

Announcement of Funding Opportunity
RFP #GC22-001

**ESSA, Title IV Part B Nita M. Lowey 21st Century Community Learning Centers
Grant Application**

Legislative Authority	<p>The Nita M. Lowey 21st Century Community Learning Centers (21st 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) of 2015.</p> <p><i>Note: The 21st CCLC is a formula grant from the US Department of Education made available to states, who administer subgrants to eligible entities through a competitive request for proposals. Awardees of this funding are therefore referred to as subgrantees and awards as subawards or subgrants. The words “grant” and “subgrant” are used interchangeably within this RFP.</i></p>
Purpose of Grant	<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	<p>The grant period is five (5) years, anticipated to begin July 1, 2022 and to end June 30, 2027, subject to availability of funds from the United States Department of Education and satisfactory performance of the subgrantee in the previous year.</p>
Eligible Applicants	<p>Any public or private organization that meets the eligibility requirements can apply for 21st CCLC funding. An “eligible entity” refers to a local</p>

	<p>educational agency (LEA), community-based organization (CBO), Indian tribe or tribal organization (25 U.S.C. Section 5130), another public or private entity, or a consortium of two or more such agencies, organizations, or entities (20 U.S.C. Section 7171[b][3]). 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 subgrants 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</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 such students, or 2. schools with at least 40 percent of students eligible for free or reduced priced lunch (FRPL), and the families of such students, or 3. schools with at least 40% of their students designated as economically disadvantaged, and the families of such 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>There are four tabs with lists at the following link: public schools and charter schools with at least 40% of their students who are economically disadvantaged; public schools and charter schools that are Title I Schoolwide programs; public schools and charter schools that have a FRPL rate of 40% or higher; and non-public schools that have a FRPL rate of 40% or higher. To be an eligible school, it must be on one of those lists. However, schools not on these lists can be included in your program as long as 2/3 of the students you propose to</p>
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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 7, 2021 for further instructions.

	<p>serve attend a school on one of these lists. In some cases a school may appear on more than one list.</p> <p><u>Complete List of Eligible Schools</u>, as of September 15, 2021.</p>
Amount of Funding	<p>Approximately \$95 million annually, subject to availability of federal funds. Annual subgrant awards will range from a minimum of \$50,000 to a maximum of \$1,200,000. A single agency may not apply for more than \$1,200,000 total, either as a lead agency, a partner agency in multiple subgrants, or as a combination of lead and partner agency, in this competition even though an agency may not be successfully awarded in each case. 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 \$2,100. Meaning, the maximum request amount per student is \$2,100.</p>
Application Due Date and Mailing Address	<p>The due date for application submissions is November 30, 2021, at 5:00 p.m. Complete applications must be submitted electronically via <u>Survey Monkey Apply portal</u>. Applications submitted via mail will not be reviewed.</p> <p>Instructions for submission are available at the Survey Monkey Apply Portal. Prospective applicants are advised that submission via the 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>For guidance on submitting acceptable forms of e-signature, please see the Instructions for Electronic Signatures document posted with this RFP.</p> <p>Submit by mail one (1) original and one (1) copy of the FS-10 budget postmarked no later than November 30, 2021 to:</p> <p>New York State Education Department Attn: Elizabeth Whipple Re: 2022-2027 21st CCLC Grant Application New York State Education Department Office of Student Support Services Rm 319M 89 Washington Avenue Albany, NY 12234</p> <p>Hand-delivered submissions of applications will not be accepted.</p>
Webinar	<p>Applicants may access a Technical Assistance Webinar for this RFP to be posted on <u>NYSED's P-12 website</u> no later than October 1, 2021.</p>

Questions and Answers	All questions must be submitted via email to 21CRFP@nysed.gov by 5:00 p.m. October 13, 2021 . A complete list of all Questions and Answers will be posted on NYSED's P-12 website no later than November 2, 2021.
Pre-qualification Requirement	Proposals received from nonprofit applicants that are not Prequalified in the Grants Gateway by 5:00 PM on the proposal due date of November 30, 2021 cannot be evaluated. Such proposals will be disqualified from further consideration. Please see the "Prequalification Requirement" section for additional information.
Non-Mandatory Notice of Intent	The Notice of Intent (NOI) is not a requirement for submitting a complete application by the application date; however, NYSED strongly encourages all prospective applicants to submit an NOI to ensure a timely and thorough review and rating process. A non-profit applicant's NOI will also help to facilitate timely review of their prequalification materials. The notice of intent should be submitted via Survey Monkey Apply Portal by 5:00 p.m. November 9, 2021 .
NYSED Designated Contacts	Program: Elizabeth Whipple Fiscal: Thomas McBride M/WBE: Brian Hackett Email: 21CRFP@nysed.gov

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Nita M. Lowey 21st Century Community Learning Centers (21stCCLC) Program
July 1, 2022 – June 30, 2027

Application Guidance

Description of Program

ESSA, Title IV Part B

Nita M. Lowey 21st Century Community Learning Centers Grant Application

PURPOSE OF GRANT PROGRAM

The Nita M. Lowey 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 2015.² 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 (above) 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

² <http://www.p12.nysed.gov/sss/21stCCLC/#Laws>

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. Applicants applying for this must attest to the provision of the required 300 additional hours on the **Participating Schools Form** provided.

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.

FUNDING AMOUNTS

Approximately \$95 million is expected to be available annually statewide for subgrants. Each applicant may apply for an annual grant award from a minimum of \$50,000 to a maximum of \$1,200,000. A single agency **may not apply** for more than \$1,200,000 total, either as a lead agency, a partner agency in multiple subgrants, or as a combination of lead and partner agency, in this competition even though an agency may not be successfully awarded in each case. 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 \$2,100. Meaning, the maximum request amount *per student* is \$2,100. **Awards for applicants that exceed this amount will be reduced to comply with the cap, but with the same level of services expected.**

If new or additional funding becomes available, and NYSED chooses to distribute this funding to applicants of this current RFP, NYSED will allocate the funds in this order by:

1. Making whole any funded programs that have received a partial award;
2. Approving awards, in rank order by region, for eligible applicants who received passing scores, but who did not rank high enough to receive the initial funding; and
3. Allocating additional funds among already awarded programs. Maximum request amounts will be established by distributing funding proportionally (based on total annual budget) to those currently funded projects.

Such plan will be subject to review and approval by the Office of the State Comptroller.

A decrease in funding for any subsequent funding year will result in a proportional reduction to all funded projects based on total annual budget.

PROJECT PERIOD

Subgrants will be for 5 years; anticipated to begin July 1, 2022 and to end June 30, 2027, subject to availability of funds from the United States Department of Education and full compliance and satisfactory performance of the subgrantee in the previous year.

ELIGIBLE APPLICANTS

Any public or private organization who meets the eligibility requirements can apply for 21st CCLC funding. An “eligible entity” refers to an LEA, community-based organization (CBO), Indian tribe or tribal organization (25 U.S.C. Section 5130), another public or private entity, or a consortium of two or more such agencies, organizations, or entities (20 U.S.C. Section 7171[b][3]). 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.

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
2. schools with at least 40 percent of students eligible for free or reduced priced lunch; and the families of these students, or
3. schools with at least 40% of their students designated as economically disadvantaged, and the families of such 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. A local educational agency (LEA) may apply without a partner only if the LEA can demonstrate 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 7, 2021 for further instructions.**

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. Applications that do not contain a signed Partnership Agreement, or alternatively, have not applied for the waiver by notifying the NYSED Office of Student Support Services by email at 21CRFP@nysed.gov no later than October 7, 2021, will be disqualified. See the “Instructions for Electronic Signatures” document posted with the RFP. 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, as 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 vendors. 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 2020-2021 school year.

Here is the [Complete List of Eligible Schools](#), as of September 15, 2021:

Click [this link](#) and then scroll to IMF Institutions: Active IMF Institutions by Judicial District (Regents Regions) to see in which Judicial District a school is located.

If a particular school **does not** appear on the Eligible Schools List, 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, or any other place where students apply to enroll in the high school of their choice, this option would not apply. Therefore, the feeder schools cannot be used to determine the eligibility of the high school in New York City or in any location where this is the case.

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 one of the two eligibility criteria stated above or appears on one of the eligibility lists.

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.

Schools that will have grant funding for out of school time activities at the anticipated start date of July 1, 2022 from another State or Federal source must clearly justify the need for another funding source in the same school, detail how the program will coordinate activities to ensure it

can meet participation targets for this funding and describe how funds will be allocated and spending recorded separately for each funding source.

GEOGRAPHIC FUNDING DISTRIBUTION

Applicants will be competing for funding within their respective Judicial Districts (JDs). If the lead applicant is in one JD and the schools it is proposing to serve are in another JD, the application will compete in the JD within which the schools are situated. If an applicant proposes to serve students in a district that has schools in different JDs, the applicant will compete in the JD in which a majority of the students to be served attend school. This will be determined by entries made in the Participating Schools Form (Attachment 3). Any partial funding amount that is leftover in each JD, after funding down the list of scored applications from highest to lowest, will first be offered to the next eligible applicant provided it is at least \$50,000, the minimum award allowed. The applicant will have the option of scaling back their program to the amount awarded. If declined, it will be offered to the next highest scored applicant in that JD, and so on down the list of those receiving a passing score. If all of those decline a partial award, or if the amount left over is less than \$50,000, the leftover funding from each JD will be pooled together and awarded via a statewide pool of unfunded or partially funded applications to the next highest ranked application(s) regardless of JD. In JDs containing one of the Big 4 school districts, i.e. JD 5: Syracuse, JD 7: Rochester, JD 8: Buffalo, and JD 9: Yonkers, there is a guaranteed set aside of funding for applicants in those cities as shown below. Scoring outcomes may increase that amount in each of those cities.

Judicial District Code	Regional Description	Counties	Percentage of all economically disadvantaged students statewide/percentage of total funding allocated for applicants serving schools in that judicial district	Big 4 % Guaranteed Set Aside	Approximate Annual Amount
1	Manhattan	New York	7.50%		\$7,125,000
2	Brooklyn	Kings	16%		\$15,200,000
3	East Central Region	Albany, Rensselaer, Schoharie, Columbia, Greene, Ulster, Sullivan	3.40%		\$3,230,000
4	North-east Region	Schenectady, Saratoga, Montgomery, Fulton, Washington, Warren, Hamilton, Essex, Clinton,	3.70%		\$3,515,000

		Franklin, St. Lawrence			
5	North Central Region incl. Syracuse	Herkimer, Oneida, Onondaga, Oswego, Lewis, Jefferson	5.40%		\$5,130,000
*	Syracuse only set aside			at least 40% of Dist. 5 Total	\$2,052,000
6	South Central Region	Otsego, Delaware, Madison, Chenango, Broome, Cortland, Tioga, Tompkins, Chemung, Schuyler	3%		\$2,850,000
7	West Central Region incl. Rochester	Monroe, Wayne, Ontario, Seneca, Cayuga, Yates, Livingston, Steuben	5.70%		\$5,415,000
*	Rochester only set aside			at least 40% of Dist. 7 Total	\$2,166,000
8	West Region incl. Buffalo	Niagara, Orleans, Genesee, Wyoming, Erie, Allegany, Cattaraugus, Chautauqua	7.10%		\$6,745,000
*	Buffalo only set aside			at least 40% of Dist. 8 Total	\$2,698,000
9	Lower Hudson Region incl. Yonkers	Dutchess, Putnam, Orange, Westchester, Rockland	8.20%		\$7,790,000

*	Yonkers only set aside			at least 40% of Dist. 9 Total	\$3,116,000
10	Long Island	Nassau, Suffolk	11%		\$10,450,000
11	Queens County	Queens	13.60%		\$12,920,000
12	The Bronx	Bronx	12.80%		\$12,160,000
13	Staten Island	Richmond	2.50%		\$2,375,000

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 (CSI) activities or targeted support and improvement (TSI) 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
- provide services to the families of the targeted students. There are two categories of priority points in which applicants may be awarded.

