

FUNDING OPPORTUNITY
RFP #: GC17-001

ESSA, Title IV Part B
2017-2022 21st Century Community Learning Centers Grant Application

LEGISLATIVE AUTHORITY	The 21st Century Community Learning Centers (21 st CCLC) program is authorized under Title IV, Part B of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act (ESSA) Act of 2015.
PURPOSE OF FUNDING	<p>The purpose of 21st Century Community Learning Centers is to provide opportunities for communities to establish or expand activities in community learning centers that:</p> <ol style="list-style-type: none"> 1. provide opportunities for academic enrichment, including providing tutorial services to help students, particularly students who attend low-performing schools, to meet the challenging State academic standards; 2. offer students a broad array of additional services, programs, and activities, such as youth development activities, service learning, nutrition and health education, drug and violence prevention programs, counseling programs, arts, music, physical fitness and wellness programs, technology education programs, financial literacy programs, environmental literacy programs, mathematics, science, career and technical programs, internship or apprenticeship programs, and other ties to an in-demand industry sector or occupation for high school students that are designed to reinforce and complement the regular academic program of participating students; and 3. offer families of students served by community learning centers opportunities for active and meaningful engagement in their children's education, including opportunities for literacy and related educational development.
PROJECT PERIOD	The grant period is 5 years, anticipated to begin July 1, 2017 and to end June 30, 2022, subject to availability of funds from the United States Department of Education and satisfactory performance of the grantee in the previous year.
ELIGIBLE APPLICANTS	<p>Any public or private organization that meets the eligibility requirements can apply for 21st CCLC funding. This includes public school districts, BOCES, charter schools, private schools, nonprofit agencies, city or county government agencies, faith-based organizations, institutions of higher education, Indian tribes or tribal organizations, and for-profit corporations.</p> <p>All programs must be implemented through a partnership that includes at least one (1) local educational agency receiving funds under part A of title I and at least one (1) BOCES, nonprofit agency, city or county government agency, faith-based organization, institution of higher education, Indian tribe or tribal organization, or for-profit corporation with a demonstrated record of success in designing and implementing before school, after school, summer</p>

	<p>learning, or expanded learning time activities.</p> <p>To be eligible for this grant, at least 2/3 of the students an applicant is proposing to serve must attend:</p> <ol style="list-style-type: none"> 1. schools eligible for schoolwide programs under Title I, Section 1114 of the Every Student Succeeds Act, and the families of these students, or 2. schools with at least 40 percent of students eligible for free or reduced priced lunch; and the families of these students. <p>For the purposes of this RFP, “local educational agencies” are defined as public schools and districts, private schools, and charter schools.</p> <p>Complete List of Eligible Schools, as of September 9, 2016:</p> <p>http://www.p12.nysed.gov/sss/21stCCLC/EligibleSchoolsList.xlsx</p> <p><i>(Note the Excel workbook contains multiple sheets: the first includes all eligible schools statewide and the following are broken out by region and public, charter or private schools.)</i></p>
<p>AMOUNT OF FUNDING</p>	<p>\$86 million annually, subject to federal fund availability.</p> <p>Annual grants awards will range from a minimum of \$50,000 to a maximum of \$1,200,000. Agencies applying for multiple grants will be limited to a maximum annual award of \$1,200,000 per lead applicant agency. For profit agencies may apply for an annual grant award of up to a maximum of \$400,000. The amount of 21st CCLC funds requested divided by the maximum anticipated number of students served must not exceed an annual amount of \$1,600. Meaning, the maximum request amount per student is \$1,600.</p>
<p>MANDATORY NOTICE OF INTENT</p>	<p>The New York State Education Department (NYSED) <u>requires</u> all prospective applicants to submit a NOI to ensure a timely and thorough review and rating process. A non-profit applicant’s NOI will also help to facilitate timely review of their prequalification materials. The Notice of Intent must be submitted via the FluidReview Portal at: https://nysed-expandedlearning.fluidreview.com/. The due date is October 31, 2016.</p>
<p>DUE DATE AND SUBMISSION INSTRUCTIONS</p>	<p>The due date for application submissions is November 21, 2016 at 12:00 p.m. Complete applications must be submitted electronically via the FluidReview portal. Applications submitted via mail will not be reviewed.</p> <p>Instructions for submission through this portal are available at: https://nysed-expandedlearning.fluidreview.com/. Prospective applicants are advised that submission via the FluidReview Portal is a multi-step process that includes completion of several online forms and upload of multiple documents, some of which require signatures and will need to be scanned prior to upload. Prospective applicants are advised to begin work in the online portal as soon as possible.</p> <p>Documents requiring an ink signature must be postmarked no later than November 21, 2016 and sent to:</p>

	<p>New York State Education Department Grants Management 89 Washington Avenue Room 481 EBA Attn: 2017-2022 21st CCLC Grant Application Albany, NY 12234</p> <p>Hand-delivered submissions will not be accepted.</p>
WEBINAR	<p>Applicants may access a Technical Assistance Webinar for this RFP to be posted on October 3, 2016 at: http://www.p12.nysed.gov/sss/21stCCLC/</p>
QUESTIONS AND ANSWERS	<p>Questions regarding this Request for Proposals (RFP) must be submitted by E-Mail to: 21CRFP@nysed.gov by October 11, 2016 and should not include questions related to the electronic submission of applications through the FluidReview portal.</p> <p>A complete list of all questions and answers will be posted at: http://www.p12.nysed.gov/funding/currentapps.html no later than October 26, 2016.</p> <p>Questions regarding the electronic submission of the RFP through the FluidReview portal should be directed to support@fluidreview.com. Please copy 21CRFP@nysed.gov on any communications with FluidReview regarding technical difficulties.</p>
MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISE (M/WBE) PARTICIPATION	<p>Pursuant to Article 15-A of the New York State Executive Law, the M/WBE participation goal for this grant is 30% of each applicant's total discretionary non-personal service budget over the entire term of the grant. See the M/WBE Participation Goals section and for further information and forms for completion.</p>
PREQUALIFICATION REQUIREMENT	<p>The State of New York has implemented a statewide prequalification process (described in http://www.grantsreform.ny.gov/Grantees) designed to facilitate prompt contracting for not-for-profit vendors. All not-for-profit vendors are required to pre-qualify by the grant application deadline. This includes all currently funded not-for-profit institutions that have already received an award and are in the middle of the program cycle. The pre-qualification must be completed by all not-for-profit institutions by the application deadline in order to receive an award under this RFP. Please review the additional information regarding this requirement in the Prequalification for Individual Applications section below.</p>

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

**ESSA, Title IV Part B
21st Century Community Learning Centers Grant Application**

TABLE OF CONTENTS

PROJECT FUNDING	7
PROJECT PERIOD.....	7
ELIGIBLE APPLICANTS	7
PARTNERSHIPS	8
ELIGIBLE SCHOOLS	8
COMPETITION PRIORITIES	9
PROGRAM DESCRIPTION	11
ELIGIBLE ACTIVITIES	16
SAFETY AND HEALTH REQUIREMENTS	17
REGISTRATION IN FEDERAL SYSTEM FOR AWARD MANAGEMENT (SAM).....	17
SCHOOL-AGE CHILD CARE (SACC) REGISTRATION.....	17
NYSED CONSORTIUM POLICY FOR STATE AND FEDERAL DISCRETIONARY GRANT PROGRAMS	18
NUTRITIONAL SERVICES	19
REPORTING REQUIREMENTS	19
BUDGET	20
PROGRAM INCOME.....	23
BUDGET ADJUSTMENTS IN THE EVENT OF SHORTFALLS IN PARTICIPATION.....	23
PAYEE INFORMATION FORM/NYSED SUBSTITUTE W-9 FORM.....	24
PREQUALIFICATION FOR INDIVIDUAL APPLICATIONS.....	24
VENDOR RESPONSIBILITY	26
WORKERS' COMPENSATION COVERAGE AND DEBARMENT.....	27
MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISE (M/WBE) PARTICIPATION.....	29
ENTITIES' RESPONSIBILITY.....	31
NYSED'S RESERVATION of RIGHTS	32
REVIEW AND RATING OF APPLICATIONS	32
FOR-PROFIT APPLICANTS.....	34
DEBRIEFING PROCEDURES	34

AWARD PROTEST PROCEDURES.....	35
APPLICATION SUBMISSION INSTRUCTIONS.....	35
APPLICATION CHECKLIST.....	37
APPLICATION COVER PAGE.....	40
PROGRAM SUMMARY FORM.....	41
PARTICIPATING SCHOOLS FORM.....	42
PRIVATE SCHOOL CONSULTATION FORM.....	43
PARTNERING AGENCIES FORM.....	44
PROGRAM SITE(S) FORM.....	45
PROGRAM NARRATIVE.....	46
APPENDIX 1: PARTNERSHIP AGREEMENT(S).....	54
APPENDIX 2: APPLICATION SCORING RUBRIC.....	57
APPENDIX 3: Requirements of GEPA 427.....	77
APPENDIX 4: NYS Office of Children and Family Services Regional Offices.....	79
APPENDIX 5: New York City 21st Century Grant Contact.....	81
APPENDIX 6: 21st Century Community Learning Centers Performance Indicators.....	82
APPENDIX 7: NYSED Assurances for Federal Discretionary Program Funds.....	83
MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISE (M/WBE) DOCUMENTS.....	95

**ESSA, Title IV Part B
21st Century Community Learning Centers Grant Application**

PURPOSE OF GRANT PROGRAM

The 21st Century Community Learning Centers (21st CCLC) program is authorized under Title IV, Part B of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA) of 2015. (<http://www.p12.nysed.gov/sss/21stCCLC/>). Its purpose is to provide opportunities for communities to establish or expand activities in community learning centers that:

1. provide opportunities for academic enrichment, including providing tutorial services to help students, particularly students who attend low-performing schools, to meet the challenging State academic standards;
2. offer students a broad array of additional services, programs, and activities, such as youth development activities, service learning, nutrition and health education, drug and violence prevention programs, counseling programs, arts, music, physical fitness and wellness programs, technology education programs, financial literacy programs, environmental literacy programs, mathematics, science, career and technical programs, internship or apprenticeship programs, and other ties to an in-demand industry sector or occupation for high school students that are designed to reinforce and complement the regular academic program of participating students; and
3. offer families of students served by community learning centers opportunities for active and meaningful engagement in their children's education, including opportunities for literacy and related educational development.

All three program components must be offered through each center, and must be available to all participating students.

Multiple program options may be used by recipients of 21st CCLC funding, including; before school, after school, weekends, holidays or summer recess. Program funds may also be used to expand learning time to provide activities within the school day in schools implementing an expanded learning time program that provides students with at least 300 additional program hours per year before, during, or after the traditional school day, week or year. Expanded learning includes the time that a school expands its normal school day, week, or year to provide additional instruction or educational programs for all students beyond the State-mandated requirements for the minimum number of hours in a school day, days in a school week, or days or weeks in a school year. Applicants requesting use of 21st CCLC funds during the mandatory school day must demonstrate that the expanded learning program of the school(s) served, inclusive of the proposed 21st CCLC program, will provide students at least 300 additional program hours per year before, during, or after the traditional school day. (See Participating Schools Form.)

For the purposes of this RFP, the "traditional" school year is defined as 900 hours of instruction (typically 180 days x 5 hours per day) per year at the elementary level through grade 6, and 990 hours of instruction (180 days x 5.5 hours per day) in grades 7-12.

For the purposes of this RFP, the “mandatory” school day, week or year is defined as the hours of attendance that all students enrolled in the school are required to be present for.

PROJECT FUNDING

Approximately \$86 million is expected to be available annually statewide. Each applicant may apply for an annual grant award from a minimum of \$50,000 to a maximum of \$1,200,000. Agencies applying for multiple grants will be limited to a maximum annual award of \$1,200,000 per lead applicant agency. The amount of 21st CCLC funds requested, divided by the maximum anticipated number of students served, must not exceed an annual amount of \$1,600. Meaning, the maximum request amount *per student* is \$1,600. **Applications with budgets that exceed this amount will not be reviewed.**

Up to \$1,200,000 will be set aside per year statewide to be shared among for-profit awardees. Each for-profit applicant is limited to a minimum of \$50,000 to a maximum annual award of \$400,000. Any unused for-profit funding will be distributed proportionally by geographic regions (New York City, the Big Four cities of Buffalo, Rochester, Syracuse and Yonkers, and the Rest of State) to the next ranked unfunded applicant who achieves a minimum passing score.

PROJECT PERIOD

Grants will be for 5 years; anticipated to begin July 1, 2017 and to end June 30, 2022, subject to availability of funds from the United States Department of Education and satisfactory performance of the grantee in the previous year.

ELIGIBLE APPLICANTS

Any public or private organization who meets the eligibility requirements can apply for 21st CCLC funding. This includes public school districts, BOCES, charter schools, private schools, nonprofit agencies, city or county government agencies, faith-based organizations, institutions of higher education, Indian tribe(s) or tribal organization(s), and for-profit corporations.

To be eligible for this grant, at least 2/3 of the students an applicant is proposing to serve must attend:

1. schools eligible for schoolwide programs under Title I, Section 1114 of the Every Student Succeeds Act and the families of these students, or
2. schools with at least 40 percent of students eligible for free or reduced priced lunch; and the families of these students.

For the purposes of this RFP, “local educational agencies” are defined as public schools and districts, private schools, and charter schools.

PARTNERSHIPS

All programs must be implemented through a partnership that includes at least one (1) local educational agency receiving funds under part A of title I and at least one (1) BOCES, nonprofit agency, city or county government agency, faith-based organization, institution of higher education, Indian tribe or tribal organization, or for-profit corporation with a demonstrated record of success in designing and implementing before school, after school, summer learning, or expanded learning time activities.¹

Applicants must collaborate with partners including the Eligible School(s) the students attend. A partnership signifies meaningful involvement in planning, as well as specific individual or joint responsibilities for program implementation. The application must contain signed Partnership Agreements with each partnering agency that describes the partners' significant involvement in planning and program implementation over the full five years term of the grant. A sample Partnership Agreement is provided in Appendix 1 that may be used as a guide to develop customized agreements. Please do not submit letters of support. They will not be reviewed or returned.

Note: An individual, agency, organization or other entity that only provides products or services described in the proposed program and is not involved in overall program planning and implementation is considered a vendor, not a partner. Therefore, a Partnership Agreement is not required. For the purpose of this funding, the required independent evaluator must be a vendor, NOT a partner.

ELIGIBLE SCHOOLS

Eligible Schools are those that satisfy the local educational agency partner requirement and are listed by BEDS Code in the following Excel spreadsheet. Data is based on the 2014-2015 school year. Note that there are individual pages within the spreadsheet for New York City (NYC). Rest of State (RoS) and Big 4 public, charter and non-public schools:

- NYC Public Schools
- RoS Public Schools
- Big 4 Public Schools
- NYC Nonpublic Schools
- RoS Nonpublic Schools
- Big 4 Nonpublic Schools

¹ A local educational agency (LEA) may apply without a partner if the LEA demonstrates that it is unable to partner with a community-based organization in reasonable geographic proximity and of sufficient quality to meet the requirements of 21st CCLC. An LEA wishing to apply under this provision must notify the NYS Education Department's Office of Student Support Services by email at 21CRFP@nysed.gov no later than October 31, 2016 for further instructions.

- NYC Charter Schools
- RoS Charter Schools
- Big 4 Charter Schools

Complete List of Eligible Schools, as of September 9, 2016:

<http://www.p12.nysed.gov/sss/21stCCLC/EligibleSchoolsList.xlsx>

(Note the Excel workbook contains multiple sheets: the first includes all eligible schools statewide and the following are broken out by region and public, charter or private schools. If a school does not appear on the list, but has 40% or more students eligible for free or reduced price lunches, they should submit supporting documentation to 21CRFP@nysed.gov by October 31, 2016.)

If a particular school does not appear on one of these lists, it can still be identified as a school that serves a high percentage of students from low-income families (and can, therefore, be considered an Eligible School) if it meets one of the following criteria:

- Administrative Option – In school districts with only one building per grade span (such as one K-6 building, one 7-8 building and one 9-12 building), if at least one of the buildings is on the list, then the other buildings in the district will be considered eligible for 21st CCLC purposes.
- Feeder Pattern Option - A middle or high school that is not on the list will be considered eligible if the average of the "poverty measure" of the elementary schools that feed into that school is at or above 40 percent. However, in New York City students apply to enroll in the high school of their choice. Therefore, the feeder schools cannot be used to determine the eligibility of the high school in New York City.

Note: If two or more schools are to be served by the applicant, at least 2/3 of the students served must attend a school that meets the eligibility criteria stated above.

Applicants must ensure that the students they are proposing to serve are not going to be served by more than one 21st CCLC grant. There may only be one 21st Century program per school building, and the same children may not be served by more than one program. It is allowable for a community agency to offer programming in a non-school space for a different cohort of children than are served by the 21st CCLC program operating at their school.

COMPETITION PRIORITIES

Section 4204(i)(1) of ESSA requires that competitive priority be given to applications that propose to target services to students who attend schools that

- are implementing comprehensive support and improvement activities or targeted support and improvement activities under ESSA section 1111(d), or other schools determined by the local educational agency to be in need of intervention and support to improve student academic achievement and other outcomes; and

- enroll students who may be at risk for academic failure, dropping out of school, involvement in criminal or delinquent activities, or who lack strong positive role models; and
- the families of those students.

3 priority points will be awarded to applications that will primarily serve students who attend a school (i.e., public school, private school or charter school) that meets one or more of the following criteria:

- **Priority Schools, including Struggling and Persistently Struggling Schools:** The Department identified Priority Schools based on the following factors, as defined in the Elementary and Secondary Education Act (ESEA) waiver guidance:
 - Schools based on the achievement of all student groups in terms of proficiency on the statewide assessments that are part of the state’s differentiated recognition, accountability and support system and are not making progress as defined by New York’s progress filters. The school also has shown a lack of progress for the all student groups over a number of years.
 - Secondary schools with a Graduation Rate less than 60 percent for a number of years and not making progress, as defined by New York’s progress filters.
- **Focus Schools:** The Department identified Focus Schools based on the following factors, as defined in the Elementary and Secondary Education Act (ESEA) waiver guidance:
 - Schools with the lowest achievement of subgroups in terms of proficiency on the statewide assessments that are part of the state’s differentiated recognition, accountability and support system and are not making progress as defined by New York’s progress filters.
 - High schools with the lowest Graduation Rate for subgroups that are not making progress as defined by New York’s progress filters.
- **High Need Rural Schools:** The need/resource capacity index is a measure of a district’s ability to meet the needs of its students with local resources based on a ratio of the estimated poverty percentage to the Combined Wealth Ratio of the District. High Need Rural districts are at or above the 70th percentile and 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. Any school located in a High Need Rural district is eligible for priority points.
- **Persistently Dangerous Schools:** Applicants will qualify for priority points if they appear on the 2016-17 Persistently Dangerous List using Violent and Disruptive Incident Reports (VADIR) data.
- **Limited English Proficiency Student Percentage:** Applicants will qualify for priority points if the respective three-year average Limited English Proficiency student percentage per student enrollment of the school(s) served is equal to or greater than 5%.

