**TEACHER OPPORTUNITY CORPS (TOC)**

**2014-2017**

**ANNOUNCEMENT OF FUNDING OPPORTUNITY**

Legislative Authority: The Teacher Opportunity Corps (TOC) was established under

 Chapter 53 of the Laws of 1987. This Announcement is intended

 to assist institutions in applying for Teacher Opportunity

 Corps grant contracts for 2014-2017.

Purpose/Goal: The purpose of TOC is to enhance the preparation of teachers and

 prospective teachers in addressing the needs of students at risk of

 truancy, academic failure, or dropping out of school and to

 increase the participation rate of historically underrepresented and

 economically disadvantaged individuals in teaching careers.

 TOC’s intent is to provide prospective and current classroom

 teachers with training that:

* is focused on teaching strategies and pedagogy designed to meet the learning needs of at-risk students;
* is integrated with strong academic content;
* incorporates the use of mentors and other support systems for preservice and new teachers;
* reflects recent research on teaching and learning and incorporates best practices;
* is aligned with New York State Teaching and Learning Standards.
* is sustained, intensive, high quality, and designed to ensure a lasting and positive effect on classroom performance; and
* fosters retention in teaching of highly qualified individuals who value diversity and equity.

Funding: Eight projects were funded during the 2013-2014 funding

cycle. The allocation for 2013-2014 was $450,000. Funding for the TOC program year of 2014-2015 will be $450,000 per the approved State Appropriation.

 The project period will be from July 1-June 30, subject to the continuation of the State Appropriation.

 **\*Note: All awards will be capped at an amount not to exceed $80,000 per year.**

Matching Requirements: A minimum 15 percent match of approved TOC grant contract is required. The matching requirement may be met through the institution’s own resources, private sources, other government sources, and/or in-kind services. Other State funds may be used in this match, but may not duplicate services provided. All matching contributions must be used for activities related exclusively to the TOC project, and institutional accounts must be structured to reflect this contribution by the appropriate line item.

Important Dates: Full proposals must be postmarked by **Friday, June 27, 2014**

Q & A Questions regarding this grant must be e-mailed to

 tdqa@mail.nysed.gov **Tuesday, June 10, 2014**

 A Question and Answers Summary will be posted at:

 <http://www.highered.nysed.gov/tcert/resteachers/toc.html>

no later than **Tuesday, June 17, 2014**.

For Information and New York State Education Department

Not-for-profit Application Office of Teacher and Leader Effectiveness

Submission, Contact: 89 Washington Avenue

Room 977, Education Building Annex

Albany, New York 12234

(518) 486-6848

 tdqa@mail.nysed.gov

For-profit Application New York State Education Department

Submission: Attn: Teacher Opportunity Corps

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# **The University of the State of New York**

**THE STATE EDUCATION DEPARTMENT**

**Office of Teacher and Leader Effectiveness**

**89 Washington Avenue**

**Room 977, Education Building Annex**

**Albany, NY 12234**

**Guidelines**

**For Submission of Teacher Opportunity Corps Proposals**

**For the Period 2014-2017**

Proposals Postmarked by **Friday, June 27, 2014**

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**TEACHER OPPORTUNITY CORPS (TOC)**

**I. APPLICATION GUIDANCE**

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

**New Prequalification Requirement**

The State of New York has implemented a new statewide prequalification process (described in <http://www.grantsreform.ny.gov/Grantees>) designed to facilitate prompt contracting for not-for-profit vendors. All not-for-profit vendors are required to pre-qualify prior to grant application. This includes all currently funded not-for-profit institutions that have already received an award and are in the middle of the program cycle. The pre-qualification must be completed by all not-for-profit organizations prior to the application due date in order to qualify for an award under this grant.

**Required Signature(s)**

The original signature of the Chief Executive Officer (or designee) of the institution must appear on the Statement of Assurances (Attachment II) Page in **blue** ink.

**Partnership Agreements**

Applicant information for all partnership agreements must be provided. A signed memorandum of agreement (MOA) is required for all **primary partners.** The original signature of all **primary partnership** agreements must appear on the MOA in **blue** ink.

**Number of Copies**

Please submit **one original and three** copies of the full proposal to the Office of Teacher and Leader Effectiveness postmarked by **Friday, June 27, 2014.**

**Questions and Answers**

Please submit all questions via email by **Tuesday, June 10, 2014**, to tdqa@mail.nysed.gov. A Questions and Answers summary will be posted at <http://www.highered.nysed.gov/kiap/ted/tocrfp/> no later than **Tuesday, June 17, 2014**.

**Due Date**

Applicants are responsible for making sure the application package is complete and sent so that the package is postmarked by **Friday, June 27, 2014.**

**Checklist**

Please use the Application Checklist to ensure that you send a complete application package.

Incomplete applications will **not** be considered for review.

**Page Limits and Standards:**

You must limit the project narrative to no more than **20 double–spaced pages in a minimum 10 point font** and all information requested in this section (excluding resumes, memoranda of agreement and course descriptions) must be contained within the narrative portion of the proposal. The narrative should present a cohesive document with each individual section related to all other sections. The name of the institution must appear in the top right corner of each page. A specific format is required for the information requested in **Attachment I.** This information

should be provided on Attachment I and be included in the 20 page limit. Single spacing may be used on Attachment I provided the typeface or font is at least 10 point size. **The Budget Narrative will be subject to the 20 page Project Narrative limit, but the FS-10 will not.**

**Proposed Budget for a Federal or State Project (FS-10)**

The application must include a budget narrative for each category of expenditure that is required for the grant (Professional Salaries, Support Staff Salaries, Purchased Services, Supplies and Materials, Travel Expenses, Employee Benefits, Indirect Cost, BOCES Services, Minor Remodeling, and Equipment) and a Proposed Budget for a Federal or State project (FS-10). The narrative should include sufficient detail to allow reviewers to understand what the funds will be used for and the relationship between the proposed expenditure and project activities and goals.

The total from each of the Budget Category Forms must correspond to amounts shown on the Budget Summary Form. Please be sure to check all of your calculations for accuracy.

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.

**GUIDELINES**

**For the Submission of Grant Proposals**

**For Fiscal Year 2014-2017**

**II.** **INTRODUCTION**

The Teacher Opportunity Corps (TOC) was established under Chapter 53 of the Laws of 1987. This announcement is intended to assist institutions in applying for Teacher Opportunity Corps grant contracts. These grant contracts will support and help shape teacher training curricula and professional development activities which address the needs of at-risk students. Targeted activities will allow teachers and prospective teachers to improve their content knowledge and classroom practice in order to help students achieve academically.

**III.** **PURPOSE**

The purpose of TOC is to enhance the preparation of teachers and prospective teachers in addressing the learning needs of students at risk of truancy, academic failure, or dropping out of school and to increase the participation rate of historically underrepresented and economically disadvantaged individuals in teaching careers. TOC's intent is to provide prospective and current classroom teachers with training that:

* is focused on teaching strategies and pedagogy designed to meet the learning needs of at-risk students;
* is integrated with strong academic content;
* incorporates the use of mentors and other support systems for preservice and new teachers;
* reflects recent research on teaching and learning and incorporates best practices;
* is aligned with New York State Teaching and Learning Standards;
* is sustained, intensive, high quality, and designed to ensure a lasting and positive effect on classroom performance; and
* fosters retention in teaching of highly qualified individuals who value diversity and equity.

**IV.** **RATIONALE**

A 1997 New York City Board of Education study compared high achieving and low achieving elementary schools with similar student characteristics and found that "teacher qualifications accounted for more than 90 percent of the variation in student achievement in mathematics and reading." (Education Week *Special* *Report: Quality of Teaching).* The study also indicates that urban and poor rural districts have more difficulty than affluent districts in attracting and retaining the best-qualified teachers.

The Teacher Opportunity Corps is part of the State Education Department's effort to resolve the shortage of teachers who are both qualified and prepared to teach at-risk students in severely underserved areas.

**Regents Reform Agenda**

The Teacher Opportunity Corps shall, to the extent practicable, bolster the Board of Regents Reform Agenda by emphasizing the following key areas:

1. Professional Development that explicitly addresses the Common Core Standards and/or the State’s Assessment Standards or leadership in an environment with Common Core Standards related to new assessments;
2. An understanding of and implementation strategies for data-driven instruction;
3. Improvement of teacher effectiveness by recruiting, developing, and retaining effective teachers; and
4. Instructional leadership and support of learning for all students, including English language learners, special education, and those far below grade level.

**V.** **MISSION AND PRINCIPLES**

High quality training as envisioned here refers to rigorous and relevant content, as well as to strategies and organizational supports that foster the development of new teachers who will bring positive attitudes to the teaching and learning environment. Partnerships among schools, higher education institutions, and other entities are essential in developing these supports for teachers and prospective teachers and for fostering a commitment to life-long learning. Furthermore, training and development are likely to be most effective when part of a system-wide effort to prepare, recruit, select and retain teachers.

Effective TOC projects will provide instructional and enrichment activities that:

* increase the participation rate of historically underrepresented and economically disadvantaged individuals in teaching careers;
* focus on the high performance of all students as the central measure of effective teaching;
* enable teachers to develop content area expertise while implementing effective classroom strategies that address the needs of at-risk students;
* reflect the best available research and practices in teaching, learning and leadership;
* provide prospective teachers with supplemental classroom experiences to plan strategies and to observe and teach at-risk students;
* cultivate support systems within and outside the school building that promote and sustain implementation of strategies to address the needs of at-risk students; and
* are planned in conjunction with participating school/district partners and other stakeholders.

**VI.** **INSTITUTIONAL ELIGIBILITY**

**Only New York State public and independent degree-granting colleges and universities or consortia of such institutions that have a teacher preparation program approved by the State Education Department may submit applications. Further, institutions with a pass rate on the New York State Teacher Certification Examinations that is less than 80 percent will not be approved for funding.**

**VII.** **PARTNERSHIP AGREEMENTS**

Each institution of higher education (IHE) applicant **must** establish formal cooperative agreements with appropriate academic content area departments and with an appropriate representative from:

* school district(s), BOCES, community school district(s), or a consortium of such agencies; or
* school building(s).

These partnerships are to be arranged with schools with high concentrations of economically disadvantaged students. For the purpose of this grant/contract, a High Need School District is one that has been identified as a Focus District and in which there was a shortage of certified teachers in the previous school year and there is a projected shortage of certified teachers in the current year.

A listing of Focus Districts is provided in Appendix III and should be used as the basis for arranging these partnerships. In the event that partnerships have been arranged with schools that are not located in a Focus District, documentation must be provided showing those schools having a high percentage of economically disadvantaged students, such as 50% or more receiving free or reduced lunch.

In addition, IHEs are encouraged to establish partnerships with one or more of the following entities:

* educational programs or agencies with goals and objectives that are similar or those that recruit, enroll and provide strategies to retain underrepresented students in teaching, especially in mathematics, science, and other shortage areas identified by the United States Department of Education. Programs and organizations include the Teacher Leader Quality Partnerships Program, Future Teachers of America, Science and Technology Entry Program, and Collegiate Science and Technology Entry Program, Teachers of Tomorrow Program; and/or
* professional organizations or networks such as the New York State K-16 Professional Development Network, local or regional Teacher Resource Centers, etc.

A signed memorandum of agreement (MOA) is required between all **primary partners and the fiscal agent for the grant.** (Definition of primary partners:include those organizations which provide specific and significant fiscal or other resources for the operation of a TOC project. Such contributions are usually equivalent to at least 15 percent of the TOC grant award and are offered either in real costs or in-kind contributions. Contributions may include the cost of providing substitute teachers in mentor-teacher classrooms, reimbursement of tuition expenses or tuition waivers for paraprofessionals pursuing undergraduate degrees or for initially certified teachers to pursue professional certification or other tuition benefits, etc.) Each MOA must outline the specific services, materials, and/or fiscal resources that will be provided. A sample MOA is provided in Appendix IX.