Category One: 3 priority points will be awarded to applications that will serve students, at least 2/3 of whom attend a school (i.e., public school, private school or charter school) that meets one or more of the following criteria:

- **Comprehensive Support and Improvement (CSI) Schools**
As required by ESSA, the bottom 5 percent of schools in student performance are identified as CSI schools. Schools are identified as CSI Schools if they performed at level 1 on a combination of indicators, or for high schools, if all student groups' four-, five- and six-year graduation rates are less than 67 percent.
- **Targeted Support and Improvement Schools (TSI)**
A school can be identified as TSI if one or more of its student subgroups performs at level 1 on a combination of the new indicators. If a school was in Good Standing, it must have two years of low performance before the school can be identified as a TSI School.
- **Schools in Receivership**

Category Two: 3 priority points will be awarded to applications that will serve students, 2/3 of whom attend a school (i.e., public school, private school or charter school) that meets one or more of the following criteria:

- **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.
- **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%.

The most priority points any one application can receive is 6, or 3 points in each of the two Priority Points categories above.

Refer to lists below to determine priority points:

- [List of Comprehensive Support and Improvement \(CSI\) Schools](#)
- [List of Targeted Support and Improvement \(TSI\) Schools](#)
- [List of Schools in Receivership](#)
- Link to [Needs Resource Capacity Index for High Need Rural School Districts](#)
- List of [Schools with Limited English Proficiency Rate equal to or greater than 5%](#):

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 Nita M. Lowey 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.*

Proposed 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. Programs should address learning loss through hands-on activities that are engaging, enjoyable and are not just extensions of the regular school day.

As we emerge from the COVID-19 pandemic, our priority must be to facilitate healing and encourage hope for the future in our children. All applicants must incorporate trauma-informed practices to address the variety of traumas that children and families are currently facing. Programs must address such issues as trauma and isolation and consider providing increased access to counselors, social workers and mental health professionals.

Applicants must address diversity, equity, and inclusion as it relates to staff, students, and families. The NYS Culturally Responsive-Sustaining Education Framework should be reflected throughout the proposed program.³

“Social and emotional learning (SEL) is an integral part of education and human development. SEL is the process through which all young people and adults acquire and apply the knowledge, skills, and attitudes to develop healthy identities, manage emotions and achieve personal and collective goals, feel and show empathy for others, establish and maintain supportive

³ The NYS Culturally Responsive-Sustaining Education Framework and additional resources are available at: <http://www.nysed.gov/crs/framework>

relationships, and make responsible and caring decisions. SEL advances educational equity and excellence through authentic school-family-community partnerships to establish learning environments and experiences that feature trusting and collaborative relationships, rigorous and meaningful curriculum and instruction, and ongoing evaluation. SEL can help address various forms of inequity and empower young people and adults to co-create thriving schools and contribute to safe, healthy, and just communities.”⁴ Social emotional competencies are associated with greater well-being and better school performance; while lack of competency in these areas can lead to personal, social, and academic difficulties. There is also evidence that participating in high quality, evidence-based SEL programs can reduce emotional distress, improve engagement, improve social emotional skills, and improve academic achievement. Alignment with the NYS Social Emotional Learning Benchmarks and associated guidance should be reflected throughout the proposed program.⁵

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 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 financial literacy, 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. These are all examples of family literacy in its broadest sense.

Proposed 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. Applicants 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. A student will be counted toward attendance targets if that student has attended for **at least 15 hours** during the program year, which runs from July 1 to June 30. Subgrantees choosing to utilize the 21st CCLC program to expand learning time during the mandatory school day must meet specific requirements and document procedures for monitoring school day program attendance.

⁴ The Collaborative for Academic, Social, and Emotional Learning. (2021) <https://casel.org/what-is-sel/>

⁵ The New York State Social Emotional Learning Benchmarks and other guidance are available at: <http://www.p12.nysed.gov/ssss/sel>

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.

Starting in the 2021-2022 program year, 21st CCLC programs will be reporting on a new set of Government Performance and Results Act (GPRA) indicators about the impact of the program to the federal government as follows:

1. Academic Achievement

- a. Percentage of students in grades 4-8 participating in 21st CCLC programming during the school year and summer who demonstrate growth in reading/language arts on state assessments.
- b. Percentage of students in grades 4-8 participating in 21st CCLC programming during the school year and summer who demonstrate growth in math on state assessments.

2. Grade Point Average

Percentage of students in grades 7-8 and 10-12 attending 21st CCLC programming during the school year and summer with a prior-year unweighted GPA less than 3.0 who demonstrated an improved GPA.

3. School Day Attendance

Percentage of youth in grades 1–12 participating in 21st CCLC during the school year and summer who:

- Had a school-day attendance rate at or below 90% in the prior school year AND
- Demonstrated an improved attendance rate in the current school year.

4. Behavior

Percentage of students grades 1 through 12 attending 21st CCLC programming during the school year and summer who experienced a decrease in in-school suspensions compared to the previous school year.

5. Student Engagement in Learning

Percentage of students in grades 1–5 participating in 21st CCLC programming in the school year and summer who demonstrated an improvement in teacher-reported engagement in learning.

All funded programs will be required to annually report on these indicators to the federal government. It is critically important that school districts understand the

responsibility to share this data with the grant funded program directors and to include data sharing agreements in the partnership agreements with their partners. CBO subgrantees rely on the cooperation of school districts to provide the necessary data required for them to be in compliance with the federal statute and risk the loss of funding if they are unable to report the required data to the federal government.

PROGRAM MANAGEMENT

Subgrantees 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 some, 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](#)⁶. 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. Subgrantees 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/qa/>

⁶ <https://networkforyouthsuccess.org/wp-content/uploads/2019/09/QSAGUIDE2018.pdf>

Applicants must ensure 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, with translated materials if the need for translations exists among the target population. 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 and addendum.⁷ This periodic independent evaluation, contracted by the subgrantee, is required to assess the 21st CCLC subgrantee's progress toward achieving its objectives to provide a high-quality expanded learning time program. The contract with the independent evaluator must ensure full adherence to all requirements delineated herein, including fulfillment of all activities specified in the [Local Program Evaluation Framework and Timeline](#)⁸, and must fall within six (6) to eight (8) percent of the total annual amount requested. Exceptions to this funding cap will be made for programs that assign the responsibilities of the required data manager described below, in which case the evaluation budget can be as high as ten (10) percent of the total request. **The contracted independent evaluator shall not be the primary grant writer of your proposal.** While the evaluator cannot be the primary grant writer for this application, it is understood that the evaluator will be writing the evaluation plan.

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 adhere to the following principles⁹:

⁷ Note that a revised evaluation manual will be released prior to the beginning of Round 8. The current 21st CCLC Evaluation Manual can be downloaded here: <http://www.p12.nysed.gov/sss/documents/NYSEvaluationManual.pdf>
The Evaluation Manual addendum:

<http://www.p12.nysed.gov/sss/documents/AddendumtoNYSEvaluationManual4-27-21v1.pdf>

⁸ <http://www.p12.nysed.gov/sss/documents/NYSEdLocalProgramEvaluationFrameworkandTimeline4-27-21.pdf>

⁹ These principles were derived from the following sources:

- the NYS 21st CCLC Evaluation Manual and addendum, cited above;
- the NYS 21st CCLC Principles of Effectiveness
[\[http://www.p12.nysed.gov/sss/documents/PrinciplesofEffectivenessrev2-21-20.pdf\]](http://www.p12.nysed.gov/sss/documents/PrinciplesofEffectivenessrev2-21-20.pdf);
- Site Monitoring Visit Report Template:
<http://p1232.nysed.gov/sss/documents/SiteMonitoringVisitReportPDF4.28.21.pdf>
- the 2019-2020 Annual Evaluation Report (AER) Template
[NYS21CCLCAnnualEvalRprtTemplateY3FINAL3.20.20.docx];
- the March 31, 2021 Program Directors' Progress Brief:
<http://www.p12.nysed.gov/sss/documents/ProgramDirsProgressBrief3.31.21Final.pdf>

1. Evaluation is conducted by an independent external evaluator who provides the subgrantee 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 and [Addendum](#). Qualification requirements must include strong project management skills, qualitative and quantitative analytical skills, training and/or experience in research methods and evaluation design, verbal and written communication skills, knowledge of how to collect and analyze objective data, and understanding of the fields of education and out of school time programming.
2. Evaluation is based upon an established set of local Performance Indicators (PIs) that:
 - a. reflect the availability of high-quality academic, developmental and recreational opportunities,
 - b. collectively assess all components of all program objectives as stated in the goals and objectives table that were completed in response to the [Program Design section]¹⁰, and
 - c. meet all SMART criteria described in the 2019-20 Annual Evaluation Report (AER) Template.
3. Local performance indicators are based on measures of student success that are aligned with the regular academic program of the school and participants' academic and social-emotional needs, and alignment is re-assessed and adapted as necessary over time.
4. There is a plan for following up on assessment of PIs from prior years that could not be completed due to missing or insufficient data;
5. Assurance of completion of required reports and site visits, including
 - a. an AER that follows an AER Template and Guidelines provided annually by the state level evaluator;
 - b. reporting that meets the needs of both the Program Director/Manager and the assessment of statewide objectives; and
 - c. observation findings that address both program administration and quality of point of service activities;
6. Initial establishment of evaluability and ongoing assessment of program fidelity;
7. Ongoing communications between evaluators and stakeholders regarding both formative and summative findings and recommendations that support continuous, data-driven program improvement, and meaningful involvement of students and families in the evaluation process; and
8. Assessment of stakeholders' satisfaction and perception of impact.

The results of the evaluation must be:

- made available to the public upon request, in a format that is accessible to a lay audience, with public notice of such availability provided,
- kept continuously up to date, and
- used by the State to determine whether a subgrant is eligible to be renewed, and to help inform assessments of whether Statewide objectives are being met.

¹⁰ A sample of entries for a goals and objectives table is provided:
<http://www.p12.nysed.gov/sss/documents/SamplesforGoalsandObjectivesTable.pdf>

ORGANIZATIONAL CAPACITY AND QUALITY OF THE MANAGEMENT PLAN

Partnering agencies should be capable of administering 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. Subgrantees should demonstrate strong fiscal management capabilities. Program and partnering administrative staff, school and partnering agency representatives, students (if age appropriate), parents and community members must be represented on the program advisory committee and must have meaningful involvement in program design, planning and assessment.

Program advisory committees are required to meet quarterly for stakeholder involvement in planning and decision-making. The local evaluator must attend advisory meetings and report on program implementation and progress toward outcomes to the stakeholders but is not a voting member of the committee. 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 and must be reviewed and updated annually. The sustainability plan should also include a plan to sustain the program when there is turnover in key staff positions. The plan should detail how all program requirements will continue to be met by providing any successor to key fiscal or programmatic positions with all of the compliance and reporting requirements of the grant.

All 21st CCLC programs must have a program director who has ultimate responsibility for all aspects of the subgrant. It is recommended that the Program Director be full time, especially for subgrants over \$750,000 in annual funding. One program director may not oversee more than two subgrants of any size. A program director for a single site subgrant may act in a dual capacity of program director and site coordinator, if necessary. Site coordinators for all programs must not be assigned to more than one site, as they should be on site during program times. In addition, all programs are required to have a program staff member designated as the education liaison, who is responsible for facilitating the linkage between the school day and out-of-school time programming. Key staff positions include, but are not limited to, program director, site coordinator, fiscal manager, education liaison, and data manager. The fiscal manager must regularly communicate with the program director to align spending with programming and is responsible for submitting all FS-10 budgets, FS-10A budget amendments, FS-25 invoices and FS-10F final expenditure reports by the deadlines established for each. A data manager is responsible for the management and quality control of reportable data. All programs need a data manager. It is up to the applicant whether to hire a part time data manager or to include the work of a data manager in the contract with the independent evaluator. If included as part of the evaluation contract, the cap for the independent evaluator may be as high as 10%. If not included in the evaluation contract, the cap is 8%. Additional staff, whether provided by the lead agency or partner agency, include teachers, activity leaders, counselors, etc.

ADEQUACY OF RESOURCES

Programs should be cost-effective and purposeful, target resources properly, and operate with a clear approach to program quality standards. Applicants' 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 federal, state, and local 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 coordinate federal, state and local funds must be developed to ensure the most effective use of public resources.

ELIGIBLE ACTIVITIES

21st CCLC subgrantees 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;¹¹
- 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 advocating for their children, and family literacy, including, but not limited to, financial literacy, English as a second language, computer literacy, help with job applications and resumes, etc.;
- 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;

¹¹ Study hall is not an allowable activity, but homework help in the form of small group tutoring or one-on-one assistance is an acceptable use of funds.