Applications will not receive additional points if they appear on multiple lists. Links to lists of these schools are below.

Note: If an application proposes to serve students in more than one school, at least 2/3 of the students served must attend a school on one of the competition priority lists above to be eligible for priority points.

- List of Priority Schools:

<http://www.p12.nysed.gov/accountability/documents/PrioritySchoolStatus2-26-16.xlsx>

- List of Focus Schools:
<http://www.p12.nysed.gov/accountability/documents/FocusSchoolStatus2-26-16.xlsx>
- Link to Needs Resource Capacity Index for High Needs Rural School Districts:
<http://www.p12.nysed.gov/sss/21stCCLC/HighNeedRuralNRC4Districts.xlsx>
- List of Persistently Dangerous Schools:
<http://www.p12.nysed.gov/sss/ssae/schoolsafety/vadir/documents/2016-17-persistently-dangerous-schools-list.pdf>
- List of Schools with three year Limited English Proficiency Rate equal to or greater than 5%:
<http://www.p12.nysed.gov/sss/21stCCLC/ThreeYearLEPrate.xlsx>

PROGRAM DESCRIPTION

Program Design

Proposed programs should address the objectives described in Title IV, Part B of the Elementary and Secondary Education Act for the 21st Century Community Learning Centers (21st CCLC) program, as amended by the Every Student Succeeds Act of 2015. Specifically, the program design should link a cohesive, inter-related set of program activities and content designed to complement one another and align with the school day. Activities and content should support goals and objectives designed to address the identified needs of the students and their families, and include opportunities for youth development and enrichment through hands-on project-based activities, service learning, and other experiences not typically offered in the traditional classroom setting. Include key elements of the program design that are innovative or unique to the program's mission and goals and are core to the program's overall design. Program objectives should be based on the following 21st Century Performance Indicators.

- 1) **Objective 1: 21st Century Community Learning Centers will offer a range of high-quality educational, developmental, and recreational services for students and their families.**
 - a) **Sub-Objective 1.1: Core educational services.** 100% of Centers will offer high quality services in core academic areas, e.g., reading and literacy, mathematics, and science.
 - b) **Sub-Objective 1.2: Enrichment and support activities.** 100% of Centers will offer enrichment and youth development activities such as nutrition and health, art, music, technology and recreation.
 - c) **Sub-Objective 1.3: Community Involvement.** 100% of Centers will establish and maintain partnerships within the community that continue to increase levels of community collaboration in planning, implementing and sustaining programs.
 - d) **Sub-Objective 1.4: Services to parents and other adult community members.** 100% of Centers will offer services to parents of participating children.

- e) **Sub-Objective 1.5: Extended hours.** *More than 75% of Centers will offer services at least 15 hours a week on average and provide services when school is not in session, such as during the summer and on holidays.*
- 2) **Objective 2: Participants of 21st Century Community Learning Center Programs will demonstrate educational and social benefits and exhibit positive behavioral changes.**
 - a) **Sub-Objective 2.1: Achievement.** *Students regularly participating in the program will show continuous improvement in achievement through measures such as test scores, grades and/or teacher reports.*
 - b) **Sub-Objective 2.2: Behavior.** *Regular attendees in the program will show continuous improvements on measures such as school attendance, classroom performance and decreased disciplinary actions or other adverse behaviors.*

Programs should be aligned with the State's learning standards, designed to improve student academic achievement as well as overall student success, and based on successful existing models, or research or other information that supports the efficacy of the proposed program design if the program design does not have a precedent. Activities should be aligned and coordinated with the regular school day and school day teachers, challenging State learning standards, school and district goals, and preparing students for college and careers. The NYS Guidelines for Social and Emotional Development and Learning should be reflected in the proposed program.² The program should be developed in active collaboration with the schools that participating students attend, all participants of the eligible entity, and any partnership entities (in compliance with applicable laws relating to privacy and confidentiality). Students and parents should be meaningfully involved in planning and design of the program, and should continue to have ongoing, meaningful involvement in planning throughout the duration of the program. Families of participants should be provided ongoing opportunities for meaningful engagement in their children's education, including opportunities for literacy and related educational development. Services for families should be based on a needs assessment to determine what families need and want. Examples of appropriate services might include computer classes, resume preparation, English as a second language, assistance in understanding and supporting children's learning at home, and how to collaborate effectively with school staff and faculty to support their children's education.

21st CCLC programs should use available time to best meet the specific identified needs of students and their families and to leverage student interest to effect positive impacts on attendance, engagement and academics. Activity schedules should ensure an integration of academics, enrichment, and skill development through hands-on experiences that will make learning relevant and engaging. Programs should have clear and research-based strategies for recruitment and retention of program participants. Programs should have clear and documented procedures for taking individual student attendance on a daily basis. Student attendance should be recorded by time in each activity to meet or exceed the 21st CCLC legislative intent of a minimum of 90 hours per year (30 days per year for three hours per day). Grantees choosing to utilize the 21st CCLC program to expand learning time

² The New York State Guidelines for Social and Emotional Development are available at:

during the mandatory school day must document procedures for monitoring school day program attendance.

Applicants must include an evaluation of community needs and available resources for the 21st CCLC and a description of how the program proposed will address those needs (including the needs of working families).

Applications must demonstrate that the eligible entity will use best practices, including research or evidence-based practices, to provide educational and related activities that will complement and enhance academic performance, achievement, postsecondary and workforce preparation, and positive youth development of the students.

Program Management

Grantees must be able to manage the 21st CCLC program to meet the needs of target populations, including health, nutrition and safety needs, and should ensure equitable access to meet the needs of special populations. All program partners must adhere to mandated data collection and reporting, including management of provisions to access individual student records and to share individual and aggregated student data for the purpose of program evaluation in compliance with applicable laws relating to privacy and confidentiality. There must be a parental consent process in place to ensure privacy protections which, at a minimum, must include, but is not specifically limited to, permission for information (test scores, grades, behavioral reports, etc.) to be shared by the district with the CBO partner, the State and federal educational agencies for monitoring and compliance purposes, and the independent evaluator. Time should be allocated for collaborative planning and professional development for school staff and partnering organizations in order to build strong systems of program delivery.

Applicants must design the program to include the 10 essential elements of high quality expanded learning opportunity programs outlined in the Network for Youth Success Quality Self-Assessment (QSA) Tool available at: <http://networkforyouthsuccess.org/qsa/>. The 10 essential elements of high quality programs listed below are the foundation for all professional development provided to 21st Century programs by the State Education Department, and the 21st Century Technical Assistance Resource Centers.

1. Environment and Climate
2. Administrative and Organization
3. Relationships
4. Staffing and Professional Development
5. Programming and Activities
6. Linkages Between the Day and After School
7. Youth Participation and Engagement
8. Parent, Family, and Community Partnerships
9. Program Sustainability and Growth
10. Measuring Outcomes and Evaluation

The QSA Tool must be used by all 21st CCLCs twice each year for self-assessment and planning for program improvement. It provides an opportunity for program leaders and key

staff, in collaboration with other stakeholders, to utilize a common set of standards to assess, plan, design and execute strategies for ongoing program improvement. Grantees should refer to the QSA Tool User's Guide for instructions on how to optimize the QSA process.

Additional information about the QSA Tool is available at:

<http://networkforyouthsuccess.org/qsa/>

Applicants must assure that the program will take place in a safe and easily accessible facility and must describe how participating students will travel to and from the center and home, if applicable. Programs must ensure equitable access to and meet the needs of special populations (e.g., students with disabilities, English language learners). Programs must disseminate information about the center (including its location) to the community in a manner that is understandable and accessible. Programs must provide ongoing relevant professional development and collaborative planning time for teachers, program staff and community partners in alignment with the goals and objectives of promoting quality programming, school and district goals, and college and career readiness.

Program Evaluation

Programs must have a comprehensive program level evaluation plan that enables ongoing program assessment and quality improvement following the requirements detailed in the NYS 21st CCLC Evaluation Manual.³ This periodic independent evaluation, contracted by the grantee, is required to assess the 21st CCLC grantee's progress toward achieving its objectives to provide a high-quality expanded learning time program. The cost of the independent evaluator may not exceed 8 percent of the total annual amount requested. The contracted independent evaluator may not be the primary grant writer of this proposal.

Evaluation must be aligned with the goals, measurable objectives and the expected outcomes of the proposed program, and the current Performance Indicators for all 21st Century Community Learning Centers, and must be based on the factors included in the measures of effectiveness. In order for a program to meet these principles, the program or activity must:

- be based upon an established set of performance measures aimed at ensuring the availability of high-quality academic enrichment opportunities;
- if appropriate, be based upon evidence-based research that the program or activity will help students meet the challenging State academic standards and any local academic standards; ensure that measures of student success align with the regular academic program of the school and the academic needs of participating students and include performance indicators and measures;
- and collect the data necessary for the measures of student success.

Applicants must explain how students and families will have meaningful involvement throughout the evaluation process to enhance stakeholder investment. Evaluation data should be used to monitor progress and inform continuous program improvement aligned with the goals of partnering schools, districts and preparing students for college and careers. The results of the evaluation must be:

³ The 21st CCLC Evaluation Manual can be downloaded here:
<http://www.p12.nysed.gov/sss/21stCCLC/NYSEvaluationManual.pdf>

- used to refine, improve, and strengthen the program;
- made available to the public upon request, with public notice of such availability provided, and
- used by the State to determine whether a subgrant is eligible to be renewed. An external evaluator should be able to provide the grantee with ongoing recommendations for program improvements based on the collection and analysis of data to assess progress toward meeting the program's goals and objectives as per the NYS 21st CCLC Evaluation Manual.

All independent program evaluators must adhere to the evaluation process set forth in the NYS 21st CCLC Evaluation Manual, which is located at:

<http://www.p12.nysed.gov/sss/21stCCLC/NYSEvaluationManual.pdf>

Organizational Capacity and Quality of the Management Plan

Partnering agencies' should be capable of administrating a successful 21st CCLC grant program and should have experience in providing quality expanded learning opportunities for students and families. The proposed management structure, key staff positions and plan for program oversight should reflect capacity to establish and maintain a successful 21st CCLC program. Grantees should demonstrate strong fiscal management capabilities. Program and partnering administrative staff, school and partnering agency representatives, students, parents and community members should be represented on the program advisory committee and should have meaningful involvement in program design, planning and assessment. Partnering organizations should be selected to meet the needs of the target population to be served, and for the unique contributions that each organization brings to the program. A preliminary sustainability plan must describe efforts to maintain the program when the 21st CCLC funding term ends.

It is recommended that the program hire a full-time Program Director. In addition, it is recommended that a program staff member is designated to act as Education Liaison in order to facilitate the linkage between the school day and out-of-school time programming.

Adequacy of Resources

Programs should be cost-effective and purposeful, target resources properly, and operate with a clear approach to program quality standards. Program expenditures should be reasonable and primarily targeted to the provision of direct services to students. Costs allocated specifically to the 21st CCLC program must be tracked separately from other funds. Partner agencies' commitment of resources for the program may include, but is not limited to, facilities, equipment, supplies and in-kind services. A plan to combine or coordinate federal, state and local funds must be developed to ensure the most effective use of public resources.

ELIGIBLE ACTIVITIES

21st Century Grantees may use the award funds to carry out a broad array of activities that advance student academic achievement and support student success, including

- academic enrichment learning programs, mentoring programs, remedial education activities, and tutoring services, that are aligned with the challenging State academic standards and any local academic standards; and 'local curricula that are designed to improve student academic achievement;⁴
- well-rounded education activities, including such activities that enable students to be eligible for credit recovery or attainment;
- literacy education programs, including financial literacy programs and environmental literacy programs;
- programs that support a healthy and active lifestyle, including nutritional education and regular, structured physical activity programs;
- services for individuals with disabilities;
- programs that provide after-school activities for students who are English learners that emphasize language skills and academic achievement;
- cultural programs;
- telecommunications and technology education programs;
- expanded library service hours;
- parenting skills programs that promote parental involvement and family literacy;
- programs that provide assistance to students who have been truant, suspended, or expelled to allow the students to improve their academic achievement;
- drug and violence prevention programs and counseling programs;
- programs that build skills in science, technology, engineering, and mathematics (referred to in this paragraph as 'STEM'), including computer science, and that foster innovation in learning by supporting nontraditional STEM education teaching methods; and
- programs that partner with in-demand fields of the local workforce or build career competencies and career readiness and ensure that local workforce and career readiness skills are aligned with the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) and the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.).

⁴ Study hall and "homework help" programs are not an allowable use of 21st CCLC funding. Small group tutoring is an acceptable use of funds.

SAFETY AND HEALTH REQUIREMENTS

If the applicant is a school district, BOCES, charter school or nonpublic school, the applicant must adhere to New York State's SAVE laws including provisions related to fingerprinting of staff. Programs located in school buildings will be governed by the district's School Safety Plan and any related building-level plans. If the proposed program is located at a site other than the school building, the provisions for School-Age Child Care Registration detailed below for community organization applicants shall apply.

If the 21st CCLC activities take place in a school building, all staff must be trained in and familiar with the School Emergency Response Plan and its emergency procedures. If the proposed program is located at a site other than a school building, an Emergency Response Plan must be developed and program staff must be trained to follow its procedures prior to commencing programming at the site.

The applicant must address how students will travel safely to and from the center and their homes.

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 (<http://www.sam.gov>). 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.

SCHOOL-AGE CHILD CARE (SACC) REGISTRATION

If the lead applicant proposes to serve *only children ages 13 and older*, it is not required to obtain a SACC license. The applicant must work with its partnering school(s) to ensure the safety and health of all participants, including reasonable staff-to-student ratios and background clearances for staff.

If the lead applicant is a community organization, college or university, municipality or other eligible entity, and proposes to serve *seven or more children under the age of 13* beyond school hours, whether in a school building or other location, the applicant must obtain School-Age Child Care (SACC) registration in accordance with New York State Office of Children and Family Services (OCFS) Regulations at 18 NYCRR Part 414.

If the lead applicant is an LEA intending to provide services at a location other than the school building, and proposes to serve *seven or more children under the age of 13* beyond school hours, the applicant must obtain School-Age Child Care (SACC) registration in accordance with New York State Office of Children and Family Services (OCFS) Regulations at 18 NYCRR Part 414.

Whether a program operates in a school building or community site, it must meet SACC requirements pertaining to buildings and equipment, discipline, fire protection and safety,

sanitation, staff background checks and clearances, staff to child ratios, staff credentials, staff training and supervision of children and youth. Programs with a mixture of children and youth under and over 13 years of age must complete the SACC registration process and all children and youth, including those over 13 years of age, will be considered part of the program. This provision applies to out of school time programs operated by any entity other than an LEA, whether situated in schools or community locations.

If the community partner is working with the LEA in the school building **during mandatory school hours**, a SACC license is not required during that time.

Applicants are urged to contact the OCFS Bureau of Early Childhood Services (BECS) regional office (Appendix 4) for SACC registration information and to consult with their local childcare resource and referral agency. This registration process must be completed and a copy of the SACC license must be submitted to NYSED prior to receiving 21st CCLC funds and prior to providing services to students. Applicants are encouraged to notify the appropriate regional OCFS office of their intent to seek registration once proposed sites have been identified. This will expedite the approval process subsequent to award notification.

Applicants selected for funding must submit a copy of the SACC license before the full 21st CCLC program can begin operation. If available, applicants are strongly encouraged to upload a current SACC license or OCFS confirmation of receipt of application with their 21st CCLC proposal. A valid SACC license must be submitted to NYSED no later than 90 days after notification of tentative award. Applicants that fail to meet this deadline waive their right to interest payments under the Prompt Contracting Law.

NYSED CONSORTIUM POLICY FOR STATE AND FEDERAL DISCRETIONARY GRANT PROGRAMS

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

1. The partnership/consortium must designate one of the applicants/participants to serve as the applicant and fiscal agent for the grant. The applicant agency must be an eligible grant recipient. All other consortium members must be eligible grant participants, as defined by the program statute or regulation.
2. In the event a grant is awarded to a partnership/consortium, the grant or grant contract will be prepared in the name of the applicant agency/fiscal agent, not the partnership/consortium, since the group may not be a legal entity.
3. The applicant agency/fiscal agent must meet the following requirements:
 - Must be an eligible grant recipient as defined by statute;
 - Must receive and administer the grant funds and submit the required reports to account for the use of grant funds;
 - Must require consortium partners to sign an agreement with the fiscal agent that specifically outlines all services each partner agrees to provide.

- Must be an active member of the partnership/consortium, except where SUNY or CUNY Research Foundations are the fiscal agent.
- Cannot act as a flow-through for grant funds to pass to other recipients. NYSED has established a minimum level of direct service of 15% to be provided by the fiscal agent.
- Is PROHIBITED from sub-granting funds to other recipients. The fiscal agent is permitted to contract for services with other consortium partners or consultants to provide services that the fiscal agent cannot provide itself.
- Must be responsible for the performance of any services provided by the partners, consultants, or other organizations and must coordinate how each plan to participate.

NUTRITIONAL SERVICES

21st CCLC funds may not be used for nutritional services such as daily snacks for participants. However, for the benefit of the children being served, applicants are strongly encouraged to include such services as part of a comprehensive program. Many programs will be eligible to receive funds through the U.S. Department of Agriculture (USDA) Food and Nutrition Service for after-school snacks and, in some cases, to provide meals. For more information concerning the availability of these resources for coordination with 21st CCLC programs, please refer to the Department's 21st CCLC web page: http://www.p12.nysed.gov/sss/21stCCLC/onlinetechassistance.html#Nutrition_Resources.

Limited food items may be purchased for special program activities such as cooking classes and field trips. See the Unallowable Expenditures section of this RFP for additional information.

REPORTING REQUIREMENTS

Each recipient of funds under this RFP will be required to submit a mid-year report each year by January 31 to the State Education Department in a format to be provided by the Department. Reporting elements include but are not limited to:

- Summary of program activities; and.
- Progress made toward achieving the goals and objectives in each of the three components of the program: academic enrichment, youth development and literacy services to participant's families.

Each grantee must also submit Evaluation reports to the State Education Department as per the Evaluation Manual.

