with the intention of the grant to broaden and support increased AP® participation levels, not to supplant existing participation levels. 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. <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 required program activities. Elements f-g address this area:</p> <ol style="list-style-type: none"> The applicant includes a brief description – with details to be described further in Section B - of the applicant’s overall VAP Program Round 2 goals, objectives and strategies for the envisioned end-state VAP Program Round 2 and targeted student outcomes. 			

g. The applicant has addressed the priority funding areas as defined in the “Program Goals” section of the RFP:

- Provides for professional development of teachers to develop, conduct, and support virtual learning Advanced Placement® courses;
- Seeks to improve targeted student access to virtual learning Advanced Placement® courses or pre-AP courses through the development of adequate programming infrastructure (hardware, software, courseware, licenses, administering tests, etc.); and
- Plans for developing virtual learning Advanced Placement® courses for a repository to be shared locally, BOCES-wide, or regionally, and/or plans to align curricular materials where appropriate to the Common Core and submit for inclusion on the NYSEDY web site.

VAP Program Round 2 Impact (Max 3 points).

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

- h. The applicant has addressed the potential impact of the proposed programs in providing greater access to virtual learning AP® courses or pre-AP courses and highly-trained teachers teaching in virtual learning environments for low-income and other disadvantaged students
- 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.
- 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.

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

Section B: VAP Program Round 2 Design and Proposed Activities

0-8	9-14	15-19	20 -25
<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

Coherence and Clarity of Proposed Services (Max 10 points)

- 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 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 applicant proposes an online course repository to support online course searching, cataloging, registration, and reporting.
 - 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)
 - The extent to which the application demonstrates knowledge and understanding of Regulations of the Commissioner of Education part 100.5(d)(10), credit for online and blended learning.
 - The extent to which assurance is provided that technology purchases meet minimum standards compatible with next-generation assessments

Probability of Desired Outcomes (Max 10 points)

Award points based on 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 an 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. applicants demonstrates sufficient capacity to develop and implement a medium to large-scale content management system or course repository
- h. Applicant describes in detail the specific courses in development or newly offered; and

- i. Applicant describes in detail teachers' qualifications to pilot new AP® courses.
- j. Applicant describes in detail compliance with 100.5(d) (10).
- k. Applicant describes in detail technology and device standards to meet compatibility with next-generation assessments

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:

- l. Applicant describes in detail a plan to demonstrate sustainable support and expertise for teaching and learning in an online environment
- m. 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;
- n. The applicant plans to host and operate the online repository during the contract period and provides plans to continue its operation beyond the funding period and plans for funding to sustain and grow the repository after the grant year.

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

Section C: Applicant Capacity, Program Personnel, and Virtual Learning Resources

0-4	5-6	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:

Technical Elements for this Section

Award points based on:

- a. Overall scope of the program including the number of teachers and students to be served through the proposed VAP Program Round 2.
- 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).
- c. The qualifications, including relevant online training and experience, of program partners,

- consultants or subcontractors, if any.
- 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.
 - e. Documentation of applicant experience in reporting for ARRA, RttT, MVPS.
 - f. Documentation of a comprehensive inventory of physical assets that may be deployed in support of the proposed VAP Program Round 2.
 - g. Evidence the applicant has demonstrated sufficient organizational capacity and expertise to:
 - 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);
 - Provide high-quality staff development, support, and resources;
 - Respond to NYSED communications regarding the VAP Program Round 2 in a timely manner.
 - h. The adequacy of online support, including technical support facilities, computer equipment, information technology supplies, and other computing and online resources, from the applicant organization.
 - i. Successfully respond, where applicable to technology readiness and computer based testing survey's and data collection efforts.

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:

- a. Overall scope of the program including program goals and objectives to be achieved through the VAP Program Round 2 Management Plan.
- b. The likelihood of the management plan to achieve the objectives of the proposed VAP Program Round 2 on time and within budget, including clearly defined responsibilities, time lines, and milestones for accomplishing project tasks.
- c. The extent to which the time commitments of a program director or other key VAP Program Round 2 personnel are appropriate and adequate to meet the objectives of the proposed VAP Program Round 2.
- d. Assurances that the activities identified are to be provided annually for the duration of the contract.
- e. Training sessions and professional development activities are identified and described.
- f. Professional development activities are provided directly by qualified VAP Program Round 2 staff or through qualified subcontracted consultants.
- g. Assurances that the initially proposed staffing level will be maintained for the duration of the contract.
- h. Extent to which applicant's proposal plans include interim and final program reports, ARRA, RttT, and MVPS reports, where applicable, by a Program Director or project point person to be provided to NYSED on an annual basis for the duration of the grant.
- i. Assurance of equipment maintenance, inventory, and reporting procedures
- j. Assurance of knowledge and awareness of NYCRR 100.5(d)(10)
- k. Assurance of knowledge and awareness of technology compatibility with next generation assessment.

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

Section E: Program Evaluation

0-4	5-6	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:

Technical Elements for this Section

Award points based on:

- a. 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.
- b. 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.
- c. The extent to which the applicant’s proposal demonstrates that all accomplishments supported by data and metrics will be detailed in an annual report.
- d. 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.

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

Budget Narrative/Budget (FS-10)

0-8	9-14	15-19	20 -25
<input type="checkbox"/> Poor	<input type="checkbox"/> Fair	<input type="checkbox"/> Good	<input type="checkbox"/> Very Good

Score:	Score:	Score:	Score:
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Technical Elements for this Section

1. Proposed expenditures will be used to support the proposal’s initiatives and goals (Max 12.5 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.
- d. The budget narrative, budget, and FS-10 Demonstrate that the proposed expenditures are supplemental and do not supplant or duplicate services currently provided.
- e.