- 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.).

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 (SACC) 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 be 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 as per New York State's SACC regulations (see below for more information) and program staff must be trained to follow its procedures prior to commencing programming at the site(s). Programs in a school building that are run by a provider who does not have a SACC registration must also comply with NYSED laws and regulations for schools concerning health, including but not limited to medication administration, and training requirements for unlicensed staff to administer epinephrine auto-injectors and glucagon to students with orders for such. For further details regarding the health and safety requirements for this program please refer to the 21st CCLC site monitoring visit ([SMV](#)) [template](#). All subgrantees will be monitored for compliance in all areas

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. 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 to be submitted with the application, if required. Please note that the Payee Information Form is not required of current or past subgrantees.

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 registration. 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 registration and regulatory requirements, that include, but are not limited 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 registration is not required during that time.

Applicants are urged to contact their [OCFS Division of Child Care Services \(DCCS\) regional office](#)¹² (Appendix 2) for SACC registration information and to also consult with their local childcare resource and referral agency. This registration process must be completed and a copy of the SACC registration must be submitted to NYSED's program office prior to receiving 21st CCLC funds and prior to providing services to students. All SACC registration renewals must also be sent to the NYSED's program office when current registrations expire so that NYSED has ongoing assurance that all programs that require a SACC registration have a current registration. Applicants are encouraged to notify the appropriate OCFS regional 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 registration before the full 21st CCLC program can begin operation. If available, applicants are strongly encouraged to upload a current SACC registration or OCFS confirmation of receipt of application with their 21st CCLC proposal. A valid SACC registration 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.

¹² <http://www.p12.nysed.gov/sss/documents/OCFSRegionalOffices.pdf>

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 Nutrition Resources section on the Department's [21st CCLC web page](#).

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

ALLOWABLE EXPENDITURES

Funds must supplement, not supplant, existing services and may not be used to supplant federal, state, local, or nonfederal funds. Programs may not use 21st CCLC funds to pay for existing levels of service funded from any other source. An agency must ensure that each of those schools receives all of the federal, state, and local funds it would have received in the absence of the 21st Century funds. The 21st Century funds may not be used for new construction, entertainment, and purchases not directly related to requirements of the grant. All purchases must be reasonable and necessary.

Allowable and unallowable expenditures¹³ include, but are not limited to, the following:

Allowable costs	Unallowable costs
Transportation costs (i.e. driver salary and benefits, transportation vouchers, student bus passes)	Daily nutritional services for participants, ¹⁴
Curriculum materials related to afterschool programming	Grant writer fees
Programming staff salary and benefits such as teachers and tutors	Purchase of vehicles or facilities
Equipment purchases for instructional purposes (refer to local threshold)	Capital expenses (a building or land for a building)
Program evaluation	Indirect costs not pre-approved for an indirect cost rate by federal or state government agency
Youth Development contractors or Parent/Family Engagement speakers	Major remodeling or new construction

¹³ <http://www.p12.nysed.gov/sss/documents/AllowableandUnallowableCosts2.28.20.pdf>

¹⁴ 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.

Rental costs of real property and equipment ¹⁵	Supplies for fundraisers
Supplies and Computing devices, including computers/printer, pertaining to academic and enrichment activities	Costs of Entertainment which includes amusement, diversion, and social activities and any associated costs are unallowable, except where specific costs that might otherwise be considered entertainment have a programmatic purpose and are authorized either in the approved budget for the Federal award or with prior written approval of the Federal awarding agency
Staff Professional Development, trainings, and reimbursement of <i>approved</i> travel expenses	Planning expenses prior to the grant's start date
Equipment	Food or refreshments for staff meetings
	Incentives of any kind, ¹⁵

BUDGET (FS-10)

Applicants must submit an FS-10 Budget, Budget Narrative and the Composite Budget with this application for the initial 12-month project period. The 12-month FS-10 Budget, Budget Narrative and Composite Budget will be reviewed and scored. The [FS-10 Budget Form](#) and 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](#) found at <http://www.oms.nysed.gov/cafe/forms/> and <http://www.oms.nysed.gov/cafe/guidance/>. The Composite Budget (See Attachment 7), to be downloaded from and uploaded to the [Survey Monkey Apply portal](#), must conform with all maximum and minimum percentage amounts per category (direct services, administrative, evaluation and professional development).

Beginning July 1, 2022 through June 30, 2027, programs will be awarded annual funds based on their 2022-23 budget.

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

The total annual amount of 21st CCLC funds requested, divided by the maximum anticipated number of students served, must not exceed an annual amount of \$2,100 per student. **Application budgets that exceed the \$2,100 maximum annual allowable cost per student will have their budgets reduced if awarded and will be expected to submit a budget that is within the cap while still promising to provide the same level and quality of services as described in the budget.** The \$2,100 maximum allowable cost per student must be reflected on the Composite Budget along with the target number of students to be served. That target number of students to be served must be consistently reflected in the Budget Narrative and on the Composite Budget form. If there are inconsistencies, the

¹⁵ 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.

numbers reflected on the Composite Budget will be used and checked to ensure that the \$2,100 cost per student is not exceeded. Inconsistencies will also result in the reduction of points in the scoring of the application. This target number will be used to determine if funding cuts are required following the check of participation data at the end of each program year.

The budget should be reasonable and appropriate to cover program expenses, including any student transportation. Budgets should include travel and lodging for up to three persons to attend two regional professional development events each year when in-person events are possible. One of the three attendees must be the person with fiscal responsibility for the program. Evaluators are highly encouraged to attend but the cost of their attendance must be included in their contract with the subgrantee and not be included in the applicant's budget. NYC subgrantees must plan for one of the two events to be local, within the City and not require an overnight stay and the other requiring one to two overnights for lodging. The location of the joint Rest of State (ROS) and NYC event is TBD. ROS subgrantees should plan for both events to require one to two overnight stays since ROS subgrantees are spread throughout the state. Site locations TBD. The professional development events may be virtual due to unforeseen circumstances.

The applicant must complete the FS-10 Budget Form. Budgeted costs must comply 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 [Grants Finance website](#). The FS-10 must bear the original signature of the Chief School/Administrative Officer. In addition to uploading the FS-10 to the Survey Monkey Apply portal, the original and one copy should be mailed to NYSED. See the mailing address on page iii.

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](#).

FS-10 budgets, Composite Budgets and MWBE documents must be submitted annually by the due date established by the program office. FS-10 budgets are due by May 15 each year, prior to the July 1 start of the program year. Failure to submit an on-time FS-10 budget could result in the subgrantee losing its funding for that year. If there are extenuating circumstances preventing an on-time budget submission, the subgrantee must communicate with the program office and receive prior approval for a later submission date established by the program office. The New York State Education Department (The Department), as the federal grant recipient, must monitor sub-recipient spend down quarterly. Therefore invoices for reimbursement of subgrantee program expenses using form FS-25 should be submitted to Grants Finance as often as monthly, and no less frequently than quarterly.

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 subgrantee earns any program income, the income MUST be used to reduce the amount of the subaward and defray current subgrant expenditures unless PRIOR approval is requested and received from NYSED. If a subgrantee wishes to earn program income for subgrant program activities without decreasing the amount of grant funds received from NYSED, the subgrantee 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 subgrant, and expended for approved subgrant activities before claiming expenditures for such activities from NYSED. NYSED will then review the request and either approve or disapprove it.

In addition, subgrantees must report all program income to NYSED. NYSED will deduct program income from the subaward unless NYSED gave the subgrantee prior approval to add the program income to their subgrant.

For further information on the treatment of program income, click [this link](#).

BUDGET ADJUSTMENTS IN THE EVENT OF SHORTFALLS IN PARTICIPATION GOALS

Subgrantees are required to enter program participation data, by student, by participation hour, regularly throughout the program year, as often as daily and no less frequently than monthly. This data must be entered by program staff into a state-level data collection and reporting system. The current contractor for this system is ThomasKelly Software Associates and the data system is called [EZReports](#). All subgrantees will be trained on the use of the system soon after the awards are made. The participation data for the program year will be reviewed by NYSED and the statewide evaluator by July 15 annually to ascertain whether the program met its participation target for the year, which ends on June 30. A student must attend the program for a minimum of 15 hours in the program year to be considered a participant.

Non-Profit

In grant years two through five, if less than 95% of the student participation target set forth in the application's Participating Schools Form and reflected in the Composite Budget has met the minimum threshold of at least 15 hours to be considered a participant for the purposes of this RFP, the subgrantee's budget will be proportionately reduced by the amount of the percentage deficiency. For example, if 94% of the projected participants have attended 15 hours or more, the subgrantee's budget will be reduced by 1% in the year of the deficiency. In the event of a shortfall in participation goals, subgrantees will be required to submit a budget amendment (FS-10A) to indicate from which budget categories the reduction will be taken. The Final expenditure Report (FS-10F) 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 application's Participating Schools Form and reflected in the Composite Budget has met the

minimum threshold of at least 15 hours per participant, the subgrantee's budget will be proportionately reduced by the amount of the percentage deficiency. For example, if 94% of the projected participants have attended for 15 hours or more, the subgrantee's 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 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.

REPORTING AND MONITORING

Subgrantees are required to submit a Mid-Year Report (MYR), typically in February or March of each program year using an on-line system. The MYR is a way for the Program Office to monitor the progress made toward successful implementation of programs under this grant. This report must be completed by the program director, not the local evaluator.

All subgrantees are required to have a local evaluator. The local evaluator must submit the Annual Evaluation Report (AER) and must comply with all the requirements as per the 21st CCLC Evaluation Manual. As stated in the Manual, the AER must be submitted annually, no later than September 30 of each year of the grant. The AER provides data on the progress that the program has been made toward meeting the project goals and the program performance indicators. Additional information about the annual performance report will be made available to subgrantees by SED after grant awards are made. Subgrantees who do not demonstrate adequate performance and 100% compliance risk the loss of funding.

Subgrantees must ensure that they will take the necessary steps to be in full compliance with all State and Federal requirements. In order to monitor compliance, the Department's 21st CCLC program office, in collaboration with the 21st CCLC Technical Assistance Resource Center(s), will conduct at least one site monitoring visit (SMV) during the five-year funding cycle. After such visit(s), in-person (if possible), or virtual (if necessary), if the program is found to be out of compliance in any areas, the program has to submit an [Action Plan](#)¹⁶ and has up to six months to come into full compliance or risk the loss of funding. The Department conducts an annual risk assessment of all subgrantees to determine which subgrantees need to be monitored in any given year. Refer to the SMV report template for the areas in which all programs will be monitored for compliance.

NYSED CONSORTIUM POLICY FOR STATE AND FEDERAL DISCRETIONARY GRANT PROGRAMS

Participants can form a consortium to apply for the grant. In order to do so, the consortium must meet the following requirements:

¹⁶ http://www.p12.nysed.gov/sss/documents/ActionPlanTemplate8.24.20_000.pdf

1. The consortium must designate one of the members 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 consortium, the grant or grant contract will be prepared in the name of the applicant agency/fiscal agent, not the consortium, since the group is not a legal entity.
3. The applicant agency/fiscal agent must meet the following requirements:
 - A. Must be an eligible grant recipient as defined by statute;
 - B. Must receive and administer the grant funds and submit the required reports to account for the use of grant funds;
 - C. Must require consortium partners to sign an agreement with the fiscal agent that specifically outlines all services each partner agrees to provide.
 - D. Must be an active member of the partnership/consortium.
 - E. Cannot act as a flow-through for grant funds to pass to other recipients. NYSED has established a minimum level of direct service of 25% to be provided by the fiscal agent.
 - F. 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.
 - G. 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.

BUDGET CATEGORY MAXIMUMS AND MINIMUMS

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 about indirect costs, visit [Grants Finance's website](#):

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 10% and no less than 6% of the total annual award may be used for independent program evaluation. The 10% threshold should only be used if the evaluation contract with the program specifies that the evaluator will be responsible for the data management and quality control of all data requirements of the program including local, State and Federal data collection and reporting. If that is not part of the evaluation contract, the cap is 8%.

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 25% 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 25% 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.