The Annual Performance Report (APR) is the federally required web-based reporting system. Grantees will be responsible for periodic entry of data directly into this system. The purpose of the APR is to collect data that addresses the performance indicators established through the federal Government Performance and Results Act (GPRA) for the New York 21st Century

Community Learning Center program (Appendix 6). APR measures of participants' progress include:

- Percentage whose Math/English grades improved from fall to spring.
- Percentage that meet or exceed the proficient level of performance on State Assessments in reading/language arts and mathematics.

Grantees must continually evaluate their program's progress toward the objectives identified in the federal APR as well as any others they have set for themselves

The Network for Youth Success Quality Self-Assessment (QSA) Tool will be used by each program site two times each year. The QSA process should include representatives of all stakeholders involved in the program. Although the QSA Tool is not considered to be an evaluation tool, the feedback from the QSA contributes to program improvement planning and the overall understanding of factors that could impact positive outcomes of the program. The QSA tool and User's guide are available at: <http://networkforyouthsuccess.org/qsa/>.

BUDGET

The grant award period is anticipated to begin on July 1, 2017 and end on June 30, 2022. The initial project period will be July 1, 2017 through June 30, 2018. Applicants must submit an FS-10 budget and the Composite Budget with this application, for the initial 12 month project period of 7/1/17 – 6/30/18. The 12 month budget will be reviewed and scored. Beginning July 1, 2017 through June 30, 2022, programs will be awarded annual funds based on their 2017-18 budget.

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

Grant funds must be used to supplement and not supplant existing activities and services.

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

The amount of 21st CCLC funds requested, divided by the maximum anticipated number of students served, must not exceed an annual amount of \$1,600 per student. **Application budgets that exceed the \$1,600 maximum annual allowable cost per student will not be reviewed.**

The budget should be reasonable and appropriate to cover program expenses, including any student transportation. Budgets must include travel and lodging for at least three persons to attend one two-day and one one-day regional professional development events each year.

Please remember that travel costs for program employees, busing, field trips and admission fees should be itemized under Travel Expenses; travel for consultants should be itemized under Purchased Services.

Administrative Cost Cap

Administrative costs can be direct or indirect. No more than 10 percent of the total annual award may be used for administrative costs for school or agency administrative or support staff who do not provide direct service to participants in the program but whose cost can be identified and directly associated with the program. One example is the cost of a principal required to remain in the building during program hours.

The 10% administrative cap is inclusive of indirect costs. The Program Director salary is not included in the 10% administrative cap. For the purpose of this RFP, program space rental and school usage fees are also considered a direct cost and are not included in the 10% administrative cap.

Indirect Cost Cap

LEAs and not-for-profits may include indirect costs in the budget. For-profits **cannot** include indirect costs. Indirect costs are costs of activities that benefit more than one program or objective and, therefore cannot be readily assigned to only one specific program or objective. Indirect costs are generally classified under functional categories such as general maintenance and operation expenses, general office and administration expenses, general overhead expenses and other allowable general expenses.

- **School districts and BOCES** must use the restricted indirect cost rates calculated by the State Education Department.
- **Community-Based Organizations (CBOs), Charter Schools and Municipalities** must prepare their budgets using an indirect cost rate of up to 2.6 percent. If they are notified that they have been selected to receive a 21st Century funding award, they may apply for a higher indirect cost rate of up to 8 percent, bearing in mind the 10% administrative cap, by completing and submitting an FS-87-R Form to the Department. Note that approval for a higher indirect cost rate must be requested and approved each year. The Form may be obtained by calling Grants Finance at 518-474-4815.
- **Colleges and Universities** may use an indirect cost rate of up to 8 percent.

For more information, visit the website

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

Planning and Professional Development Cost Cap

No more than 5 percent of the total annual award may be used for collaborative planning and professional development related directly to 21st CCLC programs.

Program Evaluation Cost Cap

No more than 8 percent of the total annual award may be used for independent program evaluation.

Minimum Direct Service Level Participation

As stated in the NYSED Consortium Policy, a lead agency cannot act as a flow-through for grant funds to pass to other recipients. NYSED has established a minimum level of direct service of 15% to be provided *by the lead fiscal agent*. Services provided by partners or vendors of the lead fiscal agent may not be applied to the 15% minimum direct service. Direct services by the lead fiscal agent can include costs connected with the Program Director, teachers, activity leaders, rent for program space and school usage fees, program supplies and materials, the provision of specific activities for students and families, travel for student trips, etc. Administrative and professional development costs to the lead fiscal agent do not qualify as direct services to students. No portion of Purchased Services may be considered a direct service by the lead agency.

Allowable Costs

To be considered allowable for reimbursement, costs must meet all requirements above as well as the following general criteria:

- Be necessary and reasonable for proper and efficient operation of the program.
- Be permissible under applicable state and/or federal laws and regulations.
- Conform to any limitations or exclusions set forth in these guidelines, laws or regulations, or other governing limitations as to types or amounts of cost items.
- Be the net amount after applying all applicable credits, such as purchase discounts, project-generated income, and adjustments of overpayments.
- Must not be included as a cost in any other project or grant.

Unallowable Costs

Unallowable expenditures include, but are not limited to:

- planning expenses prior to grant start date,
- daily nutritional services for participants,⁵
- food or refreshments for staff meetings,
- purchase of vehicles or facilities,
- incentives of any kind,⁶

⁵ Limited food items may be purchased for special program activities such as cooking classes, field trips, and special events that are reasonable and necessary to meet the goals and objectives of the grant. Grantees must make a compelling case prior to incurring the food expense that the unique circumstances they have identified would justify these costs as reasonable and necessary. Generally, there is a very high burden of proof to show that paying for food and beverages with Federal funds is necessary to meet the goals and objectives of a Federal grant.

- major remodeling or new construction,
- expenses that would supplant already existing activities and services, and
- any expenditures that do not contribute to achievement of the goals and objectives of the program.

PROGRAM INCOME

The intent of the 21st CCLC program is to establish programs that offer academic enrichment, youth development and literacy services to low-income students and their families. Although not specifically prohibited by federal law or program regulations, NYSED strongly discourages charging fees to these low income children and families. Programs proposing fees must offer a sliding scale of fees and scholarships for those who cannot afford to participate.

If a grantee earns any program income, the income **MUST** be used to reduce the amount of the grant award and defray current grant expenditures unless **PRIOR** approval is requested and received from NYSED. If a grantee wishes to earn program income for grant program activities without decreasing the amount of grant funds received from NYSED, the grantee must submit a written request and receive approval from NYSED and The U.S. Department of Education **PRIOR** to earning any program income. The request must describe the activities from which program income will be earned and the anticipated time period during which the income will be earned, as well as a statement that the program income will be added to the total grant, and expended for approved grant activities before claiming expenditures for such activities from NYSED. NYSED will then review the request and either approve or disapprove it.

In addition, grantees must report all program income to NYSED. NYSED will deduct program income from the grant award unless NYSED gave the grantee prior approval to add the program income to their grant.

For further information on the treatment of program income, see <http://www.oms.nysed.gov/cafe/guidance/Guide.html#Eleven>

BUDGET ADJUSTMENTS IN THE EVENT OF SHORTFALLS IN PARTICIPATION GOALS

Grantee will furnish NYSED with a roster of participants served in its program and the hours of participation for each participant as of June 30th in each program year in a format to be provided by the NYSED program office. This roster is due by July 15th. For the purposes of this RFP, students must attend the program for a minimum of 30 hours in the program year to be considered a participant.

⁶ Incentives may include, but are not limited to, participation t-shirts, tickets to movies or shows, gift certificates, trophies, ribbons, medals, food items, field trips offered only to students achieving at a particular level (e.g. perfect attendance or high honors trips), or any gift intended to increase participation in the 21st CCLC program. These items should not be charged to grants because they are not necessary and reasonable for the proper administration of the grant. In addition, the State Comptroller has determined that "favors" represent gifts of public funds which are unallowable under the State Constitution.

Note: The federal legislative intent of the 21st Century Community Learning Centers program is that students attend the program for at least 30 *days* (or 90 hours) each year. Students meeting this threshold are considered “regular attendees” for the purpose of 21st CCLC APR reporting. This is separate from the participant definition established for the purposes of this RFP.

Non-Profit

In grant years two through five, if less than 95% of the student participation target set forth in the 2017-2018 application’s Participating Schools Form and reflected in the Composite Budget has met the minimum threshold of at least 30 hours to be considered a participant for the purposes of this RFP, the grantee's budget will be proportionately reduced by the amount of the percentage deficiency. For example, if 94% of the projected participants have attended 30 hours or more, the grantees budget will be reduced by 1% in the year of the deficiency. In the event of a shortfall in participation goals, grantees will be required to submit a budget amendment (FS10A) to indicate from which budget categories the reduction will be taken. The Final expenditure Report (FS10F) will then need to reflect this reduced budget amount when it is submitted by September 30 following each program year. This budget reduction will affect the fiscal year for which the attendance was reported, not the subsequent year. The following year’s budget amount will return to the original annual grant award. There will be no fiscal impact in year one.

For-Profit

In grant years one through five, if less than 95% of the student participation target set forth in the 2017-2018 application’s Participating Schools Form and reflected in the Composite Budget has met the minimum threshold of at least 30 hours per participant, the grantee's budget will be proportionately reduced by the amount of the percentage deficiency. For example, if 94% of the projected participants have attended for 30 hours or more, the grantees budget will be reduced by 1% in the year of the deficiency.

School Year/Summer Unduplicated Count

The program year extends from July 1 to June 30. An individual student may only be counted only once for enrollment and participation reporting purposes during that program year, even if that student participates in both summer and school year programs.

PAYEE INFORMATION FORM/NYSED SUBSTITUTE W-9 FORM

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 specifics 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. An on-line version of the packet is available at <http://www.oms.nysed.gov/cafe/forms/PIform.pdf>.

PREQUALIFICATION FOR INDIVIDUAL APPLICATIONS

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

Proposals received from not-for-profit applicants that have not Registered and are not Prequalified in the Grants Gateway by 5:00pm on the proposal due date of on November 21, 2016, cannot be evaluated. Such proposals will be disqualified from further consideration.

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

a. Register for the Grants Gateway.

- On the Grants Reform Website, download a copy of the [Registration Form for Administrator: http://grantsreform.ny.gov/sites/default/files/RegistrationFormforAdministratorfillable.pdf](http://grantsreform.ny.gov/sites/default/files/RegistrationFormforAdministratorfillable.pdf). A signed, notarized original form must be sent to the Division of Budget at the address provided in the instructions. You will be provided with a Username and Password allowing you to access the Grants Gateway.
- If you have previously registered and do not know your Username please email grantsreform@budget.ny.gov . If you do not know your Password please click the [Forgot Password: https://grantsgateway.ny.gov/IntelliGrants_NYSGG/PersonPassword2.aspx?Mode=Forgot](https://grantsgateway.ny.gov/IntelliGrants_NYSGG/PersonPassword2.aspx?Mode=Forgot) link from the main log in page and follow the prompts.

b. Complete your Prequalification Application.

- Log in to the [Grants Gateway: https://grantsgateway.ny.gov/IntelliGrants_NYSGG/login2.aspx](https://grantsgateway.ny.gov/IntelliGrants_NYSGG/login2.aspx). **If this is your first time logging in**, you will be prompted to change your password at the bottom of your Profile page. Enter a new password and click SAVE.
- Click the *Organization(s)* link at the top of the page and complete the required fields including selecting the State agency you have the most grants with. This page should be completed in its entirety before you SAVE. A *Document Vault* link will become available near the top of the page. Click this link to access the main Document Vault page.
- Answer the questions in the *Required Forms* and upload *Required Documents*. This constitutes your Prequalification Application. Optional Documents are not required unless specified in this Request for Proposal.

- Specific questions about the prequalification process should be referred to your agency representative at prequal@nysed.gov or to the Grants Reform Team at grantsreform@budget.ny.gov.

c. **Submit Your Prequalification Application**

- After completing your Prequalification Application, click the **Submit Document Vault Link** located below the Required Documents section to submit your Prequalification Application for State agency review. Once submitted the status of the Document Vault will change to *In Review*.
- If your Prequalification reviewer has questions or requests changes you will receive email notification from the Gateway system.
- Once your Prequalification Application has been approved, you will receive a Gateway notification that you are now prequalified to do business with New York State.

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

CONTRACT TERMS AND CONDITIONS

Grant awards to non-profit and for-profit organizations will require that the awardee enter into a grant contract, the form of which is contained in an attachment to this RFP. In addition to being signed by the awardee and NYSED Counsel, the contract will need to be submitted for review and approval by the NYS Attorney General and the Office of the State Comptroller. All provisions of this RFP are subordinate to the terms and conditions of the grant contract. The contents of this RFP, any subsequent correspondence related to final contract negotiations, and such other stipulations as agreed upon may be made a part of the final contract developed by NYSED.

VENDOR RESPONSIBILITY

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

For a complete list, see: http://www.osc.state.ny.us/vendrep/resources_docreq_agency.htm.

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

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

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

Subcontractors:

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

- the subcontractor is known at the time of the contract award;
- the subcontractor is not an entity that is exempt from reporting by OSC; and
- the subcontract will equal or exceed \$100,000 over the life of the contract.

WORKERS' COMPENSATION COVERAGE AND DEBARMENT

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

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

Under provisions of the 2007 Workers' Compensation Reform Legislation (WCL Section 141-b), any person, or entity substantially owned by that person: subject to a final assessment of civil fines or penalties, subject to a stop-work order, or convicted of a misdemeanor for violation of Workers' Compensation laws Section 52 or 131, is barred from bidding on, or being

awarded, any public work contract or subcontract with the State, any municipal corporation or public body for one year for each violation. The ban is five years for each felony conviction.

Proof of Coverage Requirements

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

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

Proof of Workers' Compensation Coverage

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

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

Proof of Disability Benefits Coverage

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

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

For additional information regarding workers' compensation and disability benefits requirements, please refer to the New York State Workers' Compensation Board website at: <http://www.wcb.ny.gov/content/main/Employers/busPermits.jsp> 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.

MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISE (M/WBE) PARTICIPATION GOALS PURSUANT TO ARTICLE 15 OF THE NEW YORK STATE EXECUTIVE LAW

(Please see corresponding forms at the end of this document)

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

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

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

M/WBE participation includes services, materials, or supplies purchased from minority and women-owned firms certified with the NYS Division of Minority and Women Business Development. Not-for-profit agencies are not eligible for this certification. For additional information and a listing of currently certified M/WBEs, see <https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp?TN=ny&XID=4687>

The M/WBE participation goal for this grant is 30% of each applicant's total discretionary non-personal service budget each year. Discretionary non-personal service budget is defined as total annual budget, excluding the sum of funds budgeted for:

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

For the purposes of the 21st CCLC grant, the salary and fringe benefit exclusion applies to the expenses of the lead applicant as well as any approved partner organizations. For multi-year grants, applicants should use the total budget for Year 1 in the above calculation. The M/WBE Goal Calculation Worksheet is provided for use in calculating the dollar amount of the M/WBE goal for this grant application.

All requested information and documentation should be provided at the time of submission. If this cannot be done, the applicant will have thirty days from the date of notice of award to

submit the necessary documents and respond satisfactorily to any follow-up questions from the Department. Failure to do so may result in loss of funding.

METHODS TO COMPLY

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

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

COMPLETE FORMS:

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

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

COMPLETE FORMS:

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

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

COMPLETE FORMS:

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

GOOD FAITH EFFORTS

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

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

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

REQUEST FOR WAIVER

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

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

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

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

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

ENTITIES' RESPONSIBILITY

Projects must operate under the jurisdiction of the local board of education, or other appropriate governing body, and are subject to at least the same degree of accountability as all other expenditures of the local agency. The local board of education, or other appropriate governing body, is responsible for the proper disbursement of, and accounting for project funds. Written agency policy concerning wages, mileage and travel allowances, overtime compensation, or fringe benefits, as well as State rules pertaining to competitive bidding, safety regulations and inventory control must be followed. Supporting or source documents are required for all grant related transactions entered into the local agency's recordkeeping 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.

For additional information about grants, please refer to the Fiscal Guidelines for Federal and State Aided Grants, <http://www.oms.nysed.gov/cafe/guidance/>.

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.

REVIEW AND RATING OF APPLICATIONS

Proposals received after the due date will not be reviewed. Only the first 25 pages of an application's program narrative will be reviewed. The allowed 25 page limit includes the "Template for Goals and Objectives Based on 21st Century Community Learning Centers Performance Indicators" and charts or graphs used to display numerical data or activity schedules. Other types of charts are not allowed and will not be reviewed.

The State Education Department will administer a peer review process of proposals that includes the following components:

- Screening of all proposals to verify eligibility for 21st Century funding and for priority points.
- Recruitment, selection and assignment of peer reviewers to ensure reviewer experience, expertise, diversity, confidentiality, and the avoidance of conflicts of interest.

Each accepted application will be reviewed and rated by two reviewers according to the points indicated in the Scoring Evaluation Rubric (Appendix 2). Scores from each reviewer will be averaged to compute the final score. If there is a difference of more than 15 points between the two reviewer's scores, a third reviewer will review the application and the two closest scores will be averaged to compute the final score, unless it is mathematically impossible for an applicant to achieve an average score of 75 or higher with a third review. In those instances where the third review falls equally between the initial two scores, the score of the third review will be used as the final score.

Budgets will be reviewed and included in the Scoring Evaluation Rubric. Only proposed expenditures which are consistent with the purposes and goals in the grant application will be funded. If any inappropriate and/or unallowable items are included in the budget, they will be deleted and the budget will be reduced accordingly.

An application (except from a for-profit applicant – see next section “For-Profit Applicants”) must receive a final average score of 75 or higher out of 100 points (not including priority points) to be considered for funding.

Applications will be ranked according to final average score plus priority points from highest to lowest in one of the following three geographic areas:

- New York City (within NYC, applications will initially be ranked by borough, based on the home borough of the majority of the students targeted to receive services in NYC)
- Big Four Cities (includes Buffalo, Rochester, Syracuse, Yonkers)
- Rest of State

Funds will be allocated to each geographic area as follows: 55 percent to New York City; 15 percent to the big four cities of Buffalo, Rochester, Syracuse and Yonkers; and 30 percent to the Rest of the State. Placement of applicants into one of these three geographic areas will be based on the home region of the majority of students targeted to receive services: New York City, Big Four Cities, or Rest of State.

In NYC, up to three top-ranking applications will first be awarded within each of the five boroughs, provided they have a final average score of 75 or more excluding priority points. Awards to fundable applications in Big Four Cities, Rest of State, and remaining fundable applications in NYC will be made within each geographic area in rank order of score until the total amount of funds set aside for that area are insufficient to fully fund the next ranking fundable application in that area. If funds remain in a geographic area after awards are made to all applicants who score 75 or higher, the funds will be redistributed proportionately to the other area(s).

