

**Teacher Diversity Pipeline Pilot**  
**Announcement of Funding Opportunity**

<b>Legislative Authority</b>	The Teacher Diversity Pipeline Pilot program was funded under the 2018-19 New York State budget, S.7504/A.9504.
<b>Purpose of Grant</b>	<p>The purpose of the Teacher Diversity Pipeline Pilot program is to assist teacher aides and teaching assistants in attaining the necessary education and professional training to obtain teacher certification. The New York State Education Department (“the Department”) seeks to use this appropriation to support development and implementation of a new model program that accomplishes the following goals:</p> <ol style="list-style-type: none"> <li>1. Develop an innovative, supportive pathway for teacher aides and teaching assistants to become certified teachers</li> <li>2. Increase the diversity of the teaching force in high-need districts and schools</li> <li>3. Address teacher shortages/needs in high-need districts and high-need schools</li> </ol>
<b>Project Period</b>	The project is anticipated to start on May 1, 2019 or following notification of award, whichever is later. The project is anticipated to run for up to five years following award.
<b>Eligible Partnerships and Mandatory Memorandum of Agreement</b>	<p>For this grant opportunity, a high-need public school district, or a Board of Cooperative Educational Services (“BOCES”) that serves two or more such districts, must form an eligible partnership. <b>Applications must include a Memorandum of Agreement (MOA) signed by all required partners to be reviewed for consideration. Applications that do not include an MOA signed by all required partners will not be reviewed.</b></p> <p>The public school district or BOCES partner must serve as the applicant/fiscal agent for this grant program. The New York City Department of Education (NYCDOE) may apply as a whole, not as individual Community School Districts.</p> <p><b>Each eligible partnership must include at least the following required partners:</b></p> <ol style="list-style-type: none"> <li>(1) A high-need public school district (designated as High N/RC on this list <a href="http://www.p12.nysed.gov/irs/accountability/2011-12/NeedResourceCapacityIndex.pdf">http://www.p12.nysed.gov/irs/accountability/2011-12/NeedResourceCapacityIndex.pdf</a>), or a BOCES that serves two or more such districts; and</li> <li>(2) A New York State degree-granting institution of higher education (IHE) with an undergraduate teacher preparation program that has been approved by NYSED to prepare teacher candidates and recommend them for certification in the certificate title that is the focus of this grant proposal, is registered with the Department, and has</li> </ol>

	<p>been in operation for at least 3 years. Please see the <a href="#">Inventory of Registered Programs</a>.</p> <p>(3) Additional required partners and signatures:</p> <ul style="list-style-type: none"> <li>• <b>If the lead applicant is a BOCES</b>, at least two high-need school districts served by the BOCES must join the partnership and sign the MOA.</li> <li>• <b>If the lead applicant is NYCDOE</b>, at least one Community School District must join the partnership and sign the MOA.</li> </ul> <p>An eligible partnership may include additional partners, such as additional district(s) or BOCES to increase program reach and capacity; a community college offering core liberal arts and sciences courses; additional IHEs offering undergraduate teacher preparation programs registered with NYSED; and community engagement partners to aid in recruitment and support, such as a union, a My Brother's Keeper Community, or a community-based organization that focuses on diversity issues.</p> <p>The role of each partner is to be decided collaboratively by the partners and described in the MOA. The MOA must (a) outline how the partnership will enable teacher aides and/or teaching assistants Level I,II, or III to attain the necessary educational and professional credentials to obtain teacher certification (b) specify the role of each partner, and (c) detail all services each partner commits to provide and when they are expected to do it. <b>Letters of support will not be accepted in lieu of a required partner's signature on the MOA.</b></p> <p>The requirement that the IHE partner have a registered undergraduate teacher preparation program in the certificate area that is the focus of the proposal is intended to establish the partner's qualifications to carry out this program. However, the funding is for partnerships to develop a new program, pursuant to the terms of this RFP.</p>
<p><b>Amount of Funding</b></p>	<p>\$500,000 over 5 years</p>
<p><b>Application Due Date and Submission Instructions</b></p>	<p>Submit one (1) original signed application and four (4) copies of the application (in the format described in this Request for Proposals, "RFP") labeled RFP #GC19-009, along with one (1) CD or flash drive containing a copy of the signed application in Microsoft Word (.doc/.docx) format or portable document format (.pdf). Include all relevant appendices and required attachments on the CD or flash drive.</p> <p>The mailing address for all the above documentation is:</p> <p style="text-align: center;">NYS Education Department Attn: Allison Armour-Garb 89 Washington Avenue, Room 975 EBA Albany, NY 12234</p>

	<p style="text-align: center;">ATTN: RFP #GC19-009</p> <p>Applicants are responsible for making sure the application package is complete and in the correct order based on the <u><a href="#">Application Checklist</a></u>. All materials, as detailed in the RFP, must be postmarked by <b>November 26, 2018</b>.</p>
<b>Questions and Answers</b>	<p>All questions must be submitted via E-Mail to <a href="mailto:TAcertpilot@nysed.gov">TAcertpilot@nysed.gov</a> by October 26, 2018. A complete list of all Questions and Answers will be posted to <a href="#">NYSED's website</a> no later than November 9, 2018.</p>
<b>Non-Mandatory Notice of Intent</b>	<p>The Notice of Intent (NOI) is not a requirement for submitting a complete application by the application date; however, NYSED strongly encourages all prospective applicants to submit an NOI to ensure a timely and thorough review and rating process. The notice of intent is a simple email notice stating your organization's (use the legal name) intent to submit an application for this grant. Please also include your organization's NYS Vendor ID. The due date is November 15, 2018. Please send the NOI to <a href="mailto:TAcertpilot@nysed.gov">TAcertpilot@nysed.gov</a>.</p>

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## **Definition of Terms**

**A public school district is defined as “high-need”** if it falls into one of the following categories, using the Department’s [Need/Resource Capacity Index](#):

High N/RC: New York City - New York City

High N/RC: Large City Districts - Buffalo, Rochester, Syracuse, Yonkers

High N/RC: Urban-Suburban Districts - All districts at or above the 70th percentile (1.1835) that have: 1) at least 100 students per square mile; or 2) an enrollment greater than 2,500 and more than 50 students per square mile.

High N/RC: Rural Districts - All districts at or above the 70th percentile (1.1835) that have: 1) fewer than 50 students per square mile; or 2) fewer than 100 students per square mile and an enrollment of less than 2,500.

**A school is defined as “high need”** if, for the 2017-18 school year, the school was designated under the Department’s current [accountability](#) system as a Priority School, a Focus School, or a Local Assistance Plan School; or if, when the Department issues new accountability lists under the Every Student Succeeds Act, it is designated a “Comprehensive Support and Improvement School” or a “Targeted Support and Improvement School.” Because the Department’s accountability system is in transition, schools identified under either the old or new system will be considered “high need” for the purposes of this RFP.

The following groups are defined as **historically underrepresented in the teaching profession**: American Indian and Alaskan Native; Asian; Native Hawaiian and Pacific Islander; Black/African American; and Hispanic/Latino.

A certificate title is identified as a **shortage subject area** or **hard to fill** if:

- Five percent or more of total full-time equivalent teaching positions in the subject area are filled by teachers who did not possess New York State certification for the assignments they were teaching, according to BEDS data submitted by districts, compiled by NYSED, and published annually by the U.S. Department of Education in its [teacher shortage areas report](#); OR
- The board of education of the applicant school district has identified the subject area as a critical need (attach documentation to proposal); OR
- Boards of education in two or more High N/RC component districts of the applicant BOCES have identified the subject area as a critical need (attach documentation to proposal).

**Teaching assistant**—Must hold valid NYS certification as a teaching assistant Level I,II, or III. Provides instructional services to students under the supervision of a certified teacher.