REQUIREMENTS FOR FUNDING

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

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

PREQUALIFICATION REQUIREMENT

Pursuant to the New York State Division of the Budget bulletin H-1032, not-for profit organizations must Prequalify to do business with New York State agencies before they can compete for State grants. The process allows nonprofits to address questions and concerns prior to entering a competitive bid process. **Nonprofits are strongly encouraged to begin the Prequalification process as soon as possible.**

To become prequalified, a nonprofit must register with Grants Gateway and complete an online Prequalification application. This includes completing a series of forms by answering basic questions regarding the organization and uploading key organizational documents.

Detailed information on how to register with the Grants Gateway and become prequalified is available on the [Grants Management](#) website.

Disclaimer: *New York State reserves 5-10 business days from the receipt of complete Prequalification applications to conduct its review. If supplementary information or updates are required, review times will be longer. Due to the length of time this process could take to complete, it is advised that nonprofits Prequalify as soon as possible. Failure to successfully complete the Prequalification process early enough may result in a grant application being disqualified.*

Proposals received from nonprofit applicants that are not Prequalified in the Grants Gateway by 5:00 PM on the proposal due date of November 30, 2021 cannot be evaluated. Such proposals will be disqualified from further consideration.

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.

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

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

ACCESSIBILITY OF WEB-BASED INFORMATION AND APPLICATIONS

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

REQUIREMENTS OF EDUCATION LAW SECTION 2-D

The Contractor agrees to comply with FERPA and New York State Education Law § 2-d. The New York State Education Department's **Data Privacy Appendix (Appendix R)** is posted with this RFP, the terms of which are incorporated herein by reference, and which shall also be part of the Contract as Attachment R. The Data Privacy Appendix should be uploaded to the Survey Monkey Apply portal. By doing so, the applicant agrees to the terms.

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 posted with the 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.

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

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

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

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

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

The M/WBE participation goal for this grant is 30% of each applicant's total discretionary non-personal service budget each year of the grant. 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.

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 (30) days from the date of notice of award to submit the necessary documents and respond satisfactorily to any follow-up questions from the Department. Failure to do so may result in loss of funding.

METHODS TO COMPLY

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

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

COMPLETE FORMS:

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

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

COMPLETE FORMS:

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

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

COMPLETE FORMS:

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

GOOD FAITH EFFORTS

Applicants must make a good faith effort to solicit NYS certified M/WBE firms as subcontractors and/or suppliers to achieve the goals for this grant. Solicitations may include, but are not limited to: advertisements in minority and women-centered publications; solicitation of vendors found in the [NYS Directory of Certified Minority and Women-Owned Business Enterprises](#); and the solicitation of minority and women-oriented trade and labor organizations.

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

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

REQUEST FOR WAIVER

When full participation cannot be achieved, applicants must submit a Request for Waiver (M/WBE 101). Requests for Waivers must be accompanied by documentation explaining

the good faith efforts made and reasons they were unsuccessful in obtaining M/WBE participation.

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

All payments to Minority and Women-Owned Business Enterprise subcontractor(s) should be reported to the NYSED M/WBE Program Unit using the M/WBE 104G Quarterly M/WBE Compliance Report. This report should be submitted on a quarterly basis and can be requested at MWBEGrants@nysed.gov.

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

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

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

NYSED'S RESERVATION OF RIGHTS

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

DEBRIEFING PROCEDURES

All unsuccessful applicants may request a debriefing within fifteen (15) calendar days of receiving notice from NYSED. Bidders may request a debriefing letter on the selection process regarding this RFP by submitting a written request to 21CRFP@nysed.gov.

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

CONTRACT AWARD PROTEST PROCEDURES

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

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

2. The protest must be filed within ten (10) business days of receipt of a debriefing or disqualification letter. The protest letter must be emailed to 21CRFP@nysed.gov, attention Thomas McBride.

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

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

VENDOR RESPONSIBILITY

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

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](#) or go directly to the [VendRep System online](#).

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 ITServiceDesk@osc.ny.gov.

Vendors opting to complete and submit a paper questionnaire can obtain the appropriate questionnaire from the [VendRep website](#) 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 when:

- 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 that provide for the debarment of vendors that violate certain sections of WCL. The WCL requires, and has required since introduction of the law in 1922, the heads of all municipal and State entities to ensure that businesses have appropriate workers' compensation and disability benefits insurance coverage *prior* to issuing any permits or licenses, or *prior* to entering into contracts.

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

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

PROOF OF COVERAGE REQUIREMENTS

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

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

Proof of Workers' Compensation Coverage

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

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

Proof of Disability Benefits Coverage

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

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

For additional information regarding workers' compensation and disability benefits requirements, please refer to the [New York State Workers' Compensation Board website](#). Alternatively, questions relating to either workers' compensation or disability benefits coverage should be directed to the NYS Workers' Compensation Board, Bureau of Compliance at (518) 486-6307.

SUBMISSION INSTRUCTIONS AND METHOD OF AWARD

Creating and Submitting Applications

Applications must be submitted electronically through the [Survey Monkey Apply portal](#) by **5:00 p.m. on November 30, 2021**. Instructions for submission are available at the portal website.

Online applications can be created and later submitted by going to the [Survey Monkey Apply portal website](#). Click “Register” on the right-hand side of the page to access the account creation page. On the account creation page, you will be asked to specify your email address and directed to create a password. An activation email will be sent, instructing you to follow the link provided for account activation.

Once you have created and activated your account, you can log in and will be directed to your main dashboard, which will list the tasks that you need to complete in order to submit your application. You will be able to save your progress and log in and out as often as needed to complete your application.

To log back into your account, go to the **Survey Monkey Apply portal** website and sign in using the email address and the password you (previously) created. To begin work on a task, click on its link. Follow the instructions provided to complete an online form or to upload a document. Once you have completed a task, you may review it or download it for your files.

Once you have completed all of the required tasks, you must click on the Submit button at the bottom of the page. Your application will then be sent to the review portal. You may then download the entire submission for your files.

To doublecheck that you have clicked Submit and the system has registered that action, return to your Dashboard and make sure there is a date and time entered under “Last Submitted.” You can also log out, log back in and check the Home Screen. Under the VIEW heading, be sure that it says “Submitted” with a date and time that meet the deadline.

You also should receive an email from the Survey Monkey Apply administrator confirming receipt of your submission shortly after submitting. (If you do not receive a confirmation email, consider your submission as not submitted/not received. Be sure the email has not been filtered into the Spam folder.) If you have not received your confirmation email within an hour of clicking the Submit button, click the Information icon symbol on the upper right-hand side of the page, scroll to “Having technical issues with this site?” and fill out the form to receive assistance.

NOTE: Please complete your submission in such a timeframe that allows time for receipt of confirmation email and/or resolution of any submission issues prior to the submission deadline. If your window for receipt of confirmation runs past the submission deadline and your submission cannot be confirmed, your submission will be considered as not received.

Review and Rating of Applications

Proposals received after **5:00 p.m. on November 30, 2021** 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 4). 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 reviewers' scores, a third reviewer will review the application – unless it is mathematically impossible for an applicant to achieve an average score of 60 or higher with a third review -- and the two closest scores will be averaged to compute the final score. If a 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 and meet the required thresholds on the Composite Budget 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 must receive a final average score of 60 or higher out of 100 points (not including priority points) to be considered for funding. Once priority points are added, proposals will be ranked in order of final average score from highest to lowest within each Judicial District. In the event of tie scores, proposals with the highest score on the Proposal Narrative will be ranked higher. If there is still a tie, proposals with the highest score on Key Elements of Program Design section will be ranked higher. Applicants will be funded in rank order until the funds are exhausted in each JD. In the event there are insufficient funds to fund the next ranked applicant in full, the next ranked applicant in that JD will be given the opportunity to operate a smaller program using the remaining funds.

Applications will be ranked according to final average score plus priority points from highest to lowest within each Judicial District (JD), and funds will be allocated to each of the following 13 JDs to match the percentage of disadvantaged students in each of the JDs, as follows:

JD #1: 7.5%, JD #2: 16%, JD #3: 3.4%, JD #4: 3.7%, JD #5: 5.4%, JD #6: 3%, JD #7: 5.7%, JD #8: 7.1%, JD #9: 8.2%, JD #10: 11%, JD #11: 13.6%, JD #12: 12.8%, JD # 13: 2.5%. In addition, there are minimum set asides for applicants in the Big 4 cities of Yonkers – 40% of JD #9 total, Buffalo – 40% of JD #8 total, Rochester – 40% of JD #7 total, and Syracuse – 40% of JD #5 total

guaranteed. Applicants from those cities could receive more than 40% of the funding in that district based on scores but are guaranteed at least 40% of the funding allocated in those respective JDs.

For-profit applicants are limited to a minimum annual award of \$50,000 and a maximum annual award of \$400,000. Each eligible application from a for-profit organization must partner with an LEA and must serve students at least 2/3 of which attend a Title I school. Each eligible application must receive a minimum technical score of 60 or higher out of 100 points (not including priority points) to be considered for funding.

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.

PROGRAM NARRATIVE (80 points)

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

1) Executive Summary (not to exceed 2 pages – does not count toward the 25 page limit.) (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 (5 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 (1 point);
- 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 (2 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 (23 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 Nita M. Lowey 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 (8 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.		
<i>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.</i>		
Program Objective 1.1-1:		
Activities to Support This Program Objective	Performance Indicator(s) of Success	How It Will Be Measured
<i>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.</i>		
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

<i>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.</i>		
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 program is based upon an assessment of objective data regarding the need for before and after school programs (including during summer recess periods) and activities in the schools and communities. Include plans to conduct the needs assessment annually and how the annual needs assessment data will be used to ensure that the program remains aligned with potentially shifting needs of the target population while still adhering to the program’s goals and objectives. (2 points)
- d. Describe how the activities will be aligned and coordinated with the regular school day and school day teachers, challenging State learning standards¹⁷, school and district goals, and the Regents’ Reform priority for college and career readiness. Include how the staffing plan will include an education liaison who will be the main conduit between the program and the school to ensure ongoing alignment with the school’s curriculum. Describe how the education liaison will work with school personnel to identify potential program participants and communicate specific students’ needs to the program so the program can better serve the students. (2 points)
- e. Describe how the NYS Social Emotional Learning Benchmarks will be reflected in the proposed program;¹⁸ Include plans to rebuild the resilience and hope of students following the COVID-19 pandemic. (2 points)

¹⁷ The New York State Learning Standards are available at: <http://www.nysed.gov/curriculum-instruction>

The New York State Social Emotional Learning Benchmarks and other guidance are available at: <http://www.p12.nysed.gov/sss/sel>

- f. Explain how you will utilize trauma-informed practices to address trauma that children and families have experienced. (2 points)
- g. Discuss how your program will address such issues as diversity, equity, and inclusion and how it will integrate antiracist strategies. (2 points)
- h. 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. (1 point)
- i. Describe how families of participants will be provided ongoing opportunities for meaningful engagement in their children's education, including opportunities for literacy, including but not limited to financial literacy, ENL classes, resume writing, parenting, etc., and related educational development. (2 points)

4) Use of Time (8 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; (2 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 in each program activity and recording that attendance in the statewide data collection and reporting system (current system used is [EZReports](#) provided by ThomasKelly Software Associates). Site licenses and training will be made available to subgrant awardees. Provide a plan for regularly recording/updating student attendance by time in each activity into the EZReports system which also allows programs to utilize the scanning capabilities of the system if programs choose to use it. Applicants applying to expand learning time (ELT) during the mandatory school day as part of their 21st CCLC program must

document procedures for recording school day (ELT) program attendance, as well as the out of school time (OST) program attendance. (2 points)

- 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. Since full funding is based on meeting attendance targets, recruitment and retention of students is critical to the functioning of the program. (2 points)

5) Program Management (15 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 to meet all State and Federal data collection and reporting requirements. The applicant should describe time allocation for collaborative planning and professional development for all program staff, including the school day teachers and partnering agency staff working in the program in order to build strong, coordinated 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 all Federal and State reporting requirements and all applicable laws relating to privacy and confidentiality; (4 points)
- b. Describe the plan to use the Quality Self-Assessment (QSA) tool twice each year for self-assessment and planning for program improvement; (1 point)
- c. Describe how the program will meet health, nutrition and safety needs of the students, including compliance with SACC and/or district safety policies and procedures where applicable. Include how and when safety trainings will be conducted and by whom; (3 points)
- d. Describe how students will travel safely to and from the center and home; (1 point)
- 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* (3 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 and meets the needs of MLLs, ELLs and their families; (1 point)
- g. Describe the plan to provide ongoing relevant professional development and collaborative planning time for all staff working in the program, including teachers and community partner staff, to ensure coordinated and collaborative program delivery in alignment with the goals and objectives of promoting quality programming and the school and district goals. (2 points)

6) Quality of Project Evaluation (12 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 and addenda, cited above. Describe how evaluation is aligned with the goals, measurable objectives and expected outcomes/local Performance Indicators 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. Describe how the program evaluation meets the listed “principles” of effective evaluation.