If there are insufficient funds to award the next ranked applicant in full, the applicant will be given the option of receiving partial funding for a reduced program.

In the event of a tie score, the score on the following parts of the Proposal Narrative will be used to determine the higher ranking:

- The score on item 3; Key Elements of Program Design, and if still tied;
- The score on item 2; Need for Project.

If still tied, the application with the highest average free and reduced lunch rate (free lunch rate in NYC) of the school(s) will be ranked higher.

Prior to final award, NYSED program staff will meet with potential lead agency awardees that have not administered a grant with NYSED in the past, and those agencies that have had prior A-133 audit findings in relation to 21st CCLC funding to confirm agency capacity to administer the 21st CCLC grant. The purpose of this meeting is for NYSED to clearly articulate the fiscal requirements of the grant.

FOR-PROFIT APPLICANTS

Up to \$1,200,000 will be set aside per year to be shared among for-profit awardees. Each for-profit applicant is limited to a minimum annual award of \$50,000 and a maximum annual award of \$400,000. Applications from for-profit organizations will be reviewed and ranked separately from all other applicants. Each eligible application from a for-profit organization must receive a minimum technical score of 60 points (out of a possible 80 points) in the peer review process using the point scales indicated in the first four sections of the Scoring Evaluation Rubric (Appendix 2) to be eligible for the objective cost scoring phase. The remaining 20 points allowable for the “Adequacy of Resources” section which addresses the proposed budget will be scored separately according to cost criteria (total annual budget divided by total number of students to be served not to exceed \$1,600) by the NYSED’s Contract Administration Office.

The final score awarded will be the total of the final average technical score (up to 80 points), the “Adequacy of Resources” or cost score (up to 20 points) and priority points, if applicable.

The submitted budget will be awarded points pursuant to a formula which awards the highest score of 20 points to the budget that reflects the lowest overall cost per student. The remaining budgets will be awarded points based on a calculation that computes the relative difference of each proposal against the lowest budget submitted. The resulting percentage is then applied to the maximum point value of 20 points.

For-profit applicants will be ranked separately from all other applicants according to their final score from highest to lowest. For-profit applicants will not be separated into three separate geographic regions.

Awards will be made to for-profit applicants in rank order of score until an insufficient amount of the \$1,200,000 set aside for for-profit applicants is available to fund the next ranking for-profit applicant in full. The next ranked applicant after that will be given the opportunity to operate a smaller program using the remaining funds allocated to for-profit applicants. In the case of a tie score, the applicant with the lower cost per student will be ranked higher. After that, any unused for-profit funding will be distributed proportionally by geographic region to the next ranked unfunded non-profit applicant who achieves a minimum passing score.

DEBRIEFING PROCEDURES

All applicants may request a debriefing within fifteen (15) calendar days of receiving notice of non-award from NYSED. Applicants may request a debriefing on the selection process regarding this Grant by emailing the request to 21CRFP@nysed.gov.

If requested, a debriefing letter including a summary of the strengths and areas for improvement of the application will be provided to the applicant within fifteen (15) business days.

AWARD PROTEST PROCEDURES

Applicants who receive a notice of non-award may protest the NYSED award decision subject to the following:

1. The protest must be in writing and must contain specific factual and/or legal allegations setting forth the basis on which the protesting party challenges the contract award by NYSED.

2. The protest must be filed within ten (10) business days of receipt of the notice of the written debriefing letter. The protest letter must be filed with:

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

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

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

APPLICATION SUBMISSION INSTRUCTIONS

A Notice of Intent must be submitted via the FluidReview Portal at: <https://nysed-expandedlearning.fluidreview.com/>. The due date is October 31, 2016. If a Notice of Intent is not submitted by the due date of October 31, the grant application will not be eligible for review.

Complete grant applications must be submitted via the FluidReview portal no later than November 21, 2016 at 12:00 p.m.

Applications submitted via mail will not be considered during review and rating of applications. Only those items listed below should be mailed to NYSED.

To get started using the portal, go to <https://nysed-expandedlearning.fluidreview.com/>. Register on the right hand side of the page. To sign in after registering, click on the URL in the confirmation email sent via email, or copy and paste the URL into a web browser. (The "Owner" of the account will be able to grant "full" or "read only" access rights to others on the applicant's RFP development team.)

Upon sign-in as a new applicant, applicants will be directed to a set of required tasks associated with proposal submission. After completion of all of the required tasks, applicants must click on the 'Submit' button at the bottom of the page to complete their proposal.

In addition to the electronic application submission, one (1) copy of all pages that require an original signature in blue ink, plus two (2) additional copies of the FS-10 2017-18 Proposed Budget must be postmarked by November 21, 2016 and mailed to:

New York State Education Department
Grants Management
89 Washington Avenue
Room 481 EBA
Albany, NY 12234

The mailed application packet should include all of the following items. **Each of these items requires an original signature in blue ink.** Please compile your mailed application packet in the following order. Include one original for each of the following:

- Application Cover Page
- FS-10 Budget plus three (3) additional copies
- Payee ID Form. Note: Payee ID Form may not be required from your agency. (It is not required if applicant is an LEA, for example.) Please follow the instructions on the form.

APPLICATION CHECKLIST

A complete application consists of all of the following items submitted in the following order.

***Required Document: Failure to submit this document will result in immediate disqualification of the application.**

Required Tasks and Documents	Submitted via FluidReview	Submitted via Postal Mail
Not-for-profit applicants have received Pre-Qualification status in Grants Gateway. (See Prequalification for Individual Applications section of RFP.) Required of not-for profit applicants. If not prequalified by the deadline, a not-for-profit applicant will be disqualified.	N/A	N/A
Applicant has completed the Vendor Responsibility Questionnaire. (See Vendor Responsibility section of the RFP. If required.)	N/A	N/A
*Application Cover Page (with original signatures in blue ink)	<input type="checkbox"/>	<input type="checkbox"/>
Payee Information Form/NYSED Substitute W-9 Form (if required) See: http://www.oms.nysed.gov/cafe/forms/Plform.pdf	<input type="checkbox"/>	<input type="checkbox"/>
*Program Summary Form	<input type="checkbox"/>	N/A
*Participating Schools Form	<input type="checkbox"/>	N/A
*Private School Consultation Form	<input type="checkbox"/>	N/A
*Partnering Agencies Form	<input type="checkbox"/>	N/A
*Program Site(s) Form	<input type="checkbox"/>	N/A
*Program Narrative	<input type="checkbox"/>	N/A
*FS-10 Budget (July 1, 2017 to June 30, 2018) signed in blue ink plus 3 additional copies. Applications containing budgets that reflect a total annual amount that when divided by the number of students to be served exceeds \$1,600 will not be reviewed.	<input type="checkbox"/>	<input type="checkbox"/>
*Composite Budget (Appendix 8)	<input type="checkbox"/>	N/A

<p>*Partnership Agreement(s) (Appendix 1) Uploaded Partnership Agreements must be signed by all relevant parties Applications containing Partnership Agreements that do not include all required signatures will not be reviewed. At minimum, Partnership Agreements must be signed by all participating Superintendents, School Principals, and representatives of all agencies listed on the Partnering Agencies form.</p>	<input type="checkbox"/>	N/A	
<p>Current SACC License or confirmation of receipt of SACC License application.(SED strongly encourages applicants to submit the license with their application, if applicable. A valid SACC license must be submitted to NYSED within 90 days of receipt of a tentative award letter. Tentative awardees who fail to provide a valid SACC license by this deadline waive their right to interest payments under the Prompt Contracting Law.)</p>	<input type="checkbox"/>	N/A	
<p>Proof of Workers Compensation Coverage (if required)</p>	<input type="checkbox"/>	N/A	
<p>Proof of Disability Benefits Coverage (if required)</p>	<input type="checkbox"/>	N/A	
<p>Application Checklist is for applicant use only. Please do not submit.</p>	N/A	N/A	
<p>M/WBE Documents Package</p> <p>(All required M/WBE forms must be submitted via FluidReview and should not be submitted via postal mail).</p> <p style="text-align: center;"> <input type="checkbox"/> Full Participation <input type="checkbox"/> Request Partial Waiver <input type="checkbox"/> Request Total Waiver </p>			
Forms Required			
Type of Form	Full Participation	Request Partial Waiver	Request Total Waiver
Calculation of M/WBE Goal Amount	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M/WBE Cover Letter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M/WBE 100 Utilization Plan	<input type="checkbox"/>	<input type="checkbox"/>	N/A
M/WBE 102 Notice of Intent to Participate	<input type="checkbox"/>	<input type="checkbox"/>	N/A

M/WBE 105 Contractor's Good Faith Efforts	N/A	<input type="checkbox"/>	<input type="checkbox"/>
M/WBE 101 Request for Waiver Form and Instructions	N/A	<input type="checkbox"/>	<input type="checkbox"/>
EE0 100 Staffing Plan and Instructions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>SED Comments:</p> <p>Has the applicant complied with the application instructions? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>SED Reviewer: _____ Date: _____</p>			

Application Number*
21C- _____

**Assigned in FluidReview*

**The University of the State of New York
THE STATE EDUCATION DEPARTMENT
Albany, NY 12234**

2017-2022 21st Century Community Learning Centers Program

APPLICATION COVER PAGE

NYSED Assigned BEDS or Agency Code

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Name of Applicant Agency		
Address		
City	County	Zip Code
Contact Person	Telephone ()	
E-Mail Address	FAX ()	

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-1 G 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.

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

Primary Grant Writer*	
Name:	Agency:

**The contracted independent evaluator may not be the primary grant writer of this proposal.*

PROGRAM SUMMARY FORM (to be completed via the FluidReview portal)

Please provide the following information regarding the Lead Applicant Agency, as well as its prior and current after school program funding status, A-133 audit requirement status and findings, partners and services to be provided.

Program Summary Form

Lead Applicant Agency Information

Legal Name

Address

City

State

Zip

BEDS or Agency Code

Contact Person

Telephone

Email Address

Grant Writer

Grant Writer's Agency/Organization

Prior 21st CCLC Status

	N/A	Prior	Current	Award End Date
Federally Administered Award - Award Ended (provide date)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
Round 1 State Administered Award - Award Period ended (provide date)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
Round 2 State Administered Award - Award Period ended (provide date)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
Round 3 State Administered Award - Award Period ended (provide date)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
Round 4 State Administered Award - Award Period ended (provide date)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>

Save & Continue Editing

PARTICIPATING SCHOOLS FORM (to be completed via the FluidReview portal)

Please list all schools attended by the students you propose to serve. All information, including school building name, BEDS code, public or nonpublic status, total enrollment, and the number and grade level of students to be served by this application must be provided in full. Applicants proposing use of funds during the school day must also provide information regarding hours of mandatory non-mandatory instruction.

Participating Schools Form

Please list all schools attended by the students you propose to serve. All information must be provided in full.

School Building #1

School Building Name

Public/Nonpublic Public Nonpublic

BEDS Code

Total Enrollment

Students to be served by this proposal

Grade levels to be served by this proposal Pre-Kindergarten Kindergarten 1st Grade 2nd Grade 3rd Grade 4th Grade 5th Grade 6th Grade 7th Grade 8th Grade 9th Grade 10th Grade 11th Grade 12th Grade High School Noncompleters Other

School Building #2

School Building Name

Public/Nonpublic Public Nonpublic

BEDS Code

PRIVATE SCHOOL CONSULTATION FORM (to be completed via the FluidReview portal)

Students who attend private schools in the area to be served by the proposed program are eligible to participate. If any private schools are located in the area to be served, the applicant is expected to consult with the private school officials during the design and development of the program on issues such as needs identification, services to be offered, service delivery, program assessment, and scope and size of services to be provided to private school students.

Private School Consultation Form

Students who attend private schools in the area to be served by the proposed program are eligible to participate. If any private schools are located in the area to be served, the applicant is expected to consult with the private school officials during the design and development of the program on issues such as needs identification, services to be offered, service delivery, program assessment, and scope and size of services to be provided to private school students.

Did any private schools located in the area that could be served by the proposed program decline participation in the program?

- Yes. There are private schools located in the proposed program area that declined participation.
- No. All private schools located in the proposed program area have agreed to participate.
- No. There are no private schools located in the proposed program area.

If yes, list all private schools that were consulted but declined the opportunity to have their students participate. In the second column, print the name, title and phone number of the school that was consulted. In the third column, provide the date(s) and type(s) of consultation (e.g., face-to-face meeting, e-mail, fax, telephone call, letter and videoconference) and the reason(s) for declining. Private schools whose students will participate in the program should be listed on the Participating Schools Form.

	Private School Name	Name of School Official	Phone Number of School Official	Dates/Types of consultation and reason(s) for declining participation.
1	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
2	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
3	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
4	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Save & Continue Editing

Save & Exit

PARTNERING AGENCIES FORM (to be completed via the FluidReview portal)

List the name, address and contact person for each partnering agency. Each of these agencies **must** sign a Partnership Agreement which must be submitted with this application. Scanned and uploaded partnership agreements are acceptable and preferred. **NOTE:** An individual, agency, organization or other entity that only provides products or services, and is not otherwise responsible for or involved in the planning and implementation of the program, is considered to be a *vendor*, not a *partner*, and would not require a Partnership Agreement.

Partnering Agencies Form

List the name, address and contact person for each partnering agency. Each of these agencies must sign a Partnership Agreement which must be submitted with this application. NOTE: An individual, agency, organization or other entity that only provides services is considered to be a vendor, not a partner, and would not require a Partnership Agreement.

Partnering Agency #1 (required)

Name of Agency/School	<input type="text"/>
Address	<input type="text"/>
Contact Person	<input type="text"/>
Phone	<input type="text"/>
Email	<input type="text"/>

Partnering Agency #2 (optional)

Name of Agency/School	<input type="text"/>
Address	<input type="text"/>
Contact Person	<input type="text"/>

PROGRAM SITE(S) FORM (to be completed via the FluidReview portal)

Provide information regarding location, hours of operation, students and grade levels to be served and School-Aged Child Care license status for each proposed site.

Program Site(s) Form 0%

Please provide information for each proposed site.

Program Site #1 Address

Location (School or Agency Name):

Address:

City:

State:

Zip:

Phone:

Program Site #1 Hours of Operation

After school (list hours):

Before school (list hours):

During school (list hours):

Weekends (list hours):

PROGRAM NARRATIVE

The Program Narrative cannot exceed 25 double-spaced pages, paginated, using one-inch margins and Times New Roman or Arial standard font in 12-point. Only the first 25 pages of the Program Narrative will be reviewed and scored. The allowed 25 pages includes the “Template for Goals and Objectives Based on 21st Century Community Learning Centers Performance Indicators” and charts to display numerical data or activity schedules. Other types of charts are not allowed. Charts cannot be used for narrative purposes. The Template and charts can be single-spaced, using one-inch margins and Times New Roman or Arial standard font in 12-point.

Please do not submit supplementary materials, including, but not limited to videotapes, publications, press clippings, letters of support from the private or public sector or testimonial letters. They will neither be reviewed nor returned to the applicant.

1) Executive Summary (not to exceed 2 pages) (1 point)

Provide a summary of the 21st CCLC program’s proposed mission, identified key partnership organizations, targeted students and family participants, key design elements and other unique characteristics of the program. Discuss the school(s) and community partner(s) capacity to effectively support and oversee the community learning centers grant. The executive summary should be suitable for sharing by NYSED with the general public including essential stakeholders such as families, students, schools and community.

Scoring Indicators:

- a. Provide a compelling 1-2 sentence mission statement that defines the proposed 21st CCLC program (1 point);
- b. Identify reasons for selecting the target population (0 points);
- c. Outline the program’s key design elements and unique characteristics that address the needs of the target population and the community in which children live and go to school (0 points);
- d. Include a persuasive explanation of the school and partner organization’s capacity to effectively support and oversee the 21st CCLC program (0 points).

2) Need for Project (8 points)

Describe the population to be served by the program and discuss how the proposed program will offer students and families educational and enrichment opportunities that are not currently available. The characteristics of the population and community to be served are essential factors that inform the design of a successful 21st CCLC program, ultimately driving support for student enrollment in the program.

Scoring Indicators:

- a. Describe the reason for the selection of the community and the value of the proposed program in the identified community (2 points);

- b. Identify the specific population of students and families to be served, and any unique needs by sub-group such as students with disabilities, English language learners, and socioeconomic status. Provide current and specific cited data to strongly document students' and families' needs and resources. Data sources may include, but are not limited to, grades and test scores, percentage of students eligible for free and/or reduced lunch, percentage and/or rapid growth of English language learners, attendance, incidence of high-risk behaviors, dropout rates, poverty rates, literacy rates and education levels. Include available results of recent needs assessments, including target population surveys, interviews, and focus groups (4 points);
- c. Describe current gaps in community services and resources, and how the 21st CCLC program will provide services and activities that are not currently available to the target population to be served (2 points).

3) Key Elements of Program Design (20 points)

Provide a description of the proposed program to address the objectives described in Title IV, Part B of the Elementary and Secondary Education Act for the 21st Century Community Learning Centers (21st CCLC) program, as amended by the Every Student Succeeds Act of 2015. Specifically, the proposal should describe how the program design links a cohesive, inter-related set of program activities and content designed to complement one another as well as align with the school day. Activities and content should support goals and objectives designed to address the identified needs of the students and their families, and include opportunities for youth development and enrichment through hands-on project-based activities, service learning, and other experiences not typically offered in the traditional classroom setting. Include key elements of the program design that are innovative or unique to the program's mission and goals and are core to the program's overall design.