**NYSED Consortium Policy for State and Federal Discretionary Grant Programs**

Applicants/participants can form a partnership or consortium to apply for the grant.  In order to do so, the partnership or consortium must meet the following requirements:

1. The partnership/consortium must designate one of the applicants/participants to serve as the applicant and fiscal agent for the grant.  The applicant agency must be an eligible grant recipient.  All other consortium members must be eligible grant participants, as defined by the program statute or regulation.
2. In the event a grant is awarded to a partnership/consortium, the grant or grant contract will be prepared in the name of the applicant agency/fiscal agent, not the partnership/consortium, since the group may not be a legal entity.
3. The applicant agency/fiscal agent must meet the following requirements:
4. Must be an eligible grant recipient as defined by statute.
5. Must receive and administer the grant funds and submit the required reports to account for the use of grant funds.
6. Must require consortium partners to sign an agreement with the fiscal agent that specifically outlines all services each partner agrees to provide.
7. Must be an active member of the partnership/consortium, except where SUNY or CUNY Research Foundations are the fiscal agent.
8. Cannot act as a flow-through for grant funds to pass to other recipients.  The fiscal agent must provide a minimum of 60% of all direct services.
9. Is PROHIBITED from sub-granting funds to other recipients.  The fiscal agent is permitted to contract for services with other consortium partners or consultants to provide services that the fiscal agent cannot provide itself.
10. Must be responsible for the performance of any services provided by the partners, consultants, or other organizations and must coordinate how each plan to participate.

**VIII.** **PARTICIPANT ELIGIBILITY**

TOC projects may offer components for undergraduate and/or graduate students, new teacher inductees, current classroom teachers preparing for professional certification, and/or paraprofessionals and others preparing to become teachers. Participants enrolled in TOC projects must be:

* a sophomore, junior, or senior enrolled **full-time** in a registered undergraduate teacher education program leading to initial certification; or
* a paraprofessional, such as teacher aide or assistant, currently employed full-time and currently matriculated **part-time** in a teacher education program; or
* a graduate student enrolled **full-time** or **part-time** in a registered graduate teacher education program which satisfies the academic requirements for professional certification; or
* a student enrolled in an SED approved alternative teacher certification program; and
* a resident of New York State. A resident is defined as a person who:

* + is or will be an undergraduate who resides in New York State and who lived in New York State for the last two terms of high school prior to graduation; or
	+ resided in New York State at the time of entry into military service, VISTA, or the Peace Corps and re-established New York State residency within six months after release from service; or
	+ has resided in New York State for 12 months immediately preceding the term for which he or she is seeking acceptance into TOC and has established documented permanent residence in New York State; or
	+ has demonstrated the desire to enter the teaching profession and agrees to serve one year in a teacher shortage or subject shortage area for each award received as a condition of receiving the award.

Teacher Opportunity Corps projects must serve participants in any or all of the following three Priority Groups:

**First Priority** given to individuals who have been historically underrepresented and underserved

in the teaching profession. For the purpose of TOC, these groups include individuals who are African American, Hispanic, Native American or Alaskan Native.

**Second Priority** given to individuals who are economically disadvantaged. For the purpose of TOC, an individual is economically disadvantaged if he or she meets any of the criteria described in Appendix II.

**Third Priority** given to any other individual who is **not** historically underrepresented in teaching **nor** economically disadvantaged. Appropriate evidence of the rationale and justification for each applicant admitted to the Corps in this category must be provided by the institution. Institutional rationale/justification **must** include the following:

* evidence of effectiveness and results of efforts to recruit Priority 1 and 2 participants;
* a description of the recruitment and selection process for Priority 1 and 2 participants; and
* a statement illustrating how the inclusion of Priority 3 participants will fulfill the legislative intent of the Teacher Opportunity Corps.

**IX.** **TOC OBJECTIVES AND KEY STRATEGIES**

It is important to note that all funded projects must conduct the required objectives within the project period dates specified. For year one, 7/1/14 - 6/30/15, all projects must conduct all TOC activities according to the Objectives outlined below. In year one, activities must be conducted between 7/1/14 and 6/30/15. For project periods two and three, activities must be conducted between 7/1 and 6/30 each year of the grant.

The State Education Department will support projects that address the objectives listed below.

To meet these objectives, all TOC projects must implement strategies that address the intent of the TOC legislation as well as other state and national education goals or priorities. These objectives and key strategies are to be explained in the charts provided in TOC Attachment I. A chart is provided for each objective (selected examples of successful strategies are listed below each objective).

**Objective 1: Provide sustained, intensive and high-quality instructional and enrichment activities addressing the needs of at-risk students.**

## Implementation Strategies

* Plan, organize, and implement program models/components that enable teachers/prospective teachers to develop effective classroom strategies in assisting at-risk students to meet the New York State Teaching and Learning Standards and to graduate from high school college and career ready.
* Provide comprehensive in-school classroom training for all participants.
* Evaluate, replicate, and disseminate proven strategies that prepare, retain, and support teachers of at-risk students.

**Objective 2: Provide strong academic content and effective strategies and practices that value equity and diversity and increase the ability of teachers/prospective teachers to meet the needs of at-risk students.**

Implementation Strategies

* Provide specific coursework that enables TOC participants to acquire the academic content necessary to teach at-risk students and apply successful classroom methodologies that incorporate equity practices.
* Provide coursework that focuses on strategies to implement content materials and methods which remove all barriers that may limit student success.
* Provide coursework that reflects recent research in best practices, such as inquiry based learning, brain compatible learning, etc.
* Provide a continuum of services that support participants in acquiring the skills, attitudes, and knowledge necessary to teach at-risk students.
* Provide partnerships that link mentors with all TOC graduates upon completion of their program(s) of study and/or during the first year of full-time teaching assignment.

**Objective 3: Align academic content and classroom strategies with New York State's Teaching and Learning Standards.**

**See Link:** [**http://www.p12.nysed.gov/ciai/standards.html**](http://www.p12.nysed.gov/ciai/standards.html)

Implementation Strategy

* Support and collaborate with schools/districts in implementing rigorous course content and performance standards for teachers and all students in their classrooms.

**Objective 4: Increase the number of teachers who are appropriately certified in New York State’s high-need schools.**

Implementation Strategies

* Develop collaborative relationships to increase the number of teachers in high-need districts who enroll in programs leading to permanent certification.
* Develop collaborative relationships to increase the number of students from underrepresented groups who enroll in and complete teacher preparation programs.
* Develop collaborative relationships to increase partnerships with the K-12 community to recruit, prepare, and support new teachers of at-risk students, particularly those working in high-need districts.

**Objective 5: Establish and maintain partnerships to maximize TOC resources and increase student/program success.**

Implementation Strategies

* Identify and leverage other public and private resources available for the same purpose and with the same focus.
* Provide a forum to elicit input and feedback from graduates, mentors, and school personnel.
* Establish a planning agenda to address key issues, plans, strategies, and performance of the TOC program and local teaching needs.

**X. PROJECT EXPECTATIONS**

All institutions awarded a TOC grant will:

* Accomplish all project activities within the approved proposal period;
* Prepare all TOC participants to make the connection between coursework and classroom instruction, curriculum development and alignment with the New York State Teaching and Learning Standards;
* Help TOC participants develop strategies to teach students with a broad range of cultural backgrounds, English Language Learners, students with disabilities, and students with other special learning needs;
* Prepare all TOC participants to develop and implement curricula using materials and resources from a wide variety of cultures, learning styles, etc.; and
* Provide new teachers with ongoing support systems that promote strong classroom management skills and sustain life-long learning.

**XI. PROJECT SCOPE AND PRIORITIES**

Priority will be given to those institutions that:

1. Document positive outcomes and benefits resulting from activities and services provided in the schools/districts served by an existing or previous TOC project.
2. Demonstrate improvements in student performance in the classrooms served by previous TOC teacher graduates or current participants.
3. Document plans for positive outcomes and benefits resulting from activities and services provided in high need districts.
4. Document partnerships arranged with schools with high concentrations of economically disadvantaged students. A listing of eligible Focus Districts is provided in Appendix XI and should be used as the basis for arranging these partnerships. In the event that partnerships have been arranged with schools not located in Focus Districts, documentation that the school(s) has a high percentage of economically disadvantaged students, such as 50% or more receiving free or reduced lunch, must be provided.
5. Outline a plan to target services to one or more of the following groups of teachers and prospective teachers:
* uncertified subject area teachers and academically deficient teachers who are employed in one or more of the school districts with extraordinary needs (see Appendix XI),
* recent recipients of baccalaureate degrees who are interested in teaching careers but who have no prior teacher training, or
* current classroom teachers holding an initial or transitional teaching license and seeking professional certification.
1. Outline a plan that provides a continuum of services and activities for classroom teachers and recent graduates of teacher training programs holding initial certification to pursue graduate degrees leading to professional certification.
2. Outline a plan that provides in-service education for currently certified teachers in urban or rural schools/districts, where the average student performance falls below the statewide average achievement in any core subject.
3. Provide matching contributions for participant tuition support equal to or greater than the tuition support requested from the grant.

**XII.** **FUNDING LIMITATIONS**

Funding for the TOC program year of 2014-2015 will be $450,000 per the approved State Appropriation. The project period will be from July 1, 2014-June 30, 2015.

Only one proposal per eligible institution may be submitted for funding.

All funding requests will be reviewed at the time of proposal submission. If certain costs cannot be supported by TOC funds, the institution will be given the opportunity to adjust its proposed budget. For information regarding award methodology, see Section XVIII. Method of Determining Award Amounts.

**\*Note: All awards will be capped at an amount not to exceed $80,000 per year.**

**XIII. BUDGET**

**Budget Form (FS-10)**

Applicants must submit a FS-10 budget with this application, for the initial 12 month project period of July 1, 2014 - June 30, 2015. The 12 month budget will be reviewed and scored.

The applicant must complete the FS-10 Budget Form. Budgeted costs must be in compliance with applicable State and federal laws and regulations and the Department’s Fiscal Guidelines. These guidelines, as well as the FS-10 form, are available online at the following web address <http://www.oms.nysed.gov/cafe>. The FS-10 must bear the original signature of the Chief School/Administrative Officer.

Information about the categories of expenditures and general information on allowable costs, applicable cost principles and administrative regulations are available in the Fiscal Guidelines for Federal and State Aided Grants at [http://www.oms.nysed.gov/cafe/guidance/guidelines.html](http://www.oms.nysed.gov/cafe/guidance/guidelines.html%20).

The budget should be reasonable and appropriate to cover program expenses.

For more information, visit the website at <http://www.oms.nysed.gov/cafe/guidance/faqs.html#indirect>

* 1. Use of Funds

1. Activities funded under a TOC grant will be administered according to a written agreement between the State Education Department and the participating institution.

 2. Amendments to the proposal during the course of the year that involve changes in the manner in which TOC funds are expended must have prior written approval from the Office of Teacher and Leader Effectiveness. Expenses for activities not included in the approved budget will not be reimbursed by the State.

B. Allowable Expenses

 Allowable direct costs include the following:

1. program services such as professional and nonprofessional salaries, fringe benefits, consultants, etc.;

2. receipted TOC-related travel expenditures for project personnel;

3. program and instructional supplies and materials;

 4. teacher licensing examination preparation; and

 5. program evaluation activities.