Scoring Indicators:

- a. Describe the proposed evaluation plan aligned with the criteria in the [Principles of Effectiveness](#) by specifying a set of performance indicators that collectively assesses all components of all program objectives as stated in the goals and objectives table (2 points)
- b. The proposed plan must describe how all such performance measures meet all SMART criteria as described in the Principles of Effectiveness, i.e. Specific, Measurable, Attainable, Relevant, and Time-oriented. (2 points).
- c. Describe how objectives for, and measures of, student success will be aligned with the regular academic program of the school and participants’ academic needs, and how that alignment will be re-assessed and adapted as necessary over time (1 point).
- d. 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 standards¹⁹, and how any gaps in data during a given program year will be filled in during subsequent year(s); (2 points)
- e. Describe how both the State’s and the grant recipient’s evaluation reporting requirements, as specified in the Evaluation Manual, will be met on an annual basis (2 points).

¹⁹ <http://www.nysed.gov/curriculum-instruction/career-development-and-occupational-studies-cdos-standards>

f. Indicate how students and families will have meaningful involvement throughout the evaluation process; (1 point)

g. Identify and describe the qualifications of the external evaluator who will provide the subgrantee 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. Qualifications should include strong project management skills, qualitative and quantitative analytical skills, training and/or experience in research methods and evaluation design, verbal and written communication skills, knowledge of how to collect and analyze objective data, and understanding of the fields of education and out of school time programming. (2 points)

7) Organizational Capacity and Program Oversight (16 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. Ideally there would be a full-time Program Director, especially for any grant over \$750,000. A program director may not oversee more than two 21st CCLC grants. In addition, it is required 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. 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.

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; (3 points)
- b. Describe the applicant agencies' relevant experience or promise of success in fiscal management and tracking of similarly-sized grant-funded programs, especially with any previous federal funding, 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. Include plans for the fiscal lead to attend required bi-annual professional development events; (3 points)
- c. Describe the management structure and responsibilities of key staff positions. Identify the experience of the Program Director and the Education Liaison and the percent FTE of those two positions. Describe how grant requirements will continue to be maintained in the event of key staff turnover so that important

reporting dates and budget requirements are not affected. Include the role of other key staff that will work in the program. In addition, describe plans for the recruitment and role of appropriately qualified volunteers, if applicable; (3 points)

- d. Describe the role of each partnering agency for which there is a customized, signed partnership agreement. The Partnership Agreement (for more information see Partnership section) should clearly articulate each partnering agency's specific responsibilities, including their meaningful involvement in planning and decision making. It must also address the commitment to sharing required student data for program compliance with all federal state and local evaluation purpose while ensuring compliance with 2d law protecting student privacy. 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; (2 points)
- f. Present a preliminary sustainability plan that describes efforts to maintain the program when 21st CCLC funding ends. Include a plan to sustain the program when there is turnover in key staff positions, to provide any successor to key fiscal or programmatic positions with all of the compliance and reporting requirements of the grant. (2 points)

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; (3 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; (3 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. If other state or federal funding for

out of school time activities are known or anticipated in the same school on July 1, 2022, describe how the applicant will coordinate activities to ensure it can meet participation targets for this funding as well as how funds will be allocated and spending recorded separately for each funding source; (3 points)

- e. Using the FS-10 Budget Form, provide an itemized budget and brief narrative of how the requested funds will be used for the initial 12-month project period of 7/1/22 – 6/30/23. Describe the purpose of funds allocated to each budget category on the FS-10 Budget Form. Budgeted costs must comply with applicable State and federal laws and regulations and the Department's Fiscal Guidelines. These guidelines, as well as the FS-10 form, are available online on the Grants Finance website. The FS-10 must bear the original signature of the Chief School/Administrative Officer of the lead agency. 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.(4 points)
- f. Applicants must also download the Composite Budget form (Attachment 7; a link is available on Survey Monkey Apply) and discuss how the budget adheres to funding caps for administration (10%), planning and professional development (5%), and evaluation (from a minimum of 6% to a maximum of 8-10% depending on evaluation contract) and the provision of minimum direct service by lead agency (25%). If using the 10% threshold for evaluation, the applicant must ensure that the contract with the independent evaluator specifies that the evaluator will be responsible for the data management and quality control of all data requirements of the program including local, State and Federal data collection and reporting. If that is not part of the evaluation contract, the cap is 8%. Purchased Services costs must be aligned with the objectives and activities of the program. Ensure that your cost per student does not exceed the maximum of \$2,100 per student and that your target number of students is accurately reflected in both your program narrative and the Composite Budget. Discrepancies between target number of students identified in your program narrative or on the Participating Schools Form or the Program Site Form and the target number appearing in your Composite Budget will result in loss of all scoring points for this section. (4 points)

PARTNERSHIP AGREEMENT(S)

All partnering schools, districts and agencies must agree to and 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. Partnership Agreements are customizable but all must include a provision that the district make student data available to the program so that all Federal and State reporting requirements can be met. **Applications containing Partnership Agreements that do not include all required signatures will not be reviewed. Electronic signatures are acceptable. Please see the Instructions for Electronic Signatures document posted with this RFP.**

Partnership Agreements must be for the full five-year term but should be reviewed annually. If material changes become necessary, a revised agreement must be submitted to NYSED for approval along with letters from those named in the original agreement stating a mutual decision to amend or dissolve the partnership. If requesting to dissolve a partnership, a [Program Modification Request](#) must also be submitted to the Department's program office for approval.

Note to New York City Department of Education (NYCDOE) applicants: All Partnership Agreements must be signed by the Community School District Superintendent.

APPENDIX 1: SAMPLE PARTNERSHIP AGREEMENT

This template is provided 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 this Partnership Agreement Template 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. You may add additional clauses as necessary to customize and align the agreement with your proposed program, but the clauses shown in this sample must be included as written, with the exception of phrases in brackets, which can be modified or deleted. Add lines as needed for additional schools and partnering agencies. Or if you prefer, you may use a separate agreement form for each school/partnering agency.

The _____ and _____
(Name of School(s)) (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 2022-2027 grant term. The goal of this program is to provide a 21st CCLC program of the highest quality for the participating students. When referring to “lead agency” in this agreement, it is referring to the entity that is the grant subaward recipient.

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. Ensure that all data required for reporting to Congress by the Government Performance and Results ACT (GPRA), that is not available directly from the New York State Education Department (NYSED), will be provided annually, as required, and entered and/or uploaded into EZReports, New York's current 21st CCLC program's statewide data collection and reporting system managed by Thomaskelly Software Associates. This will require mutual cooperation and data sharing agreements between the CBO, whether the lead or partner agency, and the school, whether the lead or partner agency. (See item 2. in the Responsibilities of the School section.)
7. *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. Enter into a data sharing agreement with the partnering school in order to provide the necessary data required for GPRA reporting. (See item 2. in the Responsibilities of the School section.)
18. *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 and the 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.
2. Agree to annually provide all data required for reporting to Congress by the Government Performance and Results ACT (GPRA) that is not available directly from the New York State Education Department (NYSED). Note that the specific data requirements might change from year to year if the USDOE decides to modify the GPRA requirements. The GPRA requires aggregated

data only, so the school can choose between calculating the aggregated results as defined by GPRA, or providing raw data for the sub-grantee or local evaluator to calculate. As of the 2021-22 school year, required data that cannot be obtained from NYSED includes previous and current year report card grades, aggregated to determine the percentage of students in grades 7-8 and 10-12 who showed improvement in their unweighted grade point average. Since schools differ in how GPA is determined, or perhaps do not even calculate GPA, the 21st CCLC program office at NYSED has created a crosswalk for schools and programs to use for this purpose. This data must be made available to the lead agency in this grant, including if the lead agency is not a school. Depending on your data agreement with the lead agency, you will either provide the required aggregated data to the lead agency, or will provide student level data (actual current and previous year grades) to the lead agency or the lead agency's program evaluator for them to calculate the required aggregations. If student level data is provided, the school must enter into a data privacy agreement with the recipient of the personally identifiable information (PII) whereby the lead agency must agree to full protection of the rights of the students in compliance with applicable state and federal laws relating to privacy and confidentiality, including the Family Educational Rights and Privacy Act (FERPA) and the New York State Education Law Section 2-d.

3. If the program is school based, assure the availability of clean spaces for the 21st CCLC program in an adequate number of classrooms with adequate ventilation and space for social distancing, as required by the CDC; space might also include the cafeteria, auditorium, library, computer lab, gymnasium, and any other relevant space as appropriate for the program, 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. **All schools involved in the 21st CCLC program must have the signature of the principal/administrative lead.**)

By checking this box, those signing above attest that their school or organization has not applied for more than \$1.2M total, as either a lead agency, a partnering agency, or a combination of lead and partnering agency for this RFP.

APPENDIX 2: 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 - ((347) 854-1971 or (347) 854-1972

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

Adam Clayton Powell State Office Building
163 West 125th St, 13th Fl
New York, NY 10027
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

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The Atrium
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Syracuse, NY 13202
(315) 423-1202

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117 East Stevens Avenue
Valhalla, NY 10595
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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: APPLICATION EVALUATION RUBRIC
Nita M. Lowey 21st Century Community Learning Centers Grant

Applicant:		
Reviewer Name:	Date Completed:	Score:

Any awarded Priority Points will be added to the final score for purposes of ranking the proposal.

Rating Guidelines:

Review Criteria	
Meets All Criteria	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.
Meets Most Criteria	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.
Meets Limited Criteria	Imprecise and non-specific. Criteria appear to be minimally met, but limited information is provided about approach and strategies. Lacks focus and detail.
Does Not Meet the Criteria	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	Criteria are not addressed.

Eligible for Priority Points?	Yes	No
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Criteria	Meets all Criteria	Meets Most Criteria	Meets Limited Criteria	Does Not Meet the Criteria	Missing Response
1. Executive Summary/ Mission Statement (1 point) Provide a compelling 1-2 sentence mission statement that defines the proposed 21st CCLC program (1 point)					
a. Provides a compelling 1-2 sentence mission statement that defines the proposed 21st CCLC program (1 point)	1	.75	.5	.25	0
Sub Total					
Reviewer's Comments:					
Criteria	Meets all Criteria	Meets Most Criteria	Meets Limited Criteria	Does Not Meet the Criteria	Missing Response
2. Need for Project (Maximum 5 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.					
a. Describes the reason for the selection of the community and the value of the proposed program in the identified community (1 point);	1	.75	.5	.25	0

<p>b. Identifies 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. Provides 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. Includes available results of recent needs assessments, including target population surveys, interviews, and focus groups (2 points);</p>	2	1.5	1	.5	0
<p>c. Describes 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>	2	1.5	1	.5	0
Sub Total					
Reviewer's Comments					
Strengths:					

Additional Concerns and Questions:					
Criteria	Meets all Criteria	Meets Most Criteria	Meets Limited Criteria	Does Not Meet the Criteria	Missing Response
<p>3. Key Elements of Program Design (Maximum 23 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 Nita M. Lowey 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.</p>					
a. The Template for Goals and Objectives is based on the 21 st Century Performance Indicators and clearly states the program’s objectives, activities, performance indicators and measures for each. (8 points);	8	6	4	2	0
b. Demonstrates how the key features that are core to the program’s overall design will improve student academic achievement as well as overall student success. Presents evidence of success if drawing on existing models, or present research	2	1.5	1	.5	0