**Teacher aide**—Need not be certified. Performs non-instructional duties under supervision determined by the local school district in accordance with Civil Service Law.

### **Project Background**

There are good reasons for districts to support teacher aides and teaching assistants (“TAs”) in becoming teachers. They understand the student body and the school environment because they are already working in the schools. They have roots in—and reflect the racial and linguistic diversity of—the local community. Yet for those who dream of becoming teachers, there are potential financial, academic, and logistic barriers to success:

- Their TA employment may conflict with the typical schedule of a full-time teacher preparation program. Few can afford to give up their current salary and benefits to enroll, while having to pay for tuition, fees, books, transportation, child care, and other costs. In addition to financial support and flexible scheduling, they need to be assured that their job security will not be negatively affected—indeed, that it will improve—as a result of their participation.
- Many TAs have been out of school for years and may need to review basic academic subjects in order to be fully prepared for college-level instruction. They may also need tutoring to help them meet general academic requirements. For some, their English language skills may be a barrier to entering or completing a college program.
- TAs from traditionally underrepresented groups may need assistance navigating the higher education system, to ensure they receive the financial aid and course credit for which they are eligible—including transfer credit and credit for what they have learned on the job.

### **Project Design Expectations**

Each of the design expectations below corresponds to a line in the Proposal Evaluation Rubric. Proposals will earn points depending on how well they address each of these expectations.

#### **Capacity, Sustainability, and Evaluation Plan**

To maximize the chances for a successful program, NYSED is seeking to attract applications from eligible P-12 and higher education partners whose goals and experience are aligned with the purposes of this grant opportunity, and who have a record of success with educator diversity programs. Project partners should address the following questions in their proposal narrative and, as appropriate, in their MOA:

#### **Capacity**

- Have any or all of the partners worked together in the past? If so, for how long have they worked together?

- How are the partners' pre-existing goals, experience, and accomplishments aligned with the purposes of this grant opportunity? In particular, have they worked together to develop a pathway for TAs to become certified teachers?
- Do the applicant school district and/or one or more partners have a successful record of preparing, mentoring, and/or retaining educators from non-traditional backgrounds?
- What is each partner's role in designing, implementing, and sustaining the program? What services will each provide, and when are they expected to do it?
- What will be the process for collective decision-making, involving all partners, including mechanisms for candidate input?
- Does the partnership provide a mechanism for the district and the IHE to jointly sign off on the recommendation for certification?
- How will any additional optional partners enhance program success?
- What are the qualifications and responsibilities of program administrative staff and staff providing candidate support?

#### Evaluation Plan

- For each of the three project goals specified on page 1 of this RFP, what specific milestones and objectives will the project track in order to determine whether the project is successful?
- Who will be responsible for collecting data on candidate demographics, progress through the program, and effectiveness once they are placed in the field?
- How will project partners collect and use qualitative data, such as surveys of participants and members of the school/district community?
- What will be the mechanism for project partners to use data and feedback to make adjustments and improvements to the program?

#### Sustainability

- How will the program be sustained beyond the grant period? In addition to planning for financial sustainability, project partners may want to consider other aspects of sustainability. For example, will in-district mentors trained through the program have a role in sustaining or extending the impact of the program?

#### **Commitment to Address Educational Needs**

The following requirements are to ensure that programs funded under this RFP are designed to meet the educational needs of New York State and the P12 partners:

- The teacher preparation program is in a certificate title area that is documented to be a shortage subject area or hard to fill.
- The public school district partner, or two or more high-need districts served by the BOCES partner, commits to employ teachers who complete the program. The proposal narrative should explain the district's rationale for making this commitment. For example, the district may see the value of this program to help it increase teacher diversity or cultural responsiveness; to fill one or more shortage areas; to strengthen its partnership with the IHE in order to ensure newly-certified teachers are prepared to meet district needs; etc.
- As a condition of participation, candidates commit to serve in a public school in New York State for 3 years immediately following program completion.

### **Recruitment of Eligible Participants**

Project partners should design an effective strategy to identify and recruit a minimum of 15 eligible Teacher Aides and Teaching Assistants from groups that have been historically underrepresented in the teaching profession, who show potential to become effective teachers in a shortage/hard-to-fill subject area.

To be eligible for this program, TAs must meet the following criteria:

- Have no more than 60 college credits
- Were employed for at least one full school year, either part-time or full-time, in a school in New York State as a Teacher Aide or Teaching Assistant

### **Innovative and Supportive Program Design**

Because this is a pilot program, the Department wants to encourage partners to be innovative, even if elements of their proposal would not fit within the Department's existing program registration regulations. If the winning proposal includes innovative elements that do not fit within the existing program registration regulations, the Department intends to propose to the Board of Regents for their approval pilot program registration regulations that will allow for those innovative elements.

Project partners should design the **academic coursework** portion of the program to enable participants to overcome financial, academic, and logistic barriers, while maintaining rigor, to ensure that candidates are prepared to be effective teachers in a shortage/hard-to-fill area. The following are examples of approaches that the partners might choose to include in their program design:

- Admissions requirements are modified to enable nontraditional students to participate.
- Coursework is competency-based, enabling candidates to move through the program at their own speed.

- Apply previously earned college credits towards the approved bachelor's degree program; ensure articulation between any community college partner and 4-year IHE.
- Grant course credit for experience if appropriate (e.g., classroom management).
- Integrate candidates' TA experience and current job assignments into coursework.
- Enable candidates to take courses at convenient times (part-time, after work, on weekends, summer, independent study).
- Enable candidates to take courses at convenient locations (in the school or district where they currently work, on-line, at a Teacher Center, etc.).

Project partners should design the **student teaching** portion of the program to enable participants to overcome financial, academic, and logistic barriers, while maintaining rigor, to ensure that candidates are prepared to be effective teachers in a shortage/hard-to-fill area. The district partner, or participating districts served by the BOCES partner, must commit to provide clinical placements with trained mentor teachers. Partners must explain how mentor teachers will be identified and assigned.

The following are examples of approaches that the partners might choose to include in their program design:

- Count substantial, documented, and successful TA experience towards the clinical experience requirement, as appropriate.
- Enable candidates to complete assigned lessons and practice pedagogy skills in the context of their TA employment.
- TA duties would be expanded to gradually include increased responsibility for instruction, classroom management, and related duties for a class of students, under the supervision of a mentor teacher.
- Include placements in high-need schools.

### **Candidate Support to Ensure Success**

Project partners should plan to provide academic support to candidates to enable them to successfully complete the program and be inducted into the teaching profession. The following are examples of academic supports that the partners might choose to include in their program design:

- Provide services such as skills assessment, tutoring, test prep, technology support, and ESOL instruction.
- Provide financial support for expenses such as tuition, technology, and textbooks (over and above regular financial aid).