 **Note:** **The use of grant funds for honoraria to individuals who provide approved service funded by TOC is permitted; however, an honorarium may not be paid to an individual whose salary is either in whole or in part funded by TOC funds.**

C. Indirect Expenses

1. Indirect expenses provided by the TOC award may not exceed eight percent of TOC grant expenditures.
2. Indirect expenses provided by the institution may not exceed 20 percent of the matching funds contributed by the institution and other sources.
3. When computing Indirect Costs, the basis used cannot include tuition, stipends, honoraria, or equipment, and it can include only the initial $25,000 of each item included in the category of Purchased Services.

D. Fringe Benefits

 The rate for fringe benefits cannot exceed the **actual rate** paid by the institution.

 The current cap for fringe benefits paid by the grant contract is 42.67 percent.

E. Transfer of Funds

1. Budget transfers of more than 10 percent in any category must be submitted as a budget amendment. Form FS-10-A: Proposed Amendment for a Federal or State Project must be used to request a budget amendment and must be submitted to the NYSED TOC liaison for review. All FS-10-A forms must be submitted anytime between the start date of any funding year and July 31st of that year. Funds should not be expended until the budget amendment has been approved in writing. If the amount of the modification is equal to or greater than ten percent of the total value of the contract, the modification will require the prior approval of the Office of the State Comptroller.
2. Funds up to 10 percent of line categories may be transferred between approved line categories without prior written approval. However, NYSED must be informed in writing of all amendments made to an approved budget within 30 days of each occurrence, but no later than May 31st of the program year.

F. Institutional Funds

 1. Matching Funds

A minimum 15 percent match of the approved TOC grant is required. The matching requirement may be met through the institution's own resources, private sources, other governmental sources, and/or in-kind services. Other State funds may be used in this match, but may not duplicate services provided. All matching contributions must be used for activities related exclusively to the TOC project, and institutional accounts must be structured to reflect this contribution by the appropriate line item.

 2. Program Support

The institution must provide sufficient space and other resources for the effective operation of the program.

 3. Institutional Obligation

Institutions approved for funding will have an obligation to honor the institutional amount committed in support of the program in each budget category. This obligation will be reflected in the approved budget agreed to by the State Education Department and the institution. The budget may be amended during the year following the procedures stated in Section XIII. *Budget: E. Transfer of Funds.*

G. TOC Payment Schedule

 Please refer to the **FISCAL GUIDELINES FOR FEDERAL AND STATE AIDED GRANTS at:** <http://www.oms.nysed.gov/cafe/guidance/guidelines.html>

**XIV. PROJECT SCHEDULE**

A. Operation Dates

For year one, projects may begin as early as July 1, 2014 but must be completed by June 30, 2015. Expenses incurred prior to July 1, 2014 or after June 30, 2015, will not be reimbursed. **The subsequent two years will be funded at the same level as was awarded for year one, subject to the continuation of the State Appropriation.**

B. Required Reports

Each institution receiving a TOC grant will be required to submit a Final Report to the Office of Teacher and Leader Effectiveness. The Final Report will provide information about all project operations and expenditures and identify project accomplishments for the 2014-2015 program year. The Final Report will be due at the completion of the program (no later than August 31, 2015). A format for the Report will be provided.

**XV.** **PREQUALIFICATION REQUIREMENT**

Pursuant to the New York State Division of Budget Bulletin H-1032, dated June 7, 2013, New York State has instituted key reform initiatives to the grant contract process which require not-for-profits to register in the Grants Gateway and complete the Vendor Prequalification process in order for proposals to be evaluated. Information on these initiatives can be found on the [Grants Reform Website](http://www.grantsreform.ny.gov).

**Proposals received from not-for-profit applicants that have not registered and are not prequalified in the Grants Gateway on the proposal due date of Friday, June 27, 2014 cannot be evaluated. Such proposals will be disqualified from further consideration**.

Below is a summary of the steps that must be completed to meet registration and prequalification requirements. The [Vendor Prequalification Manual](http://www.grantsreform.ny.gov/sites/default/files/docs/VENDOR_POLICY_MANUAL_V.2_10.10.13.pdf) on the Grants Reform Website details the requirements and an [online tutorial](http://grantsreform.ny.gov/youtube) is available to walk users through the process.

1. **Register for the Grants Gateway**.
* On the Grants Reform Website, download a copy of the [Registration Form for Administrator](http://grantsreform.ny.gov/sites/default/files/RegistrationFormforAdministratorfillable.pdf). A signed, notarized original form must be sent to the Division of the Budget at the address provided in the instructions. You will be provided with a Username and Password allowing you to access the Grants Gateway.

If you have previously registered and do not know your Username, please email grantsreform@budget.ny.gov . If you do not know your Password please click the [Forgot Password](https://grantsgateway.ny.gov/IntelliGrants_NYSGG/PersonPassword2.aspx?Mode=Forgot) link from the main log in page and follow the prompts.

1. **Complete your Prequalification Application.**
* Log in to the [Grants Gateway](https://grantsgateway.ny.gov/IntelliGrants_NYSGG/login2.aspx).  **If this is your first time logging in,** you will be prompted to change your password at the bottom of your Profile page. Enter a new password and click SAVE.
* Click the *Organization(s)* link at the top of the page and complete the required fields including selecting the State agency you have the most grants with. This page should be completed in its entirety before you SAVE. A *Document Vault* link will become available near the top of the page. Click this link to access the main Document Vault page.
* Answer the questions in the *Required Forms* and upload *Required Documents*. This constitutes your Prequalification Application. Optional Documents are not required unless specified in this Request for Proposal.
* Specific questions about the prequalification process should be referred to your agency representative or to the Grants Reform Team at grantsreform@budget.ny.gov.
1. **Submit Your Prequalification Application**
* After completing your Prequalification Application, click the ***Submit Document Vault*** Link located below the Required Documents section to submit your Prequalification Application for State agency review. Once submitted the status of the Document Vault will change to *In Review*.

* If your Prequalification reviewer has questions or requests changes you will receive email notification from the Gateway system.
* Once your Prequalification Application has been approved, you will receive a Gateway notification that you are now prequalified to do business with New York State.

**Vendors are strongly encouraged to begin the process as soon as possible in order to participate in this opportunity**

**XVI. APPLICATION INSTRUCTIONS**

Interested institutions must submit one original and three copies of the application for funding. **The original must be clearly identified and signed in blue ink.** An application for funding requires the original signature of the Chief Executive Officer (or designee) of the institution on the Statement of Assurances (Attachment II). **Not for profit applications** for funding **must be postmarked on or before Friday, June 27, 2014** to:

New York State Education Department

Office of Teacher and Leader Effectiveness

89 Washington Avenue

Room 977, Education Building Annex

Albany, NY 12234

**For Profit applications** for funding must be postmarked on or before **Friday, June 27, 2014** and mailed to:

New York State Education Department

Teacher Opportunity Corps RFP

Contract Administration Unit

Room 505W EB

89 Washington Avenue

Albany, NY 12234

An application for funding meets the deadline requirement if it has a legible postmark, shipping label, invoice or receipt from the U.S. Postal Service or a commercial carrier bearing the date of **Friday, June 27, 2014** or earlier. Private metered postmarks **will not** be accepted as proof of meeting the required deadline. Hand delivered applications must be received by the Office of Teacher and Leader Effectiveness by 5:00 p.m. on or before **Friday, June 27, 2014.**

Proposals that do not meet the deadline requirement will **not** be considered.

A complete application for funding consists of the following items in the order indicated:

A. Table of Contents

B. Narrative that covers, in order, the information requested in Section XVI

C. Objectives Matrix (Attachement I)

D. Statement of Assurances (Attachment II)

E. TOC 2014-2015 Proposed Budget (Attachment IV)

F. Completed Payee Information Form (Attachment VII)

G. Signed Memoranda of Agreement (MOA)

**XVII.** **NARRATIVE FORMAT**

The proposal narrative should describe the 2014-2015 proposed activities in full detail, including the overall goals, planning, implementation, and evaluation of all proposed activities. **It may not be more than 20 double-spaced pages in a** **minimum 10 point font**,and all information requested in this section (excluding resumes, memoranda of agreement, course descriptions and the FS-10) must be contained within the narrative portion of the proposal. The narrative should present a cohesive document, with each individual section related to all other sections, and **must** adhere to the format indicated below. The name of the institution must appear in the top right corner of each page. A specific format is required for the information requested in Attachment I**.** This information should be provided on Attachment Iand be included in the 20 page limit. Single-spacing may be used on Attachment Iprovided that the typeface or font is at least 10 point size. Failure to adhere to these guidelines or to include required information will result in an unfavorable review.

A. Project Abstract (2 Points)

Provide a concise description of the proposed project which includes the project's purpose and goals (maximum length: two pages). No other program information should be included on the abstract pages.

B. Equity/Access Initiatives (8 Points)

Describe institutional efforts and progress toward serving the needs of teachers and students from historically underrepresented and underserved populations, teachers seeking initial or professional certification, students at risk of truancy and academic failure, and school districts with a large concentration of economically disadvantaged students. Institutions previously funded for a TOC program **must** describe the results of such efforts, including but not limited to: number of teachers from historically underrepresented groups graduated, number of teachers certified and description of curricula for at-risk students.

C. Cooperative Relationships (10 Points)

* Provide a description of the roles and responsibilities of local education agencies, school district(s), and all other parties who will participate in the project. Specify how each collaborating party will contribute to the project. A Memorandum of Agreement (MOA) that describes collaborations **must** be attached.
* TOC programs should collaborate, where appropriate, with other programs and initiatives that address the needs of teachers seeking certification or students who are at risk of truancy and academic failure. Describe the institution's plans to coordinate and integrate Teacher Opportunity Corps activities into a systematic approach of enhancing teacher preparation programs.
* Describe any cooperative relationships with other departments within the institution that will provide services to TOC students.

D. Program Objectives, Strategies, Activities, Services and Performance

Measures/Data Sources (40 Points)

**Use the forms provided in Attachment I: Program Objectives, Strategies, Activities,**

**Services and Performance Measures/Data Sources**

**Objective 1:** Provide sustained, intensive and high-quality instructional and enrichment activities addressing the needs of at-risk students. (8 Points)

## Implementation Strategies

* Plan, organize, and implement program models/components that enable teachers/prospective teachers to develop effective classroom strategies in assisting at-risk students to meet the New York State Teaching and Learning Standards.
* Provide comprehensive in-school classroom training for all participants.
* Evaluate, replicate, and disseminate proven strategies that prepare, retain, and support teachers of at-risk students.

**Objective 2:** Provide strong academic content and effective strategies and practices that value equity and diversity and increase the ability of teachers/prospective teachers to meet the needs of at-risk students. (10 Points)

Implementation Strategies

* Provide specific coursework that enables TOC participants to acquire the academic content necessary to teach at-risk students and apply successful classroom methodologies that incorporate equity practices.
* Provide coursework that focuses on strategies to implement content materials and methods which remove all barriers that may limit student success.
* Provide coursework that reflects recent research in best practices, such as inquiry based learning, brain compatible learning, etc.
* Provide a continuum of services that support participants in acquiring the skills, attitudes, and knowledge necessary to teach at-risk students.
* Provide partnerships that link mentors with all TOC graduates upon completion of their program(s) of study and/or during the first year of full-time teaching assignment.

**Objective 3:** Align academic content and classroom strategies with New York State's Teaching and Learning Standards. (4 Points)

See Link: <http://www.p12.nysed.gov/ciai/standards.html>

Implementation Strategy

* Support and collaborate with schools/districts in implementing rigorous course content and performance standards for teachers and all students in their classrooms.