Scoring Indicators:

- a. Complete the Template for Goals and Objectives based on the 21st Century Performance Indicators below. Clearly state the program's objectives, activities, performance indicators and measures for each. **Note:** Copy the template (without the instructions) into the body of the program narrative (10 points);

Objective 1: 21st Century Community Learning Centers will offer a range of high-quality educational, developmental, and recreational services for students and their families.		
<u>Sub-Objective 1.1:</u> Core educational services. 100% of Centers will offer high quality services in core academic areas, e.g., reading and literacy, mathematics, and science.		
Program Objective 1.1-1:		
Activities to Support This Program Objective	Performance Indicator(s) of Success	How It Will Be Measured
<u>Sub-Objective 1.2:</u> Enrichment and support activities. 100% of Centers will offer enrichment and youth development activities such as nutrition and health, art, music, technology and recreation.		
Program Objective 1.2-1:		
Activities to Support This Program Objective	Performance Indicator(s) of Success	How It Will Be Measured

<u>Sub-Objective 1.3: Community Involvement.</u> 100% of Centers will establish and maintain partnerships within the community that continue to increase levels of community collaboration in planning, implementing and sustaining programs.		
Program Objective 1.3-1:		
Activities to Support This Program Objective	Performance Indicator(s) of Success	How It Will Be Measured
<u>Sub-Objective 1.4: Services to parents and other adult community members.</u> 100% of Centers will offer services to parents of participating children.		
Program Objective 1.4-1:		
Activities to Support This Program Objective	Performance Indicator(s) of Success	How It Will Be Measured
<u>Sub-Objective 1.5: Extended hours.</u> More than 75% of Centers will offer services at least 15 hours a week on average and provide services when school is not in session, such as during the summer and on holidays.		
Program Objective 1.5-1:		
Activities to Support This Program Objective	Performance Indicator(s) of Success	How It Will Be Measured

Objective 2: Participants of 21st Century Community Learning Center Programs will demonstrate educational and social benefits and exhibit positive behavioral changes.		
<u>Sub-Objective 2.1: Achievement.</u> Students regularly participating in the program will show continuous improvement in achievement through measures such as test scores, grades and/or teacher reports.		
Program Objective 2.1 – 1:		
Activities to Support This Program Objective	Performance Indicator(s) of Success	How It Will Be Measured
<u>Sub-Objective 2.2: Behavior.</u> Regular attendees in the program will show continuous improvements on measures such as school attendance, classroom performance and decreased disciplinary actions or other adverse behaviors.		
Program Objective 2.2 – 1:		
Activities to Support This Program Objective	Performance Indicator(s) of Success	How It Will Be Measured

- b. Demonstrate how the key features that are core to the program's overall design will improve student academic achievement as well as overall student success. Present evidence of success if drawing on existing models, or present research or other information that supports the efficacy of the proposed program design if the program design does not have a precedent; (2 points)
- c. Describe how the activities will be aligned and coordinated with the regular school day and school day teachers, challenging State learning standards, school and district goals, and college and career readiness standards; (2 points)
- d. Describe how the NYS Guidelines for Social and Emotional Development and Learning will be reflected in the proposed program;⁷ (2 points)
- e. Describe how students and parents have been meaningfully involved in planning and design of the program. Include how students and parents will have ongoing, meaningful involvement in planning throughout the duration of the program; (2 points)
- f. Describe how families of participants will be provided ongoing opportunities for meaningful engagement in their children's education, including opportunities for literacy and related educational development. (2 points)

4) Use of Time (10 points)

Describe how the use of time in the 21st CCLC program best meets the identified needs of students and their families and leverages student interest to effect positive impacts on attendance, engagement and academics. Present a clear schedule that ensures the integration of academics, enrichment, and skill development through hands-on experiences that make learning relevant and engaging. Include strategies for recruitment and retention of program participants.

Scoring Indicators:

- a. Describe how the proposed use of time reflects the specific needs and interests of the target population to be served; (3 points)
- b. Present the proposed weekly schedule for each site with times, (including program time scheduled during mandatory school hours if utilizing this option), and locations. Include scheduling for vacation and/or summer programs; (2 points)
- c. Describe procedures for taking individual student attendance on a daily basis. Provide a plan for recording student attendance by time in each activity to meet or exceed the 21st CCLC legislative intent of a minimum of 90 hours per year (30 days per year for three hours per day). Applicants choosing to utilize the 21st CCLC program to expand learning time during the mandatory school day must document procedures for monitoring school day program attendance; (3 points)

⁷ The New York State Guidelines for Social and Emotional Development are available at:
<http://www.p12.nysed.gov/sss/sedl/SEDLguidelines.pdf>

- d. Describe plans for recruitment and retention of students in the program, and expectations for regular student attendance. Recruitment and retention plans should be based on research and best practice. (2 points)

5) Program Management (16 points)

Describe how the applicant will manage the 21st CCLC program in order to meet the needs of the target population including health, nutrition and safety needs, and will ensure equitable access to meet the needs of special populations. Provide a detailed explanation of how all program partners will adhere to mandated data collection and reporting. The applicant should describe time allocation for collaborative planning and professional development for school staff and partnering organizations in order to build strong systems of program delivery.

Scoring Indicators:

- a. Describe the provisions that have been made to access individual student records and to share individual and aggregated student data for the purpose of program evaluation in compliance with applicable laws relating to privacy and confidentiality.; (3 points)
- b. Describe the plan to use the Quality Self-Assessment (QSA) tool twice each year for self-assessment and planning for program improvement; (2 points)
- c. Describe how the program will meet health, nutrition and safety needs of the students; (2 points)
- d. Describe how students will travel safely to and from the center and home; (2 points)
- e. Describe how the program will ensure equitable access to and meet the needs of special populations (e.g., students with disabilities, English language learners). *Note: This is a GEPA requirement, see Appendix 3;* (2 points)
- f. Describe how the program will disseminate information about the center (including its location) to the community in a manner that is understandable and accessible; (2 points)
- g. Describe the plan to provide ongoing relevant professional development and collaborative planning time for teachers, program staff and community partners in alignment with the goals and objectives of promoting quality programming, school and district goals, and college and career readiness. (3 points)

6) Quality of Project Evaluation (10 points)

Present a comprehensive program level evaluation plan that enables ongoing program assessment and quality improvement following the requirements detailed in the NYS 21st CCLC Evaluation Manual.⁸ Describe how evaluation is aligned with the goals, measurable objectives and the expected outcomes of the proposed program and the current Performance Indicators for all 21st Century Community Learning Centers. Explain how students and families will have meaningful involvement throughout the evaluation process to enhance stakeholder investment.

⁸ The 21st CCLC Evaluation Manual can be downloaded here:
<http://www.p12.nysed.gov/sss/21stCCLC/NYSEvaluationManual.pdf>

Scoring Indicators:

- a. Describe the proposed evaluation plan that is aligned with the goals, measurable objectives and expected outcomes of the proposed program as well as the current Performance Indicators for all 21st Century Community Learning Centers; (3 points)
- b. Describe how evaluation data will be used to monitor progress and inform continuous program improvement aligned with the goals of partnering schools, districts and college and career readiness standards; (3 points)
- c. Indicate how students and families will have meaningful involvement throughout the evaluation process; (2 points)
- d. Identify and describe the qualifications of the external evaluator who will provide the grantee with ongoing recommendations for program improvements based on the collection and analysis of data to assess progress toward meeting the program's goals and objectives as per the NYS 21st CCLC Evaluation Manual. (2 points)

7) Organizational Capacity and Quality of the Management Plan (15 points)

Describe the partnering agencies' capacity to administer a successful 21st CCLC grant program and their experience in providing quality expanded learning opportunities for students and families. Discuss the proposed management structure and plan including key staff positions and program oversight. Explain how partnering organizations were chosen, and the unique contributions that each organization brings to the program. Present a preliminary sustainability plan that describes efforts to maintain the program when the 21st CCLC funding term ends.

It is recommended that the program hire a full-time Program Director. In addition, it is recommended that a program staff member is designated to act as Education Liaison in order to facilitate the linkage between the school day and out-of-school time programming.

Scoring Indicators:

- a. Describe the applicant agencies' relevant experience or promise of success in providing 21st CCLC or similar programs that enhance the academic performance, achievement and positive youth development of students, and provide meaningful opportunities for parent and family involvement in the program; (5 points)
- b. Describe the applicant agencies' relevant experience or promise of success in fiscal management and tracking of similarly-sized grant-funded programs, including a plan for regular communication between program and fiscal staff to ensure appropriate monitoring of budget and program expenses, as well as a system of internal controls to ensure alignment of expenses with approved budget; (3 points)
- c. Describe the management structure and responsibilities of key staff positions. If applicable, also describe plans for the recruitment and role of appropriately qualified volunteers; (2 points)
- d. Describe the role of each partnering agency for which there is a customized, signed partnership agreement. The Partnership Agreement should clearly articulate each

partnering agency's specific responsibilities. Explain how and why partnering organizations were chosen; (3 points)

- e. Describe the composition, role and schedule of quarterly meetings of the program advisory committee. Describe how program and partnering administrative staff, school and partnering agency representatives, students, parents and community members will be represented and have meaningful involvement in program design, planning and assessment; (1 point)
- f. Present a preliminary sustainability plan that describes efforts to maintain the program when 21st CCLC funding ends. (1 point)

8) Adequacy of Resources (20 points)**

Explain how the program is cost-effective and purposeful, targets resources properly, and operates with a clear approach to program quality standards.

Scoring Indicators:

- a. Demonstrate that program expenditures are reasonable and are primarily targeted to the provision of direct services to students; (5 points)
- b. Describe the system for tracking costs that are allocated specifically to the 21st CCLC program, and for ensuring that expenses supplement and do not supplant existing activities and services; (4 points)
- c. Describe the partner agencies' commitment of resources for the program, including, but not limited to, facilities, equipment, supplies and in-kind services; (3 points)
- d. Describe how federal, state and local funds will be combined or coordinated for the most effective use of public resources; (3 points)
- e. Applicants must submit an FS-10 budget and the Composite Budget with this application, for the initial 12 month project period of 7/1/17 – 6/30/18. Describe the purpose of funds allocated to each budget category in the FS-10 Budget Form and explain the budget's adherence to funding caps for administration (10%), planning and professional development (5%), and evaluation (8%) and the provision of minimum direct service by lead agency (15%). Describe how Purchased Services are aligned with the objectives and activities of the program. (5 points)

**For-Profits: The submitted budget will be awarded points pursuant to a formula which awards the highest score of 20 points to the budget that reflects the lowest overall cost per student. The remaining budgets will be awarded points based on a calculation that computes the relative difference of each proposal against the lowest budget submitted. The resulting percentage is then applied to the maximum point value of 20 points.

PARTNERSHIP AGREEMENT(S)

All partnering schools, districts and agencies must sign a detailed Partnership Agreement with the applicant agency. A partnership includes significant involvement in planning and ongoing management of the program, as well as specific individual or joint responsibilities for program implementation over the course of the five year grant term. A sample is provided in **Appendix 1** that may be used as a guide.

Partnership Agreements must be signed by principals of all participating schools, superintendents of participating school districts, and authorized representatives of non-LEA partners. Applications containing Partnership Agreements that do not include all required signatures will not be reviewed.

Applicants must develop their own agreements. Customization of the Partnership Agreement will be scored.

All Partnership Agreements should be reviewed and signed on an annual basis.

Note to New York City applicants: All Partnership Agreements must be signed by the Community School District Superintendent.

Appendix 1

SAMPLE PARTNERSHIP AGREEMENT

This template is to assist you in the development of a customized Partnership Agreement. Below are specific responsibilities that must be included in the Agreement. Applicants should use the Sample Partnership Agreement as a starting point in the development of an agreement that reflects the unique contributions and responsibilities of each partner agency in the proposed program. Add additional clauses as necessary to customize and align the agreement with your proposed program. Failure to submit a customized Partnership Agreement will be an indicator that the required collaboration did not occur.

The _____ and _____
(Name of School) (Name(s) of Partnering Agencies)

agree to assume and perform the following roles and responsibilities in the administration of the 21st Century Community Learning Centers program during the 2017-2022 grant term. The goal of this program is to provide a 21st CCLC program of the highest quality for the participating students.

The partnership agreement is comprised of three sections:

- Joint Responsibilities of the School and Partnering Agencies
- Responsibilities of the Partnering Agencies
- Responsibilities of the School

I. Joint Responsibilities of the School and Partnering Agencies

1. Ensure that all procedures and regulations for health, fire, safety, pick-ups, parent consents, transportation, field trips, food, sports-related health exams, insurance, medical and other emergency procedures will be clearly listed and widely disseminated, and that they will conform to applicable local and state standards.
2. Structure and facilitate meaningful communication between the school staff and the 21st CCLC program. Provide on-going opportunities for school staff and 21st CCLC staff to plan, coordinate, and integrate curricular areas with 21st CCLC activities.
3. Hold regularly scheduled advisory meetings (quarterly) between the staff of the partnering agencies, school principal(s) or designee, other appropriate personnel and key stakeholders including students, families and community members to discuss all issues pertaining to the 21st CCLC program. Agenda items will include, but not be limited to effectiveness of program features, student development, and other aspects of program evaluation.
4. Develop mechanisms and opportunities to communicate on a regular basis with both the Parents' Association and the family members of the program's students, including information regarding the 21st CCLC program that is accessible in a public space.
5. Recruit, select, and enroll student participants in the 21st CCLC program and disseminate program information widely.

6. *Add additional clauses as necessary to describe additional project responsibilities shared by the school and partnering agency.*

II. Responsibilities of the Partnering Agencies

1. Communicate and provide information to the school about the 21st Century CCLC program through regularly scheduled meetings.
2. Ensure that School-Age Child Care Registration, if required, is obtained for programs that will serve seven or more children under the age of 13 years.
3. Recruit, hire, and train all program staff in cooperation with the school. The school principal and/or his/her designee will participate in the selection of the full time person responsible for the program.
4. Manage the day-to-day operations of the program, if required, and notify the school of any problems, issues, and concerns in a timely fashion.
5. Track individual student enrollment and attendance and provide that information to the school on a regular basis.
6. Invite designated school staff to attend 21st CCLC staff meetings.
7. Attend school staff meetings as determined by the school principal.
8. Make staff available for in-service training throughout the school year and arrange for appropriate substitute coverage.
9. Work cooperatively with the research and evaluation component of the 21st CCLC program.
10. Ensure the respectful treatment of school property, including replacing property damaged or destroyed by the students or staff of the after-school program, and keeping the spaces used by the after-school program clean. Equipment will be inventoried and labeled.
11. Ensure that all applicable local and state requirements for staff clearances are met.
12. Develop protocol for emergency notification of parents and/or guardians.
13. Establish procedures for the safe-keeping and safe transport of children after program hours.
14. Ensure that there is staff on-site during program hours trained in first aid, CPR and medical emergencies.
15. Maintain appropriate insurance coverage, if required.
16. Provide the lead 21st CCLC agency with all appropriate and requested financial information and reports in a timely fashion.

17. Add additional clauses as necessary to describe additional project responsibilities of the partnering agency.

III. Responsibilities of the School

1. Work cooperatively with the State Education Department independent State-Level Evaluator of the 21st CCLC program. Information requested by evaluators is to be provided in a timely manner. This may include, but is not limited to, sharing school profiles and all relevant data available in the public domain. In addition, test scores, grades, attendance, etc. will be provided with full protection of the rights of the students in compliance with applicable laws relating to privacy and confidentiality, and within the regulations of the school system. A parental consent process will be used to ensure privacy protections which, at a minimum, will include some type of parental consent that includes, but is not specifically limited to, permission for information (test scores, grades, behavioral reports, etc.) to be shared by the district with the CBO partner, the State and federal educational agencies for monitoring and compliance purposes, and the independent evaluator.
2. Work cooperatively with the lead partnering agency, if not the school, to provide all relevant data related to test scores, grades and attendance in order to fulfill reporting requirements of the federally mandated Annual Performance Report.
3. If the program is school based, assure the availability of clean spaces for the 21st CCLC program in an adequate number of classrooms, as well as the cafeteria, auditorium, library, computer lab, gymnasium, and any other relevant space, including adequate office space for program staff.
4. Supply adequate and appropriate storage space for the 21st CCLC program's materials and equipment.
5. Facilitate the provision of full custodial services at no cost.
6. Identify and organize appropriate security for the after-school program.

Add additional clauses as necessary to describe additional project responsibilities of the school.

Agreed on this day, _____, by	
(Month/day/year)	
_____ (Name of School District)	_____ (Signature of Superintendent)
_____ (Name of School)	_____ (Signature of School Principal)
_____ (Name of Partnering Agency)	_____ (Signature of Executive Director)
_____ (Name of Partnering Agency)	_____ (Signature of Executive Director)

(Add additional signatures as appropriate.)

Appendix 2

APPLICATION SCORING RUBRIC

21st Century Community Learning Centers

Review Criteria:

- Very Good:** Specific and comprehensive. Complete, detailed, and clearly articulated information as to how the criteria are met. They will include well-conceived and thoroughly developed ideas.
- Good:** General but sufficient detail. Adequate information as to how the criteria are met, but some areas are not fully explained and/or questions remain. Some minor inconsistencies and weaknesses.
- Fair:** Imprecise and non-specific. Limited information is provided about approach and strategies. Lacks focus and detail.
- Weak:** Does not meet the criteria, fails to provide information, provides inaccurate information, or provides information that requires substantial clarification as to how the criteria are met.
- Missing Response:** Question is not addressed.

1. Executive Summary (Maximum 1 Point)	Very Good	Good	Fair	Weak	Missing Response
<i>Provide a summary of the 21st CCLC program's proposed mission, identified key partnership organizations, targeted students and family participants, key design elements and other unique characteristics of the program. Discuss the school(s) and community partner(s) capacity to effectively support and oversee the community learning centers grant. The executive summary should be suitable for sharing by NYSED with the general public including essential stakeholders such as families, students, schools and community.</i>					
a. Provide a compelling 1-2 sentence mission statement that defines the proposed 21 st CCLC program (1 points)	1 A clear and compelling 1-2 sentence mission statement that defines the proposed 21st CCLC program is provided.	.75 A general 1-2 sentence mission statement that defines the proposed 21st CCLC program is provided.	.5 A 1-2 sentence mission statement that minimally defines the proposed 21st CCLC program is provided.	.25 The mission statement is vague and does not define the proposed 21st CCLC program.	0 No mission statement is proposed.
Reviewer Comments:					
Strengths:					

Additional Concerns and Questions:

2. Need For Project (Maximum 8 Points)	Very Good	Good	Fair	Weak	Missing Response
<i>Describe the population to be served by the program and discuss how the proposed program will offer students and families educational and enrichment opportunities that are not currently available. The characteristics of the population and community to be served are essential factors that inform the design of a successful 21st CCLC program, ultimately driving support for student enrollment in the program.</i>					
a. Describe the reason for the selection of the community and the value of the proposed program in the identified community (2 points)	2 The narrative gives a clear and detailed description of the reason for the selection of the community and the value of the proposed program in the identified community.	1.5 The reason for the selection of the community and the value of the proposed program is generally addressed	1 The reason for the selection of the community and the value of the proposed program is minimally addressed	.5 There reason for the selection of the community and the value of the proposed program requires substantial clarification.	0 There is no correlation between the reason for the selection of the community and the value of the proposed program in the identified community.