The following are examples of non-academic supports that the partners might choose to include in their program design:

- Accommodate flexible work schedules, release time, leaves of absence, substitute coverage, or job sharing, and maintain health benefits, for TAs whose coursework or clinical placements take them out of their regular classroom
- Provide financial or in-kind support for expenses such as student fees, transportation, childcare, and certification exams
- Encourage peer group support by creating a cohort and holding regular meetings, learning community seminars, and other events

### **Family and Community Engagement and Culturally Responsive Practice**

Proposals will be considered for **bonus points** if they include plans, based on evidence, for incorporating the pilot into the school district's broader family and community engagement efforts and efforts to incorporate culturally responsive practice. The following are examples of approaches that the partners might choose to include in their program design, or current approaches that they plan to expand or build on with this pilot program:

- Include clearly defined roles for TAs and TA teacher candidates in activities and programs such as:
  - Skill-building programs to teach parents, students, and school personnel to successfully engage and interact with others and to sustain relationships key to helping young people achieve success in school and throughout life;
  - Parent-teacher academic teams;
  - Home visits;
  - Cultural responsiveness training that is provided to district educators;
  - Training staff with family engagement job duties (e.g., School Advisory Councils, Family Engagement Liaisons, Community Relations Liaisons, School Improvement Support Liaisons, and Bilingual Counseling Assistants) to assist school sites in implementing family engagement best practices and programs;
  - School-based decision-making processes that bring together peer-elected representatives from all stakeholder groups, to ensure school-wide representation when discussing matters that affect the whole school and provide a platform for discussion and collaboration to ensure the success of all students.
- Partner with a community-based organization or local association that, in addition to recruiting and supporting TA teacher candidates for this pilot, will also play a role in the district's broader family and community engagement efforts, such as:
  - Collaborating with the district on increasing family participation in students' education;
  - Assisting and supporting families in navigating the educational system;

- Providing outreach in families' home language to explain curriculum, school programming, special education services, enrichment programs, and the importance of school attendance.

### **Allowable Expenditures**

- Stipends, cost of substitutes, or other payments or benefits for candidates to enable them to balance TA employment with student teaching and other program requirements
- Stipends for mentors
- Program staff services
- Cost of providing academic support necessary to enable candidates to participate in the program, e.g., tutoring, technology and tech support, textbooks
- Cost of providing non-academic support necessary to enable candidates to participate in the program, e.g., child care, transportation
- Costs of offering classes at convenient times and locations
- Costs of recruitment, orientation, counseling, mentor training

Funds may not be used to supplant funding for pre-existing, substantially similar programs.

### **Background Resources**

Illinois Board of Higher Education, "Request for Proposal: Fiscal Year 2018 Grow Your Own Planning Grants" (2017),  
<http://legacy.ibhe.org/Grants/PDF/GYO/FY18GrantApplicationPackage.pdf>

Littleton, D.M., "Preparing Professionals as Teachers for the Urban Classroom: A University/School Collaborative Model," in Action in Teacher Education (1998),  
<https://573f6a41c2032059b055-ec3919f20fb869450364fb41b92201ed.ssl.cf1.rackcdn.com/Littleton.pdf>

New America Foundation, "Teacher Talent Untapped: Multilingual Paraprofessionals Speak About the Barriers to Entering the Profession" (2017),  
<https://www.newamerica.org/education-policy/policy-papers/teacher-talent-untapped/>

New York State Education Department, Consolidated State Plan under the Every Student Succeeds Act ("ESSA Plan") (2018),  
<http://www.p12.nysed.gov/accountability/essa/documents/nys-essa-plan-final-1-16-2018.pdf>

PAR<sup>2</sup>A Center, "Paraeducator Career Ladder Programs,"  
<https://paracenter.org/researchers/bibliography/paraeducator-career-ladder-programs>

Anne Simmons, Deborah McLean, and Elizabeth Fideler, "A Guide to Developing Paraeducator-to-Teacher Programs" (Recruiting New Teachers Toolkit, 2000), <http://docplayer.net/7778739-Rnt-recruiting-new-teachers-inc.html>

### **Method of Award**

The Department anticipates making one award of \$500,000, but the number of awards could be fewer or greater, depending on the size, quality, and cost of projects proposed. To be considered for funding, eligible partnerships must propose to serve a minimum of 15 candidates. The Department calculates that a total award of \$500,000 would allow for an average annual cost per candidate of \$7,000 for up to 4 years, plus \$80,000 in administrative expenses. However, this breakdown is not required; it is up to the project partners to devise a realistic budget for their program.

Each eligible proposal will be reviewed by at least two reviewers. Each reviewer will score the proposal according to the indicated point criteria in the Proposal Narrative and the Budget using the Proposal Evaluation Rubric. If individual scores are more than 15 points apart, another reviewer will score the application. The two scores closest in numeric value will be averaged to calculate the final average score of the application. If the third reviewer's score is equal to the average of the two original scores, the third reviewer's score will become the final score.

Budgets will be adjusted to eliminate any unallowable or inappropriate expenditures.

Proposals will be ranked in order of final average score from highest to lowest. Proposals that receive a final average score of 60 or more will be considered for funding. **An award will be made to the highest-ranking proposal, above the minimum threshold of 60 points.** In the event of tie scores, the proposal serving the highest number of candidates will be ranked higher. If there is still a tie, the proposal with the highest score on in the Proposal Narrative will be ranked higher. If there is still a tie, the proposal with the highest score on the Capacity, Sustainability, and Evaluation Plan section of the Proposal Narrative will be ranked higher.

If additional funds become available and the Department chooses to distribute the funding to applicants of this current RFP, the Department will allocate the funds as follows:

- 1) Funds will be awarded to the remaining eligible unfunded partnerships in rank order by final application score. If there are funds remaining that will not fully support the next highest application in the ranking, that partnership will be given the opportunity to receive a partial award. If an eligible partnership chooses not to accept the partial award, the next eligible partnership will be contacted and offered the opportunity to receive a partial award.
- 2) Any remaining funds will be awarded to the already-awarded program(s), to enable them to add candidates. To accept the additional funds, the program will be required to submit a revised budget for Department review and approval.

## **Debriefing Procedures**

All unsuccessful applicants may request a debriefing within fifteen (15) calendar days of receiving notice from NYSED. Bidders may request a debriefing letter on the selection process regarding this RFP by submitting a written request to the Fiscal Contact person at:

NYS Education Department  
Contract Administration Unit  
89 Washington Avenue  
Room 501W EB  
Albany, NY 12234

The Fiscal Contact person will make arrangements with program staff to provide a written summary of the proposal's strengths and weaknesses, as well as recommendations for improvement. Within ten (10) business days, the program staff will issue a written debriefing letter to the bidder.

## **Contract Award Protest Procedures**

Applicants who receive a notice of non-award or disqualification 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 a debriefing or disqualification letter. The protest letter must be filed with:

NYS Education Department  
Contract Administration Unit  
Attn: Jessica Hartjen  
89 Washington Avenue  
Room 501W EB  
Albany, NY 12234

3. The NYSED Contract Administration Unit (CAU) will convene a review team that will include at least one staff member from each of NYSED's Office of Counsel, CAU, and the Program Office. The review team will review and consider the merits of the protest and will decide whether the protest is approved or denied. Counsel's Office will provide the bidder with written notification of the review team's decision within seven (7) business days of the receipt of the protest. The original protest and decision will be filed with OSC when the contract procurement record is submitted for approval and CAU will advise OSC that a protest was filed.

4. The NYSED Contract Administration Unit (CAU) may summarily deny a protest that fails to contain specific factual or legal allegations, or where the protest only raises issues of law that have already been decided by the courts.

## **Project Requirements**

### **Payments, Reporting, Monitoring, and Evaluation**

Grantees must submit an annual performance report at the end of each grant period but no later than the first Friday in October of each year of the grant. The performance report should demonstrate that substantial progress has been made toward meeting the project goals and program performance indicators. Grantees must monitor the identification, recruitment, enrollment, and placement of candidates and provide updates on these candidates to the Department so that the Department can ensure projects are successfully fulfilling program aims and requirements and quantify model impact. Additional information about the program performance indicators, including which data must be collected and submitted in the annual performance report, will be made available to grantees by SED after grant awards are made. Grantees that do not demonstrate adequate performance may be discontinued or have funding withheld.

Funds will be provided annually through a 25% initial payment within 90 days of start date of grant period; up to 65% based upon submitted FS-25 forms as interim payments; and the final 10% will be reimbursed when an FS-10-F: Final Expenditure Report for a State or Federal Project has been submitted to the Grants Finance Unit and approved. The FS-10-F is due in the Grants Finance Unit no later than 15 days after the end of the grant period.