2. Costs are reasonable and necessary to support the proposal’s initiatives and goals (Max 12.50 points)

- f. Course development activities expenditures are limited to no more than 30% of total grant funding
- g. Proposed program budget presents expenses that are allowable, realistic, accurate, cost-efficient, and clearly relate to and reflect program activities, objectives, and outcomes.
- h. The costs are reasonable in relation to the objectives, design, and potential significance of the proposed project.
- i. 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.
- j. The justifications for expenditures are reasonable and clearly explained.
- k. Justification is provided that devices and technology meet minimum standards in Smarter Balanced and PARCC Issue Guidance for New Instructional Technology Purchases compatible with next-generation assessments
- l. A BOCES does not propose to purchase services from itself (code 49)
- m. The costs for equipment, supplies, and materials are reasonable and adequately justified.
- n. **3.**

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

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OVERALL EVALUATION			
<i>Instructions: Transcribe the scores you awarded for each Section on to this chart and total the scores.</i>			
PLEASE CHECK YOUR MATH			
Section	Possible Points	SCORE	Additional Comments
A: Program Overview	15		
B: VAP Program Design	25		
C: Applicant Capacity	10		
D: Management Plan	15		
E: Program Evaluation	10		
Total Score A - E	75		
Budget Narrative / Budget	25		
TOTAL SCORE:	100		

Overall Recommendation:

RATER CERTIFICATION

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.

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.

I certify that this evaluation was conducted independently and the resulting score was in no way influenced by any outside party.

REVIEW Signature:

Date:

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: VirtualNY2@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 501W 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.

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 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.

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 May 23, 2014:

- One (1) original and four (4) paper copies of the application (in the format described in RFP) labeled - RFP #SA-14.
- One (1) CD or flash drive containing a copy of the application in Microsoft Word (.doc) format (keyword searchable) or portable document format (.PDF) (keyword searchable). Electronic application materials do not require signatures – these versions are for review and scoring purposes, only. Only paper documents in these applications require signatures. Include all appendices, or LOIs (if applicable), and attachments on the CD or flash drive. Note: applicants

determined to be eligible for scoring but electronic documents are not key-word searchable will be notified via email to resubmit electronic documents in a searchable format.

The mailing address for all the above documentation is:

NYS Education Department
Attn: Richard P. Duprey (SA-14)
Contract Administration Unit
89 Washington Avenue, Room 501 EB
Albany, NY 12234

(Facsimile copies of the proposals are NOT acceptable)

Submission Checklist

This grant application must contain the following documents:

	Required Documents	Checked – Applicant	Checked – NYSED
Proposal Narrative	Application Cover Page	Yes <input type="checkbox"/>	<input type="checkbox"/>
	– Attachment A		
	Program Narrative -		
	Section A –Overview of the Envisioned VAP Program Round 2	Yes <input type="checkbox"/>	<input type="checkbox"/>
	–	Yes	
	Section B – VAP Program Round 2 Design and Proposed Activities	<input type="checkbox"/>	<input type="checkbox"/>
	–		
	Section C – Applicant Capacity, Program Personnel and Virtual Learning Resources	Yes <input type="checkbox"/>	<input type="checkbox"/>
	–		
	Section D – Management Plan	Yes <input type="checkbox"/>	<input type="checkbox"/>
	–		
	Section E – Program Evaluation	Yes <input type="checkbox"/>	<input type="checkbox"/>
	–		
	Budget Narrative	Yes <input type="checkbox"/>	<input type="checkbox"/>
–			
FS-10	Yes <input type="checkbox"/>	<input type="checkbox"/>	
– http://www.oms.nysed.gov/cafe/forms/			
Signed Letter(s) of Intent with partner(s) (if applicable)	Yes <input type="checkbox"/>	NA <input type="checkbox"/>	<input type="checkbox"/>
– Attachment B			
Mandatory Requirements Certification	Yes <input type="checkbox"/>		<input type="checkbox"/>
– Attachment C (if applicable)			
Payee Information Form/NYSED Substitute W-9 Form (if applicable)	Yes <input type="checkbox"/>	NA <input type="checkbox"/>	<input type="checkbox"/>

M/WBE Documents Package (original signatures required)

Full Participation Request Partial Waiver Request Total Waiver

Forms Required

Type of Form	Full Participation	Request Partial Waiver	Request Total Waiver
Calculation of M/WBE Goal Amount	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

M/WBE Cover Letter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M/WBE 100 Utilization Plan	<input type="checkbox"/>	<input type="checkbox"/>	N/A
M/WBE 102 Notice of Intent to Participate	<input type="checkbox"/>	<input type="checkbox"/>	N/A
M/WBE 105 Contractor's Good Faith Efforts	N/A	<input type="checkbox"/>	<input type="checkbox"/>
M/WBE 101 Request for Waiver Form and Instructions	N/A	<input type="checkbox"/>	<input type="checkbox"/>
EE0 100 Staffing Plan and Instructions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SED Comments:

Has the applicant complied with the application instructions? Yes No

SED Reviewer: _____ Date: _____

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).

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Attachment A: Application Cover Page

For Competitive Grant Program

NYSED Virtual Advanced Placement® Program Round 2 Grant Request for Proposals # __ - __

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

DISTRICT BEDS CODE

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

Lead/Applicant Name:			
<u>Employer's Federal Tax ID Number (BOCES):</u>			
<u>NYS Vendor ID (BOCES):</u>			
Address:			
City:		Zip Code:	
Contact Person:		Reporting Contact:	
Title:		Title:	
Telephone:		Telephone:	
Fax:		Fax:	
Email:		Email:	
Total number of students in the <u>individual</u> district: Or, for Consortia applications, total combined number of students from consortia partners: (in the Eligibility List)		Total Funding Amount Requested:	
<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>			

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

Attachment B: Letter of Intent

To: *Insert name of BOCES VAP Program round 2 grant application coordinator*

From: Superintendent of School District or BOCES

Re: BOCES-led Virtual AP[®] Program Round 2 participation Letter of Intent

Indicate the interest of School District in participating in a BOCES-led Virtual Advanced Placement[®] Program Round 2 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-income¹ 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).

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

Please consult the Virtual AP® Program Round 2 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.

**Attachment C: Mandatory Requirements Certification
 NYSED Virtual Advanced Placement® Program Round 2**

By signing this form, the undersigned lead applicant BOCES of a consortium hereby certifies the following in connection with its application:

1. It will provide a minimum of 20% of the direct program services in its proposed application.
2. It has included a signed Letter of Intent (LOI) for each consortium member – districts and BOCES - that describes the roles and responsibilities of each member as well as the related grant expenditures required by each member.
3. It has invited all eligible component districts of each BOCES participating in this application, and any eligible district in the geographic area not a component of any board of cooperative educational services in the State, to provide a letter of intent (LOI).
4. At least two eligible school districts are participating per each BOCES participating in the application.

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

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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). However, such pre-approval shall not be required for any contract established as a centralized contract through the Office of General Services or for a purchase order or other transaction issued under such centralized contract.