<p>b. Identify the specific population of students and families to be served, and any unique needs by sub-group such as students with disabilities, English language learners, and socioeconomic status. Provide current and specific cited data to strongly document students' and families' needs and resources. Data sources may include, but are not limited to, grades and test scores, percentage of students eligible for free and/or reduced lunch, percentage and/or rapid growth of English language learners, attendance, incidence of high-risk behaviors, dropout rates, poverty rates, literacy rates and education levels. Include available results of recent needs assessments, including target population surveys, interviews, and focus groups (4 points)</p>	<p style="text-align: center;">4</p> <p>The narrative identifies specific needs of the children to be served and draws upon a broad scope of current and specific cited data to document the needs of the students.</p>	<p style="text-align: center;">3</p> <p>Current data are used to identify and describe the different areas of need in general for students, and how the program will address those needs.</p>	<p style="text-align: center;">2</p> <p>Not all the data used to identify and describe the different needs of students are current.</p>	<p style="text-align: center;">1</p> <p>Identified needs are not well documented and/or are not consistent with the description of the student population.</p>	<p style="text-align: center;">0</p> <p>Identified needs are not addressed.</p>
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<p>d. Describe current gaps in community services and resources, and how the 21st CCLC program will provide services and activities that are not currently available to the target population to be served (2 points)</p>	<p style="text-align: center;">2</p> <p>The narrative describes in detail the current gaps in community services and opportunities. Concrete information is given regarding how the program will provide services and activities that are not currently available to students and families.</p>	<p style="text-align: center;">1.5</p> <p>The narrative describes, in general, the current gaps in community services and opportunities. Concrete information is given but in minimal detail regarding how the program will provide services and activities that are not currently available to students and families.</p>	<p style="text-align: center;">1</p> <p>The narrative provides a limited description of the current gaps in community services and opportunities. Information provided about services and activities that are not currently available to students and families is limited in scope.</p>	<p style="text-align: center;">.5</p> <p>The narrative mentions the current gaps in community services and opportunities in terms that require substantial clarification or are inaccurate. Information regarding services and activities that are not currently available to students and families is inaccurate and/or inadequate.</p>	<p style="text-align: center;">0</p> <p>The narrative does not address the current gaps in community services and opportunities. No information is provided to offer a clear picture of services and activities that are not currently available to students and families.</p>
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Reviewer Comments:

Strengths:

Additional Concerns and Questions:

3. Key Elements of Program Design (Maximum 20 points)	Very Good	Good	Fair	Weak	Missing Response
<p><i>Provide a description of the proposed program to address the objectives described in Title IV, Part B of the Elementary and Secondary Education Act for the 21st Century Community Learning Centers (21st CCLC) program, as amended by the Every Student Succeeds Act of 2015. Specifically, the proposal should describe how the program design links a cohesive, inter-related set of program activities and content designed to complement one another as well as align with the school day. Activities and content should support goals and objectives designed to address the identified needs of the students and their families, and include opportunities for youth development and enrichment through hands-on project-based activities, service learning, and other experiences not typically offered in the traditional classroom setting. Include key elements of the program design that are innovative or unique to the program’s mission and goals and are core to the program’s overall design.</i></p>					

<p>a. Complete the Template for Goals and Objectives based on the 21st Century Performance Indicators below. Clearly state the program's objectives, activities, performance indicators and measures for each. (10 points)</p>	<p>10 Goals and objectives of the proposed project listed in the Template are very clearly stated in measurable terms, and are clearly linked to the specific needs of students and their families. Performance indicators and measures are well suited to assess progress toward achieving the objectives.</p>	<p>7.5 Goals and objectives are clear and measurable but the activities, performance indicators and measures, and links to student and family needs are not as strongly aligned with them in order to assess progress toward achieving them.</p>	<p>5 More explanation is needed to fully understand how the performance goals and objectives are connected to the activities, performance indicators and measures, and needs of students and families.</p>	<p>2.5 Goals and objectives may not be stated clearly or may not be measurable. Performance indicators and measures may not be appropriate to assess the progress toward achieving the goals and objectives. Links to student and family needs are not clear or measurable.</p>	<p>0 Goals and objectives are not stated.</p>
<p>b. Demonstrate how the key features that are core to the program's overall design will improve student academic achievement as well as overall student success. Present evidence of success if drawing on existing models, or present research or other information that supports the efficacy of the proposed program design if the program design does not have a precedent; (2 points)</p>	<p>2 Specific key features are provided that are core to the program's overall design and demonstration of how the design elements will improve student academic achievement as well as overall student success are given. The proposal presents concrete evidence of success if drawing on existing models, or presents current research or other information that supports the efficacy of the proposed program design if the program design does not have a precedent.</p>	<p>1.5 An overview of key features is provided that are core to the program's overall design and demonstration of how the design elements will improve student academic achievement as well as overall student success. The proposal presents evidence of success if drawing on existing models, or presents current research or other information that supports the efficacy of the proposed program design if the program design does not have a precedent.</p>	<p>1 Minimal detail is provided that relates to the program's overall design and demonstration of how the design elements will improve student academic achievement as well as overall student success are given. The proposal does not present evidence of success if drawing on existing models, or presents minimal or outdated research or other information that supports the efficacy of the proposed program design if the program design does not have a precedent.</p>	<p>.5 Inaccurate and/or unclear information is provided that relates to the program's overall design and demonstration of how the design elements will improve student academic achievement as well as overall student success are given. The proposal does not present evidence of success if drawing on existing models, or other information that supports the efficacy of the proposed program design if the program design does not have a precedent.</p>	<p>0 No information is provided that relates to the program's overall design and demonstration of how the design elements will improve student academic achievement as well as overall student success are given. The proposal does not present evidence of success if drawing on existing models, or other information that supports the efficacy of the proposed program design if the program design does not have a precedent.</p>

<p>c. Describe how the activities will be aligned and coordinated with the regular school day and school day teachers, challenging State learning standards, school and district goals and career readiness standards; (2 points)</p>	<p style="text-align: center;">2</p> <p>Specific strategies are in place for the program to communicate and collaborate with the regular school day teachers on an ongoing basis to enrich the program through a clear alignment with the school-day curriculum. Proposal includes a detailed plan for aligning programming to the challenging State Standards, school and district goals, and college and career readiness standards.</p>	<p style="text-align: center;">1.5</p> <p>Anticipates specific strategies for the program to communicate and collaborate with the regular school day teachers on an ongoing basis to enrich the program through a clear alignment with the school-day curriculum. Anticipates a plan for aligning programming to the challenging State Standards, and school and district goals, and college and career readiness standards.</p>	<p style="text-align: center;">1</p> <p>Identifies a limited approach for the program to communicate and collaborate with the regular school day teachers to enrich the program by aligning it with the school-day curriculum, and aligning programming to the challenging State Standards, school and district goals, and college and career readiness standards.</p>	<p style="text-align: center;">.5</p> <p>Approach is vaguely identified for the program to communicate and collaborate with the regular school day teachers, inaccurate and/or unclear information is provided on aligning programming to the challenging State Standards, school and district goals, and college and career readiness standards.</p>	<p style="text-align: center;">0</p> <p>No strategies are identified for the program to communicate and collaborate with the regular school day teachers, no information is provided on aligning programming to the challenging State Standards, school and district goals, and college and career readiness standards.</p>
<p>d. Describe how the NYS Guidelines for Social and Emotional Development and Learning will be reflected in the proposed program; (2 points)</p>	<p style="text-align: center;">2</p> <p>Specific strategies are in place for the program to incorporate the NYS Guidelines for Social and Emotional Development and Learning when developing the proposed program.</p>	<p style="text-align: center;">1.5</p> <p>Anticipates specific strategies for the program to incorporate the NYS Guidelines for Social and Emotional Development and Learning when developing the proposed program.</p>	<p style="text-align: center;">1</p> <p>Identifies a limited approach for the program to incorporate the NYS Guidelines for Social and Emotional Development and Learning to be minimally reflected in developing the proposed program.</p>	<p style="text-align: center;">.5</p> <p>Approach is vaguely identified for the program to incorporate the NYS Guidelines for Social and Emotional Development and Learning in developing the proposed program.</p>	<p style="text-align: center;">0</p> <p>No strategies are identified for the program to incorporate the NYS Guidelines for Social and Emotional Development and Learning in developing the proposed program.</p>

<p>e. Describe how students and parents have been meaningfully involved in planning and design of the program. Include how students and parents will have ongoing, meaningful involvement in planning throughout the duration of the program; (2 points)</p>	<p>2 The proposal clearly defines the roles of students and parents as partners in the program and specifically describes how students and parents will have meaningful involvement in the planning and design, and for the duration of the program.</p>	<p>1.5 The proposal generally defines the roles of students and parents as partners in the program and describes in less detail t how students and parents will have meaningful involvement in the planning and design, and for the duration of the program.</p>	<p>1 The roles of parents and students as partners in the program are minimal and/or non-specific. Few strategies for their meaningful involvement are identified.</p>	<p>.5 There is little evidence that parents and students have an integral role in planning and design of the program.</p>	<p>0 There is no evidence that parents and students have an integral role in planning and design of the program.</p>
<p>f. Describe how families of participants will be provided ongoing opportunities for meaningful engagement in their children’s education, including opportunities for literacy and related educational development. (2 points)</p>	<p>2 The proposal clearly describes detailed plans for literacy and related educational development opportunities for families of participants.</p>	<p>1.5 The proposal describes general plans for literacy and related educational development opportunities for families of participants.</p>	<p>1 The proposal describes a limited overall plan for literacy and related educational development opportunities for families of participants.</p>	<p>.5 There is inaccurate and/or unclear evidence of literacy and related educational development opportunities for families of participants.</p>	<p>0 There is no evidence of literacy and related educational development opportunities for families of participants.</p>

Reviewer Comments:

Strengths:

Additional Concerns and Questions:

4. Use of Time (Maximum 10 points)	Very Good	Good	Fair	Weak	Missing Response
<p><i>Describe how the use of time in the 21st CCLC program best meets the identified needs of students and their families and leverages student interest to effect positive impacts on attendance, engagement and academics. Present a clear schedule that ensures the integration of academics, enrichment, and skill development through hands-on experiences that make learning relevant and engaging. Include strategies for recruitment and retention of program participants.</i></p>					

<p>a. Explain how the proposed use of time reflects the specific needs and interests of the target population to be served; (3 points)</p>	<p style="text-align: center;">3</p> <p>Concrete details are included to explain how the proposed use of time reflects the specific needs and interests of the target population to be served.</p>	<p style="text-align: center;">2.25</p> <p>Generally explains how the proposed use of time reflects the specific needs and interests of the target population to be served.</p>	<p style="text-align: center;">1.5</p> <p>Limited references are made to explain how the proposed use of time reflects the specific needs and interests of the target population to be served.</p>	<p style="text-align: center;">.75</p> <p>Unclear and/or inaccurate reference is made to explain how the proposed use of time reflects the specific needs and interests of the target population to be served.</p>	<p style="text-align: center;">0</p> <p>No reference is made to explain how the proposed use of time reflects the specific needs and interests of the target population to be served.</p>
<p>b. Present the proposed weekly schedule for each site with times, (including program time scheduled during mandatory school hours if utilizing this option), and locations. Include scheduling for vacation and/or summer programs; (2 points)</p>	<p style="text-align: center;">2</p> <p>A detailed weekly schedule of activities is included in the proposal, with times, locations, percentage of program time during the school day if utilizing this option, and program scheduling for vacation and summer if part of the program.</p>	<p style="text-align: center;">1.5</p> <p>A general weekly schedule of activities is included in the proposal, with times, locations, percentage of program time during the school day if utilizing this option, and program scheduling for vacation and summer if part of the program.</p>	<p style="text-align: center;">1</p> <p>Weekly schedule is minimal and/or limited, and does not contain information on programming during the school day, if utilizing this option.</p>	<p style="text-align: center;">.5</p> <p>Weekly schedule is vague and incomplete.</p>	<p style="text-align: center;">0</p> <p>No weekly schedule is proposed.</p>

<p>c. Describe procedures for taking individual student attendance on a daily basis. Provide a plan for recording student attendance by time in each activity to meet or exceed the 21st CCLC legislative intent of a minimum of 90 hours per year (30 days per year for three hours per day). Applicants choosing to utilize the 21st CCLC program to expand learning time during the mandatory school day must document procedures for monitoring school day program attendance; (3 points)</p>	<p>3 Procedures are clearly defined and in place to account for students' attendance on a daily basis by activity, including strategies to meet or exceed the legislative intent of a minimum of 90 hours per year (30 days per year for 3 hours per day).</p>	<p>2.25 Procedures are generally discussed but not yet finalized to account for students' attendance on a daily basis by activity, and strategies for meeting the legislative intent of a minimum of 90 hours per year (30 days per year for 3 hours per day).</p>	<p>1.5 Procedures for taking attendance on a daily basis by activity and development of meeting the legislative intent of a minimum of 90 hours per year (30 days per year for 3 hours per day) are minimally addressed and may be imprecise and/or non-specific.</p>	<p>.75 There is little assurance that the program will have the capacity to account for students' attendance on a daily basis by activity, or to meet the legislative intent of a minimum of 90 hours per year (30 days per year for 3 hours per day).</p>	<p>0 There is no assurance that the program will have the capacity to account for students' attendance on a daily basis by activity, or to meet the legislative intent of a minimum of 90 hours per year (30 days per year for 3 hours per day).</p>
<p>d. Describe plans for recruitment and retention of students in the program, and expectations for regular student attendance. Recruitment and retention plans should be based on research and best practice. (2 points)</p>	<p>2 Plans for recruiting, and retention of students are clearly outlined and in place. Expectations for regular attendance are specific and are clearly framed by research and best practice.</p>	<p>1.5 Plans for recruitment and retention of students and establishing regular attendance requirements are generally addressed. Some relation to research and best practice is referenced.</p>	<p>1 Plans for recruitment and retention of students are minimal. Regular attendance requirements in relation to research and best practice are not discussed in detail.</p>	<p>.5 The proposal does not specify planning for recruitment and retention of students and has unclear expectations for their attendance.</p>	<p>0 The proposal does not address recruitment and retention of students and has no expectations for their attendance.</p>
<p>Reviewer Comments:</p>					
<p>Strengths:</p>					
<p> </p>					
<p>Additional Concerns and Questions:</p>					
<p> </p>					
<p>5. Program Management (Maximum 16 points)</p>	<p>Very Good</p>	<p>Good</p>	<p>Fair</p>	<p>Weak</p>	<p>Missing Response</p>

Describe how the applicant will manage the 21st CCLC program in order to meet the needs of the target population including health, nutrition and safety needs, and will ensure equitable access to meet the needs of special populations. Provide a detailed explanation of how all program partners will adhere to mandated data collection and reporting. The applicant should describe time allocation for collaborative planning and professional development for school staff and partnering organizations in order to build strong systems of program delivery.

<p>a. Describe the provisions that have been made to access individual student records and to share individual and aggregated student data for the purpose of program evaluation in compliance with applicable laws relating to privacy and confidentiality.; (3 points)</p>	<p style="text-align: center;">3</p> <p>Proposed program has already determined with the school how individual student records will be accessed and how student data will be shared for the purpose of program evaluation in compliance with applicable laws relating to privacy and confidentiality, and has already developed a process for receiving parental consent.</p>	<p style="text-align: center;">2.25</p> <p>Proposed program has a general plan in place for accessing individual student records and sharing student data for the purpose of program evaluation in compliance with applicable laws relating to privacy and confidentiality, and has a general plan for getting parental consent.</p>	<p style="text-align: center;">1.5</p> <p>Proposed program anticipates a plan for accessing student records for the purpose of program evaluation in compliance with applicable laws relating to privacy and confidentiality, and for obtaining parental consent.</p>	<p style="text-align: center;">.75</p> <p>An imprecise and/or non-specific provision is addressed for accessing student records in compliance with applicable laws relating to privacy and confidentiality and obtaining parental consent.</p>	<p style="text-align: center;">0</p> <p>No provision is addressed for accessing student records and obtaining parental consent.</p>
<p>b. Describe the plan to use the Quality Self-Assessment (QSA) tool twice each year for self-assessment and planning for program improvement; (2 point)</p>	<p style="text-align: center;">2</p> <p>Includes a detailed plan and schedule of how the QSA will be used and how all project stakeholders will be involved in the process.</p>	<p style="text-align: center;">1.5</p> <p>Includes a general plan with schedule how the QSA will be used and how some project stakeholders will be involved in the process.</p>	<p style="text-align: center;">1</p> <p>Includes a limited plan without a schedule of how the QSA will be used, and how some project stakeholders will be involved in the process.</p>	<p style="text-align: center;">.5</p> <p>Includes an unclear and/or inaccurate plan for using the QSA and does not discuss how stakeholders will be involved.</p>	<p style="text-align: center;">0</p> <p>Includes no plan for using the QSA and does not discuss how stakeholders will be involved.</p>
<p>c. Describe how the program will meet health, nutrition and safety needs of the students; (2 points)</p>	<p style="text-align: center;">2</p> <p>Proposal includes specific detail of how health, nutrition and safety needs of students will be met.</p>	<p style="text-align: center;">1.5</p> <p>Proposal includes general information of how health, nutrition and safety needs of students will be met.</p>	<p style="text-align: center;">1</p> <p>Proposal includes a few overall plans of how health, nutrition and safety needs of students may be met.</p>	<p style="text-align: center;">.5</p> <p>Proposal includes a vague mention of how health, nutrition and safety needs of students may be met.</p>	<p style="text-align: center;">0</p> <p>Proposal includes no mention of how health, nutrition and safety needs of students may be met.</p>

<p>d. Describe how students will travel safely to and from the center and home; (2 points)</p>	<p style="text-align: center;">2</p> <p>Proposal includes a detailed plan of how students will travel safely from the program to home.</p>	<p style="text-align: center;">1.5</p> <p>Proposal includes a general plan for how students will travel safely from the program to home.</p>	<p style="text-align: center;">1</p> <p>Proposal includes a few overall plans for how students will travel safely from the program to home.</p>	<p style="text-align: center;">.5</p> <p>Proposal includes no concrete plan for how students will travel safely from the program to home.</p>	<p style="text-align: center;">0</p> <p>Proposal includes no plan for how students will travel safely from the program to home.</p>
<p>e. Describe how the program will ensure equitable access to and meet the needs of special populations (e.g., students with disabilities, English language learners). <i>Note: This is a GEPA requirement, see Appendix 3.</i>; (2 points)</p>	<p style="text-align: center;">2</p> <p>Proposal identifies specific strategies to address the needs of each of the special populations of students who may attend the program.</p>	<p style="text-align: center;">1.5</p> <p>Proposal generally describes the efforts that will be made to meet the needs of special populations.</p>	<p style="text-align: center;">1</p> <p>The efforts described are imprecise and/or non-specific and could be more organized and include more outreach.</p>	<p style="text-align: center;">.5</p> <p>Proposal includes few if any efforts to ensure equitable access of special populations to participate in the program.</p>	<p style="text-align: center;">0</p> <p>Proposal includes no efforts to ensure equitable access of special populations to participate in the program.</p>
<p>f. Describe how the program will disseminate information about the center (including its location) to the community in a manner that is understandable and accessible; (2 points)</p>	<p style="text-align: center;">2</p> <p>Proposal identifies specific steps that will be taken to disseminate program information to families and the community in a manner that is understandable and accessible.</p>	<p style="text-align: center;">1.5</p> <p>Proposal generally describes how program information will be made available to the families and the community.</p>	<p style="text-align: center;">1</p> <p>The efforts described are imprecise and/or non-specific and could be more organized and include more outreach.</p>	<p style="text-align: center;">.5</p> <p>Proposal includes few if any efforts to disseminate program information to families and the community in a manner that is understandable and accessible.</p>	<p style="text-align: center;">0</p> <p>Proposal includes no efforts to disseminate program information to families and the community in a manner that is understandable and accessible.</p>