When submitting the FS-10, FS-25, and FS-10-F to draw down payments, the grantee will also submit a roster of candidates, indicating enrollment date, status (e.g., good standing), and expected/actual completion date. Payments may be pro-rated if the program is not meeting program objectives and/or targets for enrollment and completion. A minimum of 15 candidates are expected to successfully complete the teacher preparation program by the end of the grant term and become certified to teach in New York State.

From time to time during the grant term and within a reasonable time thereafter, SED may conduct monitoring and evaluation activities including, but not limited to: requiring telephone check-in calls and written progress reports and fiscal reports; requiring submission of program artifacts and fiscal records; and conducting site visits, including observation of program activities and interviews with staff and participants.

### **Entities' Responsibilities**

Projects must operate under the jurisdiction of the local board of education, or other appropriate governing body, and are subject to at least the same degree of

accountability as all other expenditures of the local agency. The local board of education, or other appropriate governing body, is responsible for the proper disbursement of, and accounting for project funds. Written agency policy concerning wages, mileage and travel allowances, overtime compensation, or fringe benefits, as well as State rules pertaining to competitive bidding, safety regulations and inventory control must be followed. Supporting or source documents are required for all grant related transactions entered into the local agency's recordkeeping systems. Source documents that authorize the disbursement of grant funds consist of purchase orders, contracts, time and effort records, delivery receipts, vendor invoices, travel documentation and payment documents.

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

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

### **Accessibility of Web-Based Information and Applications**

Any documents, web-based information and applications development, or programming delivered pursuant to the contract or procurement, will comply with New York State Education Department IT Policy NYSED-WEBACC-001, Web Accessibility Policy as such policy may be amended, modified or superseded, which requires that state agency web-based information, including documents, and applications are accessible to persons with disabilities. Documents, web-based information and applications must conform to NYSED-WEBACC-001 as determined by quality assurance testing. Such quality assurance testing will be conducted by NYSED employee or contractor and the results of such testing must be satisfactory to NYSED before web-based information and applications will be considered a qualified deliverable under the contract or procurement.

### **Requirements for Funding**

**Registration In Federal System for Award Management (SAM)** – In order to be awarded federal funds, an agency must be registered (and then maintain a current registration) in the federal [System for Award Management](#) known as SAM. SAM is a government-wide, web-enabled database that collects, validates, stores and disseminates business information about organizations receiving federal funds. Information on an agency's registration in SAM needs to be provided on the Payee Information Form that must be submitted with the application.

**Payee Information Form/NYSED Substitute W-9** – The [Payee Information Form](#) is a packet containing the Payee Information Form itself and an accompanying NYSED Substitute W-9. The NYSED Substitute W-9 may or may not be needed from your agency. Please follow the specific instructions provided with the form. The Payee Information Form is used to establish the identity of the applicant organization and enables it to receive federal (and/or State) funds through the NYSED.

**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 the [NYS MWBE Directory](#).

The M/WBE participation goal for this grant is 30% of each applicant's total discretionary non-personal service budget. 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;
2. the portion of the budget in purchased services representing stipends, student tuition, and financial assistance;
3. indirect costs; and
4. room and board, if these items are allowable expenditures.

For the purposes of the Teacher Diversity Pipeline Pilot, the salary and fringe benefit exclusion applies to the expenses of the lead applicant as well as any approved institution of higher education partner organization.

The M/WBE Goal Calculation Worksheet is provided for use in calculating the dollar amount of the M/WBE goal for this grant application.

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

## **METHODS TO COMPLY**

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

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

### COMPLETE FORMS:

M/WBE Goal Calculation Worksheet

M/WBE Cover Letter

M/WBE 100 Utilization Plan

M/WBE 102 Notice of Intent to Participate

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

### COMPLETE FORMS:

M/WBE Goal Calculation Worksheet

M/WBE Cover Letter

M/WBE 100 Utilization Plan

M/WBE 101 Request for Waiver

M/WBE 102 Notice of Intent to Participate

M/WBE 105 Contractor's Good Faith Efforts

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

### COMPLETE FORMS:

M/WBE Goal Calculation Worksheet

M/WBE Cover Letter

M/WBE 101 Request for Waiver

M/WBE 105 Contractor's Good Faith Efforts

## **GOOD FAITH EFFORTS**

Applicants must make a good faith effort to solicit NYS certified M/WBE firms as subcontractors and/or suppliers to achieve the goals for this grant. Solicitations may include, but are not limited to: advertisements in minority and women-centered publications; solicitation of vendors found in the [NYS Directory of Certified Minority and Women-Owned Business Enterprises](#); 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 104G Quarterly M/WBE Compliance Report. This report should be submitted on a quarterly basis and can be requested at [MWBEGrants@nysed.gov](mailto:MWBEGrants@nysed.gov).

NYSED's M/WBE Coordinator is available to assist applicants in meeting the M/WBE goals. The Coordinator can be reached at [MWBEGrants@nysed.gov](mailto:MWBEGrants@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.

### **NYSED's Reservation of Rights**

NYSED reserves the right to: (1) reject any or all proposals received in response to the RFP; (2) withdraw the RFP at any time, at the agency's sole discretion; (3) make an award under the RFP in whole or in part; (4) disqualify any bidder whose conduct and/or proposal fails to conform to the requirements of the RFP; (5) seek clarifications of proposals; (6) use proposal information obtained through site visits, management interviews and the state's investigation of a bidder's qualifications, experience, ability or financial standing, and any material or information submitted by the bidder in response to the agency's request for clarifying information in the course of evaluation and/or selection under the RFP; (7) prior to the bid opening, amend the RFP specifications to correct errors or oversights, or to supply additional information, as it becomes available; (8) prior to the bid opening, direct bidders to submit proposal modifications addressing subsequent RFP amendments; (9) change any of the scheduled dates; (10) waive any requirements that are not material; (11) negotiate with the successful bidder within the scope of the RFP in the best interests of the state; (12) conduct contract negotiations with the next responsible bidder, should the agency be unsuccessful in negotiating with the selected bidder; (13) utilize any and all ideas submitted in the proposals received; (14) unless otherwise specified in the solicitation, every offer is firm and not revocable for a period of 90 days from the bid opening; (15) require clarification at any time during the procurement process and/or require correction of arithmetic or other apparent errors for the purpose of assuring a full and complete understanding of an offerer's proposal and/or to determine an offerer's compliance with the requirements of the solicitation; (16) to request best and final offers.

### **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](#). 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.

**Application Guidance**

**Page Limits**

The Proposal Narrative and Budget Narrative are to be submitted on single-spaced 8.5” x 11” pages with one-inch margins. Charts/tables are not required to adhere to this standard. Use a Times Roman or Arial font in a 12-point size. If the Proposal Narrative and Budget Narratives exceed the page limit, the excess pages will not be read by the reviewers. Do not include any attachments or addenda.

Proposal Narrative-- no more than 25 pages

Budget Narrative-- no more than 3 pages

**Proposal Narrative (75 Points + 5 Bonus Points)**

Provide a comprehensive description of the proposed project. Be clear, precise and adhere to the following required format. The narrative will be reviewed in accordance with the following points and according to the [Proposal Evaluation Rubric](#).

**Form FS-10 Budget and Narrative (20 Points)**

Using the Form FS-10 Budget Form, provide an itemized budget of how the requested funds will be used for the **first year** of the project.