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 (including gender identity or expression), national origin, sexual orientation, military status, age, disability, predisposing genetic characteristics, marital status or domestic violence victim 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
Albany, New York 12245
Telephone: 518-292-5100
Fax: 518-292-5884
email: opa@esd.ny.gov

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
633 Third Avenue
New York, NY 10017
212-803-2414
email: mwbecertification@esd.ny.gov
<https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp>

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 NEWYORK 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.

26. **IRAN DIVESTMENT ACT.** By entering into this Agreement, Contractor certifies in accordance with State Finance Law §165-a that it is not on the “Entities Determined to be Non-Responsive Bidders/Offerers pursuant to the New York State Iran Divestment Act of 2012” (“Prohibited Entities List”) posted at: <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf>

Contractor further certifies that it will not utilize on this Contract any subcontractor that is identified on the Prohibited Entities List. Contractor agrees that should it seek to renew or extend this Contract, it must provide the same certification at the time the Contract is renewed or extended. Contractor also agrees that any proposed Assignee of this Contract will be required to certify that it is not on the Prohibited Entities List before the contract assignment will be approved by the State.

During the term of the Contract, should the state agency receive information that a person (as defined in State Finance Law §165-a) is in violation of the above-referenced certifications, the state agency will review such information and offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment activity which is in violation of the Act within 90 days after the determination of such violation, then the state agency shall take such action as may be appropriate and provided for by law, rule, or contract, including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

The state agency reserves the right to reject any bid, request for assignment, renewal or extension for an entity that appears on the Prohibited Entities List prior to the award, assignment, renewal or extension of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the Prohibited Entities list after contract award.

Rev. January 2014

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

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. Any modification to this Agreement that will result in a transfer of funds among program activities or budget cost categories, but does not affect the amount, consideration, scope or other terms of this Agreement must be approved by the Commissioner of Education and the Office of the State Comptroller when:
 - a. The amount of the modification is equal to or greater than ten percent of the total value of the contract for contracts of less than five million dollars; or
 - b. The amount of the modification is equal to or greater than five percent of the total value of the contract for contracts of more than five million dollars.
- 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.

Responsibility Provisions

- A. **General Responsibility Language**
The Contractor shall at all times during the Contract term remain responsible. The Contractor agrees, if requested by the Commissioner of Education or his or her designee, to present evidence of its continuing legal authority to do business in New York State, integrity, experience, ability, prior performance, and organizational and financial capacity.
- B. **Suspension of Work (for Non-Responsibility)**
The Commissioner of Education or his or her designee, in his or her sole discretion, reserves the right to suspend any or all activities under this Contract, at any time, when he or she discovers information that calls into question the responsibility of the Contractor. In the event of such suspension, the

Contractor will be given written notice outlining the particulars of such suspension. Upon issuance of such notice, the Contractor must comply with the terms of the suspension order. Contract activity may resume at such time as the Commissioner of Education or his or her designee issues a written notice authorizing a resumption of performance under the Contract.

C. Termination (for Non-Responsibility)

Upon written notice to the Contractor, and a reasonable opportunity to be heard with appropriate SED officials or staff, the Contract may be terminated by the Commissioner of Education or his or her designee at the Contractor's expense where the Contractor is determined by the Commissioner of Education or his or her designee to be non-responsible. In such event, the Commissioner or his or her designee may complete the contractual requirements in any manner he or she may deem advisable and pursue available legal or equitable remedies for breach.

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.

Iran Divestment Act

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list (prohibited entities list) of “persons” who are engaged in “investment activities in Iran” (both are defined terms in the law). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act’s effective date, at which time it will be posted on the OGS website.

By entering into this Contract, Contractor (or any assignee) certifies that once the prohibited entities list is posted on the OGS website, it will not utilize on such Contract any subcontractor that is identified on the prohibited entities list.

Additionally, Contractor agrees that after the list is posted on the OGS website, should it seek to renew or extend the Contract, it will be required to certify at the time the Contract is renewed or extended that it is not included on the prohibited entities list. Contractor also agrees that any proposed Assignee of the Contract will be required to certify that it is not on the prohibited entities list before SED may approve a request for Assignment of Contract

During the term of the Contract, should SED receive information that a person is in violation of the above-referenced certification, SED will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then SED shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

SED reserves the right to reject any request for assignment for an entity that appears on the prohibited entities list prior to the award of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the prohibited entities list after contract award.

Rev. 6/4/13

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 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 and that the district did not participate in a VAP Program Round 1 grant.

Please note:

- Only districts with 25% or higher poverty, who are not participants in VAP Program Round 1, have been included in the list.
- All data is based on the 2010-2011 school year.
- In order to be an eligible applicant for, or for inclusion by a BOCES-led consortium the VAP Program Round 2RFP, a public school district must be included in the list below.

Note: If it is believed that a district is eligible to participate in an application in response to this RFP because 25% of the enrolled students meet the above poverty threshold criteria, the district did not participate in VAP Round 1, and the district is not included on the list of eligible districts below please contact us immediately at VirtualNY2@mail.nysed.gov.

- A BOCES-led consortium of eligible public school districts from the list below, or a BOCES-led consortium of BOCES and eligible public school districts, is an eligible applicant for this RFP, as long as no BOCES included in the application was also a participant in VAP Program Round 1.
- Any and all BOCES participating in a VAP Program Round 2 proposal must offer all eligible component districts, and any eligible district in the geographic area not a component of any board of cooperative educational services in the State, to opportunity to provide a letter of intent to participate.

BUFFALO / WESTERN NEW YORK REGION

Total students, 25% or higher poverty.

