*In compliance with the Americans with Disabilities Act, this RFI may be made available in alternate formats such as Braille, large print, audiotape, oral presentation, and computer disk. To request an alternate format call the Oregon Department of Education, (503) 947-5600.*

State of Oregon



Cover Page

OREGON DEPARTMENT OF EDUCATION

SPECIAL EDUCATION IDEA Federal Programs
compliance data system

Request for Information (RFI)

ODE-1139-20

Date of Issue: April 16, 2020

Closing Date: June 2, 2020

Single Point of Contact (SPC): Mandee Wilding

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1. INTRODUCTION AND PURPOSE

The State of Oregon (State), acting by and through the Oregon Department of Education, (ODE), is issuing this Request for Information (RFI) to solicit information, including a non-binding price estimate, from interested suppliers and developers regarding system solutions that can assist ODE with its compliance responsibilities related to the Individuals with Disabilities in Education Act (IDEA) and the Every Student Succeeds Act (ESSA).

This is **not** a request for proposals (RFP), and it is **not** a supplier prequalification within the meaning of OAR 125-247-0550(1). Responses to this RFI will assist ODE in identifying next steps in issuing a RFP. Responses provided to this RFI will only be used for general information and will not be considered binding on any party. Responses, or lack of a response, to this RFI will not have an impact on any later RFP selection process.

**This RFI will not, in itself, result in any kind of contract, nor will it obligate ODE to procure goods or services of any kind or from any particular Respondent. Publication of this RFI allows entities the opportunity to provide information to ODE.**

1. BACKGROUND AND OVERVIEW

ODE currently uses a vendor system to provide Local Education Agencies (LEAs) and ODE with an application that assists Oregon in the monitoring of special education programs as per requirements of Part B and Part C of the IDEA. While ODE currently has a system to assist with monitoring responsibilities, ODE is looking to upgrade to a new system that will comply with updated federal and State regulations, expedite processes, ensure accuracy, and provide improved interface with other systems.

The current data system provides LEAs and Early Intervention/Early Childhood Special Education (EI/ECSE) agencies timely and continual access to their data. The automated components of the systems data process allows ODE staff to conduct differentiated monitoring and impart improvement strategies for end users at the local level. This system is used to report Annual Performance Report (APR) information for the State Performance Plan (SPP) to the US Department of Education’s Office of Special Education Programs (OSEP). The data available from the current system is also used by EI/ ECSE programs and LEAs to monitor student outcome data.

While seeking information for a solution that can replace the existing software system mentioned above, ODE intends to discern whether there is a system that could incorporate additional aspects of federal requirements for other federal programs (i.e., ESSA) in one system. An improved software solution will reduce the administrative burden placed on LEAs, enabling them to dedicate more time and resources to serving students.

ODE would like to explore the possibility of a single vendor or application to provide the following:

A statewide special education general supervision, compliance/data system;

A statewide special education application for managing Individual Education Plans (IEPs), tracking accommodations, case management, etc.; and

A statewide ESSA program compliance/ data system.

The information gained from this RFI may be used in the development of a future competitive solicitation. It is desirable to have a single application that meets all of the above needs, however, ensuring an ongoing solution for the statewide special education general supervision/ compliance software is the priority at this time. ODE is still interested in obtaining information from suppliers or application providers even if they are not able to support all 3 needs, and ODE may adjust its solicitation strategy based on what is available from the supplier market.

Below are a list of elements to be considered for each system. In your Response, provide information on the following:

## STATEWIDE SPECIAL EDUCATION GENERAL SUPERVISION, COMPLIANCE/ DATA SYSTEM

As the State Education Agency (SEA), ODE is required to administer Part B and Part C of IDEA and ensure a system of general supervision that assures each LEA is fully implementing the law. Each year ODE must report SPP/APR data that evaluates the State’s efforts to implement the requirements of Parts B and C of IDEA. Below are related regulations and requirements that the system will need to be able to accommodate.