In the Budget Narrative, identify and explain project costs for the entire project period and include the following Budget Narrative Table:

Year	# new candidates to be enrolled during the year	Total # candidates currently enrolled at any point during the year	# candidates completing program this year	Annual grant-funded budget
1				
2				
3				

4				
5				
Total			(at least 15)	\$500,000

Sample completed Budget Narrative Table (for illustration only)

Year	# new candidates to be enrolled during the year	Total # candidates currently enrolled at any point during the year	# candidates completing program this year	Annual grant-funded budget
1	10	10	0	\$100,000
2	5	15	3	\$100,000
3	3	15	4	\$100,000
4	1	12	3	\$100,000
5	0	9	6	\$100,000
Total	19		16	\$500,000

Budgeted items must be reasonable in cost and necessary for the project in order to receive the maximum points. SED staff will eliminate any unallowable or unreasonable items in the budget. Grantees will not be allowed to substitute new items for those that have been eliminated.

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 on the [Grants Finance website](#). 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](#).

**Teacher Diversity Pipeline Pilot**  
**Application Cover Page**

**Agency Code**

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

Name Applicant agency:	Name and Title of Contact Person:
Address:   City:                      Zip Code:  County:	Telephone:
	Fax:
	E-Mail:
<p>I hereby certify that I am the applicant's chief school/administrative officer and that the information contained in this application is, to the best of my knowledge, complete and accurate. I further certify, to the best of my knowledge, that any ensuing program and activity will be conducted in accordance with all applicable Federal and State laws and regulations, application guidelines and instructions, Assurances, Certifications, Appendix A, Appendix A-1G and that the requested budget amounts are necessary for the implementation of this project. It is understood by the applicant that this application constitutes an offer and, if accepted by the NYS Education Department or renegotiated to acceptance, will form a binding agreement. It is also understood by the applicant that immediate written notice will be provided to the grant program office if at any time the applicant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.</p>	
Original Signature of Chief Administrative Officer <b>(in blue ink)</b>	Typed Name of Chief Administrative Officer:
Date:	

## 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	<input type="checkbox"/>	<input type="checkbox"/>	
Memorandum of Agreement signed by all required partners (MANDATORY)	<input type="checkbox"/>	<input type="checkbox"/>	
<a href="#">Payee Information Form</a> (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	
Application Checklist	<input type="checkbox"/>	<input type="checkbox"/>	
Proposal Narrative	<input type="checkbox"/>	<input type="checkbox"/>	
<a href="#">FS-10 Budget</a> (signature required)	<input type="checkbox"/>	<input type="checkbox"/>	
Budget Narrative	<input type="checkbox"/>	<input type="checkbox"/>	
Worker’s Compensation Documentation (encouraged)	<input type="checkbox"/>	<input type="checkbox"/>	
Disability Benefits Documentation (encouraged)	<input type="checkbox"/>	<input type="checkbox"/>	
<b>M/WBE Documents Package (original signatures required)</b>			
<input type="checkbox"/> Full Participation <input type="checkbox"/> Request Partial Waiver <input type="checkbox"/> Request Total Waiver			
	<b>Forms Required</b>		
Type of Form	Full Participation	Request Partial Waiver	Request Total Waiver
Calculation of M/WBE Goal Amount	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M/WBE Cover Letter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>M/WBE 100</b> Utilization Plan	<input type="checkbox"/>	<input type="checkbox"/>	N/A
<b>M/WBE 102</b> Notice of Intent to Participate	<input type="checkbox"/>	<input type="checkbox"/>	N/A
<b>M/WBE 105</b> Contractor’s Good Faith Efforts	N/A	<input type="checkbox"/>	<input type="checkbox"/>
<b>M/WBE 101</b> Request for Waiver Form and Instructions	N/A	<input type="checkbox"/>	<input type="checkbox"/>
<b>EE0 100</b> Staffing Plan and Instructions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>SED Comments:</b>			
Has the applicant complied with the application instructions? <input type="checkbox"/> Yes <input type="checkbox"/> No SED Reviewer: _____ Date: _____			

**Sample Memorandum of Agreement Template**

***MANDATORY REQUIREMENT: Applications that do not include an MOA signed by all required partners will not be reviewed. Letters of support will not be accepted in lieu of a required partner’s signature on the MOA. If the lead applicant is a BOCES, the MOA must also be signed by at least two high-need school districts. If the lead applicant is NYCDOE, the MOA must also be signed by at least one Community School District. Please add signature/initial fields for additional partners as needed.***

*Instructions: The MOA for your program should reflect the specifics of your program and your partnership members. Include all activities, services, etc. pertinent to your project. All partner responsibilities included in this RFP, as well as any additional responsibilities established by the partnership, should be included in the executed MOA you submit.*

This cooperative agreement reflects the overall commitment as well as the specific responsibilities and the roles of the [Insert District or BOCES Name] and [Insert Higher Education Partner Name], and [Insert Any Additional Partner Name(s)] in implementing a Teacher Diversity Pipeline Pilot program. This Memorandum of Understanding is entered into as of [Insert Date], 2018. The \_\_\_\_\_ [School District or BOCES] shall act as the FISCAL AGENT for this grant and be responsible for the receipt and expenditure of all grant funds, as well as the submission of all program and expenditure reports to NYSED. The Fiscal Agent will not act solely as a flow-through for grant funds to pass to other recipients. NYSED has established that a minimum of 20% of direct services shall be provided by the fiscal agent for this grant program. \_\_\_\_\_[School District, BOCES, or IHE] shall act as the Implementation Lead for this grant and be responsible for coordinating and overseeing the planning and implementation of the program.

The term of this Agreement is from May 1, 2019 through [Insert Date].

All Partners should review their respective roles and responsibilities outlined below, initial on every page, and sign the MOA to indicate their commitment to fulfilling these and any additional responsibilities they may indicate.

**Responsibilities of Partners**

This MOA (a) outlines how the partnership will enable participants to attain the necessary educational and professional credentials to obtain teacher certification; (b) specifies the role of each partner in the overall plan; and (c) details all services each partner commits to provide and when they are expected to do it.

Responsibilities of each Partner (please list all partners’ responsibilities):

\_\_\_\_\_  
Initials

\_\_\_\_\_  
Initials  
26

\_\_\_\_\_  
Initials

**Name of Lead Applicant [District or BOCES]:** \_\_\_\_\_

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

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

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

**Name of Higher Education Partner:** \_\_\_\_\_

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

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

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

**Name of Component District or Community School District:** \_\_\_\_\_

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

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

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

**Name of Component District:** \_\_\_\_\_

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

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

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

## M/WBE Documents

### M/WBE Goal Calculation Worksheet

(This form should reflect Year 1 budget totals)

**Project Name:** GC19-009 – Teacher Diversity Pipeline Pilot

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

The M/WBE participation for this grant is 30% of each applicant's total discretionary non-personal service budget. 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); fringe benefits; the portion of the budget in purchased services representing stipends, student tuition, and financial assistance; indirect costs; room and board, if these are allowable expenditures.

**For the purposes of the Teacher Diversity Pipeline Pilot, the salary and fringe benefit exclusion applies to the expenses of the lead applicant as well as any approved institution of higher education partner organization.** For example, the salaries of project staff employed by the approved institution of higher education partner should be excluded from the total budget, along with the lead applicant's project staff salaries, when calculating the discretionary non-personal service budget. Therefore, **line 5 below will include any project salaries and fringe benefits of the partnership members.** (Please note that the indirect costs of partner organizations are not allowable expenses under this grant program.) **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 (2019-20 Project Total)
1.	Total Budget		
2.	Professional Salaries		
3.	Support Staff Salaries		
4.	Fringe Benefits		
5.	Portion of Purchased Services identified as Partnership Salaries and Benefits (Codes 40 & 49)		
6.	Portion of Purchased Services identified as Tuition and stipends (Code 40)		
7.	Indirect Costs (lead applicant only)		
8.	Sum of lines 2, 3, 4, 5, 6, and 7		
9.	Line 1 minus Line 8		
10.	M/WBE Goal percentage (30%)		0.30
11.	Line 9 multiplied by Line 10 = MWBE goal amount		

This form is only for use with the *Teacher Diversity Pipeline Pilot*. It may not be used with any other grant program.