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

ALBION	ALFRED ALMOND	ALLEGANY-LIMESTONE
AMHERST	ANDOVER	ATTICA
BARKER	BELFAST	BOLIVAR-RICHBURG
BROCTON	CANASERAGA	CASSADAGA VALLEY
CATTARAUGUS	CLEVELAND HILL	CLYMER
CUBA-RUSHFORD	ELLCOTTVILLE	EVANS-BRANT
FALCONER	FILLMORE	FRANKLINVILLE
FREDONIA	FRIENDSHIP	FRONTIER

GENESEE VALLEY CSD	HINSDALE	HOLLEY
HOPEVALE	KENDALL	KENMORE
LOCKPORT	LYNDONVILLE	MARYVALE
MEDINA	NEWFANE	NIAGARA WHEATFIELD
NORTH COLLINS	NORTH TONAWANDA	OLEAN
PANAMA	PEMBROKE	PORTVILLE
RANDOLPH	RANDOLPH ACADEMY UFSD	RIPLEY
ROYALTON HARTLAND	SALAMANCA	SCIO
SOUTHWESTERN	SPRINGVILLE-GRIFF	SWEET HOME
WELLSVILLE	WEST SENECA	WEST VALLEY
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	CAIRO-DURHAM
CAMBRIDGE	CANAJOHARIE	CATSKILL
CHATHAM	CORINTH	COXSACKIE ATHENS
DELHI	DOWNSVILLE	EDINBURG COMMON SD
FONDA FULTONVILLE	FORT ANN	FORT EDWARD
FORT PLAIN	FRANKLIN	GALWAY
GERMANTOWN	GILBOA CONESVILLE	GLBTSVILLE-MT UPTON
GLENS FALLS COM	GLENS FALLS	GLOVERSVILLE
GRANVILLE	GREEN ISLAND	GREENVILLE
HANCOCK	HARTFORD	HOOSIC VALLEY
HOOSICK FALLS	HUDSON	HUDSON FALLS
HUNTER TANNERSVL	JEFFERSON	JOHNSBURG
JOHNSTOWN	LANSINGBURGH	MAYFIELD
MENANDS	MIDDLEBURGH	MORRIS
NEW LEBANON	NORTHVILLE	ONEONTA
OPPENHEIM EPHRATAH	OTEGO-UNADILLA	PUTNAM
RAVENA COEYMANS	RENSSELAER	RICHFIELD SPRINGS
SALEM	SCHENECTADY	SIDNEY
ST JOHNSVILLE	TACONIC HILLS	TROY
WALTON	WARRENSBURG	WATERFORD
WHITEHALL	WHEELERVILLE	WINDHAM ASHLAND

LONG ISLAND REGION

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

BAY SHORE	BRENTWOOD	CENTRAL ISLIP
COPIAGUE	ELMONT	GREENPORT
HAMPTON BAYS	HICKSVILLE	ISLAND PARK
LITTLE FLOWER	LONG BEACH	LONGWOOD
MIDDLE COUNTRY	PATCHOGUE-MEDFORD	RIVERHEAD
TUCKAHOE COMMON	UNIONDALE	VALLEY STR HEMP 24
VALLEY STR HEMP 30	WESTBURY	WILLIAM FLOYD

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	AVOCA
BATH	BINGHAMTON	BRADFORD
BROCKPORT	CAMPBELL-SAVONA	CANISTEO-GREENWOOD CSD
CHENANGO FORKS	CHENANGO VALLEY	CHURCHVILLE CHILI
CORNING	DEPOSIT	EAST IRONDEQUOIT
EAST ROCHESTER	ELMIRA	ELMIRA HEIGHTS
GATES CHILI	GEORGE JR REPUBLIC	GREECE
HAMMONDSPORT	HARPURSVILLE	HORNELL
JASPER-TRPSBRG	JOHNSON CITY	MAINE ENDWELL
NEWARK VALLEY	ODESSA MONTOUR	OWEGO-APALACHIN
PRATTSBURGH	RUSH HENRIETTA	SODUS
SPENCER VAN ETTEN	SPENCERPORT	SUSQUEHANNA VALLEY
TIOGA	UNION-ENDICOTT	WATKINS GLEN
WAVERLY	WHEATLAND CHILI	WHITNEY POINT
WINDSOR		

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
AUSABLE VALLEY	BAINBRIDGE GUILFRD	BEAVER RIVER
BEEKMANTOWN	BELLEVILLE HENDERS	BRASHER FALLS
BROOKFIELD	BRUSHTON MOIRA	CANTON
CARTHAGE	CHATEAUGAY	CLIFTON FINE

COLTON PIERREPONT	COPENHAGEN	CROWN POINT
DOLGEVILLE	E SYRACUSE-MINOA	EDWARDS-KNOX
ELIZABETHTOWN	FRANKFORT-SCHUYLER	GENERAL BROWN
GOUVERNEUR	GREENE	GRGETWN-SO OTSELIC
HAMILTON	HAMMOND	HARRISVILLE
HERKIMER	HERMON-DEKALB	HEUVELTON
HOLLAND PATENT	ILION	INDIAN LAKE
INDIAN RIVER	KEENE	LA FARGEVILLE
LISBON	LITTLE FALLS	LONG LAKE
LOWVILLE	LYME	LYNCOURT
MADRID WADDINGTON	MALONE	MASSENA
MCGRAW	MINERVA	MOHAWK
MORIAH	MORRISTOWN	MOUNT MARKHAM
NEW YORK MILLS	NORTH SYRACUSE	NORTHEASTRN CLNTON
NORTHRN ADIRONDACK	NORWICH	NORWOOD NORFOLK
OGDENSBURG	ORISKANY	OXFORD
PARISHVL HOPKINTON	PERU	PLATTSBURGH
POLAND	POTSDAM	REMSEN
SACKETS HARBOR	SALMON RIVER	SARANAC
SARANAC LAKE	SAUQUOIT VALLEY	SCHROON LAKE
SHERBURNE EARLVL	SOUTH JEFFERSON	SOUTH LEWIS
ST REGIS FALLS	SYRACUSE	THOUSAND ISLANDS
TICONDEROGA	TOWN OF WEBB	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	EAST RAMAPO	ELDRED
ELMSFORD	GREENBRG-NO CASTLE	GREENBURGH
GREENBURGH 11	GREENBURGH-GRAHAM	GREENWOOD LAKE
HAYERSTRAW-STONY POINT	HAWTHORNE KNOLLS	JEFF YOUNGSVILLE
KIRYAS JOEL	MARLBORO	MIDDLETOWN
MOUNT VERNON	MT PLEASANT-COTTAG	NEW ROCHELLE
NEWBURGH	OSSINING	PEEKSKILL
PINE BUSH	PORT CHESTER-RYE	PORT JERVIS
RONDOUT VALLEY	ROSCOE	TARRYTOWN
TRI VALLEY	VALLEY-MONTGMRY	WEST PARK
WHITE PLAINS		