**Objective 4:** Increase the number of teachers who are appropriately certified in New York State’s high-need schools. (12 Points)

Implementation Strategies

* Develop collaborative relationships to increase the number of teachers in high-need districts who enroll in programs leading to professional certification.
* Develop collaborative relationships to increase the number of students from underrepresented groups who enroll in and complete teacher preparation programs.
* Develop collaborative relationships to increase partnerships with the K-12 community to recruit, prepare, and support new teachers of at-risk students, particularly those working in high-need districts.

**Objective 5**: Establish and maintain partnerships to maximize TOC resources and increase student/program success. (6 Points)

Implementation Strategies

* Identify and leverage other public and private resources available for the same purpose and with the same focus.
* Provide a forum to elicit input and feedback from graduates, mentors, and school personnel.
* Establish a planning agenda to address key issues, plans, strategies, and performance of the TOC program and local teaching needs.

 **For each objective, be sure to address the following:**

**Objectives and Strategies**

List specific objectives to be accomplished. Objectives must support the TOC objectives and key strategies and should be measurable. Objectives should be focused on improving the preparation of teachers of students who are at-risk, and on increasing the number of individuals from historically underrepresented groups who enter teaching careers. Each of the TOC objectives listed should be addressed.

**Activities and Services**

List and describe each activity and service that supports the achievement of each objective. Include required, TOC- specific courses, the level of each course, and the credits provided. (Courses identified should not include those that have traditionally been required by the institution to fulfill degree and/or teacher certification requirements.)

Teacher Opportunity Corps services must include, but are not limited to, the following:

* Field placements exclusively with at-risk students. (Do not include student teaching experiences required by the institution for the fulfillment of degree requirements.) Where possible, field placements should be arranged at schools identified as schools with extraordinary needs. A listing of Focus Districts is provided in Appendix XI. In the event that field placements are not arranged with schools listed in Appendix XI, documentation must be provided that those schools that are not in a Focus District and have a high percentage of economically disadvantaged students, such as 50% or more receiving free or reduced lunch,.
* Collaboration with the partnering school to provide mentoring during the **first** year of teaching after participation in the Corps.
* Courses which address pedagogy, motivation, and other factors related to teaching of students who are at risk.

# Counseling

# Tutoring

#  **Staff Responsible**

 Indicate staff responsible for the implementation of each activity or service.

**Timeframe**

Indicate the start and end dates, the timeframe, and the duration of each activity or service.

**Measures/Data Sources**

For each objective, describe the performance measures/data sources that will assess its efficacy. Indicate the populations to be served and the tools and instruments that will be used.

E. Recruitment (10 Points)

1. Describe all strategies and activities that will be used to recruit and select participants.

 2. Fully describe recruitment strategies designed to attract and enroll Priority I participants: African American, Hispanic/Latino, or Native American/Alaskan Native.

 3. Identify the academic and other criteria to be used in selecting program participants. Be specific.

F. Project Staffing and Management (5 Points)

1. Describe a management plan that will assure the effective completion of project activities given the fiscal and other resources available.

 2. Provide an organization chart which indicates the management structure of the program within the institution.

**Note: TOC programs must operate under the aegis of departments, schools or divisions of education. Direct involvement of education faculty is required**.

1. Briefly describe all professional staff positions (full-time and part-time, paid and volunteer) that will be assigned directly to the project. Do not identify individuals, but do define role and scope of designated positions.
2. List the names and titles of all full-time and part-time professional and instructional staff for the project. Provide current resumes for all professionals in the project.
3. Provide an organization chart for the project which indicates the reporting line for the project director and all other staff.
4. Budget and Budget Narrative **(Not-for Profits Only)** (25 Points)
5. Indicate the proposed expenditures for the project on Attachment IV: TOC 2014-2015 Proposed Budget. The attachment must provide complete information and indicate all proposed expenditures from TOC, institutional and other source funds. The budget must be consistent with the scope of services, reasonable, cost effective and the staffing pattern is appropriate for the services to be offered. (10 points)
6. Budget narrative expenditures descriptions (including descriptions of institutional and other source contributions) must follow the general format of Attachment IV: TOC 2014-2015 Proposed Budget using the same sequence of categories and code numbers. The budget justifications must be clear and appropriate. (10 Points)
7. Each salaried position is identified by title, anticipated salary amount and the time contribution to the TOC Program. Indicate the per diem or hourly rate for each consultant identified under the Purchased Services Category. Provide the unit rate or estimate for all services or items. (5 Points)

 Budget **(For-profit Only)**

 Reasonableness of cost will be determined by the cost per school served. The submitted budget will be awarded points pursuant to a formula which awards the highest score of 25 points to the budget that reflects the lowest overall cost per school. The remaining budgets will be awarded points based on a calculation that computes the relative difference of each proposal against the lowest budget submitted. The resulting percentage is then applied to the maximum point value of 25 points.

**Note: A completed FS-10: Proposed Budget for the a Federal or State Project**

**will be required with this application. (see Attachment VII)**

**XVIII. METHOD OF DETERMINING AWARD AMOUNTS**

Grants will be awarded to eligible IHEs following a competitive process that takes into account the following:

A. 2014-2015 SED funding priorities;

B. limits in the State appropriation;

C. reasonableness of the budget in relation to the proposed activities;

D. quality and comprehensiveness of the proposed program;

E. demonstrated effectiveness of current teacher preparation and equity and access programs;

 F. potential of the proposed program to serve as an effective model in preparing prospective teachers to meet the needs of at-risk students in high-need districts;

 G. adherence to the format and program requirements delineated in the guidelines;

H. evidence of coursework which will address pedagogy, motivation and other

 factors related to teaching students at-risk; and

I. a review of the cost proposal which includes adjustments to eliminate non-allowable items and any other items deemed to be inappropriate

**Not-for-Profit Applicants**

Each eligible proposal will be reviewed by two reviewers. Each reviewer will score the proposal according to the indicated point criteria in the Proposal Narrative and Budget section, using the Evaluation Rubric and the points in the Budget section. If individual scores are more than 20 points apart, another reviewer will rate the application. In those cases, the three scores will be averaged to calculate the final average score of the application. Grant contracts will be awarded in rank order of the highest score to lowest score. If there are funds remaining that will not fully support the next highest ranking application, that applicant will be given the opportunity to receive a partial award. Applicants who receive a score below 65 points will **not** be eligible to receive an award.

**\*Note: All not for profit awards will be capped at an amount not to exceed $80,000.00 per year.**

**For-Profit Applicants**

Applications from for-profit organizations will be reviewed and ranked separately from all other applicants. Up to $10,000 will be set aside per year to be shared among for-profit awardees.

Each accepted application from a for-profit organization will be reviewed and rated individually, similar to not-for-profit applications except the budget will be reviewed by the Contract Administration Unit. Applicants who receive a score below 49 (75 points x 65%), will **not** be eligible to receive an award. Applicant budgets will not be reviewed if not eligible for an award.

For applicants that received a score of 49 or greater, the remaining 25 points allowable for the “Adequacy of Resources” section which addresses the proposed budget will be evaluated and scored separately according to cost by the Contract Administration Unit. The final score awarded will be the total of the final average technical score (up to 75 points) and the “Adequacy of Resources” or cost score (up to 25 points).

Awards will be made to for-profit applicants in rank order of score and according to the first, second and third priority groupings used for all other applicants until an insufficient amount of the $10,000 set aside for for-profit applicants is available to fund the next ranking for-profit applicant in full. In the case of a tie score, the applicant with the lower cost will be ranked higher. Any unused funds will be added to the funding available for not-for-profit awardees.

**Funding Policy for Subsequent Years in Proposal Cycle**

For an increase in appropriation:

1. An increase in appropriation for TOC in any subsequent funding year for up to 20% will result in an across the board increase for all existing TOC projects.
2. An increase in appropriation above 20% will result in an across the board increase of 20% to all existing TOC projects plus an offer of funding to the remaining eligible unfunded projects from the initial pool in rank order.
3. In the event that funds remain after all eligible applicants have received awards, the Department would reserve the right to redistribute remaining funds at an across the board percent increase or re-issue the RFP for the remainder of the three year-cycle.

For a decrease in appropriation, the Department would implement an across the board reduction to all funded applicants.

**XIX. PROPOSAL RATING, DEBRIEFING, AWARD PROTEST PROCEDURES**

**Proposal Rating**

Proposals will be rated numerically with a maximum possible score of 100. The applications will be reviewed and rated by two reviewers. A third review will be performed if there is a difference of at least 20 points between the two scores.

**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 tdqa@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 notice of non-award 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 non-award. The protest letter must be filed with:

 NYS Education Department

 Contract Administration Unit

 89 Washington Avenue

 Room 501W EB

 Albany, NY 12234

1. 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.
2. 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.

**XX. 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 RFP.***

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 (30) 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

1. **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

1. **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](http://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.

# **XXI. 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>.

NYSEDrecommends that vendorsfile 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 [www.osc.state.ny.us/vendrep](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.

**Subcontractors:**

For vendors using subcontractors, a Vendor Responsibility Questionnaire and a NYSED vendor responsibility review are required for a subcontractor where:

* the subcontractor is known at the time of the contract award;
* the subcontractor is not an entity that is exempt from reporting by OSC; and

the subcontract will equal or exceed $100,000 over the life of the contract

# **XXII. WORKERS’ COMPENSATION COVERAGE AND DEBARMENT**

New York State Workers’ Compensation Law (WCL) has specific coverage requirements for businesses contracting with New York State and additional requirements which provide for the debarment of vendors that violate certain sections of WCL. The WCL requires, and has required since introduction of the law in 1922, the heads of all municipal and State entities to ensure that businesses have appropriate workers’ compensation and disability benefits insurance coverage *prior* to issuing any permits or licenses, or *prior* to entering into contracts.

Workers’ compensation requirements are covered by WCL Section 57, while disability benefits are covered by WCL Section 220(8). The Workers’ Compensation Benefits clause in Appendix A – STANDARD CLAUSES FOR NEW YORK STATE CONTRACTS states that in accordance with Section 142 of the State Finance Law, a contract shall be void and of no force and effect unless the contractor provides and maintains coverage during the life of the contract for the benefit of such employees as are required to be covered by the provisions of the WCL.

Under provisions of the 2007 Workers’ Compensation Reform Legislation (WCL Section 141-b), any person, or entity substantially owned by that person: subject to a final assessment of civil fines or penalties, subject to a stop-work order, or convicted of a misdemeanor for violation of Workers’ Compensation laws Section 52 or 131, is barred from bidding on, or being awarded, any public work contract or subcontract with the State, any municipal corporation or public body for one year for each violation. The ban is five years for each felony conviction.

**PROOF OF COVERAGE REQUIREMENTS**

The Workers’ Compensation Board has developed several forms to assist State contracting entities in ensuring that businesses have the appropriate workers’ compensation and disability insurance coverage as required by Sections 57 and 220(8) of the WCL.

***Please note – an ACORD form is not acceptable proof of New York State workers’ compensation or disability benefits insurance coverage***.

**Proof of Workers’ Compensation Coverage**

To comply with coverage provisions of the WCL, the Workers’ Compensation Board requires that a business seeking to enter into a State contract submit appropriate proof of coverage to the State contracting entity issuing the contract. For each new contract or contract renewal, the contracting entity must obtain ONE of the following forms from the contractor and submit to OSC to prove the contractor has appropriate workers’ compensation insurance coverage:

* **Form C-105.2** – Certificate of Workers’ Compensation Insurance issued by private insurance carriers, or **Form U-26.3** issued by the State Insurance Fund; or
* **Form SI-12**– Certificate of Workers’ Compensation Self-Insurance; or **Form GSI-105.2** Certificate of Participation in Workers’ Compensation Group Self-Insurance; or
* **CE-200**– Certificate of Attestation of Exemption from NYS Workers’ Compensation and/or Disability Benefits Coverage.