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

**NAME OF GRANT PROGRAM:** Teacher Diversity Pipeline Pilot

**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 Document 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 ADDRESS CITY, ST, ZIP PHONE/E-MAIL FEDERAL ID No.	NYS ESD Certified  MBE _____  WBE _____		\$ _____
NAME ADDRESS CITY, ST, ZIP PHONE/E-MAIL FEDERAL ID No.	NYS ESD Certified  MBE _____  WBE _____		\$ _____

PREPARED BY (Signature) \_\_\_\_\_ DATE \_\_\_\_\_

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

NAME AND TITLE OF PREPARER: \_\_\_\_\_  
(print or type)

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

DATE \_\_\_\_\_

REVIEWED BY \_\_\_\_\_ DATE \_\_\_\_\_

UTILIZATION PLAN APPROVED YES/NO DATE \_\_\_\_\_

NOTICE OF DEFICIENCY ISSUED YES/NO DATE \_\_\_\_\_

NOTICE OF ACCEPTANCE ISSUED YES/NO DATE \_\_\_\_\_

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

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

Bidder/Applicant Name: \_\_\_\_\_ Federal ID No.: \_\_\_\_\_

Address: \_\_\_\_\_ Phone No.: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_ E-mail: \_\_\_\_\_

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

Date: \_\_\_\_\_

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

Name of M/WBE: \_\_\_\_\_ Federal ID No.: \_\_\_\_\_

Address: \_\_\_\_\_ Phone No.: \_\_\_\_\_

City, State, Zip Code \_\_\_\_\_ E-mail: \_\_\_\_\_

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

**DESIGNATION:** \_\_\_ MBE Subcontractor \_\_\_ WBE Subcontractor \_\_\_ MBE Supplier \_\_\_ WBE Supplier

**PART C - CERTIFICATION STATUS (CHECK ONE):**

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

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

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

The estimated dollar amount of the agreement \$ \_\_\_\_\_

\_\_\_\_\_  
Signature of Authorized Representative of M/WBE Firm

\_\_\_\_\_  
Printed or Typed Name and Title of Authorized Representative

\_\_\_\_\_  
Date

**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.

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

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

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

\_\_\_\_\_ **Authorized Representative Signature** \_\_\_\_\_ **Date** \_\_\_\_\_ **Print Name**

**M/WBE 105A**

**REQUEST FOR WAIVER FORM**

**BIDDER/APPLICANT NAME:**

**TELEPHONE:**

**ADDRESS:**

**EMAIL:**

**FEDERAL ID NO.:**

**CITY, STATE, ZIPCODE:**

**RFP#/PROJECT NO.:**

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

<b>BIDDER/APPLICANT IS REQUESTING (check all that apply):</b>	
<input type="checkbox"/> <b>MBE Waiver</b> - A waiver of the MBE goal for this procurement is requested. <input type="checkbox"/> Total <input type="checkbox"/> Partial _____%	<input type="checkbox"/> <b>WBE Waiver</b> - A waiver of the WBE goal for this procurement is requested. <input type="checkbox"/> Total <input type="checkbox"/> Partial _____%
<input type="checkbox"/> <b>Waiver Pending ESD Certification</b> (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:	<b>FOR AUTHORIZED USE ONLY</b>
-------------------	--------------------------------

TITLE OF PREPARER:

TELEPHONE:

EMAIL:

REVIEWED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

**WAIVER GRANTED  YES  NO**

TOTAL WAIVER  PARTIAL WAIVER

ESD CERTIFICATION WAIVER  NOTICE OF DEFICIENCY

CONDITIONAL WAIVER

COMMENTS:

**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 NYSER, 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: \_\_\_\_\_

TELEPHONE/EMAIL: \_\_\_\_\_

**EEO 100**

## 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, [mwbegrants@nysed.gov](mailto:mwbegrants@nysed.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

## **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](mailto: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](mailto:mwbecertification@esd.ny.gov)  
[MWBE Directory](#)

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](#)").

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-1 G**

### General

- A. In the event that the Contractor shall receive, from any source whatsoever, sums the payment of which is in consideration for the same costs and services provided to the State, the monetary obligation of the State hereunder shall be reduced by an equivalent amount provided, however, that nothing contained herein shall require such reimbursement where additional similar services are provided and no duplicative payments are received.
- B. This agreement is subject to applicable Federal and State Laws and regulations and the policies and procedures stipulated in the NYS Education Department Fiscal Guidelines found at <http://www.nysed.gov/cafe/>.
- C. For each individual for whom costs are claimed under this agreement, the contractor warrants that the individual has been classified as an employee or as an independent contractor in accordance with 2 NYCRR 315 and all applicable laws including, but not limited to, the Internal Revenue Code, the New York Retirement and Social Security Law, the New York Education Law, the New York Labor Law, and the New York Tax Law. Furthermore, the contractor warrants that all project funds allocated to the proposed budget for Employee Benefits, represent costs for employees of the contractor only and that such funds will not be expended on any individual classified as an independent contractor.
- D. Any modification to this Agreement that will result in a transfer of funds among program activities or budget cost categories, but does not affect the amount, consideration, scope or other terms of this Agreement must be approved by the Commissioner of Education and the Office of the State Comptroller when:
  - a. The amount of the modification is equal to or greater than ten percent of the total value of the contract for contracts of less than five million dollars; or
  - b. The amount of the modification is equal to or greater than five percent of the total value of the contract for contracts of more than five million dollars.
- E. Funds provided by this contract may not be used to pay any expenses of the State Education Department or any of its employees.

### Terminations

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

### Responsibility Provisions

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

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

C. Termination (for Non-Responsibility)

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

Safeguards for Services and Confidentiality

- A. Any copyrightable work produced pursuant to said agreement shall be the sole and exclusive property of the New York State Education Department. The material prepared under the terms of this agreement by the Contractor shall be prepared by the Contractor in a form so that it will be ready for copyright in the name of the New York State Education Department. Should the Contractor use the services of consultants or other organizations or individuals who are not regular employees of the Contractor, the Contractor and such organization or individual shall, prior to the performance of any work pursuant to this agreement, enter into a written agreement, duly executed, which shall set forth the services to be provided by such organization or individual and the consideration therefor. Such agreement shall provide that any copyrightable work produced pursuant to said agreement shall be the sole and exclusive property of the New York State Education Department and that such work shall be prepared in a form ready for copyright by the New York State Education Department. A copy of such agreement shall be provided to the State.
- B. All reports of research, studies, publications, workshops, announcements, and other activities funded as a result of this proposal will acknowledge the support provided by the State of New York.
- C. This agreement cannot be modified, amended, or otherwise changed except by a written agreement signed by all parties to this contract.
- D. No failure to assert any rights or remedies available to the State under this agreement shall be considered a waiver of such right or remedy or any other right or remedy unless such waiver is contained in a writing signed by the party alleged to have waived its right or remedy.
- E. Expenses for travel, lodging, and subsistence shall be reimbursed in accordance with the policies stipulated in the aforementioned Fiscal guidelines.
- F. No fees shall be charged by the Contractor for training provided under this agreement.
- G. Nothing herein shall require the State to adopt the curriculum developed pursuant to this agreement.