There are 8 components of a general supervision system:

1. State Performance Plan (SPP)
2. Policies, procedures, and effective implementation
3. Integrated monitoring activities
4. Fiscal management
5. Data on processes and results
6. Improvement correction, incentives, and sanctions
7. Effective dispute resolution
8. Targeted technical assistance and professional development

An effective solution would allow ODE to implement each of these components across IDEA Parts B and C. Respondents should refer to the following regulations related to general supervision for further information:

**Part B**

**Regulations for IDEA Part B, Subpart F-Monitoring, Enforcement, Confidentiality, and Program Information; Monitoring, Technical Assistance, and Enforcement; including:**

* + §300.600 State monitoring and enforcement;
	+ 300.601 SPPs and data collection;
	+ §300.602 State use of targets and reporting;
	+ §300.603 Secretary’s review and determination regarding State performance;
	+ §300.604 Enforcement;
	+ §300.605 Withholding funds;
	+ §300.606 Public attention;
	+ §300.607 Divided State agency responsibility;
	+ §300.608 State enforcement;
	+ §300.609 Rule of construction

**Special Education Compliance System to ensure general supervision for school age special education (IDEA Part B):**

* + Procedural compliance review (Special education file review process)
	+ OSEP State Annual Performance Report (APR)
	+ OSEP State Performance Plan (SPP)
	+ LEA determinations

**Part C**

**Regulations for IDEA Part C, Subpart H-State Monitoring and Enforcement; Federal Monitoring and Enforcement; Reporting; and Allocation of Funds, including:**

* + Sec. 303.700 — State monitoring and enforcement
	+ Sec. 303.701 — SPPs and data collection
	+ Sec. 303.702 — State use of targets and reporting
	+ Sec. 303.703 — Secretary’s review and determination regarding State performance
	+ Sec. 303.704 — Enforcement
	+ Sec. 303.705 — Withholding funds
	+ Sec. 303.706 — Public attention
	+ Sec. 303.707 — Rule of construction
	+ Sec. 303.708 — State enforcement

**Special Education Compliance System to ensure General Supervision for Early Intervention/ Early Childhood Special Education (IDEA Part C):**

* + Procedural compliance review (special education file review process)
	+ OSEP State Annual Performance Report (APR)
	+ OSEP State Performance Plan (SPP)
	+ LEA Determinations

## SPECIAL EDUCATION DATA SYSTEM

Currently, LEAs across Oregon utilize approximately 16 different solutions for creation and maintenance of IEPs for their students who experience disability. ODE is seeking one statewide solution that has the functionality for:

* + Evaluation planning/ management
	+ IEP process management, progress monitoring, and service tracking
	+ Translation of forms and information into a variety of languages
	+ Integration with Student Information Systems

## ESSA COMPLIANCE

As the SEA, ODE is required to administer ESSA and ensure that each LEA is fully implementing the law. As part of this process, ODE staff review ESSA fiscal and programmatic data from LEAs to monitor outcomes as well as compliance with federal and State regulations. This data includes district and school level needs assessments and monitoring protocols, budget narratives, and school level plans. Information is also used for required State and federal reports. ODE is seeking a software solution that supports compliance monitoring for items listed below:

* + Title I-A Improving Basic Programs
	+ Title I-C Migrant Education
	+ Title I-D Neglected and Delinquent
	+ Title II-A Supporting Effective Instruction
	+ Title III English Learners and Immigrant Education
	+ Title IV-A Student Support and Academic Enrichment
	+ Title IV-B 21st Century Community Learning Centers
	+ Title IV-C Charter Schools
	+ Title V-B Flexibility for Rural and Low Income Schools and Rural Education Achievement Program
	+ McKinney-Vento Act
	+ Title IX-A McKinney-Vento Program for Homeless Youth
1. RFI PROCESS/ RFI SCHEDULE

## SINGLE POINT OF CONTACT (SPC)

The SPC for this RFI is identified on the Cover Page, along with the SPC’s contact information. Respondent shall direct all communications related to any provision of the RFI, whether about the technical requirements of the RFI, the RFI process, or any other provision only to the SPC.

## PUBLIC NOTICE

The RFI, including all Addenda and attachments, is published in the [Oregon Procurement Information Network (ORPIN)](http://orpin.oregon.gov) and on the [ODE website](https://www.oregon.gov/ode/students-and-family/SpecialEducation/Pages/default.aspx) under the Special Education General Supervision heading. RFI documents will not be mailed.