<p>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>c. Describes how the program is be based upon an assessment of objective data regarding the need for before and after school programs (including during summer recess periods) and activities in the schools and communities. Includes plans to conduct the needs assessment annually and how the annual needs assessment data will be used to ensure that the program remains aligned with potentially shifting needs of the target population while still adhering to the program's goals and objectives. (2 points)</p>	2	1.5	1	.5	0
<p>d. Describes 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 the Regent's Reform priority for college and career readiness. Includes how the staffing plan will include an education liaison who will be the main conduit between the program and the school to ensure ongoing alignment with the school's curriculum. Describes how the education liaison will work with school personnel to identify potential program participants and communicate</p>	2	1.5	1	.5	0

specific students' needs to the program so the program can better serve the students. (2 points)					
e. Describes how the NYS Social Emotional Learning Benchmarks will be reflected in the proposed program; includes plans to rebuild the resilience and hope of students following the COVID-19 pandemic. (2 points)	2	1.5	1	.5	0
f. Explains how the proposed program will utilize trauma informed practices to address trauma that children and families have experienced. (2 points)	2	1.5	1	.5	0
g. Discusses how the proposed program will address such issues as diversity, equity, and inclusion and how it will integrate antiracist strategies. (2 points)	2	1.5	1	.5	0
h. Describes how students and families have been meaningfully involved in planning and design of the program. Includes how students and families will have ongoing, meaningful involvement in planning throughout the duration of the program; (1 point)	1	.75	.5	.25	0
i. Describes how families of participants will be provided ongoing opportunities for meaningful	2	1.5	1	.5	0

<p>engagement in their children’s education, and will be provided with opportunities for literacy, including but not limited to financial literacy, ENL classes, resume writing, parenting, etc., and related educational development. (2 points)</p>					
Sub Total					
Reviewer’s Comments					
Strengths:					
Additional Concerns and Questions:					
Criteria	Meets all Criteria	Meets Most Criteria	Meets Limited Criteria	Does Not Meet the Criteria	Missing Response
<p>4. Use of Time (Maximum 8 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, with days and times 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.</p>					
<p>a. Describes how the proposed use of time reflects the specific needs and interests of the target population to be served; (2 points)</p>	2	1.5	1	.5	0
<p>b. Presents the proposed weekly schedule for each site with times and activities, (including program</p>	2	1.5	1	.5	0

time scheduled during mandatory school hours if utilizing this option), and locations. Includes scheduling for vacation and/or summer programs if choosing this option; (2 points)					
c. Describes procedures for taking individual student attendance on a daily basis in each program activity and recording that attendance in the statewide data collection and reporting system (current system used is EZReports provided by Thomaskelly Software Associates). Site licenses and training will be made available to subgrant awardees. Provides a plan for regularly recording/updating student attendance by time in each activity into the EZReports system which also allows programs to utilize the scanning capabilities of the system if programs choose to use it. Applicants applying to expand learning time (ELT) during the mandatory school day as part of their 21 st CCLC program describes procedures for recording school day (ELT) program attendance, as well as the out of school time (OST) program attendance. (2 points)	2	1.5	1	.5	0
d. Describes plans for recruitment and retention of students in the program, and expectations	2	1.5	1	.5	0

<p>for regular student attendance. Recruitment and retention plans should be based on research and best practice. Since full funding is based on meeting attendance targets, recruitment and retention of students is critical to the functioning of the program. (2 points)</p>					
Sub Total					
Reviewers Comments					
Strengths:					
Additional Concerns and/or Questions:					
Criteria	Meets all Criteria	Meets Most Criteria	Meets Limited Criteria	Does Not Meet the Criteria	Missing Response
<p>5. Program Management (15 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 to meet all State and Federal data collection and reporting requirements. The applicant should describe time allocation for collaborative planning and professional development for all program staff, including the school day teachers and partnering agency staff working in the program in order to build strong, coordinated systems of program delivery.</p>					
<p>a. Describes 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 all Federal and State reporting requirements and</p>	4	3	2	1	0

all applicable laws relating to privacy and confidentiality (4 points)					
b. Describes a plan to use the Quality Self-Assessment (QSA) tool twice each year for self-assessment and planning for program improvement; (1 point)	1	.75	.5	.25	0
c. Describes how the program will meet health, nutrition and safety needs of the students, including compliance with SACC and/or district safety policies and procedures where applicable. Include how and when safety trainings will be conducted and by whom; (3 points)	3	2.25	1.5	.75	0
d. Describes how students will travel safely to and from the center and home; (1 point)	1	.75	.5	.25	0
e. Describes 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> (3 points)	3	2.25	1.5	.75	0
f. Describes how the program will disseminate information about the center (including its location) to the community in a manner that is	1	.75	.5	.25	0

understandable and accessible and meets the needs of non-English speaking families; (1 point)					
g. Describes the plan to provide ongoing relevant professional development and collaborative planning time for all staff working in the program, including teachers and community partner staff, to ensure coordinated and collaborative program delivery in alignment with the goals and objectives of promoting quality programming and the school and district goals. (2 points)	2	1.5	1	.5	0
Sub Total					
Reviewer's Comments					
Strengths:					
Additional Concerns and/or Questions:					
Criteria	Meets all Criteria	Meets Most Criteria	Meets Limited Criteria	Does Not Meet the Criteria	Missing Response
6) <u>Quality of Project Evaluation</u> (12 points) Present a comprehensive program level evaluation plan that enables ongoing program assessment and quality improvement following the requirements detailed in the NYS 21 st CCLC Evaluation Manual and addenda. Describes how evaluation is aligned with the goals, measurable objectives and expected outcomes/local Performance Indicators of the proposed program and the current Federal and State-required Performance Indicators for all 21st Century Community Learning Centers. Explains how students and families will have meaningful involvement throughout the evaluation process to enhance stakeholder investment. Describes how the program evaluation meets the listed “principles” of effective evaluation:					

<p>a. Describes the proposed evaluation plan aligned with the criteria in the Principles of Effectiveness by specifying a set of performance indicators that collectively assesses all components of all program objectives as stated in the goals and objectives table (2 points)</p>	<p>2</p>	<p>1.5</p>	<p>1</p>	<p>.5</p>	<p>0</p>
<p>b. Describes how such performance measures meet all SMART criteria as described in the Principles of Effectiveness. i. e. Specific, Measurable, Attainable, Relevant, and Time-oriented (2 points).</p>	<p>2</p>	<p>1.5</p>	<p>1</p>	<p>.5</p>	<p>0</p>
<p>c. Describes how objectives for, and measures of, student success will be aligned with the regular academic program of the school and participants' academic needs, and how that alignment will be re-assessed and adapted as necessary over time (1 point).</p>	<p>1</p>	<p>.75</p>	<p>.5</p>	<p>.25</p>	<p>0</p>
<p>d. Describes how evaluation data will be used to monitor progress and inform continuous program improvement and how any gaps in data during a given program year will be filled in during subsequent year(s); (2 points)</p>	<p>2</p>	<p>1.5</p>	<p>1</p>	<p>.5</p>	<p>0</p>

e. Describes how both the State’s and the grant recipient’s evaluation reporting requirements, as specified in the Evaluation manual, will be met on an annual basis (2 points).	2	1.5	1	.5	0
f. Indicates how students and families will have meaningful involvement throughout the evaluation process; (1 point)	1	.75	.5	.25	0
g. Identifies and describes the qualifications of the external evaluator who will provide the subgrantee 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 21 st CCLC Evaluation Manual. Qualifications should include strong project management skills, qualitative and quantitative analytical skills, training and/or experience in research methods and evaluation design, verbal and written communication skills, knowledge of how to collect and analyze objective data, and understanding of the fields of education and out of school time programming. (2 points)	2	1.5	1	.5	0
Sub Total					
Reviewer’s Comments					
Strengths:					
Additional Concerns and/or Questions:					

Criteria	Meets all Criteria	Meets Most Criteria	Meets Limited Criteria	Does Not Meet the Criteria	Missing Response
<p>7) <u>Organizational Capacity and Program Oversight (16 points)</u> Describes 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. Discusses the proposed management structure and plan including key staff positions and program oversight. Ideally there would be a full-time Program Director, especially for any grant over \$750,000. A program director may not oversee more than two 21st CCLC grants. In addition, it is <u>required</u> 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. Explains how partnering organizations were chosen, and the unique contributions that each organization brings to the program. Presents a preliminary sustainability plan that describes efforts to maintain the program when the 21st CCLC funding term ends.</p>					
<p>a. Describes 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; (3 points)</p>	3	2.25	1.5	.75	0
<p>b. Describes the applicant agencies' relevant experience or promise of success in fiscal management and tracking of similarly-sized grant-funded programs, especially with any previous federal funding, 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. Includes plans</p>	3	2.25	1.5	.75	0

<p>for the fiscal lead to attend required bi-annual professional development events; (3 points)</p>					
<p>c. Describes the management structure and responsibilities of key staff positions. Identifies the experience of the Program Director and the Education Liaison and the percent FTE of those two positions. Describes how grant requirements will continue to be maintained in the event of key staff turnover so that important reporting dates and budget requirements are not affected. Include the role of other key staff that will work in the program. In addition, describes plans for the recruitment and role of appropriately qualified volunteers, if applicable; (3 points)</p>	3	2.25	1.5	.75	0
<p>d. Describes the role of each partnering agency for which there is a customized, signed partnership agreement. The Partnership Agreement clearly articulates each partnering agency’s specific responsibilities, including their meaningful involvement in planning and decision making. It also addresses the commitment to sharing required student data for program compliance with all federal state and local evaluation purpose while ensuring compliance with 2d law protecting student privacy. Explains how and why partnering organizations were chosen; (3 points)</p>	3	2.25	1.5	.75	0

<p>e. Describes the composition, role and schedule of quarterly meetings of the program advisory committee. Describes how program and partnering administrative staff, school and partnering agency representatives, age appropriate students, parents and community members will be represented and have meaningful involvement in program design, planning and assessment; (2 points)</p>	2	1.5	1	.5	0
<p>f. Presents a preliminary sustainability plan that describes efforts to maintain the program when 21st CCLC funding ends. Includes a plan to sustain the program when there is turnover in key staff positions, to provide any successor to key fiscal or programmatic positions with all of the compliance and reporting requirements of the grant so that new staff can continue to meet all compliance requirements as specified in the RFP. (2 points)</p>	2	1.5	1	.5	0
Sub Total					
Reviewer's Comments					
Strengths:					
Concerns and Questions:					

Criteria	Meets all Criteria	Meets Most Criteria	Meets Limited Criteria	Does Not Meet the Criteria	Missing Response
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.					
a. Demonstrates that program expenditures are reasonable and are primarily targeted to the provision of direct services to students; (3 points)	3	2.25	1.5	.75	0
b. Describes the system for tracking costs that are allocated specifically to the 21 st CCLC program, and for ensuring that expenses supplement and do not supplant existing activities and services; (3 points)	3	2.25	1.5	.75	0
c. Describes the partner agencies' commitment of resources for the program, including, but not limited to, facilities, equipment, supplies and in-kind services; (3 points)	3	2.25	1.5	.75	0
d. Describes how federal, state and local funds will be combined or coordinated for the most effective use of public resources. If other state or federal funding for OST activities are known or anticipated in the same school on July 1, 2022, details how the program will coordinate activities	3	2.25	1.5	.75	0

<p>to ensure it can meet participation targets for this funding and describe how funds will be allocated and spending recorded separately for each funding source; (3 points)</p>					
<p>e. Using the FS-10 Budget Form, provides an itemized budget and provides a brief narrative of how the requested funds will be used for the initial 12-month project period of 7/1/22 – 6/30/23. Describes the purpose of funds allocated to each budget category on the FS-10 Budget Form. Budgeted costs are in compliance with applicable State and federal laws and regulations and the Department’s Fiscal Guidelines; (4 points)</p>	4	3	2	1	0
<p>f. The Composite Budget adheres to funding caps for administration (10%), planning and professional development (5%), and evaluation (from a minimum of 6% to a maximum of 8-10% depending on evaluation contract) and the provision of minimum direct service by lead agency (25%). If 10% is allocated for the evaluation, the evaluation plan in the narrative section must specify that the evaluator will be responsible for the data management and quality control of all data requirements of the program including local, State and Federal data collection and</p>	4	3	2	1	0

<p>reporting. If that is not part of the evaluation contract an 8% evaluation cap must be adhered to. Purchased Services costs are aligned with the objectives and activities of the program. Indicates that cost per student does not exceed the maximum of \$2,100 per student and that the target number of students is accurately reflected in the narrative, participating Schools form and the Composite Budget. Discrepancies between target number of students identified in your program narrative or on the Participating Schools Form or the Program Site Form and the target number appearing in your Composite Budget will result in loss of all scoring points for this section. (4 points)</p>					
Sub Total					
Reviewer's Scores					
Strengths:					
Concerns and Questions:					
Total Score Before Priority Points					
Priority Point Awarded					