- H. All inquiries, requests, and notifications regarding this agreement shall be directed to the Program Contact or Fiscal Contact shown on the Grant Award included as part of this agreement.
- I. This agreement, including all appendices, is, upon signature of the parties and the approval of the Attorney General and the State Comptroller, a legally enforceable contract. Therefore, a signature on behalf of the Contractor will bind the Contractor to all the terms and conditions stated therein.
- J. The parties to this agreement intend the foregoing writing to be the final, complete, and exclusive expression of all the terms of their agreement.

Rev. 5/12/14

**Teacher Diversity Pipeline Pilot**  
**Proposal Evaluation Rubric**

Applicant:		
Reviewer's Initials:	Date Review Completed:	Score:

**Prior to review, ensure that proposal is:**

- Timely submitted**
- Submitted by an eligible partnership, as evidenced by an MOA signed by all required partners—**
  - High-need district, or BOCES that serves two or more high-need districts. The district or BOCES must be the lead applicant and fiscal agent, to ensure P-12 needs drive program design. New York City may apply as a whole, not as individual CSDs.
  - In partnership with a New York State degree-granting institution of higher education (IHE) that has an undergraduate teacher preparation program approved by NYSED to prepare teacher candidates and recommend them for certification in the certificate title that is the focus of the proposal, is registered with the Department, and has been in operation for at least 3 years.
  - If the lead applicant is a BOCES, at least two high-need school districts served by the BOCES must join the partnership and sign the MOA.
  - If the lead applicant is NYCDOE, at least one Community School District must join the partnership and sign the MOA.
- Complete, including all documents on the checklist.**

If any of the above are missing or you are unsure, notify the review team leader immediately.

**Rating Process and Guidelines:**

Evaluate each technical component as listed in the RFP on the scale provided below. 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. Use extra sheets if needed.***

- Outstanding** Exceptionally strong (in addition to being complete and comprehensive, specific and detailed, clearly articulated, well-conceived, and thoroughly developed). For example, the proposal may evidence outstanding expertise, resource commitment, or creativity. *Maximum points.*
- Solid** Complete/comprehensive, specific/detailed, clearly articulated, well-conceived, and thoroughly developed information as to how the criterion is met. *Majority of available points.*
- Acceptable** Adequate information as to how the criterion is met. Only minor weaknesses, which may include: limited detail, minor inconsistencies, some areas are not fully explained, minor questions remain. *50-60% of available points.*
- Weak** Attempts to address the criterion, but there are one or more significant weaknesses. For example, insufficient information/detail is provided, or the proposed approach is inconsistent, unclear, contrary to evidence, or otherwise problematic. *25-40% of available points.*
- Minimal** Minimally attempts to address the criterion, but fails to provide much information, or provides information that is substantially unclear as to how the criterion is met. *One point or less.*
- Not Found** Does not address the criterion, or simply restates the criterion. *Zero points.*

**Capacity, Sustainability, and Evaluation Plan (25 points)**

	Not Found	Minimal	Weak	Acceptable	Solid	Outstanding
Applicant school district and/or one or more partners have a successful record of preparing, mentoring, and/or retaining educators from non-traditional backgrounds	0	1	2	4	6	8
Eligible applicant has a pre-existing partnership with the required IHE partner. To look for: 1. Alignment between the partnership’s pre-existing goals and accomplishments and the purposes of this grant opportunity; in particular, have they worked together to develop a pathway for TAs to become certified teachers? 2. Evidence of how long the partners have been working together.	0	1	2	3	4	5
Eligible applicant’s MOA(s) with required IHE partner and any additional optional partners includes: 1. Detailed description of each partner’s role, all services each partner commits to provide, and when they are expected to do it. 2. Description of the partnership’s collective decision-making, involving all partners, including mechanisms for candidate input. 3. Provision for district and IHE to jointly sign off on recommendation for certification. 4. Explanation of how additional optional partner(s) will enhance program success. Examples of types of optional partnerships (in addition to required partnership with an IHE that has a registered teacher preparation program): 5. Additional district(s), charter schools, or BOCES to increase program reach and capacity 6. Community college offering core liberal arts and sciences courses 7. Community engagement partner to aid in recruitment and support—union, CBO, etc.	0	.5	1	1.5	2.5	3
Proposal describes qualifications and responsibilities of the staff administering the program	0	.5	1	1.5	2.5	3
Proposal describes data collection and continuous improvement plan. Elements to look for: • Candidate progress (credit accumulation, retention, GPA) • Candidate demographics compared w/demographics of students and teachers in the school/district • Participant surveys • Surveys of members of the school/district community • Plan for using data and feedback to make adjustments and improvements to the program	0	.5	1	1.5	2.5	3
Sustainability plan: Proposal describes additional funding sources and a plan for increasing reliance on such resources over time, to support continuation of the program beyond the grant period. Proposal may also describe anticipated cost reductions over time, e.g., reductions in the cost of training new mentors once initial cohort of mentors is trained.	0	.5	1	1.5	2.5	3

**Comments:**

**Score ( ) out of 25**

**Commitment to Address Educational Needs (10 points)**

	Not Found	Minimal	Weak	Acceptable	Solid	Outstanding
<p>Proposal includes evidence that the preparation program will be in a certificate title that is documented to be a shortage area or hard to fill. Acceptable evidence is:</p> <ol style="list-style-type: none"> <li>1. &gt; 5% of total FTE teaching positions in the subject area are filled by teachers who did not possess NYS certification for the assignments they were teaching, according to data compiled by NYSED; OR</li> <li>2. Board of education of the applicant school district has identified the subject area as a critical need; OR</li> <li>3. Boards of education in two or more High N/RC component districts of the applicant BOCES have identified the subject area as a critical need.</li> </ol>	<b>0</b>	<b>.5</b>	<b>1</b>	<b>1.5</b>	<b>2.5</b>	<b>3</b>
<p>District commits to employ teachers who complete the program.</p> <ul style="list-style-type: none"> <li>• Proposal describes the process it will use to fulfill this commitment.</li> <li>• Proposal convincingly explains why district wants to make this commitment (e.g., commitment to diversity/cultural responsiveness; filling shortage areas; strengthening partnership with IHE to ensure newly-certified teachers are prepared to meet district needs; addressing need for effective teachers in high-need schools; etc.)</li> </ul>	<b>0</b>	<b>.5</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<p>Proposal describes a workable process for requiring candidates, as a condition of participation, to commit to serve in a public school in New York State for 3 years immediately following program completion.</p>	<b>0</b>	<b>.5</b>	<b>1</b>	<b>1.5</b>	<b>2.5</b>	<b>3</b>

**Comments:**

**Score ( ) out of 10**

**Recruitment of Eligible Participants (10 points)**

Eligible participants include individuals who:

- have no more than 60 college credits
- were employed for at least one full school year, either part-time or full-time, in a school in New York State as a Teacher Assistant (holding valid NYS certification as a teaching assistant) or Teacher Aide (need not be certified, performs non-instructional duties under supervision determined by the local school district in accordance with Civil Service Law)

	Not Found	Minimal	Weak	Acceptable	Solid	Outstanding
Proposal explains how program will identify at least 15 eligible Teacher Aides and Teaching Assistants who show potential to become effective teachers	<b>0</b>	<b>.5</b>	<b>.75</b>	<b>1</b>	<b>1.5</b>	<b>2</b>
Proposal explains how program will give priority to individuals who have been historically underrepresented in the teaching profession	<b>0</b>	<b>.5</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
Proposal explains how program will recruit potential candidates to pursue certification in a shortage/hard-to-fill subject area	<b>0</b>	<b>.5</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>