**Proof of Disability Benefits Coverage**

To comply with coverage provisions of the WCL regarding disability benefits, the Workers’ Compensation Board requires that a business seeking to enter into a State contract must submit appropriate proof of coverage to the State contracting entity issuing the contract. For each new contract or contract renewal, the contracting entity must obtain ONE of the following forms from the contractor and submit to OSC to prove the contractor has appropriate disability benefits insurance coverage:

* **Form DB-120.1** - Certificate of Disability Benefits Insurance; or
* **Form DB-155**- Certificate of Disability Benefits Self-Insurance; or
* **CE-200**– Certificate of Attestation of Exemption from New York State Workers’ Compensation and/or Disability Benefits Coverage.

For additional information regarding workers’ compensation and disability benefits requirements, please refer to the New York State Workers’ Compensation Board website at: [http://www.wcb.ny.gov/content/main/Employers/busPermits.jsp](http://wcb.ny.gov/content/main/Employers/busPermits.jsp). Alternatively, questions relating to either workers’ compensation or disability benefits coverage should be directed to the NYS Workers’ Compensation Board, Bureau of Compliance at (518) 486-6307.

**XXIII. CORRESPONDENCE**

# All correspondence, requests for information, and questions concerning the Teacher Opportunity Corps should be addressed to:

# New York State Education Department

# Office of Teacher and Leader Effectiveness

89 Washington Avenue

Room 977, Education Building Annex

Albany, New York 12234

Telephone: (518) 486-6848

tdqa@mail.nysed.gov

**TOC-Attachment I**

**Instructions for Completing Program Objectives, Strategies, Activities, Services and Performance Measures/Data Sources**

1. Make as many copies of the forms as needed.
2. Each of the 5 identified TOC Objectives should be addressed.

(see Section XVI-D) Complete one sheet for each objective.

1. Provide all the information requested in each column of the Objectives, Strategies, Activities Matrix (1-5).
2. Funded projects should include strategies that are currently used as well as any new strategies proposed for 2014-2015.
3. Definitions:

**•** **Strategies:** Describe the process or method TOC projects will use to achieve the TOC objective indicated on the form (how).

**•** **Activities/Services:** Indicate what TOC project will do to accomplish the TOC objective indicated on the form (action/work).

**•** **Staff Responsible:** Indicate the staff who will be responsible. Use the title(s) for individuals listed.

* **Performance Measure:** Indicate measurable elements that will indicate accomplishment of the TOC objective listed on the form.

**•** **Data Source:** Indicate where the data elements are located/drawn from.

**•** **Timeframe:** Indicate the timeframe(s) for each item listed.

**TOC OBJECTIVES AND KEY STRATEGIES**

 All TOC projects should conduct activities and services that will provide instruction and enrichment services that are aligned with the following objectives. This document provides examples of several key strategies to achieve these objectives.

**Objective 1: Provide sustained, intensive and high-quality instructional and enrichment activities addressing the needs of at-risk students.**

## Strategies

• Plan, organize, and implement program models/components that enable teachers/prospective teachers to develop effective classroom strategies in assisting at-risk students to meet the New York State Teaching and Learning Standards.

• Provide comprehensive in-school classroom training for all participants.

• Evaluate, replicate, and disseminate proven strategies that prepare, retain, and support teachers of at-risk students.

**Objective 2: Provide strong academic content and effective strategies and practices that value equity and diversity and increase the ability of teachers/prospective teachers to meet the needs of at-risk students.**

## Strategies

• Provide specific coursework that enables participants to acquire the academic content necessary to teach at-risk students and implement successful classroom methodologies that incorporate equity practices.

• Provide coursework that focuses on strategies to implement content materials and methods which remove all barriers that may limit student success.

• Provide coursework that reflects recent research in best practices, such as inquiry based learning, brain compatible learning, etc.

• Provide a continuum of services that support participants in acquiring the skills, attitudes, and knowledge necessary to teach at-risk students.

• Provide partnerships that link mentors with all TOC graduates upon completion of their program(s) of study and/or during the first year of full-time teaching assignment.

**Objective 3: Align academic content and classroom strategies with New York State’s Teaching and Learning Standards.**

## Strategy

• Support and collaborate with schools/districts in implementing rigorous course content and performance standards for teachers and all students in their classrooms. See Link: <http://www.p12.nysed.gov/ciai/standards.html>

**Objective 4: Increase the number of teachers who are appropriately certified in New York State’s high-need schools.**

## Strategies

• Develop collaborative relationships to increase the number of teachers in high-need districts who enroll in programs leading to professional certification.

• Develop collaborative relationships to increase the number of students from underrepresented groups who enroll in and complete teacher preparation programs.

• Develop collaborative relationships to increase partnerships with the K-12 community to recruit, prepare, and support new teachers of at-risk students, particularly those working in high-need districts.

**Objective 5: Establish and maintain partnerships to maximize TOC resources and increase student/program success**.

## Strategies

• Identify and leverage other public and private resources available for the same purpose and with the same focus.

• Provide a forum to elicit input and feedback from graduates, mentors, and school personnel.

• Establish a planning agenda to address key issues, plans, strategies, and performance of the TOC program and local teaching needs.

|  |
| --- |
| **TOC-Attachment I Objective 1 Instructions for Completing Objectives, Strategies, Activities Matrix*****Objective 1:* Provide sustained, intensive and high-quality instructional and enrichment activities addressing the needs of at-risk students.** |
| **Strategies** |  **Activities/Services** | **Staff Responsible** | **Timeframe** | **Performance Measures/Data Sources** |
|  |  |  |  |  |
| **TOC-Attachment I Objective 2 Instructions for Completing Objectives, Strategies, Activities Matrix*****Objective 2:* Provide strong academic content and effective strategies and practices that value equity and diversity and increase the ability of teachers/prospective teachers to meet the needs of at-risk students.** |
| **Strategies** |  **Activities/Services** | **Staff Responsible** | **Timeframe** | **Performance Measures/Data Sources** |
|  |  |  |  |  |
| **TOC-Attachment I Objective 3 Instructions for Completing Objectives, Strategies, Activities Matrix*****Objective 3:* Align academic content and classroom strategies with New York State’s Teaching and Learning Standards.** |
| **Strategies** |  **Activities/Services** | **Staff Responsible** | **Timeframe** | **Performance Measures/Data Sources** |
|  |  |  |  |  |
| ***Objective 4:* Increase the number of teachers who are appropriately certified in New York State’s****TOC-Attachment I Objective 4 Instructions for Completing Objectives, Strategies, Activities Matrix** **high-need schools.** |
| **Strategies** |  **Activities/Services** | **Staff Responsible** | **Timeframe** | **Performance Measures/Data Sources** |
|  |  |  |  |  |
| **TOC-Attachment I Objective 5 Instructions for Completing Objectives, Strategies, Activities Matrix*****Objective 5:* Establish and maintain partnerships to maximize TOC resources and increase student/program success.** |
| **Strategies** |  **Activities/Services** | **Staff Responsible** | **Timeframe** | **Performance Measures/Data Sources** |
|  |  |  |  |  |

**TOC Attachment II Statement of Assurances**

|  |
| --- |
| Teacher Opportunity CorpsSTATEMENT OF ASSURANCES |

Institution Name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Program:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. The recipient will, if funded, operate a Teacher Opportunity Corps (TOC) program within the letter and spirit of all pertinent legislation (Chapter 53 of the Laws of 1987) and policies, including the appropriate Guidelines.
2. Funds from this source will supplement, not supplant, local expenditures and will not duplicate expenditures from other sources.
3. All activities supported by grant funds will, to the extent possible, be accessible by persons with disabilities.
4. Upon request, the recipient will provide the State Education Department access to its records and other sources of information concerning the operation of the TOC program.
5. All materials developed in whole or in part with the support of TOC funds, including publicity releases and program announcements, will include the following statement:

 Support for the development and production of this material was provided by a grant under the Teacher Opportunity Corps administered by the New York State Education Department.

1. The State funds requested will be used for a continued or expanded program to enhance the preparation of prospective teachers in addressing the learning needs of at-risk pupils and to increase participation in careers in teaching by historically underrepresented individuals. The required partnerships with schools/districts will be arranged with schools with high concentrations of economically disadvantaged students. A listing of Focus Districts is provided in Appendix III and Appendix IV and should be used as the basis for arranging these partnerships. In the event that partnerships have been arranged with schools that are not in a Focus District, documentation that the school(s) has a high percentage of economically disadvantaged students, such as 50% or more receiving free or reduced lunch, must be provided. Students benefiting from these funds will be New York State residents.

|  |
| --- |
| CHIEF EXECUTIVE OFFICER CERTIFICATIONI hereby certify that the information in this application is correct and in total compliance with appropriate State laws and regulations and that the program design will be carried out as described in the application.Signed\*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Chief Executive Officer)Print name and title \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

\*Original signature of Chief Executive Officer is required.

**TOC Attachment III Teacher Opportunity Corps** **7/1/14-6/30/15 MULT-SOURCE PROPOSED BUDGET**

**Number of Students to be Served:\_\_\_\_\_\_\_\_\_\_**

**TOC 7/1/14-6/30/15 PROPOSED BUDGET**

 **Number of Students Served:**

 ROUND CENTS TO THE NEAREST DOLLAR

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Line****No.** | **Expenditure Category** | **Code** |  **TOC** **(1)** |  **Institution** **(2)** |  **Other Sources** **(3)** |  **TOTAL** **(4)** |
|  1 | **Salaries for Professional Personnel** | 15 |  |  |  |  |
|  2 | **Salaries for Non-Professional****Personnel** | 16 |  |  |  |  |
|  |  a. Clerical/Secretarial |  |  |  |  |  |
|  |  b. Student Assistants |  |  |  |  |  |
|  |  c. Other |  |  |  |  |  |
|  3 | **Purchased Services** | 40 |  |  |  |  |
|  4 | **Supplies & Materials** | 45 |  |  |  |  |
|  |  a. Instructional |  |  |  |  |  |
|  |  b. Other |  |  |  |  |  |
|  5 | **Travel Expenses** | 46 |  |  |  |  |
|  |  a. Student/Programmatic |  |  |  |  |  |
|  |  b. Staff/Administrative |  |  |  |  |  |
|  6 | **Employee Benefits** | 80 |  |  |  |  |
|  |  a. Professional % |  |  |  |  |  |
|  |  b. Clerical/Secretarial % |  |  |  |  |  |
|  |  c. Student Assistants % |  |  |  |  |  |
|  |  d. Other % |  |  |  |  |  |
|  7 | **SUBTOTAL of Lines 1-6** |  |  |  |  |  |
|  8 | **Indirect Cost\*** | 90 |  |  |  |  |
| 9 | **Equipment** | 20 |  |  |  |  |
| 10 | **GRAND TOTAL (Lines 7 - 9)** |  |  |  |  |  |

ROUND CENTS TO THE NEAREST DOLLAR.

The minimum 15% Matching Funds must be reported in Columns 2 and or 3.

**\***The TOC Indirect Cost (column 1) may not exceed 8% of SUBTOTAL (col. 1, line 7). The Institutional Indirect Cost (column 2) may not exceed 20% of SUBTOTAL (col. 2, line 7). Equipment is not included when computing Indirect Cost.