Grand Total Including Priority Points					
General Strengths:					
General Concerns:					

REQUIRED TERMS AND CERTIFICATIONS

Appendix A: Standard Clauses for NYS Contracts
Appendix A-1G: Agency-Specific Clauses
Appendix R: Data Security and Privacy Plan (posted with the RFP)
Appendix Z: Required Certifications and Assurances

Attachment 1: Application Cover Page
Attachment 2: Program Summary Form
Attachment 3: Participating Schools Form
Attachment 4: Private School Consultation Form
Attachment 5: Partnering Agencies Form
Attachment 6: Program Site(s) Form
Attachment 7: Composite Budget Form
Attachment 8: Applicant and Partner Disclosure Form
Attachment 9: MWBE documents package

- M/WBE Goal Calculation Worksheet
- M/WBE Cover Letter
- M/WBE Utilization Plan (M/WBE 100)
- M/WBE Subcontractor/Suppliers Notice of Intent to Participate (M/WBE 102)
- M/WBE Contractor Good Faith Efforts Certification (M/WBE 105)
- M/WBE Contractor Unavailable Certification (M/WBE 105A)
- Request for Waiver Form (M/WBE 101)
- Equal Employment Opportunity Staffing Plan (EEO 100) Instructions

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 \$25,000, 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 § 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, nor subject any individual to harassment, because of age, race, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or domestic violence victim status or because the individual has opposed any practices forbidden under the Human Rights Law or has filed a complaint, testified, or assisted in any proceeding under the Human Rights Law. 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 (2 NYCRR § 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 Part 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 clause. 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
[NYS M/WBE Directory](#)

The Omnibus Procurement Act of 1992 (Chapter 844 of the Laws of 1992, codified in State Finance Law § 139-i and Public Authorities Law § 2879(3)(n)-(p)) 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, codified in State Finance Law § 165(6) and Public Authorities Law § 2879(5))) require that they be denied contracts which they would otherwise obtain. NOTE: As of October 2019, the list of discriminatory jurisdictions subject to this provision includes the states of South Carolina, Alaska, West Virginia, Wyoming, Louisiana and Hawaii.

22. COMPLIANCE WITH BREACH NOTIFICATION AND DATA SECURITY LAWS. Contractor shall comply with the provisions of the New York State Information Security Breach and Notification Act (General Business Law § 899-aa and State Technology Law § 208) and commencing March 21, 2020 shall also comply with General Business Law § 899-bb.

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 §§ 139-j and 139-k, by signing this agreement the contractor certifies and affirms that all disclosures made in accordance with State Finance Law §§ 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 § 5-a, if the contractor fails to make the certification required by Tax Law § 5-a or if during the term of the contract, the Department of Taxation and Finance or the covered agency, as defined by Tax Law § 5-a, discovers that the certification, made under penalty of perjury, is false, then such failure to file or false certification shall be a material breach of this contract and this contract may be terminated, by providing written notification to the Contractor in accordance with the terms of the agreement, if the covered agency determines that such action is in the best interest of the State.

26. IRAN DIVESTMENT ACT. By entering into this Agreement, Contractor certifies in accordance with State Finance Law § 165-a that it is not on the "Entities Determined to be Non-Responsive Bidders/Offerers pursuant to the New York State Iran Divestment Act of 2012" ("[Prohibited Entities List](#)").

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

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

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

27. ADMISSIBILITY OF REPRODUCTION OF CONTRACT. Notwithstanding the best evidence rule or any other legal principle or rule of evidence to the contrary, the Contractor acknowledges and agrees that it waives any and all objections to the admissibility into evidence at any court proceeding or to the use at any examination before trial of an electronic reproduction of this contract, in the form approved by the State Comptroller, if such approval was required, regardless of whether the original of said contract is in existence.

(October 2019)

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, that 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

Appendix Z

Required Assurances and Certifications

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

Sexual Harassment Prevention Certification

By submission of this application, each applicant and each person signing on behalf of any applicant certifies, and in the case of a joint application each party thereto certifies its own organization, under penalty of perjury, that the applicant has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one-g of the labor law.

ASSURANCES AND CERTIFICATIONS FOR FEDERAL PROGRAM FUNDS

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

Federal Assurances and Certifications, ESEA:

The following are required as a condition for receiving any federal funds under the Elementary and Secondary Education Act (ESEA).

- ESEA Assurances
- School Prayer Certification

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 that 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 2 CFR Part 200, 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 2 CFR Part 200, Authorized for Local
Reproduction, as amended by New York State Education Department**

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

These 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 2 CFR Part 200, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 34 CFR 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

This certification is required by OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement), 2 CFR Part 180

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 any offenses listed in 2 CFR §180.800(a) or had a civil judgment rendered against them for one of those offenses within that time period;
- (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 listed in 2 CFR §180.800(a); 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.

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.

3. DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION – LOWER TIERED COVERED TRANSACTIONS

The terms “debarment,” “suspension,” “excluded,” “disqualified,” “ineligible,” “participant,” “person,” “principal,” “proposal,” and “voluntarily excluded” as used in this certification have the meanings set forth in 2 CFR Part 180, Subpart I, “Definition.” A transaction shall be considered a “covered transaction” if it meets the definition in 2 CFR Part 180 Subpart B, “What is a covered transaction?”

A. The applicant certifies that it and its principals:

- (a) Upon approval of their application, in accordance with 2 CFR Part 180 Subpart C, they shall not enter into any lower-tier non-procurement covered transaction with a person without verifying that the person is not excluded or disqualified unless authorized by USDOE.
- (b) Will obtain an assurance from prospective participants in all lower tier covered non-procurement transactions and in all solicitations for lower tier covered non-procurement transactions that the participants will comply with the provisions of 2 CFR Part 180 subparts A, B, C and I.
- (c) Will provide immediate written notice to the New York State Education Department if at any time the applicant and its principals learn that a certification or assurance was erroneous when submitted or has become erroneous because of changed circumstances.

**NEW YORK STATE DEPARTMENT OF EDUCATION
ELEMENTARY AND SECONDARY EDUCATION ACT (ESEA) ASSURANCES**

These assurances are required for programs funded under the Elementary and Secondary Education Act as amended by the Every Student Succeeds Act of 2015.

As the chief school officer of the applicant, by signing the Application Cover Page, I certify that:

- (1) the applicant will comply with the requirements of Education Law § 3214(3)(d) and (f) and the Gun-Free Schools Act (20 U.S.C. § 7151);
- (2) the applicant will comply with the requirements of 20 U.S.C. § 7908 on military recruiter access;
- (3) the applicant will comply with the requirements of 20 U.S.C. § 7904 on constitutionally protected prayer in public elementary and secondary schools;
- (4) the applicant will comply with the requirements of Education Law § 2802(7), and any state regulations implementing such statute and 20 U.S.C. § 7912 on unsafe school choice;
- (5) the applicant will comply with all fiscal requirements that apply to the program, including but not limited to any applicable supplement not supplant or local maintenance of effort requirements; and
- (6) the applicant understands the importance of privacy protections for students and is aware of the responsibilities of the grantee under section 20 U.S.C. 1232g (FERPA) (ESSA §854).

APPLICATION CHECKLIST

A complete application consists of all of the following items.

See the “Instructions for Electronic Signatures” document posted with the RFP.

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

RFP Tasks and Documents	Submitted via Survey Monkey	Submitted via Postal Mail
Not-for-profit applicants have received Pre-Qualification status in Grants Gateway. (See Prequalification for Individual Applications section of RFP.) 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 , if required. (See Vendor Responsibility section of the RFP.)	N/A	N/A
Payee Information Form/NYSED Substitute W-9 Form (if required) See: http://www.oms.nysed.gov/cafe/forms/Plform.pdf	<input type="checkbox"/> Upload	N/A
*Attachment 1: Application Cover Page	<input type="checkbox"/> Upload	N/A
*Attachment 2: Program Summary Form	<input type="checkbox"/> SMA form	N/A
*Attachment 3: Participating Schools Form	<input type="checkbox"/> SMA form	N/A
*Attachment 4: Private School Consultation Form	<input type="checkbox"/> SMA form	N/A
*Attachment 5: Partnering Agencies Form	<input type="checkbox"/> SMA form	N/A
*Attachment 6: Program Site(s) Form	<input type="checkbox"/> SMA form	N/A
*Program Narrative	<input type="checkbox"/> Upload	N/A
Budget Narrative	<input type="checkbox"/> Upload	N/A
*FS-10 Budget (July 1, 2022 to June 30, 2023). An original signed in blue ink plus one (1) copy should be postmarked by the due date. See mailing address on page iii. The annual budget must not exceed \$2,100 per student.	<input type="checkbox"/> Upload	<input type="checkbox"/>

*Attachment 7: Composite Budget Form	<input type="checkbox"/> Upload	N/A
Attachment 8: Applicant and Partner Disclosure Form	<input type="checkbox"/> Upload	N/A
*Partnership Agreement(s) (Use Appendix 1 as a model) 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 (Attachment 5)	<input type="checkbox"/> Upload	N/A
Appendix R (NYSED's Data Privacy Appendix), posted with the RFP	<input type="checkbox"/> Upload	N/A
Current SACC registration or confirmation of receipt of SACC registration application. (SED strongly encourages applicants to submit the registration with their application, if applicable. A valid SACC registration must be submitted to NYSED within 90 days of receipt of a tentative award letter. Tentative awardees who fail to provide a valid SACC registration by this deadline waive their right to interest payments under the Prompt Contracting Law.)	<input type="checkbox"/> Upload	N/A
Proof of Workers Compensation and Disability Insurance or Attestation of Exemption (Recommended)	<input type="checkbox"/> Upload	N/A
Application Checklist is for applicant use only. Please do not submit.	N/A	N/A

Attachment 9: M/WBE Documents Package

(All required M/WBE forms must be **uploaded** via Survey Monkey Apply and should not be submitted via postal mail).

Full Participation Request Partial Waiver Request Total Waiver

	M/WBE 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:

Attachment 1

21st Century Community Learning Centers

Application Cover Page

(Complete form and upload to Survey Monkey Apply portal)

Agency Code

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

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

Attachment 2

PROGRAM SUMMARY FORM

(to be completed via the Survey Monkey 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

Application Number:

Lead Applicant Agency: ({} submission.ver_943875_R2574gb72h {})

Lead Applicant Agency Information

Legal Name	<input type="text"/>
Address	<input type="text"/>
City	<input type="text"/>
State	<input type="text"/>
Zip	<input type="text"/>
BEDS or Agency Code <small>(This field can only consist of a 12-digit BEDS or Agency Code. If you do not have a BEDS or Agency Code, please enter 12 zeros.)</small>	<input type="text"/>
Contact Person	<input type="text"/>
Telephone	<input type="text"/>
Email Address	<input type="text"/>
Grant Writer	<input type="text"/>
Grant Writer's Agency/Organization	<input type="text"/>

Lead Applicant Agency's Prior 21st CCLC Status

If N/A, please also enter "N/A" under Award End Date.

	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"/>
Round 5 State Administered Award - Award Period ended (provide date)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
Round 6 State Administered Award - Award Period ended (provide date)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
Round 7 State Administered Award - Award Period ended (provide date)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>

Additional Prior/Current After-School Funding Sources (check all that apply)

If N/A, please also enter "N/A" under Additional Information.

	N/A	Prior	Current	Additional Information
Extended School Day/School Violence Prevention	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
Advantage After School	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
Beacon Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
New York City OST Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
Federally-funded program (please list)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
Locally-funded program (please list)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>

Lead Applicant Agency is a:

- Local Education Agency (LEA)
- Not-for-profit
- For-profit
- Other, please describe:

Primary Grant Writer:

- Lead Applicant Agency
- Other (List name and agency):
- The lead applicant agency understands that the contacted independent evaluator may not be the primary grant writer of this proposal.

SAVE & CONTINUE EDITING

MARK AS COMPLETE

Attachment 3

PARTICIPATING SCHOOLS FORM

This form must be completed via the Survey Monkey Apply portal and can include multiple schools. This image in the RFP is just one page of a multi-page form in Survey Monkey Apply.