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

- Public school districts in a city having a population in excess of one hundred twenty-five thousand inhabitants, 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), and are not a component of the board of cooperative educational services of the supervisory district serving its geographic area, exclusive of any district which received an award in response to RFP Proposal SA-08;
- Boards of Cooperative Educational Services (BOCES)-led consortium of at least 2 or more eligible public school districts which have at least 25% of students from low-income families as determined by the criteria specified, exclusive of those BOCES or districts that are funded (except as a service provider to VAP Round 1 awardees) in VAP Program Round 1;
- a BOCES consortium of BOCES of at least 2 or more eligible public school districts per each participating BOCES in which all participating districts meet the 25% of students from low-income families eligibility criteria specified above, exclusive of those BOCES or districts that are funded (except as a service provider to VAP Round 1 awardees) in VAP Program Round 1.
- For all BOCES led consortiums in either category above, assurances must be provided from the lead BOCES that all eligible component school districts of any BOCES in the consortium, and any eligible district in the geographic area not a component of any board of cooperative educational services in the State, is allowed to participate and was invited to provide a letter of intent (LOI).
- No school district, or BOCES may apply for or be listed in a consortium as a participant for more than one VAP Program Round 2 grant 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 or BOCES 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 or BOCES 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 or BOCES 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.

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
- 21st 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 or BOCES 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 or BOCES 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 LEAs.
- 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 LEAs.
- D. **Acquire a learning management tool** to support implementation of the identified online AP® courses in the targeted LEAs.
- 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. **Support of school libraries, librarians, and School Library Systems to:**
 - creating online AP courses
 - evaluating answers to questions regarding copyright questions in virtual AP programs
 - purchase of eBooks for required readings for the virtual AP courses
 - purchase of eBook sites supportive of VAP Programs round 2
 - providing information and links to appropriate databases for inclusion in the educational learning system used in the VAP Program Round 2.
 - helping with the research and support of the students who are taking VAP courses
 - support for using school libraries for VAP Program student use
- 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 LEAs.
- I. **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 LEAs.

- J. ***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.
- K. ***Conduct an infrastructure analysis*** of the human and technological resources required to implement the identified AP® virtual learning courses in the targeted LEAs.
- L. ***Participate in NYSED-facilitated meetings related to implementation of this grant.***
- M. ***Participate in College Board Virtual AP PD sessions, Webinars, or training***
- N. Provide and maintain access to any VAP Program Round 2 developed courseware, either for select students in the VAP Program, district wide, BOCES-wide, region wide, State-wide, or as an open educational resource;
- O. Provide or maintain access to an open educational resource or access to servers which host the courseware developed through VAP Program round 2, from a centrally posted directory to online VAP courses hosted on NYSED's Web site.
- P. Prepare and submit courseware or learning objects developed through the VAP Program round 2 for posting on the NYSED Web site

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.

APPENDIX E

Minority and Women-Owned Business Enterprise (M/WBE) Participation Goals Pursuant to Article 15-A of the New York State Executive Law

The following M/WBE requirements apply when an applicant submits an application for grant funding that exceeds \$25,000 for the full grant period.

All forms referenced here can be found in the M/WBE Documents section at the end of this Appendix.

All applicants are required to comply with NYSED's Minority and Women-Owned Business Enterprises (M/WBE) policy. Compliance can be achieved by one of the three methods described below. Full participation by meeting or exceeding the M/WBE participation goal for this grant is the preferred method.

M/WBE participation includes services, materials, or supplies purchased from minority and women-owned firms certified with the NYS Division of Minority and Women Business Development. Not-for-profit agencies are not eligible for this certification. For additional information and a listing of currently certified M/WBEs, see

<https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp?TN=ny&XID=4687>

The M/WBE participation goal for this grant is 20% of each applicant's total discretionary non-personal service budget over the entire term of the grant. Discretionary non-personal service budget is defined as total budget, excluding the sum of funds budgeted for:

1. direct personal services (i.e., professional and support staff salaries) and fringe benefits; and
2. rent, lease, utilities and indirect costs, if these items are allowable expenditures.

For multi-year grants, applicants should use the total budget for the full multi-year term of the grants in the above calculation. The M/WBE Goal Calculation Worksheet is provided for use in calculating the dollar amount of the M/WBE goal for this grant application.

M/WBE participation does not need to be the same for each year of a multi-year grant.

All requested information and documentation should be provided at the time of submission. If this cannot be done, the applicant will have thirty days from the date of notice of award to submit the necessary documents and respond satisfactorily to any follow-up questions from the Department. Failure to do so may result in loss of funding.

METHODS TO COMPLY

An applicant can comply with NYSED's M/WBE policy by one of three methods:

1.Full Participation - This is the preferred method of compliance. Full participation is achieved when an applicant meets or exceeds the participation goals for this grant.

COMPLETE FORMS:

- M/WBE Goal Calculation Worksheet
- M/WBE Cover Letter
- M/WBE 100 Utilization Plan
- M/WBE 102 Notice of Intent to Participate

2. Partial Participation, Partial Request for Waiver - This is acceptable only if good faith efforts to achieve full participation are made and documented, but full participation is not possible.

COMPLETE FORMS:

- M/WBE Goal Calculation Worksheet
- M/WBE Cover Letter
- M/WBE 100 Utilization Plan
- M/WBE 101 Request for Waiver
- M/WBE 102 Notice of Intent to Participate
- M/WBE 105 Contractor's Good Faith Efforts

3. No Participation, Request for Complete Waiver - This is acceptable only if good faith efforts to achieve full or partial participation are made and documented, but do not result in any participation by M/WBE firm(s).

COMPLETE FORMS:

- M/WBE Goal Calculation Worksheet
- M/WBE Cover Letter
- M/WBE 101 Request for Waiver
- M/WBE 105 Contractor's Good Faith Efforts

GOOD FAITH EFFORTS

Applicants must make a good faith effort to solicit NYS certified M/WBE firms as subcontractors and/or suppliers to achieve the goals for this grant. Solicitations may include, but are not limited to: advertisements in minority and women-centered publications; solicitation of vendors found in the NYS Directory of Certified Minority and Women-Owned Business Enterprises (see <https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp?TN=ny&XID=4687>); and the solicitation of minority and women-oriented trade and labor organizations.

Good faith efforts include actions such as setting up meetings or announcements to make M/WBEs aware of supplier and subcontracting opportunities, identifying logical areas of the grant project that could be subcontracted to M/WBE firms, and utilizing all current lists of M/WBEs who are available for and may be interested in subcontracting or supplying goods for the project.