<p>g. Describe the plan to provide ongoing relevant professional development and collaborative planning time for teachers, program staff and community partners in alignment with the goals and objectives of promoting quality programming, school and district goals, and college and career readiness. (3 points)</p>	<p>3</p> <p>Proposal includes a detailed plan and schedule to provide ongoing professional development and collaborative planning time for teachers, program staff and community partners in alignment with the goals and objectives of promoting quality programming, school and district goals, and college and career readiness.</p>	<p>2.25</p> <p>Proposal includes a general plan and schedule to provide ongoing professional development and collaborative planning time for teachers, program staff and community partners in alignment with the goals and objectives of promoting quality programming, school and district goals, and college and career readiness.</p>	<p>1.5</p> <p>Proposal describes a limited plan and schedule, yet to be developed, to provide ongoing professional development and collaborative planning time for teachers, program staff and community partners in alignment with the goals and objectives of promoting quality programming, school and district goals, and college and career readiness.</p>	<p>.75</p> <p>Proposal mentions a vague plan without a schedule, and yet to be developed, to provide professional development and collaborative planning time for teachers, program staff and community partners in alignment with the goals and objectives of promoting quality programming, school and district goals, and college and career readiness.</p>	<p>0</p> <p>Proposal does not address a plan or schedule to provide professional development and collaborative planning time for teachers, program staff and community partners.</p>
<p>Reviewer Comments:</p>					
<p>Strengths:</p>					
<p>Additional Concerns and Questions:</p>					

<p>6. Quality of Program Evaluation (Maximum 10 points)</p>	<p>Very Good</p>	<p>Good</p>	<p>Fair</p>	<p>Weak</p>	<p>Missing Response</p>
<p><i>Present a comprehensive program level evaluation plan that enables ongoing program assessment and quality improvement following the requirements detailed in the NYS 21st CCLC Evaluation Manual. Describe how evaluation is aligned with the goals, measurable objectives and the expected outcomes of the proposed program and the current Performance Indicators for all 21st Century Community Learning Centers. Explain how students and families will have meaningful involvement throughout the evaluation process to enhance stakeholder investment.</i></p>					

<p>a. Describe the proposed evaluation plan that is aligned with the goals, measurable objectives and expected outcomes of the proposed program as well as the current Performance Indicators for all 21st Century Community Learning Centers; (3 points)</p>	<p style="text-align: center;">3</p> <p>The proposal clearly details how the data and evaluation are aligned with the goals, measurable objectives and the expected outcomes of the proposed program and the current Performance Indicators for all 21st Century Community Learning Centers.</p>	<p style="text-align: center;">2.25</p> <p>The proposal includes general information regarding how the data and evaluation are aligned with the goals, measurable objectives and the expected outcomes of the proposed program and the current Performance Indicators for all 21st Century Community Learning Centers.</p>	<p style="text-align: center;">1.5</p> <p>The proposal includes some limited information regarding data and evaluation, but includes minimal information on how goals and objectives are aligned with the goals of the proposed program and the current Performance Indicators for all 21st Century Community Learning Centers.</p>	<p style="text-align: center;">.75</p> <p>The proposal places unclear and/or imprecise emphasis on evaluation, measurable objectives and outcomes.</p>	<p style="text-align: center;">0</p> <p>The proposal places no emphasis on evaluation, measurable objectives and outcomes.</p>
<p>b. Describe how evaluation data will be used to monitor progress and inform continuous program improvement aligned with the goals of partnering schools, districts and college and career readiness standards; (3 points)</p>	<p style="text-align: center;">3</p> <p>Includes a detailed plan of how specific information gained from the evaluation will be used to monitor progress and inform continuous program improvement aligned with the goals of partnering schools, districts and college and career readiness standards.</p>	<p style="text-align: center;">2.25</p> <p>Includes a general plan of how information gained from the evaluation will be used to monitor progress and inform continuous program improvement aligned with the goals of partnering schools, districts and college and career readiness standards.</p>	<p style="text-align: center;">1.5</p> <p>Includes some general information about how overall evaluation will be used to monitor progress and inform continuous program improvement aligned with the goals of partnering schools, districts and college and career readiness standards.</p>	<p style="text-align: center;">.75</p> <p>Includes minimal, vague information on how evaluation will be used to monitor progress and inform continuous program improvement aligned with the goals of partnering schools, districts and college and career readiness standards.</p>	<p style="text-align: center;">0</p> <p>Includes no information on how evaluation will be used to monitor progress and inform continuous program improvement.</p>
<p>c. Indicate how students and families will have meaningful involvement throughout the evaluation process; (2 points)</p>	<p style="text-align: center;">2</p> <p>Clearly describes specific types of involvement that students and families will have throughout the evaluation process.</p>	<p style="text-align: center;">1.5</p> <p>More generally describes the types of involvement that students and families will have throughout the evaluation process.</p>	<p style="text-align: center;">1</p> <p>Provides a vague description of the roles and types of involvement that students and families will have throughout the evaluation process.</p>	<p style="text-align: center;">.5</p> <p>There is little emphasis on or provision for involving students and parents in the evaluation process.</p>	<p style="text-align: center;">0</p> <p>There is no emphasis on or provision for involving students and parents in the evaluation process.</p>

<p>d. Identify and describe the qualifications of the external evaluator who will collect and analyze data to assess progress toward meeting the program's goals and objectives, as per the NYS 21st CCLC Evaluation Manual. (2 points)</p>	<p>2 Specifically identifies the person and/or organization that will serve as the external evaluator. The evaluator's qualifications include recent experience in evaluating after school programs. Applicant demonstrates detailed knowledge and understanding of the 21st CCLC Evaluation Manual.</p>	<p>1.5 Specifically identifies the person and/or organization that will serve as the external evaluator. The evaluator's experience may not include evaluation of after school programs but does include recent experience in evaluating educational programs. Applicant demonstrates general knowledge and understanding of the 21st CCLC Evaluation Manual.</p>	<p>1 Specifically identifies the person and/or organization that will serve as the evaluator. The evaluator has little or no experience in evaluating after school or other educational programs. Applicant demonstrates minimal knowledge and understanding of the 21st CCLC Evaluation Manual.</p>	<p>.5 The evaluator is not identified. A general plan for evaluation is included, yet it requires clarification; no specifics cited.</p>	<p>0 The evaluator is not identified. No plan for evaluation is included.</p>
<p>Reviewer Comments:</p>					
<p>Strengths:</p>					
<p> </p>					
<p>Additional Concerns and Questions:</p>					
<p> </p>					

<p><u>7. Organizational Leadership and quality of the management plan. (Maximum 15 points)</u></p>	<p>Very Good</p>	<p>Good</p>	<p>Fair</p>	<p>Weak</p>	<p>Missing Response</p>
<p><i>Describe the partnering agencies' capacity to administer a successful 21st CCLC grant program and their experience in providing quality expanded learning opportunities for students and families. Discuss the proposed management structure and plan including key staff positions and program oversight. Explain how partnering organizations were chosen, and the unique contributions that each organization brings to the program. Present a preliminary sustainability plan that describes efforts to maintain the program when the 21st CCLC funding term ends.</i></p>					

<p>a. Describe the applicant agencies' relevant experience or promise of success in providing 21st CCLC or similar programs that enhance the academic performance, achievement and positive youth development of students, and provide meaningful opportunities for parent and family involvement in the program; (5 points)</p>	<p style="text-align: center;">5</p> <p>The applicant organization clearly demonstrates that the qualifications and experience, or promise of success are closely correlated to its ability to provide activities, enhance academic performance, foster positive youth development and provide meaningful opportunities for parent and family involvement in the 21st Century program.</p>	<p style="text-align: center;">3.75</p> <p>The applicant organization's qualifications and experience, or promise of success are generally related to its ability to provide activities, enhance academic performance, foster youth development and provide meaningful opportunities for parent and family involvement in the 21st Century program.</p>	<p style="text-align: center;">2.5</p> <p>The applicant organization's qualifications and experience, or promise of success do not strongly reflect its ability to provide activities, enhance academic performance, foster youth development and provide meaningful opportunities for parent and family involvement in the 21st Century program.</p>	<p style="text-align: center;">1.25</p> <p>The applicant organization's qualifications and experience, or promise of success are not consistent with the expectations of a 21st Century program to provide activities, enhance academic performance, foster youth development and provide meaningful opportunities for parent and family involvement.</p>	<p style="text-align: center;">0</p> <p>The applicant organization's qualifications and experience, or promise of success is not addressed.</p>
<p>b. Describe the applicant agencies' relevant experience or promise of success in fiscal management and tracking of similarly-sized grant-funded programs, including a plan for regular communication between program and fiscal staff to ensure appropriate monitoring of budget and program expenses, as well as a system of internal controls to ensure alignment of expenses with approved budget; (3 points)</p>	<p style="text-align: center;">3</p> <p>The applicant organization clearly demonstrates relevant fiscal qualifications and experience, or promise of success. Plans for regular communication between program and fiscal staff are clearly described. A specific system of internal controls is described.</p>	<p style="text-align: center;">2.25</p> <p>The applicant organization's relevant fiscal qualifications and experience, or promise of success are generally described. Plans for regular communication between program and fiscal staff are generally described. A general system of internal controls is outlined.</p>	<p style="text-align: center;">1.5</p> <p>The applicant organization's fiscal qualifications and experience, or promise of success do not strongly reflect its capacity to manage a similarly-sized grant-funded program. Plans for regular communication between program and fiscal staff and/or a system of internal controls are mentioned.</p>	<p style="text-align: center;">.75</p> <p>The applicant organization's fiscal qualifications and experience, or promise of success are not consistent with the expectations for fiscal management of a similarly-sized grant-funded program. Plans for communication between program and fiscal staff and/or a system of internal controls are insufficient.</p>	<p style="text-align: center;">0</p> <p>The applicant organization's fiscal qualifications and experience, or promise of success is not addressed.</p>

<p>c. Describe the management structure and responsibilities of key staff positions. If applicable, also describe plans for the recruitment and role of appropriately qualified volunteers; (2 points)</p>	<p style="text-align: center;">2</p> <p>The project's management structure is clearly defined and adequate. It includes descriptions of key staff positions. If applicable, also describes how volunteers have a valued role in the program, and a recruitment plan for appropriately qualified volunteers has been developed.</p>	<p style="text-align: center;">1.5</p> <p>The project's management structure is generally defined and includes descriptions of key staff positions. If applicable, a recruitment plan for appropriately qualified volunteers is included.</p>	<p style="text-align: center;">1</p> <p>The project's management structure is expressed in minimal terms. It may be excessive or inadequate for the program. It includes vague descriptions of key staff positions and, if applicable, a minimal recruitment plan for appropriately qualified volunteers.</p>	<p style="text-align: center;">.5</p> <p>The project's management structure is not clearly defined. Descriptions of key staff positions are inadequate. If volunteers are to be used, provisions for their recruitment or use are inadequate.</p>	<p style="text-align: center;">0</p> <p>The project's management structure is not addressed. Descriptions of key staff positions are not addressed. If volunteers are to be used, there is no provision for their recruitment or use.</p>
<p>d. Describe the role of each partnering agency for which there is a customized, signed Partnership Agreement. The Partnership Agreement should clearly articulate each partnering agency's specific responsibilities. Explain how and why partnering organizations were chosen; (3 points)</p>	<p style="text-align: center;">3</p> <p>A <i>signed</i> Partnership Agreement for this project is included for each partner. The agreement thoroughly describes the roles and responsibilities of each partner, how and why the partners were chosen.</p>	<p style="text-align: center;">2.25</p> <p>A <i>signed</i> Partnership Agreement for this project is included for each partner but provides less detail about the roles and responsibilities of each, and how and why the partners were chosen.</p>	<p style="text-align: center;">1.5</p> <p>A <i>signed</i> Partnership Agreement for this project is included for each partner. However, the roles and responsibilities have not been adequately customized or individualized for each partner, and lacks detail about how and why the partners were chosen.</p>	<p style="text-align: center;">.75</p> <p><i>Signed</i> Partnership Agreements for this project are relatively identical for each partner.</p>	<p style="text-align: center;">0</p> <p>Partnership Agreements for this project are unchanged from the RFP template. (Note: Partnership Agreements that do not include signatures for representatives of all participating schools, districts and partners should be reported to NYSED immediately. Failure to include all required signatures will result in disqualification of the application.</p>

<p>e. Describe the composition, role and schedule of quarterly meetings of the program advisory committee. Describe how program and partnering administrative staff, school and partnering agency representatives, students, parents and community members will be represented and have meaningful involvement in program design, planning and assessment; (1 point)</p>	<p>1 Clearly describes the composition, valued role in success of the program, and regular schedule of meetings of the program advisory committee that includes representation from program and partnering administrative staff, school and partnering agency representatives, students, parents and community members. The planning process is clearly described with schedule of meetings, agenda outlines, and list of partners.</p>	<p>.75 Clearly describes the composition, valued role in success of the program, and regular schedule of meetings of the program advisory committee that includes representation from program and partnering administrative staff, school and partnering agency representatives, students, parents and community members. The planning process is clearly described with general schedule of meetings and list of partners.</p>	<p>.5 The program advisory committee includes representation from program and partnering administrative staff, school and partnering agency representatives, students, parents and community members. A schedule of meetings is not included and the role of the advisory committee is not addressed. The planning process is described with a limited plan for future meetings, but lacks schedule details.</p>	<p>.25 The proposal has not established a program advisory committee or has established a committee that does not include all the appropriate representatives. A schedule of meetings is not included. The planning process is mentioned but has not been established.</p>	<p>0 The proposal has not established a program advisory committee and does not address a plan to do so. The planning process is not addressed.</p>
<p>f. Present a preliminary sustainability plan that describes efforts to maintain the program when 21st CCLC funding ends. (1 point)</p>	<p>1 The proposal describes specific ways in which strategies are being developed to sustain the program at full capacity after 21st Century funding ends.</p>	<p>.75 The proposal describes how sustainability planning will be conducted to sustain the program at full capacity after 21st Century funding ends.</p>	<p>.5 The proposal mentions how sustainability planning will be conducted to sustain the program at limited capacity.</p>	<p>.25 Plans for sustainability are vague or not specific.</p>	<p>0 Plans for sustainability are not addressed.</p>

Reviewer Comments:

Strengths:

Additional Concerns and Questions:

<p>8. Adequacy of Resources (Maximum 20 points)</p>	<p>Very Good</p>	<p>Good</p>	<p>Fair</p>	<p>Weak</p>	<p>Missing Response</p>
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Explain how the program is cost-effective and purposeful, targets resources properly, and operates with a clear approach to program quality standards.

<p>a. Demonstrate that program expenditures are reasonable and are primarily targeted to the provision of direct services to students; (5 points)</p>	<p style="text-align: center;">5</p> <p>Expenditures are reasonable within the program framework and, to the maximum extent possible, are targeted to the provision of direct services for youth.</p>	<p style="text-align: center;">3.75</p> <p>Expenditures are reasonable within the program framework, and are primarily targeted to the provision of direct services for youth.</p>	<p style="text-align: center;">2.5</p> <p>Expenditures are weighted toward administration. A greater portion of the grant award should and could be targeted to the provision of direct services for youth.</p>	<p style="text-align: center;">1.25</p> <p>Expenditures are heavily weighted toward administration and are not targeted to the provision of direct services for youth.</p>	<p style="text-align: center;">0</p> <p>Reasonableness of program expenditures is not addressed.</p>
<p>b. Describe the system for tracking costs that are allocated specifically to the 21st CCLC program, and for ensuring that expenses supplement and do not supplant existing activities and services; (4 points)</p>	<p style="text-align: center;">4</p> <p>Clearly describes and identifies the system for tracking costs that are allocated specifically for the 21st CCLC programs and for ensuring that expenses supplement and do not supplant existing activities and services.</p>	<p style="text-align: center;">3</p> <p>Describes the general system for tracking costs that are allocated specifically for the 21st CCLC program and for ensuring that expenses supplement and do not supplant existing activities and services.</p>	<p style="text-align: center;">2</p> <p>Gives a limited overview for tracking costs that are allocated specifically for the 21st CCLC program and for ensuring that expenses supplement and do not supplant existing activities and services.</p>	<p style="text-align: center;">1</p> <p>Gives an inaccurate and/or unclear overview for tracking costs that are allocated specifically for the 21st CCLC program and for ensuring that expenses supplement and do not supplant existing activities and services.</p>	<p style="text-align: center;">0</p> <p>Does not identify a system for tracking costs that are allocated specifically for the 21st CCLC program and for ensuring that expenses supplement and do not supplant existing activities and services.</p>
<p>c. Describe the partner agencies' commitment of resources for the program, including, but not limited to, facilities, equipment, supplies and in-kind services; (3 points)</p>	<p style="text-align: center;">3</p> <p>Clearly identifies the commitment of specific resources needed for the program including, but not limited to facilities, equipment, supplies and in-kind services.</p>	<p style="text-align: center;">2.25</p> <p>Identifies the commitment of most resources needed for the program including facilities, equipment, supplies and in-kind.</p>	<p style="text-align: center;">1.5</p> <p>Identifies only some of the resources committed for the program including facilities, equipment, supplies and in-kind.</p>	<p style="text-align: center;">.75</p> <p>Identifies an unclear and/or inaccurate commitment of resources needed for the program and does not address clearly facilities, equipment, supplies and in-kind.</p>	<p style="text-align: center;">0</p> <p>Identifies no commitment of resources needed for the program and does not address including facilities, equipment, supplies and in-kind.</p>

<p>d. Describe how federal, state and local funds will be combined or coordinated for the most effective use of public resources; (3 points)</p>	<p>3 Provides concrete examples of existing programs in the community (Federal, State and local), and how they will be accessed or coordinated for the most effective use of public resources for program success.</p>	<p>2.25 Provides a more general explanation of how other federal, State or local programs and resources will be used to enhance and support this project.</p>	<p>1.5 Provides a limited explanation as to how other federal, State or local programs and resources may be used to enhance and support this project.</p>	<p>.75 Provides vague information as to the availability of programs and resources that could be used to enhance and support this project.</p>	<p>0 Provides no information as to the availability of programs and resources that could be used to enhance and support this project.</p>
<p>e. Applicants must submit an FS-10 budget and the Composite Budget with this application, for the initial 12 month project period of 7/1/17 – 6/30/18. Describe the purpose of funds allocated to each budget category in the FS-10 Budget Form and explain the budget's adherence to funding caps for administration (10%), planning and professional development (5%), and evaluation (8%) and the provision of minimum direct service by lead agency (15%). Describe how Purchased Services are aligned with the objectives and activities of the program. (5 points)</p>	<p>5 The Narrative and FS-10 describe in clear detail the purpose of the allocation of funds to each budget category of the FS-10 Budget Form and clearly states how the budget adheres to mandatory funding caps for administration (10%), planning and professional development (5%), and evaluation (8%) and the provision of minimum direct service by lead agency (15%). The program narrative clearly describes how the items in Purchased Services are linked to the objectives and activities of the program.</p>	<p>3.75 The Narrative and FS-10 describe in general terms the purpose of the allocation of funds to each budget category of the FS-10 Budget Form and how the budget adheres to mandatory funding caps for administration (10%), planning and professional development (5%), and evaluation (8%) and the provision of minimum direct service by lead agency (15%). The program narrative describes in general how the items in Purchased Services are linked to the objectives and activities of the program.</p>	<p>2.5 The narrative and FS-10 include less information about the use of funds in each budget category of the FS-10 budget and provides incomplete information about how the budget adheres to mandatory funding caps for administration (10%), planning and professional development (5%), and evaluation (8%) and the provision of minimum direct service by lead agency (15%). The link between the items in Purchased Services and the objectives and activities of the program is less clear.</p>	<p>1.25 The narrative and FS-10 do not contain the required information of each budget category of the FS-10 budget and how the budget adheres to mandatory funding caps for administration (10%), planning and professional development (5%), and evaluation (8%) and the provision of minimum direct service by lead agency (15%). The link between the items in Purchased Services and the objectives and activities of the program is not described.</p>	<p>0 The narrative and FS-10 do not describe the purpose of the allocation of funds to each budget category of the FS-10 Budget Form.</p>

Reviewer Comments:
Strengths:

Additional Concerns and Questions:

Summary of Application Strengths and Concerns:

Appendix 3

Requirements of GEPA 427

The purpose of this enclosure is to inform you about a provision in the U.S. Department of Education's General Education Provisions Act (GEPA) that applies to applicants for new grant awards under Department programs. This provision is Section 427 of GEPA, enacted as part of the Improving America's Schools Act of 1994 (Pub. L.103-382).