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

Lead Applicant Agency: _____
RFP Application #: _____

School #1

School Building Name:

Public/Nonpublic/Charter: Public Nonpublic Charter

BEDS Code:

Judicial District (JD) in which the school is located. Pick from 1-13. Click to find your judicial District:

Total Enrollment:

Students to be served by this proposal:

Grade levels to be served by this proposal:

Eligibility: School is on the Eligible Schools List.
 School is not on the Eligible Schools List. (If necessary, attach supporting documentation using the "Add Document" option to the right of the application task list.)

Comments:

For School Building #1, are you proposing use of 21st CCLC funds during the mandatory school day?
 Yes No

Clear

School Building #1 Expanded Learning Time Eligibility Check

Applicants proposing use of 21st CCLC funds during the mandatory school day are required to provide the following information. Applicants proposing use of 21st CCLC funds solely during out of school time (OST) should skip this section. For the purposes of this RFP, the "mandatory" school day is defined as 900 hours of instruction (180 days x 5 hours per day during the school year) 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. In addition, the "mandatory" school day is defined as the hours of attendance that all students enrolled in the school are required to be present for. The sum total of mandatory and non-mandatory time must meet or exceed 1200 hours for schools serving grades 1-6, and 1290 hours for schools serving grades 7-12 to be eligible for ELT, i.e., to provide 21st CCLC programming during the time that all students are in school. Schools serving a mixture of elementary through grade 6 and grades 7-12 should complete the form based on the elementary schedule and include the high school hours and enrollment numbers in the Notes section.

-Number of School's "Mandatory" Hours of Instruction for 2022-23 (this will be at least 900 hours for schools serving grades 1-6 and 990 hours for schools serving grades 7-12, but may exceed this number in schools that have instituted a longer school day or year)

-Proposed 21st CCLC annual program hours during the non-mandatory (aka OST) school day for 2022-23 (includes before school, after school, weekends, holidays and summer hours) This will be the number of hours per week multiplied by the number of weeks. This number cannot not be 0.

-Additional non-mandatory annual program hours (includes before school, after school, weekends, holiday and summer hours) available to students in this school planned for 2022-23 other than 21st CCLC programming. This will be the number of hours per week multiplied by the number of weeks.

-Sum the first three boxes to determine ELT eligibility

-If the total number of hours indicated by summing the first three boxes is 1200 or greater for elementary schools or 1290 or greater for schools serving grades 7-12, your 21st CCLC program is eligible to provide services during the regular school day (eligible for ELT) provided your 21st CCLC program also provides a portion of its programming during the non-mandatory school day. In other words, your 21st CCLC may not be an ELT-only program.

-Proposed ELT 21st CCLC schedule (during the mandatory school day for 2022-23). Please give times such as 12:30-1:15 p.m., as well as days per week such as M-W-F, and the number of days per year, such as 160 days)

-Total annual number of proposed ELT hours:

-Target number of 21st CCLC participants to be served during the mandatory school day (ELT programming)

-Target number of participants to be served during the non-mandatory school day in 2022-23 (excluding proposed 21st CCLC)

-Target number of participants to be served by 21st CCLC during the non-mandatory school day in 2022-23

Attachment 4

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

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.

Application Number:

Lead Applicant Agency: {{ submission.var_943875_R2574gbTZh }}

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.

Clear

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				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				

SAVE & CONTINUE EDITING

MARK AS COMPLETE

Attachment 5

PARTNERING AGENCIES FORM

(to be completed via the Survey Monkey 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.

Application Number:
Lead Applicant Agency:

Partnering Agency #1 (required)

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

Do you have another partnering agency to add?
 Yes
 No
Clear

Partnering Agency #2

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

Do you have another partnering agency to add?
 Yes
 No
Clear

SAVE & CONTINUE EDITING MARK AS COMPLETE

Attachment 6

PROGRAM SITE(S) FORM

To be completed via the Survey Monkey Apply Portal. Please provide information for each proposed site. (This is only one page of a multipage document on Survey Monkey Apply.)

Program Site(s) Form PH _____

Please provide information for each proposed site.

Application Number: _____

Lead Applicant Agency: {{ submission.var__943875__R2574gbTZh }}

Program Site #1 Address

Location (School or Agency Name): _____

Address: _____

City: _____

State: _____

Zip: _____

Phone: _____

Program Site #1 Hours of Operation

After school (list days and hours): _____

Before school (list days and hours): _____

During school (list days and hours): _____

Weekends (list days and hours): _____

Summer (list days and hours): _____

Vacation (list days and hours): _____

Program Site #1 Total students to be served

Program Site #1 Students under the age of 13 to be served

Program Site #1 Family members to be served

Program Site #1 Grade levels to be served

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 (please list): _____

Program Site #1 SACC License

Not applicable

License not yet obtained

Current license expires (provide date): _____

Do you have another site to add?

Yes No

Attachment 7 COMPOSITE BUDGET Round 8

Applicant Name:							
(NYSED Use Only) Applicant Number:		Col A	Col B	Col C	Col D	Col E	
Expenditure Category	Budget Code	Amount	Direct Service by LA	Admin Expense	Evaluation expense	Plan and Prof Dev Expense	
1	Salaries for Professional Personnel	15					
2	Salaries for Non-Professional Personnel	16					
3	Purchased Services	40					
4	Supplies & Materials	45					
5	Travel Expenses	46					
6	Employee Benefits	80					
7	SUBTOTAL (of Lines 1-6)		0	0	0	0	0
8	Indirect Cost	90					
9	BOCES Services	49					
10	Minor Remodeling	30					
11	Equipment	20					
12	GRAND TOTAL (Lines 7-11)		0	0	0	0	0
13	Number of Students Served						
14	Cost Per Student		#DIV/0!				
15	Percentage of Budget			#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!

Instructions:

Column A: Transfer and insert current year budget amount for the category from the FS-10 budget form.

Line 13, Insert number of students served. Cost per student must not exceed \$2,100.

Column B: Insert amounts attributed to direct services provided by the lead applicant. At least 25%.

Column C: Insert amounts attributable to administrative expense. Not to exceed 10%.

Column D: Insert evaluation expense. Not to exceed 8%, or 10% if evaluation contract includes evaluator responsible for all data management and reporting.

Column E: Insert Planning and Professional Development Expense. Not to exceed 5%.

Please download an Excel version of this **Composite Budget Form** from the [Survey Monkey Apply portal](#). Once the form has been completed, upload as part of the application to Survey Monkey Apply.

Attachment 8

Applicant and Partner Disclosure Form

Lead Applicant Name: _____

Partner(s) named in this application: _____

Part I: Please list all applications in which the lead applicant for this RFP is acting as a lead applicant

Application Submission Number: <i>(Visible after the title of your submission on the Survey Monkey Apply Task List for the application.)</i>	Lead Applicant Agency	Total award amount requested

Part II: Please list all applications in which the lead applicant for this RFP is acting as a partner in other applications

Application Submission Number: <i>(Visible after the title of your submission on the Survey Monkey Apply Task List for the application.)</i>	Lead Applicant Agency	Total amount budgeted for partner:

Part III: For any partners on this application, please identify all other applications for which they are listed as a partner for this RFP.

Application Submission Number: <i>(Visible after the title of your submission on the Survey Monkey Apply Task List for the application.)</i>	Partner Name	Lead Applicant Agency	Amount allocated to this Partner.

ATTACHMENT 9: M/WBE DOCUMENTS
M/WBE Goal Calculation Worksheet

RFP# and Title:

--

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) fringe benefits, indirect costs for the lead, as well as Student Stipends /Tuition 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 the 2022-2023 project year.

	Budget Category	Amount budgeted for items excluded from M/WBE calculation	Total
1.	Total Budget		
2.	Professional Salaries		
3.	Support Staff Salaries		
4.	Fringe Benefits		
5.	Partnership Costs (Salaries & Fringe Benefits only; see form on next page)		
6.	Indirect Costs		
7.	Rent/Lease/Utilities		
8.	Sum of lines 2, 3 ,4 ,5, 6 and 7		
9.	Line 1 minus Line 8		
10.	M/WBE Goal percentage (30%)		0.30
11.	Line 9 multiplied by Line 10 = M/WBE goal amount		

This form is only for use with the 21st CCLC program. It may not be used for any other grant program.

21st CCLC Partnership Salary and Fringe Benefit Breakdown

Applicant Name: _____ **Project #** _____

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. In order to approve the exclusion of the Partnership Costs (Salaries & Fringe Benefits only) on the M/WBE Goal Calculation worksheet, the following information is needed.

PURCHASED SERVICES			
Subtotal - Code 40 (Total dollar amount listed on original FS-10)		\$	
Provider of Services	Proposed Expenditure (Total dollar amount listed on original FS-10)	Specific Position Title(s)	Project Salary(ies) and Benefits

PURCHASED SERVICES WITH BOCES			
Subtotal - Code 49 (Total dollar amount listed on original FS-10)		\$	
Name of BOCES	Proposed Expenditure (Total dollar amount listed on original FS-10)	Specific Position Title(s)	Project Salary(ies) and Benefits

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. For the purpose of this funding, the required independent evaluator must be a vendor, NOT a partner.

(Please attach additional forms as needed)

M/WBE COVER LETTER Minority & Women-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 that 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.
Signature/Date
Typed or Printed Name of Authorized Representative of the Firm
Typed or Printed Title/Position of Authorized Representative of the Firm

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:

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

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

The estimated dollar amount of the agreement \$ _____

Signature of Authorized Representative of M/WBE Firm

Date

Printed or Typed Name and Title of Authorized Representative

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

PROJECT/CONTRACT # _____

I, _____
(Bidder/Applicant)

_____ of _____
(Title) (Company)

_____ (_____) _____
(Address) (Telephone Number)

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

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

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

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

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

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

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

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

Submit additional pages as needed.

Authorized Representative Signature

Date

M/WBE CONTRACTOR UNAVAILABLE CERTIFICATION

RFP#/PROJECT NAME _____

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

 (Address) (Phone)

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

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

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

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

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

_____ **Authorized Representative Signature** _____ **Date** _____ **Print Name**

REQUEST FOR WAIVER FORM

BIDDER/APPLICANT:
NAME: ADDRESS:
CITY, STATE, ZIPCODE:

TELEPHONE:
EMAIL:
FEDERAL ID NO.:
RFP NO./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):	
<p>(a) MBE Waiver - A waiver of the MBE goal for this procurement is requested.</p> <p style="margin-left: 20px;">• Total <input type="checkbox"/> Partial _____%</p>	<p>(A) WBE Waiver - A waiver of the WBE goal for this procurement is requested.</p> <p style="margin-left: 20px;">○ Total <input type="checkbox"/> Partial _____%</p>

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
<p>TITLE OF PREPARER:</p> <p>TELEPHONE:</p> <p>EMAIL:</p>	<p>REVIEWED BY: _____</p> <p>DATE: _____</p> <p>WAIVER GRANTED <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>(A) TOTAL WAIVER <input type="checkbox"/> PARTIAL WAIVER</p> <p>(B) CONDITIONAL WAIVER</p> <p><input type="checkbox"/> NOTICE OF DEFICIENCY COMMENTS:</p>

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 1-10, as listed below.

- A.** A statement setting forth your basis for requesting a partial or total waiver.
- B.** 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.
- C.** A list identifying the date(s) that all solicitations for certified M/WBE participation were published in any of the above publications.
- D.** 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.
- E.** 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.
- F.** Provide copies of responses made by certified M/WBEs to your solicitations.
- G.** 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.
- H.** 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.
- I.** Provide any other information you deem relevant which may help us in evaluating your request for a waiver.
- J.** Provide the name, title, address, telephone number and email address of the Bidder/Applicant's representative authorized to discuss and negotiate this waiver request.

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

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

Applicant Name: _____

Telephone: _____

Address: _____

Federal ID No.: _____

City, State, ZIP: _____

Project No: _____

Report includes:

Work force to be utilized on this contract OR

Applicant's total work force

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

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

PREPARED BY (Signature): _____
 NAME AND TITLE OF PREPARER: _____

DATE: _____
 TELEPHONE/EMAIL: _____

STAFFING PLAN INSTRUCTIONS

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

Instructions for Completing:

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

RACE/ETHNIC IDENTIFICATION

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

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