Applicants should document their efforts to comply with the stated M/WBE goals and submit this with their applications as evidence. Examples of acceptable documentation can be found in form M/WBE 105, Contractor's Good Faith Efforts. NYSED reserves the right to reject any application for failure to document "good faith efforts."

REQUEST FOR WAIVER

When full participation cannot be achieved, applicants must submit a Request for Waiver (M/WBE 101). Requests for Waivers must be accompanied by documentation explaining the good faith efforts made and reasons they were unsuccessful in obtaining M/WBE participation.

NYSED reserves the right to approve the addition or deletion of subcontractors or suppliers to enable applicants to comply with the M/WBE goals, provided such addition or deletion does not impact the technical proposal and/or increase the total budget.

All payments to Minority and Women-Owned Business Enterprise subcontractor(s) should be reported to the NYSED M/WBE Program Unit using the M/WBE 103 Quarterly M/WBE Compliance Report. This report should be submitted on a quarterly basis and can be found at

www.oms.nysed.gov/fiscal/MWBE/forms.html.

NYSED's M/WBE Coordinator is available to assist applicants in meeting the M/WBE goals. The Coordinator can be reached at MWBE@mail.nysed.gov.

Equal Employment Opportunity Reporting (EEO) Pursuant to Article 15-A of the New York State Executive Law

Applicants must complete and submit form EEO 100: Staffing Plan.

M/WBE Documents

M/WBE Goal Calculation Worksheet

RFP # and Title: SA-16 Virtual Advanced Placement (VAP) Program Round 2

Applicant Name: _____

The M/WBE participation for this grant is 20% of each applicant's total discretionary non-personal service budget over the entire term of the grant. Discretionary non-personal service budget is defined as the total budget, excluding the sum of funds budgeted for direct personal services (i.e., professional and support staff salaries) and fringe benefits, as well as rent, lease, utilities, and indirect costs, if these are allowable expenditures.

Please complete the following table to determine the dollar amount of the M/WBE goal for this grant application.

	Budget Category	Amount budgeted for items excluded from M/WBE calculation	Totals
1.	Total Budget		
2.	Professional Salaries		
3.	Support Staff Salaries		
4.	Fringe Benefits		
5.	Indirect Costs		
6.	Rent/Lease/Utilities		
7.	Sum of lines 2, 3, 4, 5, and 6		
8.	Line 1 minus Line 7		
9.	M/WBE Goal percentage (20%)		0.20
10.	Line 8 multiplied by Line 9 =M/WBE goal amount		

M/WBE COVER LETTER Minority & Woman-Owned Business Enterprise Requirements

RFP # and Title: SA-16 Virtual Advanced Placement (VAP) Program Round 2

NAME OF APPLICANT _____

In accordance with the provisions of Article 15-A of the NYS Executive Law, 5 NYCRR Parts 140-145, Section 163 (6) of the NYS Finance Law and Executive Order #8 and in fulfillment of the New York State Education Department (NYSED) policies governing Equal Employment Opportunity and Minority and Women-Owned Business Enterprise (M/WBE) participation, it is the intention of the New York State Education Department to provide real and substantial opportunities for certified Minority and Women-Owned Business Enterprises on all State contracts. It is with this intention the NYSED has assigned M/WBE participation goals to this contract.

In an effort to promote and assist in the participation of certified M/WBEs as subcontractors and suppliers on this project for the provision of services and materials, the bidder is required to comply with NYSED's participation goals through one of the three methods below. Please indicate which one of the following is included with the M/WBE Documents Submission:

- Full Participation – No Request for Waiver (PREFERRED)
- Partial Participation – Partial Request for Waiver
- No Participation – Request for Complete Waiver

By my signature on this Cover Letter, I certify that I am authorized to bind the Bidder's firm contract
Typed or Printed Name of Authorized Representative of the Firm
Typed or Printed Title/Position of Authorized Representative of the Firm
Signature/Date

M/WBE UTILIZATION PLAN

INSTRUCTIONS: All bidders/applicants submitting responses to this procurement/project must complete this M/WBE Utilization Plan unless requesting a total waiver and submit it as part of their proposal/application. The plan must contain detailed description of the services to be provided by each Minority and/or Women-Owned Business Enterprise (M/WBE) identified by the bidder/applicant.

Bidder/Applicant's Name _____ Telephone/Email: _____/_____

Address _____ Federal ID No.: _____

City, State, Zip _____ RFP No.: _____

Certified M/WBE	Classification (check all applicable)	Description of Work (Subcontracts/Supplies/Services)	Annual Dollar Value of Subcontracts/Supplies/Services
NAME ADDRESS CITY, ST, ZIP PHONE/E-MAIL FEDERAL ID No.	NYS ESD Certified MBE _____ WBE _____		\$ _____
NAME ADDRESS CITY, ST, ZIP PHONE/E-MAIL FEDERAL ID No.	NYS ESD Certified MBE _____ WBE _____		\$ _____

PREPARED BY (Signature) _____ DATE _____

SUBMISSION OF THIS FORM CONSTITUTES THE BIDDER/APPLICANT'S ACKNOWLEDGEMENT AND AGREEMENT TO COMPLY WITH THE M/WBE REQUIREMENTS SET FORTH UNDER NYS EXECUTIVE LAW, ARTICLE 15-1, 5 NYCRR PART 143 AND THE ABOVE REFERENCE SOLICITATION. FAILURE TO SUBMIT COMPLETE AND ACCURATE INFORMATION MAY RESULT IN A FINDING OF NONCOMPLIANCE AND/OR PROPOSAL/APPLICATION DISQUALIFICATION.

NAME AND TITLE OF PREPARER: _____
(print or type)

TELEPHONE/E-MAIL _____

DATE _____

REVIEWED BY _____ DATE _____

UTILIZATION PLAN APPROVED YES/NO DATE _____

NOTICE OF DEFICIENCY ISSUED YES/NO DATE _____

NOTICE OF ACCEPTANCE ISSUED YES/NO DATE _____

**M/WBE SUBCONTRACTORS AND SUPPLIERS
NOTICE OF INTENT TO PARTICIPATE**

INSTRUCTIONS: Part A of this form must be completed and signed by the Bidder/Applicant unless requesting a total waiver. Parts B & C of this form must be completed by MBE and/or WBE subcontractors/suppliers. The Bidder/Applicant must submit a separate M/WBE Notice of Intent to Participate form for each MBE or WBE as part of the proposal/application.