**Attachment IV TOC Application**

 **- Institution Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Page 2 of 2**

 **NYS Higher Education TOC**

**NYS HIGHER EDUCATION**

**PROPOSED BUDGET 2014-15** (ROUND CENTS TO NEAREST DOLLAR)

**(MATCHING CONTRIBUTIONS—CASH AND IN-KIND)**

|  |  |  |  |
| --- | --- | --- | --- |
| **Line****No.** | **Expenditure Category** | **Code** | 1. **Matching Contributions (Cash and In-Kind)**
 |
| **Institution****(2)** | **Other Sources****(3)** | 1. **TOTAL**

(Col. 2+3)**(4)** |
|  1 | **Salaries for Professional Personnel** | 15 |  |  |  |
|  2 | **Salaries for Non-Professional****Personnel** | 16 |  |  |  |
|  |  a. Clerical/Secretarial |  |  |  |  |
|  |  b. Student Assistants |  |  |  |  |
|  |  c. Other |  |  |  |  |
|  3 | **Purchased Services** | 40 |  |  |  |
|  4 | **Supplies & Materials** | 45 |  |  |  |
|  |  a. Instructional |  |  |  |  |
|  |  b. Other |  |  |  |  |
|  5 | **Travel Expenses** | 46 |  |  |  |
|  |  a. Student/Programmatic |  |  |  |  |
|  |  b. Staff/Administrative |  |  |  |  |
|  6 | **Employee Benefits** | 80 |  |  |  |
|  |  a. Professional % |  |  |  |  |
|  |  b. Clerical/Secretarial % |  |  |  |  |
|  |  c. Student Assistants % |  |  |  |  |
|  |  d. Other % |  |  |  |  |
|  7 | **SUBTOTAL of Lines 1-6** |  |  |  |  |
|  8 | **Indirect Cost\*\*** | 90 |  |  |  |
| 9 | **Equipment** | 20 |  |  |  |
| 10 | **GRAND TOTAL (Lines 7 - 9)** |  |  |  |  |

\*\* The Institutional Indirect Cost (column 2, line 8) may not exceed 20% of SUBTOTAL (col. 2, line 7). Equipment, tuition, stipends, honoraria, and consultant fees over $25,000 per consultant cannot be included in the basis for computing Indirect Cost.

TOC Attachment V Application Checklist

# **Listed below are the required documents for a complete application package, in the order that they should be submitted. Use this checklist to ensure that your application submission is complete and in compliance with application instructions.**

|  |  |  |
| --- | --- | --- |
| **Required Documents** | **Checked-Applicant** | **Checked –SED** |
| Application Cover Page with Original Signature of Chief Administrative Officer | [ ]  | [ ]  |
| Payee Information Form <http://www.oms.nysed.gov/cafe/forms/PIform.pdf> | [ ]  | [ ]  |
| Application Checklist | [ ]  | [ ]  |
| **Proposal Narrative** | [ ]  | [ ]  |
| FS-10 Budget (signature required) <http://www.oms.nysed.gov/cafe> | [ ]  | [ ]  |
| Budget Narrative | [ ]  | [ ]  |
| Worker’s Compensation Documentation (encouraged) | [ ]  | [ ]  |
| Disability Benefits Documentation (encouraged) | [ ]  | [ ]  |
| **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 | [ ]  | [ ]  | [ ]  |
| M/WBE Cover Letter | [ ]  | [ ]  | [ ]  |
| **M/WBE 100** Utilization Plan | [ ]  | [ ]  | N/A |
| **M/WBE 102** Notice of Intent to Participate | [ ]  | [ ]  | N/A |
| **M/WBE 105** Contractor’s Good Faith Efforts | N/A | [ ]  | [ ]  |
| **M/WBE 101** Request for Waiver Form and Instructions | N/A | [ ]  | [ ]  |
| **EE0 100** Staffing Plan and Instructions | [ ]  | [ ]  | [ ]  |
| **SED Comments:**Has the applicant complied with the application instructions? [ ]  Yes [ ]  NoSED Reviewer: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_ |

**TOC Attachment V-Page 2**

**Application Checklist**

Applicant Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Listed below are the components of a complete application package, in the order they should appear. Use this checklist to ensure that your application submission is in compliance with the application requirements. The checklist must be included with the proposal application.

Request for Proposal Checked Checked

Sections Applicant SED

A. Table of Contents [ ]  [ ]

C. Objectives Matrix (Attachment I) [ ]  [ ]

D. Statement of Assurances (Attachment II) [ ]  [ ]

E. TOC 2014-2015 Proposed Budget (Attachment III) [ ]  [ ]

F. TOC 2014-2015 Proposed Budget Summary (Attachment V) [ ]  [ ]

G. Signed Memoranda of Agreement (MOA) [ ]  [ ]

**TOC ATTACHMENT VI Budget Form (FS-10)**

Applicants must submit a FS-10 budget with this application, for the initial 12 month project period of July 1, 2014 - June 30, 2015. The 12 month budget will be reviewed and scored.

The applicant must complete the FS-10 Budget Form. Budgeted costs must be in compliance with applicable State and federal laws and regulations and the Department’s Fiscal Guidelines. These guidelines, as well as the FS-10 form, are available online at the following URL: <http://www.oms.nysed.gov/cafe>. The FS-10 must bear the original signature of the Chief School/Administrative Officer.

Information about the categories of expenditures and general information on allowable costs, applicable cost principles and administrative regulations are available in the Fiscal Guidelines for Federal and State Aided Grants at [http://www.oms.nysed.gov/cafe/guidance/guidelines.html](http://www.oms.nysed.gov/cafe/guidance/guidelines.html%20).

The budget should be reasonable and appropriate to cover program expenses.

For more information, visit the website

<http://www.oms.nysed.gov/cafe/guidance/faqs.html#indirect>

**TOC Attachment VII NEW PAYEE INFORMATION**

Finance: Log \_\_\_\_\_\_\_\_\_\_\_ Approved \_\_\_\_\_\_\_\_\_\_\_ MIR

\_\_\_\_\_\_\_\_\_\_\_

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

In order to receive funds from the NYS Education Department, **ALL SECTIONS** of this form will need to be completed and returned with **original signature** to the Education Department program office as part of your contract application.

**Section I: Institution Identifying Information**

|  |  |  |
| --- | --- | --- |
| **Exact** Legal Name of Agency |  | Contact Person/Telephone Number |
| **Please print or type** |  |
| Business name, (if different from above ) |
| Payment/Fiscal Agent (if different from above) |
| Address (number, street, and apt. or suite no.) to which checks will be mailed |
| City, State, and ZIP code (+ 4 digits) or Foreign City, Country & Postal Code |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **Federal Employer Identification Number (FEIN) of this agency is:** |  |  |  | — |  |  |  |  |  |  |  |  |  |  |  |  |  |

 \* Provide FEIN of recipient agency regardless of payment/fiscal agent.

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Municipality Code (if agency is a local government):** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

**Section II: Agency Profile**

1. This agency is a (check one) [ ]  Non-Profit Organization [ ]  For-Profit Organization

2. This agency is a (check one) [ ]  Sectarian Organization [ ]  Non-sectarian Organization

3. Is this agency chartered or incorporated by the New York State Board of Regents? (Check one) [ ]  Yes [ ]  No

4. Is any member of the Board of Directors an employee of the NYS Education Department?

 [ ]  Yes, please name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [ ]  No

**Section III: Charity Registration Number Status (NON-PROFIT ORGANIZATIONS ONLY)**

Answer **ONE** of the four questions listed below.

1. The charity registration number (**NOT** a tax exempt or Federal ID number) of this organization is:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ .

1. [ ]  This organization has applied for a charity registration number from the Department of State but has not as yet been notified of the authorization number granted.
2. [ ]  This organization is exempt from the requirement of registering with the Department of State as a charitable organization because it receives less than $25,000 in total from governmental agencies.
3. [ ]  This organization is exempt from the requirement of registering with the Department of State as a charitable organization pursuant to the Department of State Exemption Category indicated below (Please read attached Bulletin No. G-79 and the Summary of Exemption Categories and check **ONE** Exemption Category listed below, if applicable).

 [ ]  Exemption Category 1 [ ]  Exemption Category 2 [ ]  Exemption Category 3 [ ]  Exemption Category 4

 [ ]  Exemption Category 5 [ ]  Exemption Category 6 [ ]  Exemption Category 7 [ ]  Exemption Category 8

**Section IV: Certification**

I hereby certify that the information herewith provided is to the best of my knowledge both accurate and true.

|  |  |  |
| --- | --- | --- |
|  |  |  |
| Chief Administrative Agency Official/Authorized Designee **(Please Print)** |  |  |
|  |  |  |
| Signature – Chief Administrative Agency Official/Authorized Designee |  | Date |

**SED USE ONLY: Deputy Area/Program Office**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Institution ID: | **8** | **0** | **0** | **0** | **0** | **0** |  |  |  |  |  |  |  |  |

I have reviewed the payee information contained herein and hereby approve this agency for payment.

|  |  |  |
| --- | --- | --- |
|  |  |  |
| Deputy Area **(Please Print)** |  | Program Office **(Please Print)** |
|  |  |  |
| Program Manager **(Please Print)** |  |  |
|  |  |  |
| Signature – Program Manager |  | Date |

**SED USE ONLY: Grants Finance**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| SED Agency Number/BEDS Code (if applicable): |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |
| Institution Type: |  |  |  |  |  |  | Institution Subtype: |  |  |  |  |  |  |
| Interest Eligible: | **[ ]  yes** | **[ ]  no** |

**ATTACHMENT VIII M/WBE Documents**

**M/WBE Goal Calculation Worksheet**(This form should reflect Multi-Year Budget Summary Totals)

**RFP # and Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**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** |
|  | Total Budget |  |  |
|  | Professional Salaries |  |  |
|  | Support Staff Salaries |  |  |
|  | Fringe Benefits |  |  |
|  | Indirect Costs |  |  |
|  | Rent/Lease/Utilities\* |  |  |
|  | Sum of lines 2, 3 ,4, 5, and 6 |  |  |
|  | Line 1 minus Line 7 |  |  |
|  | M/WBE Goal percentage (20%) |  | 0.20 |
|  | Line 8 multiplied by Line 9 =MWBE goal amount |  |  |

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

**NAME OF GRANT PROGRAM\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**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 contractually. |
| 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 ADDRESSCITY, ST, ZIPPHONE/E-MAILFEDERAL ID No. | NYS ESD CertifiedMBE \_\_\_\_\_\_WBE \_\_\_\_\_\_ |  | $ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| NAMEADDRESSCITY, ST, ZIPPHONE/E-MAILFEDERAL ID No. | NYS ESD CertifiedMBE \_\_\_\_\_\_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.**

|  |
| --- |
| REVIEWED BY \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DATE \_\_\_\_\_\_\_\_\_\_UTILIZATION PLAN APPROVED YES/NO DATE \_\_\_\_\_\_\_\_\_\_NOTICE OF DEFICIENCY ISSUED YES/NO DATE \_\_\_\_\_\_\_\_\_\_NOTICE OF ACCEPTANCE ISSUED YES/NO DATE \_\_\_\_\_\_\_\_\_\_ |

NAME AND TITLE OF PREPARER: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (*print or type)*

TELEPHONE/E-MAIL \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DATE \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**M/WBE 100**

**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 FirmDate: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **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 102**

**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 105**

**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.

 **ESTIMATED**

 **DATE** **M/WBE NAME PHONE/EMAIL TYPE OF WORK BUDGET REASON**

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**  **Date** **Print Name**

**M/WBE 105A**

**REQUEST FOR WAIVER FORM**

|  |  |
| --- | --- |
| **BIDDER/APPLICANT NAME:** | **TELEPHONE:****EMAIL:** |
| **ADDRESS:** | **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:TELEPHONE:EMAIL: | REVIEWED BY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DATE:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**WAIVER GRANTED 🞎 YES 🞎 NO**  🞎 TOTAL WAIVER 🞎 PARTIAL WAIVER 🞎 ESD CERTIFICATION WAIVER 🞎 NOTICE OF DEFICIENCY  🞎 CONDITIONAL WAIVERCOMMENTS:  |

**M/WBE 101**

**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 |
| Male | Female |
| 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:**EEO 100** | (Print or type) |   | TELEPHONE/EMAIL: |   |

|  |
| --- |
| **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. |

**EEO 100**

**TOC Appendix IX Sample MOA**

**SAMPLE**

**(Insert Name) College and (Insert Name) Organization**

**Teacher Opportunity Corps Service Agreement**

This cooperative agreement reflects the overall commitment as well as the specific responsibilities and the roles of the (insert Name) College Teacher Opportunity Corps and (insert name) Organization to enhance the preparation of prospective teachers. The purpose of this partnership is to prepare and support educators to help all students achieve high standards of learning and development.