To Whom Does This Provision Apply?

Section 427 of GEPA affects applicants for new grant awards under this program. **All applicants for new awards must include information in their applications to address this new provision in order to receive funding under this program.**

What Does This Provision Require?

Section 427 requires each applicant for funds (other than an individual person) to include in its application a description of the steps the applicant proposes to take to ensure equitable access to, and participation in, its Federally-assisted program for students, teachers, and other program beneficiaries with special needs.

This provision allows applicants discretion in developing the required description. The statute highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age. Based on local circumstances, you should determine whether these or other barriers might prevent your students, teachers, etc. from such access or participation in, the Federally funded project or activity. The description in your application of steps to be taken to overcome these barriers need not be lengthy; you may provide a clear and succinct description of how you plan to address those barriers that are applicable to your circumstances. In addition, the information may be provided in a single narrative, or, if appropriate, may be discussed in connection with related topics in the application.

Section 427 is not intended to duplicate the requirements of civil rights statutes, but rather to ensure that, in designing their projects, applicants for Federal funds address equity concerns that may affect the ability of certain potential beneficiaries to fully participate in the project and to achieve to high standards. Consistent with program requirements and its approved application, an applicant may use the Federal funds awarded to it to eliminate barriers it identifies.

What are Examples of How an Applicant Might Satisfy the Requirement of This Provision?

The following examples may help illustrate how an applicant may comply with Section 427.

- 1) An applicant that proposes to carry out an adult literacy project serving, among others, adults with limited English proficiency, might describe in its application how it intends to distribute a brochure about the proposed project to such potential participants in their native language.
- 2) An applicant that proposes to develop instructional materials for classroom use might describe how it would make the materials available on audiotape or in Braille for students who are blind.
- 3) An applicant that proposes to carry out a model science program for secondary students and is concerned that girls may be less likely than boys to enroll in the course, might indicate how it intends to conduct "outreach" efforts to girls, to encourage their enrollment.

We recognize that many applicants may already be implementing effective steps to ensure equity of access and participation in their grant programs, and we appreciate your cooperation in responding to the requirements of this provision.

Appendix 4

NYS Office of Children and Family Services Regional Offices

ALBANY REGIONAL OFFICE

Albany Regional Office
West Building, Room 261
52 Washington Street
Rensselaer, NY 12144
(518) 402-3038

Serving the counties of: Albany, Clinton, Columbia, Delaware, Essex, Franklin, Fulton, Greene, Hamilton, Montgomery, Otsego, Rensselaer, Saratoga, Schenectady, Schoharie, Warren, Washington

BUFFALO REGIONAL OFFICE

Buffalo Regional Office
295 Main Street, Room 545
Buffalo, NY 14203
(716) 847-3828

Serving the counties of: Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans, Wyoming

LONG ISLAND REGIONAL OFFICE

Perry Duryea State Office Building
250 Veterans Memorial Highway, Suite 2a-2o
Hauppauge, NY 11788
631-240-2560

Serving the counties of: Nassau and Suffolk

NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE (NYCDOHMH Bureau of Child Care)

Bureau of Child Care
125 Worth Street, 3rd Floor
New York, New York 10013
NYC Phone 646-632-6100
NYC Fax 347-396-8054

Serving the boroughs of New York for registration and inspections of Family Day Care, Group Family Day Care and School Age Child Care.

Brooklyn/Staten Island Borough Office Manager, DOHMH Bureau of Child Care - (718) 222-6390/6399

Bronx Borough Office Manager, DOHMH Bureau of Child Care - (718) 410-3903 or

(718) 579-7775/7771

Manhattan/Staten Island Borough Office Manager, DOHMH Bureau of Child Care -
(646) 632-6305

Queens Borough Office Manager, DOHMH Bureau of Child Care - (718) 480-2263/2265

NEW YORK CITY REGIONAL OFFICE

New York City Regional Office

80 Maiden Lane, 23rd Floor

New York, NY 10038

(212) 383-1415

Provides general oversight to NYCDOH/MH for registration of Family Day Care, Group Family Day Care, and School Age Child Care

ROCHESTER REGIONAL OFFICE

Rochester Regional Office

259 Monroe Avenue, 3rd Fl. Monroe Square

Rochester, NY 14607

(585) 238-8531

Serving the counties of: Chemung, Livingston, Monroe, Ontario, Schuyler, Seneca, Steuben, Wayne, Yates

SYRACUSE REGIONAL OFFICE

Syracuse Regional Office

The Atrium

100 S. Salina Street, Suite 350

Syracuse, NY 13202

(315) 423-1202

Serving the counties of: Broome, Cayuga, Chenango, Cortland, Herkimer, Jefferson, Lewis, Madison, Oneida, Onondaga, Oswego, St. Lawrence, Tioga, Tompkins

SPRING VALLEY REGIONAL OFFICE

11 Perlman Drive, Pascack Plaza

Spring Valley, NY 10977

(845) 708-2400

Serving the counties of: Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, Westchester

Appendix 5

New York City 21st Century Grant Contact

David Dianora

Director of School Support

CommunitySchools@schools.nyc.gov

All inquiries from the field regarding specific schools should include the district and school number or DBN (District Borough Number) so that questions may be directed appropriately and addressed in a timely manner.

Appendix 6

21st Century Community Learning Centers Performance Indicators

GOAL: To enable public elementary and secondary schools to plan, implement, or expand extended learning opportunities for the benefit of the educational, health, social service, cultural, and recreational needs of students and their families.

Objective 1 – 21st Century Community Learning Centers will offer a range of high-quality educational, developmental, and recreational services for students and their families.

1.1 Core educational services. 100% of Centers will offer high quality services in core academic areas, e.g., reading and literacy, mathematics, and science.

1.2 Enrichment and support activities. 100% of Centers will offer enrichment and support activities such as nutrition and health, art, music, technology, and recreation.

1.3 Community involvement. Centers will establish and maintain partnerships within the community that continue to increase levels of community collaboration in planning, implementing, and sustaining programs.

1.4 Services to parents and other adult community members. 100% of Centers will offer services to parents of participating children.

1.5 Extended hours. More than 75% of Centers will offer services at least 15 hours a week on average and provide services when school is not in session, such as during the summer and holidays.

Objective 2 – Students participating in 21st Century Community Learning Centers programs will demonstrate educational and social benefits and exhibit positive behavioral changes.

2.1 Achievement. Students regularly participating in the program will show continuous improvement in achievement through measures such as test scores, grades, and/or teacher reports.

2.2 Behavior. Students participating in the program will show improvements on measures such as school attendance, classroom performance, and decreased disciplinary actions or other adverse behaviors.

Appendix 7

New York State Education Department Assurances for Federal Discretionary Program Funds

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

Federal Assurances and Certifications, General:

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

Federal Assurances and Certifications (if appropriate):

The following are required as a condition for receiving any federal funds under the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act of 2015.

- ESSA Assurances
- School Prayer Certification

APPENDIX 7: ASSURANCES

NON-CONSTRUCTION PROGRAMS

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

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

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

relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) "§§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328), which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §§874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1721 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.), which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, Audits of States, Local Governments, and Non-Profit Organizations.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

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

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

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

1. LOBBYING

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

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

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

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

- A. The applicant certifies that it and its principals:

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

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

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

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

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

Instructions for Certification

1. By signing the Application Cover Page, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms “covered transaction,” “debarred,” “suspended,” “ineligible,” “lower tier covered transaction,” “participant,” “person,” “primary covered transaction,” “principal,” “proposal,” and “voluntarily excluded,” as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled “Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion-Lower Tier Covered Transactions,” without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the

method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification

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

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

**NEW YORK STATE DEPARTMENT OF EDUCATION
GENERAL EDUCATION PROVISIONS ACT ASSURANCES**

These assurances are required by the General Education Provisions Act for certain programs funded by the U.S. Department of Education. These assurances are not applicable to certain programs, such as the Every Student Succeeds Act. If you have any questions, please contact NYSED.

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

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

significant information from educational research, demonstrations, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects; and

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

NEW YORK STATE DEPARTMENT OF EDUCATION EVERY STUDENT SUCCEEDS ACT ASSURANCES

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

1. the grantee will comply with all requirements of the Every Student Succeeds of 2015 (ESSA) and all implementing regulations promulgated by the United States Department of Education and conforming New York State laws and regulations applicable during the term of the grant, beginning on July 1, 2017.
2. as a condition of receiving funds under this grant, it will provide the New York State Education Department (SED) with any assurances required under ESSA on or before July 1, 2017.
3. the program will take place in a safe and easily accessible facility.
4. the program will be developed and will be carried out:
 - (i) in active collaboration with the schools that participating students attend (including through the sharing of relevant data among the schools), all participants of the eligible entity, and any partnership entities, in compliance with applicable laws relating to privacy and confidentiality; and
 - (ii) in alignment with the challenging State academic standards and any local academic standards.
5. the program will target students who primarily attend schools eligible for schoolwide programs under section 1114 and the families of such students.
6. subgrant funds under this part will be used to increase the level of State, local, and other non-Federal funds that would, in the absence of funds under this part, be made available for programs and activities authorized under this part, and in no case supplant Federal, State, local, or non-Federal funds.
7. the community will be given notice of an intent to submit an application and that the application and any waiver request will be available for public review after submission of the application.

SCHOOL PRAYER CERTIFICATION

As a condition of receiving federal funds under the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act of 2015 (ESSA), the local educational agency hereby certifies that no policy of the local educational agency prevents, or otherwise denies participation in, constitutionally protected prayer in public elementary schools and secondary schools, as detailed in the current guidance issued pursuant to ESSA Section 9524(a).

M/WBE Documents

M/WBE Goal Calculation Worksheet
(This form should reflect Year 1 budgeted costs)

RFP # and Title: (GC17-001) 21 Century Community Learning Center

Applicant Name:

The M/WBE participation for this grant is 30% of each applicant’s total discretionary non-personal service budget over the entire term of the grant. Discretionary non-personal service budget is defined as the total budget, excluding the sum of funds budgeted for direct personal services (i.e., professional and support staff salaries) and fringe benefits, as well as rent, lease, utilities, and indirect costs, if these are allowable expenditures. **For the purposes of the 21st CCLC grant, the salary and fringe benefit exclusion applies to the expenses of the lead applicant as well as any approved partner organizations. Please complete the following table to determine the dollar amount of the M/WBE goal for this grant application.**

	Budget Category	Amount budgeted for items excluded from M/WBE calculation	Totals
1.	Total Budget for Year 1		
2.	Professional Salaries		
3.	Support Staff Salaries		
4.	Fringe Benefits		
5.	Partnership Costs (Salaries & Fringe Benefits only)		
6.	Indirect Costs		
7.	Rent/Lease/Utilities		
8.	Sum of lines 2, 3 ,4 ,5, 6 and 7		
9.	Line 1 minus line 8 = Discretionary Budget Amount		
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 21st CCLC program. It may not be used for any other grant program.

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

NAME OF GRANT PROGRAM _____

NAME OF APPLICANT _____

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

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

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

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

M/WBE UTILIZATION PLAN

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

Bidder/Applicant's Name _____

Telephone/Email: _____/_____

Address _____

Federal ID No.: _____

City, State, Zip _____

RFP No.: _____

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

PREPARED BY (Signature) _____

DATE _____

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

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

TELEPHONE/E-MAIL _____

DATE _____

REVIEWED BY _____ DATE _____

UTILIZATION PLAN APPROVED YES/NO DATE _____

NOTICE OF DEFICIENCY ISSUED YES/NO DATE _____

NOTICE OF ACCEPTANCE ISSUED YES/NO DATE _____

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

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

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

Address: _____ Phone No.: _____

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

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

Date: _____

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

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

Address: _____ Phone No.: _____

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

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

DESIGNATION: MBE Subcontractor WBE Subcontractor MBE Supplier WBE Supplier

PART C - CERTIFICATION STATUS (CHECK ONE):

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

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

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

The estimated dollar amount of the agreement \$ _____

Signature of Authorized Representative of M/WBE Firm

Date

Printed or Typed Name and Title of Authorized Representative

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

PROJECT/CONTRACT # _____

I, _____
(Bidder/Applicant)

_____ of _____
(Title) (Company)

_____ () _____
(Address) (Telephone Number)

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

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

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

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

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

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

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

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

Submit additional pages as needed.

Authorized Representative Signature

Date

REQUEST FOR WAIVER FORM

BIDDER/APPLICANT NAME:

TELEPHONE:

ADDRESS:

EMAIL:

FEDERAL ID NO.:

CITY, STATE, ZIPCODE:

RFP#/PROJECT NO.:

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

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

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

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

Total **Partial** _____%

Total **Partial** _____%

Waiver Pending ESD Certification

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

Subcontractor/Supplier Name: _____

Date of application filing: _____

PREPARED BY (*Signature*): _____

DATE: _____

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

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

REQUIREMENTS AND DOCUMENT SUBMISSION INSTRUCTIONS

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

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

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

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

Applicant Name: _____

Telephone: _____

Address: _____

Federal ID No.: _____

City, State, ZIP: _____

Project No: _____

Report includes:

Work force to be utilized on this contract OR

Applicant's total work force

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

EEO - Job Categories	Total Work Force	Race/Ethnicity - report employees in only one category																	
		Hispanic or Latino		Not-Hispanic or Latino										Female					
		Male	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: _____

(Print or type)

STAFFING PLAN INSTRUCTIONS

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

Instructions for Completing:

1. Enter the Project number that this report applies to, along with the name, address, and federal ID number of the Bidder.
2. Check the appropriate box to indicate if the work force being reported is just for the contract/project or the Bidder/Applicant's total work force.
3. Check off the appropriate box to indicate if the Bidder completing the report is the contractor or subcontractor.
4. Enter the total work force by EEO job category.
5. Break down the total work force by gender and race/ethnic background and enter under the heading Race/Ethnicity. Contact the M/WBE Coordinator, mwbe@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, licensor, licensee, lessor, lessee or any other party):

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

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

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

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

5. NON-DISCRIMINATION REQUIREMENTS. To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex (including gender identity or expression), national origin, sexual orientation, military status, age, disability, predisposing genetic characteristics, marital status or domestic violence victim status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of \$50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

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

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

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

9. SET-OFF RIGHTS. The State shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of set-off any moneys due to the Contractor under this contract up to any amounts due and owing to the State with regard to this contract, any other contract with any State department or agency, including any contract for a term commencing prior to the term of this contract, plus any amounts due and owing to the State for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The State shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the State agency, its representatives, or the State Comptroller.

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

11. IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION.

(a) Identification Number(s). Every

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

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

12. EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN.

In accordance with Section 312 of the Executive Law and 5 NYCRR 143, if this contract is: (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of \$25,000.00, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the contracting agency; or (ii) a written agreement in excess of \$100,000.00 whereby a contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon; or (iii) a written agreement in excess of \$100,000.00 whereby the owner of a State assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project, then the following shall apply and by signing this agreement the Contractor certifies and affirms that it is Contractor's equal employment opportunity policy that:

(a) The Contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, shall make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on State contracts and will undertake or continue existing programs

of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgradings, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation;

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

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

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

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

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

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

16. NO ARBITRATION. Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration (except where statutorily

authorized), but must, instead, be heard in a court of competent jurisdiction of the State of New York.

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

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

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

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

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

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

NYS Department of Economic Development
Division for Small Business

Albany, New York 12245
Telephone: 518-292-5100
Fax: 518-292-5884
email: opa@esd.ny.gov

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

NYS Department of Economic Development
Division of Minority and Women's Business Development
633 Third Avenue
New York, NY 10017
212-803-2414
email: mwbecertification@esd.ny.gov
<https://ny.newycontracts.com/FrontEnd/VendorSearchPublic.asp>

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

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

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

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

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

21. RECIPROCITY AND SANCTIONS PROVISIONS.

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

22. COMPLIANCE WITH NEW YORK STATE INFORMATION SECURITY BREACH AND NOTIFICATION ACT.

Contractor shall comply with the

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

23. COMPLIANCE WITH CONSULTANT DISCLOSURE LAW.

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

24. PROCUREMENT LOBBYING.

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

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

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

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

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

During the term of the Contract, should the state agency receive information that a person (as defined in State Finance Law §165-

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

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

(January 2014)

APPENDIX A-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