Bidder/Applicant Name: _____ Federal ID No.: _____

Address: _____ Phone No.: _____

City _____ State _____ Zip Code _____ E-mail: _____

Signature of Authorized Representative of Bidder/Applicant's Firm _____
Print or Type Name and Title of Authorized Representative of Bidder/Applicant's Firm

Date: _____

PART B - THE UNDERSIGNED INTENDS TO PROVIDE SERVICES OR SUPPLIES IN CONNECTION WITH THE ABOVE PROCUREMENT/APPLICATION:

Name of M/WBE: _____ Federal ID No.: _____

Address: _____ Phone No.: _____

City, State, Zip Code _____ E-mail: _____

BRIEF DESCRIPTION OF SERVICES OR SUPPLIES TO BE PERFORMED BY MBE OR WBE:

DESIGNATION: MBE Subcontractor WBE Subcontractor MBE Supplier WBE Supplier

PART C - CERTIFICATION STATUS (CHECK ONE):

The undersigned is a certified M/WBE by the New York State Division of Minority and Women-Owned Business Development (MWBD).

The undersigned has applied to New York State's Division of Minority and Women-Owned Business Development (MWBD) for M/WBE certification.

THE UNDERSIGNED IS PREPARED TO PROVIDE SERVICES OR SUPPLIES AS DESCRIBED ABOVE AND WILL ENTER INTO A FORMAL AGREEMENT WITH THE BIDDER/APPLICANT CONDITIONED UPON THE BIDDER/APPLICANT'S EXECUTION OF A CONTRACT WITH THE NYS EDUCATION DEPARTMENT.

The estimated dollar amount of the agreement \$ _____

Signature of Authorized Representative of M/WBE Firm

Date

Printed or Typed Name and Title of Authorized Representative

M/WBE CONTRACTOR GOOD FAITH EFFORTS CERTIFICATION (FORM 105)

PROJECT/CONTRACT # _____

I, _____
(Bidder/Applicant)

_____ of _____
(Title) (Company)

_____ () _____
(Address) (Telephone Number)

do hereby submit the following as evidence of our good faith efforts to retain certified minority- and women-owned business enterprises:

(1) Copies of its solicitations of certified minority- and women-owned business enterprises and any responses thereto;

(2) If responses to the contractor's solicitations were received, but a certified minority- or woman-owned business enterprise was not selected, the specific reasons that such enterprise was not selected;

(3) Copies of any advertisements for participation by certified minority- and women-owned business enterprises timely published in appropriate general circulation, trade and minority- or women-oriented publications, together with the listing(s) and date(s) of the publication of such advertisements;

(4) Copies of any solicitations of certified minority- and/or women-owned business enterprises listed in the directory of certified businesses;

(5) The dates of attendance at any pre-bid, pre-award, or other meetings, if any, scheduled by the State agency awarding the State contract, with certified minority- and women-owned business enterprises which the State agency determined were capable of performing the State contract scope of work for the purpose of fulfilling the contract participation goals;

(6) Information describing the specific steps undertaken to reasonably structure the contract scope of work for the purpose of subcontracting with, or obtaining supplies from, certified minority- and women-owned business enterprises.

(7) Describe any other action undertaken by the bidder to document its good faith efforts to retain certified minority - and women- owned business enterprises for this procurement.

Submit additional pages as needed.

Authorized Representative Signature

Date

M/WBE CONTRACTOR UNAVAILABLE CERTIFICATION

RFP#/PROJECT NAME _____

I, _____ (Authorized Representative) _____ (Title) _____ (Bidder/Applicant's Company)

(Address) _____ () _____ (Phone)

I certify that the following New York State Certified Minority/Women Business Enterprises were contacted to obtain a quote for work to be performed on the abovementioned project/contract.

List of date, name of M/WBE firm, telephone/e-mail address of M/WBEs contacted, type of work requested, estimated budgeted amount for each quote requested.

<u>DATE</u>	<u>M/WBE NAME</u>	<u>PHONE/EMAIL</u>	<u>TYPE OF WORK</u>	<u>ESTIMATED BUDGET</u>	<u>REASON</u>
1.					
2.					
3.					
4.					
5.					

To the best of my knowledge and belief, said New York State Certified Minority/Women Business Enterprise contractor(s) was/were not selected, unavailable for work on this project, or unable to provide a quote for the following reasons: Please check appropriate reasons given by each MBE/WBE firm contacted above.

- _____ **A.** Did not have the capability to perform the work
- _____ **B.** Contract too small
- _____ **C.** Remote location
- _____ **D.** Received solicitation notices too late
- _____ **E.** Did not want to work with this contractor
- _____ **F.** Other (give reason) _____

Authorized Representative Signature
M/WBE 105A

Date

Print Name

REQUEST FOR WAIVER FORM

BIDDER/APPLICANT NAME:

TELEPHONE:

ADDRESS:

EMAIL:

FEDERAL ID NO.:

CITY, STATE, ZIPCODE:

RFP#/PROJECT NO.:

INSTRUCTIONS: By submitting this form and the required information, the bidder/applicant certifies that Good Faith Efforts have been taken to promote M/WBE participation pursuant to the M/WBE goals set forth under this RFP/Contract. Please see Page 2 for additional requirements and document submission instructions.

BIDDER/APPLICANT IS REQUESTING (check all that apply):

MBE Waiver - A waiver of the MBE goal for this procurement is requested.

Total

Partial _____ %

WBE Waiver - A waiver of the WBE goal for this procurement is requested.

Total

Partial _____ %

Waiver Pending ESD Certification

(check here if subcontractor or supplier is not certified M/WBE, but an application for certification has been filed with Empire State Development)

Subcontractor/Supplier Name: _____

Date of application filing: _____

PREPARED BY (Signature): _____

DATE: _____

SUBMISSION OF THIS FORM CONSTITUTES THE BIDDER/APPLICANT'S ACKNOWLEDGEMENT AND AGREEMENT TO COMPLY WITH THE M/WBE REQUIREMENTS SET FORTH UNDER NYS EXECUTIVE LAW, ARTICLE 15-A, 5 NYCRR PART 143, AND THE ABOVE REFERENCED SOLICITATION. FAILURE TO SUBMIT COMPLETE AND ACCURATE INFORMATION MAY RESULT IN A FINDING OF NONCOMPLIANCE AND/OR PROPOSAL DISQUALIFICATION.

NAME OF PREPARER:	FOR AUTHORIZED USE ONLY
TITLE OF PREPARER:	REVIEWED BY: _____
TELEPHONE:	DATE: _____
EMAIL:	WAIVER GRANTED <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> TOTAL WAIVER <input type="checkbox"/> PARTIAL WAIVER <input type="checkbox"/> ESD CERTIFICATION WAIVER <input type="checkbox"/> NOTICE OF DEFICIENCY <input type="checkbox"/> CONDITIONAL WAIVER
	COMMENTS:

REQUIREMENTS AND DOCUMENT SUBMISSION INSTRUCTIONS

When completing the Request for Waiver Form, please check all boxes that apply. To be considered, the Request for Waiver Form must be accompanied by documentation for items 1-11, as listed below. If a Waiver Pending ESD Certification is requested, please see Item 11 below. Copies of the following information and all relevant supporting documentation must be submitted along with the request.

1. A statement setting forth your basis for requesting a partial or total waiver.
2. The names of general circulation, trade association, and M/WBE-oriented publications in which you solicited certified M/WBEs for the purposes of complying with your participation goals.
3. A list identifying the date(s) that all solicitations for certified M/WBE participation were published in any of the above publications.
4. A list of all certified M/WBEs appearing in the NYS Directory of Certified Firms that were solicited for purposes of complying with your certified M/WBE participation levels.
5. Copies of notices, dates of contact, letters, and other correspondence as proof that solicitations were made in writing and copies of such solicitations, or a sample copy of the solicitation if an identical solicitation was made to all certified M/WBEs.
6. Provide copies of responses made by certified M/WBEs to your solicitations.
7. Provide a description of any contract documents, plans, or specifications made available to certified M/WBEs for purposes of soliciting their bids and the date and manner in which these documents were made available.
8. Provide documentation of any negotiations between you, the Bidder/Applicant and the M/WBEs undertaken for purposes of complying with the certified M/WBE participations goals.
9. Provide any other information you deem relevant which may help us in evaluating your request for a waiver.
10. Provide the name, title, address, telephone number and email address of the Bidder/Applicant's representative authorized to discuss and negotiate this waiver request.
11. Copy of notice of application receipt issued by Empire State Development (ESD).

NOTE: Unless a Total Waiver has been granted, Bidder/Applicant will be required to submit all reports and documents pursuant to the provisions set forth in the procurement and/or contract, as deemed appropriate by NYSED, to determine M/WBE compliance.

EQUAL EMPLOYMENT OPPORTUNITY - STAFFING PLAN (Instructions on Page 2)

Applicant Name: _____

Telephone: _____

Address: _____

Federal ID No.: _____

City, State, ZIP: _____

Project No: _____

Report includes:

Work force to be utilized on this contract OR

Applicant's total work force

Enter the total number of employees in each classification in each of the EEO-Job Categories identified.

EEO - Job Categories	Total Work Force	Race/Ethnicity - report employees in only one category																	
		Hispanic or Latino		Not-Hispanic or Latino										Female					
				Male															
		Male	Female	White	African-American or Black	Native Hawaiian or Other Pacific Islander	Asian	American Indian or Alaska Native	Two or More Races	Disabled	Veteran	White	African-American	Native Hawaiian or Other Pacific Islander	Asian	American Indian or Alaska Native	Two or More Races	Disabled	Veteran
Executive/Senior Level Officials and Managers																			
First/Mid-Level Officials and Managers																			
Professionals																			
Technicians																			
Sales Workers																			
Administrative Support Workers																			
Craft Workers																			
Operatives																			
Laborers and Helpers																			
Service Workers																			
TOTAL																			

PREPARED BY (Signature): _____

DATE: _____

NAME AND TITLE OF PREPARER: _____

TELEPHONE/EMAIL: _____

(Print or type)

STAFFING PLAN INSTRUCTIONS

General Instructions: All Bidders/Applicants in the proposal/application must complete an EEO Staffing Plan (EEO 100) and submit it as part of the package. Where the work force to be utilized in the performance of the State contract/project can be separated out, the Bidder/Applicant shall complete this form only for the anticipated work force to be utilized on the State contract/project. Where the work force to be utilized in the performance of the State contract/project cannot be separated out, the Bidder/Applicant shall complete this form for Bidder/Applicant's total work force.

Instructions for Completing:

1. Enter the Project number that this report applies to, along with the name, address, and federal ID number of the Bidder.
2. Check the appropriate box to indicate if the work force being reported is just for the contract/project or the Bidder/Applicant's total work force.
3. Check off the appropriate box to indicate if the Bidder completing the report is the contractor or subcontractor.
4. Enter the total work force by EEO job category.
5. Break down the total work force by gender and race/ethnic background and enter under the heading Race/Ethnicity. Contact the M/WBE Coordinator, mwbe@mail.nyused.gov, if you have any questions.
6. Enter the name, title, phone number and email address for the person completing the form. Sign and date the form in designated areas.

RACE/ETHNIC IDENTIFICATION

For purposes of this form NYSED will accept the definitions of race/ethnic designations used by the federal Equal Employment Opportunity Commission (EEOC), as those definitions are described below or amended hereafter. (Be advised these terms may be defined differently for other purposes under NYS statutory, regulatory, or case law). Race/ethnic designations as used by the EEOC do not denote scientific definitions of anthropological origins. For the purposes of this report, an employee may be included in the group to which he or she appears to belong, identifies with, or is regarded in the community as belonging. The race/ethnic categories for this survey are:

- **Hispanic or Latino** - A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.
- **White (Not Hispanic or Latino)** - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.
- **Black or African American (Not Hispanic or Latino)** - A person having origins in any of the black racial groups of Africa.
- **Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino)** - A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- **Asian (Not Hispanic or Latino)** - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- **American Indian or Alaska Native (Not Hispanic or Latino)** - A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.
- **Two or More Races (Not Hispanic or Latino)** - All persons who identify with more than one of the above five races.
- **Disabled** - Any person who has a physical or mental impairment that substantially limits one or more major life activity; has a record of such an impairment; or is regarded as having such an impairment
- **Vietnam Era Veteran** - a veteran who served at any time between and including January 1, 1963 and May 7, 1975.