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

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**SPECIFIC ROLES AND RESPONSIBILITIES**

The partnership of the (Insert Name) College and the (insert name) Organization entails the following:

|  |  |
| --- | --- |
| **The (insert Name) College Teacher Opportunity Corps agrees to:** | **The (insert Name) Organization agrees to:** |
| [List all activities/services/etc., that the college will provide to the partnership. This may include items such as the following:]* Offer at least one education course /semester that addresses the needs of the at-risk student
* Obtain teacher input in the planning of professional development activities
* Consult on a regular basis with appropriate school personnel about the progress of each TOC participant
* When distributing, promoting or publicizing TOC activities, attribute sponsorship and provision of grant funds to NYSED-Collegiate and Pre-Professional Programs Unit
 | [List all activities/services/etc., that the organization will provide to the partnership. This may include items such as the following:]* Identify, recommend and support non-certified teachers in Title I schools in the following ways:
* Provide release time for above-identified individuals to participate in class activities
* Assist the college by providing such services as mentoring, classroom observation, etc.
* Provide college staff access to classrooms in order to track the improvement in instructional practices and procedures
* Provide designated space for project activities
 |

**Name of Institution\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date\_\_\_\_\_\_\_\_\_\_**

**Project Director\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Signature\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date\_\_\_\_\_\_\_\_\_**

**Name, Title, Organization\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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

**Name, Title, Organization\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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

**PLEASE NOTE THAT THESE ACTIVITIES ARE FOR EXAMPLE ONLY. THE AGREEMENT FOR YOUR PROGAM SHOULD REFLECT THE SPECIFICS OF YOUR PROGRAM AND YOUR PARTNERS. ALL ACTIVITIES/SERVICES, ETC. THAT ARE PERTINENT TO YOUR PROJECT SHOULD BE INCLUDED.**

**TOC-Appendix X Economically Disadvantaged Eligibility Requirements**

|  |
| --- |
| **ECONOMICALLY DISADVANTAGED ELIGIBILITY REQUIREMENTS** |

I. Definitions

The economic eligibility standards set forth in this section apply only at the time of application to the Corps. Once admitted, a participant may continue to receive supportive services, as needed, even if the family income rises above the current eligibility standards. In the case of student financial assistance, however, limitations caused by financial need shall apply.

 A. The student’s family is the recipient of: 1) Family Assistance Program Aid; or 2) Safety Net Assistance through the New York State Office of Temporary and Disability Assistance, or a county department of social services; or 3) family day-care payments through the New York State Office of Children and Family Assistance, or a county department of social services.

 B. For the purpose of TOC, an individual is economically disadvantaged if he or she is a member of:

* a household supported by one parent if depen­dent, by the student or by a spouse if independent, whose total annual income is not more than the applicable amount listed in the table below; **or**
* a household supported solely by one member thereof who works for two or more employers with a total annual income which does not exceed the applicable amount set forth in the following table by more than **$2,630; or**
* a household supported by more than one **worker** (parents if dependent, student and spouse if independent) in which the total annual income does not exceed the applicable amount listed in the table below by more than $**5,250**; **or**
* a household supported by one **worker** (parent if dependent, student if indepen­dent) who is the sole support of a one-parent family in which the total annual income does not exceed the applicable amount listed in the table below by more than $**5,250**.

For the purpose of this subdivision, the number of members of a household shall be determined by ascertaining the number of indi­viduals living in the student's residence who are economically depen­dent on the income supporting the student.

 **Note:** **Income refers to all taxable and nontaxable funds received for support of the**

 **household in the calendar year prior to the academic year for which participation is**

 **sought. Household members include all individuals living therein who are dependent upon**

 **that income.**

**New York State Opportunity Programs**

**Income Eligibility Criteria**

**2011-12 through 2013-14**

|  |  |  |  |
| --- | --- | --- | --- |
| **Number in Household Dependent on Income** | **2011-12**  | **2012-13**  | **2013-14**  |
| **1** **2** **3** **4** **5** **6** **7**  | **$16,060** **$21,630** **$27,210** **$32,790** **$38,360** **$43,960** **$49,5001**  | **$20,665** **$27,991** **$35,317** **$42,643** **$49,969** **$57,295** **$64,6213**  | **$21,257** **$28,694** **$36,131** **$43,568** **$51,005** **$58,442** **$65,8794**  |
| **This add-on allowance cannot be combined with the add-on amount shown below**  | **Add $5,570 for two workers or for one worker as sole support of a one-parent family\***  | **N/A\*\***  | **N/A\*\***  |
| **This add-on allowance cannot be combined with the add-on amount shown above**  | **Add $2,790 for a household supported by one member working two or more jobs at the same time.**  | **N/A\*\***  | **N/A\*\***  |

 C. Definition of an Independent Student

An independent student means a student who:

* is 24 years of age or older by December 31stof the program year; or
* is an orphan or ward of the court (A student is considered independent if he or she is a ward of the court or was a ward of the court until the individual reached the age of eighteen); or
* is a veteran of the Armed Forces of the United States who has engaged in the active duty in the United States Army, Navy, Air Force, Marines, or Coast Guard and was released under a condition other than dishonorable; or
* is a married individual; or
* has legal dependents other than a spouse; or
* is a student for whom an opportunity program and financial aid administrator has made a satisfactory documented determination of independence by reason of other extraordinary circumstances.

 **TOC-Appendix II**

II. Exceptions

 Reference to the family income scale need not be made if the student falls into one of the following categories, and documentation is available:

 A. The student's family is the recipient of: (1) Family Assistance Program Aid; or (2) Safety Net Assistance through the New York State Office of Temporary and Disability Assistance, or a county department of social services; or (3) family day care payments through New York State Office of Children and Family Services

 Assistance, or a county department of social services; or

 B. The student is living with foster parents who do not provide support for college, and no monies are provided from the natural parents; or

 C. The student is a ward of the State or a county; or

 D. The student is enrolled or was enrolled in a State Sponsored Opportunity Program (i.e., EOP, HEOP, SEEK, College Discovery).

III. Documentation

 A. The following shall be acceptable documentation of economic eligibility:

1. Documentation of all income, earned dividends and interest: a signed copy of appropriate year’s tax returns (IRS forms 1040, 1040A, or 1040EZ; or 4506).
2. Documentation of a sole worker’s income from two or more employers: W2s for the appropriate year or similar documentation acceptable to the Commissioner.
3. Documentation of no income: a copy of IRS form 4506 which has been filed by the student or family with the Internal Revenue Service or a copy of IRS Letter 1722 indicating that the student (if independent) or parent did not file a return.
4. Documentation of pension, annuity, or unemployment benefits: letter from the applicable agency showing appropriate year's total award (if not reported on IRS forms 1040, 1040A or 1040EZ or 1099).
5. Documentation of Social Security, Supplemental Security Income, or Veterans Administration non-educational benefits: a letter from the ap­plicable agency showing

 applicable year's total award for **each** member of the household including

 Medicare premiums or IRS form 1099 for each member of the household.

1. Documentation of social services payments: verifica­tion from a branch of the State Office of Temporary and Disability Assistance, Office of Children and Family Services Assistance, or a county department of social services showing year that bene­fits were received and names of recipients including the applicant.
2. Documentation of child support and/or alimony: a court order, affidavit, or student's Free Application for Federal Student Aid form (FAFSA).
3. Documentation of additional members in house­hold: birth certifi­cates, mar­riage certifi­cates, third-party verifi­cation, or similar documentation acceptable to the Commissioner, along with proof of income or lack of income for each such member.
4. Documentation of zero household contribution: the needs analysis output form from one of the United States Department of Education’s approved needs analysis systems.

 B. Responsibility for Documentation

It is the joint responsibility of the program director and a financial aid officer to verify that all first-time program students are economically eligible and that all of the appro­priate documenta­tion to verify this eligibility is on hand.

**TOC-Appendix XI FOCUS DISTRICTS**

It is important to properly identify whether the school(s) involved in your proposed Teacher Opportunity Corps project is/are located in a Focus District.

A listing of Focus Districts is provided in Appendix III and should be used as the basis for arranging these partnerships. In the event that partnerships have been arranged with schools that are not located in a Focus District, documentation must be provided showing those schools having a high percentage of economically disadvantaged students, such as 50% or more receiving free or reduced lunch in which there was a shortage of certified teachers in the previous school year and there is a projected shortage of certified teachers in the current year.

**PLEASE NOTE: The Overall State accountability status of a school can be found by clicking on a link below. Go to the District and School Status and select Focus Districts. Note: in NYC every CSD except 31, which is Staten Island, is a Focus District.**

##  <http://www.p12.nysed.gov/accountability/ESEADesignations.html>

**TOC-Appendix XII Performance Measures for TOC**

The performance measures for this program focus on increasing the number and quality of teachers at all levels of the educational spectrum. Because of this, it is critical to measure the increase in teaching candidates and certified teachers throughout each cohort in the program. The following set of performance measures will be used to determine the success of TOC projects and participants:

* Number of teachers or teaching candidates from Priority 1, Priority 2, and Priority 3 recruited for TOC within the program year
* Number of teachers or teaching candidates from Priority 1, Priority 2, and Priority 3 matriculated in TOC within the program year
* Number of TOC participants from Priority 1, Priority 2, and Priority 3 graduated within the program year
* Number of TOC participants from Priority 1, Priority 2, and Priority 3 applying for certification/licensure (or upgrading their certification) within the program year
* Number of TOC participants from Priority 1, Priority 2, and Priority 3 receiving certification (or upgrade of their certification) within the program year
* Number of TOC participants from Priority 1, Priority 2, and Priority 3 placed in teaching assignments, focusing on those placed in Focus Districts in New York State within the program year
* Total number of TOC graduates teaching in Focus Districts in New York State since the initial period of the program at that facility, campus or institution

The fulfillment of administrative and funds management requirements are critical to assess overall program operations. Because of this, the receipt of TOC Reports, Budget Forms and other required forms by SED on or before required due dates will be considered in determining acceptable program performance.

**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, licenser, 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 NEW YORK STATE INFORMATION SECURITY BREACH AND NOTIFICATION ACT.** Contractor shall comply with the provisions of the New York State Information Security Breach and Notification Act (General Business Law Section 899-aa; State Technology Law Section 208).

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

**24. PROCUREMENT LOBBYING.** To the extent this agreement is a "procurement contract" as defined by

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

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

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

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. (January 2014)

**APPENDIX A-1G**

# General

1. 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.
2. 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/.
3. 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.
4. 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:
	1. 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
	2. 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.
5. Funds provided by this contract may not be used to pay any expenses of the State Education Department or any of its employees.