**Comment:**

**Score ( ) out of 10**

**Innovative and Supportive Program Design—Academic (10 points)**

	Not Found	Minimal	Weak	Acceptable	Solid	Outstanding
Proposal explains how the <b>academic coursework</b> portion of the program will be designed, based on evidence, to enable participants to overcome financial, academic, and logistic barriers while maintaining rigor to ensure candidates are prepared to be effective teachers in shortage/hard-to-fill area.						
<ul style="list-style-type: none"> <li>Admissions requirements are modified to enable nontraditional students to participate</li> </ul>	0	.5	.75	1	1.5	2
<ul style="list-style-type: none"> <li>Coursework is competency-based, enabling candidates to move through the program at their own speed</li> <li>Apply previously earned college credits towards the approved bachelor’s degree program; ensure articulation between any community college partner and 4-year IHE partner</li> </ul>	0	.5	.75	1	1.5	2
<ul style="list-style-type: none"> <li>Grant course credit for experience if appropriate (e.g., classroom management)</li> </ul>	0	.5	.75	1	1.5	2
<ul style="list-style-type: none"> <li>Integrate candidates’ TA experience and current job assignments into coursework</li> <li>Enable candidates to take courses at convenient times (part-time, after work, on weekends, summer, independent study)</li> <li>Enable candidates to take courses at convenient locations (in the school or district where they currently work, on-line, at a Teacher Center, etc.)</li> </ul>	0	.5	1	2	3	4

Comments:

Score ( ) out of 10

**Innovative and Supportive Program Design—Student Teaching (10 points)**

Proposal explains how the <b>student teaching</b> portion of the program will be designed, based on evidence, to enable participants to overcome financial, academic, and logistic barriers while maintaining rigor to ensure candidates are prepared to be effective teachers.						
<ul style="list-style-type: none"> <li>Pilot program will count substantial, documented, and successful TA experience towards the clinical experience requirement, as appropriate</li> <li>Pilot program will enable candidates to complete assigned lessons and practice pedagogy skills in the context of their TA employment.</li> </ul>	0	.5	1	1.5	2.5	3
<ul style="list-style-type: none"> <li>Pilot program will allow TA duties to be expanded to gradually include increased responsibility for instruction, classroom management, and related duties for a class of students, under the supervision of a mentor teacher.</li> </ul>	0	.5	1	1.5	2.5	3
<ul style="list-style-type: none"> <li>Proposal explains how mentor teachers will be identified and assigned.</li> </ul>	0	.5	.75	1	1.5	2
<ul style="list-style-type: none"> <li>Pilot program will include placements in high-need schools.</li> </ul>	0	.5	.75	1	1.5	2

Comments:

Score ( ) out of 10

**Innovative and Supportive Program Design—Candidate Support to Ensure Success (10 points)**

	Not Found	Minimal	Weak	Acceptable	Solid	Outstanding
Proposal describes qualifications and responsibilities of the staff coordinating candidate support.	<b>0</b>	<b>.5</b>	<b>.75</b>	<b>1</b>	<b>1.5</b>	<b>2</b>
Proposal explains what academic support will be provided to candidates, based on evidence, to enable them to successfully complete the program and be inducted into the teaching profession. Examples of elements to look for: <ul style="list-style-type: none"> <li>• Provide services such as skills assessment, tutoring, test prep, technology support, and ESOL instruction</li> <li>• Provide financial support for expenses such as tuition, technology, and textbooks (over and above regular financial aid)</li> <li>• Previous experience of district and partners in supporting TAs through the certification process</li> </ul>	<b>0</b>	<b>.5</b>	<b>1</b>	<b>1.5</b>	<b>2.5</b>	<b>3</b>
Proposal explains what non-academic support will be provided to candidates, based on evidence, to enable them to successfully complete the program and be inducted into the teaching profession. Examples of elements to look for: <ul style="list-style-type: none"> <li>• Accommodate flexible work schedules, release time, leaves of absence, substitute coverage, or job sharing, and maintain health benefits, for TAs whose coursework or clinical placements take them out of their regular classroom</li> <li>• Provide financial or in-kind support for expenses such as student fees, transportation, childcare, and certification exams</li> <li>• Encourage peer group support by creating a cohort and holding regular meetings, learning community seminars, and other events</li> <li>• Previous experience of district and partners in supporting TAs through the certification process</li> </ul>	<b>0</b>	<b>.5</b>	<b>1</b>	<b>1.5</b>	<b>2.5</b>	<b>3</b>
Proposal explains what support the project will provide, based on evidence, to induct program completers during their initial year(s) in the teaching profession.	<b>0</b>	<b>.5</b>	<b>.75</b>	<b>1</b>	<b>1.5</b>	<b>2</b>

**Comments:**

**Score ( ) out of 10**

**Bonus (5 points)**

	Not Found	Minimal	Weak	Acceptable	Solid	Outstanding
<p>Proposal includes a plan, based on evidence, for incorporating the pilot into the school district’s broader family and community engagement efforts and efforts to incorporate culturally responsive practice. Examples of elements to look for:</p> <ul style="list-style-type: none"> <li>• Inclusion of clearly defined roles for TAs and TA teacher candidates in activities and programs such as: <ul style="list-style-type: none"> <li>○ Skill-building programs to teach parents, students, and school personnel to successfully engage and interact with others and to sustain relationships key to helping young people achieve success in school and throughout life;</li> <li>○ Parent-teacher academic teams;</li> <li>○ Home visits;</li> <li>○ Cultural responsiveness training that is provided to district educators;</li> <li>○ Training staff with family engagement job duties (e.g., School Advisory Councils, Family Engagement Liaisons, Community Relations Liaisons, School Improvement Support Liaisons, and Bilingual Counseling Assistants) to assist school sites in implementing family engagement best practices and programs;</li> <li>○ School-based decision-making processes that bring together peer-elected representatives from all stakeholder groups, to ensure school-wide representation when discussing matters that affect the whole school and provide a platform for discussion and collaboration to ensure the success of all students.</li> </ul> </li> <li>• Partnership with a community-based organization or local association that, in addition to its role in recruiting and/or supporting TA teacher candidates for this pilot, will also play a role in the district’s broader family and community engagement efforts, such as: <ul style="list-style-type: none"> <li>○ Collaborating with the district on increasing family participation in students’ education;</li> <li>○ Assisting and supporting families in navigating the educational system;</li> <li>○ Providing outreach in families’ home language to explain curriculum, school programming, special education services, enrichment programs, and the importance of school attendance.</li> </ul> </li> </ul>	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>

Comments:

Score ( ) out of 5

**Budget (20 points)**

	Not Found	Minimal	Weak	Acceptable	Solid	Outstanding
The FS-10 and Budget Narrative provide complete information and indicate all proposed expenditures from grant, institutional, and other source funds.	0	1	2	3	4	5
The budget is appropriate and consistent with the scope of the services. Proposed expenditures are allowable (see below), reasonable and cost-effective.	0	1	2	3	4	5
<ul style="list-style-type: none"> <li>Each salaried position is identified by title, anticipated salary amount and the time contribution to the program.</li> <li>Budget indicates the per diem or hourly rate for each consultant identified under the Purchased Services Category.</li> <li>Budget provides the unit rate or estimate for all services or items.</li> </ul>	0	1	2	3	4	5
The proposal demonstrates how the expenditures and activities are supplemental to and do not supplant or duplicate services currently provided.	0	1	2	3	4	5

**Comments:**

**Score ( ) out of 20**

**Allowable expenses**

- Stipends, cost of substitutes, or other payments or benefits for candidates to enable them to balance TA employment with student teaching and other program requirements
- Stipends for mentors
- Program staff services
- Cost of providing academic support necessary to enable candidates to participate, e.g., tutoring, technology and tech support, textbooks
- Cost of providing non-academic support necessary to enable candidates to participate in the program, e.g., child care, transportation
- Costs of offering classes at convenient times and locations
- Costs of recruitment, orientation, counseling, mentor training