## SCHEDULE

The table below represents a tentative schedule of events. All times are listed in Pacific Time. All dates listed are subject to change.

| **Event** | **Date/ Time** |
| --- | --- |
| RFI Issued | April 16, 2020 |
| Closing (Responses Due) | June 2, 2020 3:00 PM |

## QUESTIONS

All inquiries, whether relating to the RFI process, administration, deadline, or to the intent or technical aspects of the RFI must be sent electronically to mandee.wilding@state.or.us. Reference the RFI name and number. Include your entity name and contact information.

## RESPONDENT INFORMATION SHEET

To submit a Response, Respondent shall complete the Respondent Information Sheet (Attachment A) and provide the Technical Information Requested in Attachment A-1.

## SUBMISSION OPTIONS

Electronic delivery of the Response document is preferred, however, Response may be delivered in hard copy to the SPC by mail at the address provided on the cover page.

If delivered in hard copy to SPC by mail, Respondent must also include an electronic copy of the Response on USB drive, DVD, or CD which must be formatted using Adobe Acrobat (pdf), Microsoft Word (docx), or Microsoft Excel (xlsx).

To ensure delivery, the total combined size of the Response document should be compressed so it does not exceed 10 megabytes for electronic submittal.

Respondents may also utilize ODE’s secure file transfer system for submittal on ODE’s [district website](https://district.ode.state.or.us/apps/xfers/).

Follow the instructions provided on the secure file transfer website. Multiple files must be compressed (zipped) into a single folder for submission.

Contact ODE’s helpdesk at 503-947-5715 if you need assistance with the secure file transfer process.

## RESPONSE DUE

Respondent is solely responsible for ensuring its Response is received by the SPC in accordance with the RFI requirements before Closing. ODE is not responsible for any delays in mail or by common carriers or by transmission errors or delays or mistaken delivery.

## RESPONDENT DEMONSTRATIONS

Respondent product demonstrations may be scheduled after RFI responses have been reviewed.

1. ADDITIONAL INFORMATION

## OWNERSHIP/PERMISSION TO USE MATERIALS

All Responses to this RFI become the Property of ODE. By submitting a Response to this RFI, Respondent grants the State a non-exclusive, perpetual, irrevocable, royalty-free license for the rights to copy, distribute, display, prepare derivative works of and transmit the Submission solely for the purpose of evaluating the Submission, or as otherwise needed to administer the RFI process, and to fulfill obligations under Oregon Public Records Law (ORS 192.311 through 192.478).

## PUBLIC RECORD/CONFIDENTIAL OR PROPRIETARY INFORMATION

If a Respondent believes that any portion of its Response contains any information that is a trade secret under ORS Chapter 192.501(2) or otherwise is exempt from disclosure under the Oregon Public Records Law (ORS 192.311 through 192.478), Respondent shall complete and submit the Disclosure Exemption Affidavit (Attachment B) and a fully redacted version of its Response.

Respondent is cautioned that cost information generally is not considered a trade secret under Oregon Public Records Law (ORS 192.311 through 192.478) and identifying the Response, in whole, as exempt from disclosure is not acceptable. ODE advises each Respondent to consult with its own legal counsel regarding disclosure issues.

If Respondent fails to identify the portions of the Response that Respondent claims are exempt from disclosure, Respondent has waived any future claim of non-disclosure of that information.

## RESERVATION OF RIGHTS

This RFI is not a request or authorization to perform work at ODE’s expense. Any work a Respondent performs in response to this RFI is at the Respondent’s own discretion and expense; ODE will not be obligated for any Respondent costs related to this RFI.

This RFI does not represent a commitment to purchase or lease any product. Submission of a Response constitutes acknowledgement that the Respondent has read and agrees to be bound by such terms.

Respondents are not required to respond to this RFI to be considered for any future opportunities.

1. LIST OF ATTACHMENTS

ATTACHMENT A RESPONDENT INFORMATION SHEET

ATTACHMENT B DISCLOSURE EXEMPTION AFFIDAVIT