Terminations

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

Safeguards for Services and Confidentiality

1. 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.

**EVALUATION RUBRIC**

**Teacher Opportunity Corps**

**2014-2017 Funding Application**

**Evaluation Rubric**

|  |
| --- |
| Applicant: |
| Reviewer’s Initials: | Review Completed: | Funding Requested: | Score: |

**Evaluation Process**

Reviewers are asked to evaluate each technical component as listed in the Grant-Contract on a scale provided for each component. In all sections, raters may choose to give a score between any two listed numbers if they feel that a score falls between those two numbers. Reviewers will review applications independently and keep applications and scores confidential. Reviewer comments are required to support the score given in each section. Rating scores will be submitted to Kathleen Clarity, who will summarize the scoring results and determine the awards.

**Rating Guidelines:**

Excellent- Specific and comprehensive. Complete, detailed and clearly

 articulated information as to how the criteria are met. Well-

 conceived and thoroughly developed ideas.

Good- General but sufficient detail. Adequate information as to how

 the criteria are met, but some areas are not fully explained

 and/or questions remain. Some minor inconsistencies and

 weaknesses.

Fair- Sketchy and non-specific. Criteria appear to be minimally

 met, but limited information is provided about approach and

 strategies. Lacks focus and detail.

Poor- Does not meet the criteria, fails to provide information, provides information that

 requires substantial clarification as to how the criteria are met.

N/A- Does not address the criteria or simply restates the criteria.

**Project Abstract (2 points)**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **Excellent** | **Good** | **Fair** | **Poor** | **N/A** |
| The proposal briefly and concisely describes the purpose and goals of the project and how the goals will be accomplished. | **1** | **.75** | **.5** | **.25** | **0** |
| The intended outcome of the project is clearly outlined. | **1** | **.75** | **.5** | **.25** | **0** |
| Comments: Score ( ) out of 2 |

**Equity/Access (8 points)**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| The proposal describes institutional efforts and progress toward serving the needs of :* Teachers and students from historically underrepresented and underserved populations
 | **Excellent** | **Good** | **Fair** | **Poor** | **N/A** |
| **2** | **1.5** | **1** | **.5** | **0** |
| * Teachers seeking initial or professional certification
 | **2** | **1.5** | **1** | **.5** | **0** |
| * Students at risk of truancy and academic failure
 | **2** | **1.5** | **1** | **.5** | **0** |
| * School districts with a large concentration of economically disadvantaged students
 | **2** | **1.5** | **1** | **.5** | **0** |
| Previously funded institutions **must** describe the results of such efforts, including but not limited to: number of teachers from historically underrepresented groups graduated, number of teachers certified and description of curricula for at-risk students. | **Please check the box if this is included:** |
| Comments: Score ( ) out of 8 |

**Cooperative Relationships (10 points)**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **Excellent** | **Good** | **Fair** | **Poor** | **N/A** |
| Proposal describes the roles and responsibilities of local education agencies, school districts and all other parties who will participate in the project and specifies how each collaboration party will contribute to the project. | **2** | **1.5** | **1** | **.5** | **0** |
| Proposal describes collaborations with other programs and initiatives that address the needs of teachers seeking initial or professional certification. | **2** | **1.5** | **1** | **.5** | **0** |
| Proposal describes collaborations with other programs and initiatives that address the needs of students who are at risk of truancy and academic failure. | **2** | **1.5** | **1** | **.5** | **0** |
| Proposal describes the institution’s plans to coordinate and integrate Teacher Opportunity Corps activities into a systematic approach of enhancing teacher preparation programs. | **2** | **1.5** | **1** | **.5** | **0** |
| Proposal describes cooperative relationships with other departments within the institution that will provide services to TOC students. | **2** | **1.5** | **1** | **.5** | **0** |
| Comments: Score ( ) out of 10 |

**Program Objectives, Strategies, Services and Performance Measures/Data Sources (40 points)**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Objective 1:** Proposal outlines strategies to provide sustained, intensive and high quality instructional activities aimed at helping teachers and prospective teachers to address the needs of at risk students.* Proposal shows how the institution will plan, organize and implement program models/components that enable teachers/prospective teachers to develop effective classroom strategies in assisting at-risk students to meet the New York State Teaching and Learning Standards.
 | **Excellent** | **Good** | **Fair** | **Poor** | **N/A** |
| **2** | **1.5** | **1** | **.5** | **0** |
| * Proposal shows how the institution will provide comprehensive in-school classroom training for all participants.
 | **2** | **1.5** | **1** | **.5** | **0** |
| * Proposal shows how the institution will evaluate, replicate and disseminate proven strategies that prepare, retain and support teachers of at-risk students.
 | **2** | **1.5** | **1** | **.5** | **0** |
| * Proposal shows how the institution will ensure that the strategies are linked to helping students to meet the New York State Teaching and Learning Standards.
 | **2** | **1.5** | **1** | **.5** | **0** |
| Comments: Objective 1 Score ( ) out of 8 |
| **Objective 2:** Proposal outlines strategies to provide strong academic content and effective strategies and practices that value equity and diversity and increase the ability of teachers/prospective teachers to meet the needs of at-risk students. The institution will:* Provide specific coursework that enables TOC participants to acquire the academic content necessary to teach at risk students and apply successful classroom methodologies that incorporate equity practices.
 | **Excellent** | **Good** | **Fair** | **Poor** | **N/A** |
| **2** | **1.5** | **1** | **.5** | **0** |
| * Provide coursework that focuses on strategies to implement content materials and methods which remove all barriers that may limit student success.
 | **2** | **1.5** | **1** | **.5** | **0** |
| * Provide coursework that reflects recent research in best practices, such as inquiry based learning, brain compatible learning, etc.
 | **2** | **1.5** | **1** | **.5** | **0** |
| * Provide a continuum of services that support participants in acquiring skills, attitudes and knowledge necessary to teach at-risk students.
 | **2** | **1.5** | **1** | **.5** | **0** |
| * Provide partnerships that link mentors with all TOC graduates upon completion of their program(s) of study and/or during the first year of full-time teaching.
 | **2** | **1.5** | **1** | **.5** | **0** |
| Comments: Objective 2 Score ( ) out of 10 |
| **Objective 3:** Proposal outlines strategies to align academic content and classroom methods with New York State’s Teaching and Learning Standards.* Proposal indicates how the program will support and collaborate with schools/districts in implementing rigorous course content and performance standards for teachers and all students in their classrooms.
 | **Excellent** | **Good** | **Fair** | **Poor** | **N/A** |
| **4** | **3** | **2** | **1** | **0** |
| Comments: Objective 3 Score ( ) out of 4 |
| **Objective 4:** Proposal outlines strategies to increase the number of appropriately certified teachers in New York State’s high-need districts. Institutions will:* Develop collaborative relationships to increase the number of teachers in high-need districts who enroll in programs leading to professional certification.
 | **Excellent** | **Good** | **Fair** | **Poor** | **N/A** |
| **4** | **3** | **2** | **1** | **0** |
| * Develop collaborative relationships to increase the number of students from underrepresented groups who enroll in and complete teacher preparation programs.
 | **4** | **3** | **2** | **1** | **0** |
| * Develop collaborative relationships to increase partnerships with the K-12 community to recruit, prepare and support new teachers of at-risk students, particularly those working in high-need districts.
 | **4** | **3** | **2** | **1** | **0** |
| Comments: Objective 4 Score ( ) out of 12 |
| **Objective 5:** Proposal outlines strategies to establish and maintain partnerships to maximize TOC resources and to increase student/program success. Institutions will:* Identify and leverage other public and private resources available for the same purpose and with the same focus.
 | **Excellent** | **Good** | **Fair** | **Poor** | **N/A** |
| **2** | **1.5** | **1** | **.5** | **0** |
| * Provide a forum to elicit input and feedback from graduates, mentors and school personnel.
 | **2** | **1.5** | **1** | **.5** | **0** |
| * Establish a planning agenda to address key issues, plans, strategies and performance of the TOC program and local teaching needs.
 | **2** | **1.5** | **1** | **.5** | **0** |
| Comments: Objective 5 Score ( ) out of 6 |
|  **Total of Objectives 1-5 Scores** Objective 1 Score ( ) Objective 2 Score ( ) Objective 3 Score ( ) Objective 4 Score ( ) Objective 5 Score ( ) Total Score ( ) out of 40  |

**Recruitment (10 points)**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **Excellent** | **Good** | **Fair** | **Poor** | **N/A** |
| Proposal describes the strategies and activities that will be used to recruit and select participants, as well as recruitment strategies used to attract and enroll Priority 1 participants: African Americans, Hispanic/Latino or Native American/Alaskan Native | **5** | **3.75** | **2.5** | **1.25** | **0** |
| Proposal identifies academic and other criteria to be used in selecting program participants. | **5** | **3.75** | **2.5** | **1.25** | **0** |
| Comments: Score ( ) out of 10 |

**Project Staffing and Management (5 points)**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **Excellent** | **Good** | **Fair** | **Poor** | **N/A** |
| Proposal describes the role and scope of all professional staff positions that will be assigned directly to the project with a list of all full and part-time instructors and other professionals to be assigned to the project. | **2.5** | **1.875** | **1.25** | **.625** | **0** |
| Proposal describes a management plan that will assure effective completion of project activities given the fiscal and other resources. | **2.5** | **1.875** | **1.25** | **.625** | **0** |
| An organization chart must be provided that indicates the reporting lines for the project director and all other staff, as well as providing the management structure of the program within the host institution. | **Please check the box if this is included:** |
| Comments: Score ( ) out of 5 |

**Budget/Budget Narrative (25 points) Not-for-profits Only**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **Excellent** | **Good** | **Fair** | **Poor** | **N/A** |
| Indicate the proposed expenditures for the project on Attachment III: TOC 2011/12-2013/14 Proposed Budget. The attachment must provide complete information and indicate all proposed expenditures from TOC, institutional and other source funds. The budget must be consistent with the scope of the services, reasonable and cost effective. | **10** | **7.5** | **5** | **2.5** | **0** |
| Budget narrative expenditures descriptions (including descriptions of institutional and other source contributions) must follow the general format of Attachment III: TOC 2011/12-2013/14 Proposed Budget using the same sequence of categories and code numbers. The budget justifications must be clear and appropriate. | **10** | **7.5** | **5** | **2.5** | **0** |
| Each salaried position is identified by title, anticipated salary amount and the time contribution to the TOC Program. Indicate the per diem or hourly rate for each consultant identified under the Purchased Services Category. Provide the unit rate or estimate for all services or items. | **5** | **3.75** | **2.5** | **1.25** | **0** |
| Comments: Score ( ) out of 25 |

**For-profit Applications:**

**Reasonableness of cost will be determined by the cost per school served. The submitted budget will be awarded points pursuant to a formula which awards the highest score of 25 points to the budget that reflects the lowest overall cost per school. The remaining budgets will be awarded points based on a calculation that computes the relative difference of each proposal against the lowest budget submitted. The resulting percentage is then applied to the maximum point value of 25 points.**

**Scoring**

Project Abstract ( ) out of 2

Equity Access ( ) out of 8

Cooperative Relationships ( ) out of 10

Program Objectives, Strategies, Activities, Services

 And Performance Measures/Data Sources ( ) out of 40

Recruitment ( ) out of 10

Project Staffing and Management ( ) out of 5

Budget/Budget Narrative (Not-for-profits only) ( ) out of 25

 Total Score: ( ) out of 100

Additional Comments: