

REQUEST FOR INFORMATION (“RFI”)

I1805 - Temporary Attorneys, Paralegals, and Claims Payment Coordinators

INTRODUCTION

The New York City Public Schools (“NYCPS”) Office of the General Counsel (“OGC”) represents and advises the NYCDOE on all legal matters, including general practice issues, labor and employment matters, equal opportunity, employee discipline, special education, special investigations, employee misconduct, teacher performance administrative/state/federal law and compliance, and commercial transactions.

CURRENT ENVIRONMENT AND PROJECT CONTEXT

The New York City Department of Education seeks to pre-qualify legal staffing firms to provide approximately 250 legal professionals to support various legal units within the Office of General Counsel, particularly in Special Education hearings, settlements, claims, and other legal matters.

The Special Education Unit (“SEU”) and other legal units are responsible for ensuring compliance with the Individuals with Disabilities Education Act (“IDEA”) and New York State Education Law. When parents challenge the educational programs offered by NYCPS, SEU must either settle claims quickly or defend the district in administrative litigation. However, a significant increase in due process claims, nearly tripling over the past five years, has resulted in a backlog in litigation, settlement, and implementation of orders.

In response, NYCPS is under pressure to reduce this backlog. In 2019, the New York State Education Department (“NYSED”) issued a Compliance Assurance Plan (“CAP”), instructing NYCDOE to settle claims more efficiently and reduce hearing requests. A 2020 class action lawsuit (J.S.M. v. NYCDOE) also called for timely resolution of due process claims. To address these challenges, NYCPS needs to clear the backlog from previous years and increase staff capacity to handle ongoing cases while complying with federal and state laws.

This Request For Information (“RFI”) seeks to address these staffing needs by identifying firms capable of providing legal support to meet compliance, resolve claims, and manage the rising workload.

ADMINISTRATIVE GUIDANCE FOR RESPONDENTS

All vendors must provide resumes and writing samples of available qualified individuals to perform the services requested by the NYCPS within two (2) weeks – ten (10) business days – of the request for service. Resumes must reflect the requested credentials and qualifications; additional credentials and qualifications may be included. The vendor will ensure the proposed staff has adequate IT equipment (laptop or desktop computers) to perform their assigned work. The vendor will provide the proposed temporary staff with IT equipment at no cost to the NYCPS. The vendor will ensure that all proposed staff have

dedicated and secure internet connection for the duration of the assignment. For NYCDOE-referred candidates, the vendor will not be responsible for arranging or conducting interviews; however, the vendor will be required to process the referred candidate through all other aspects of the selection and staffing phases.

Full-Time Attorney (Remote)	Settlement of special education claims brought under IDEA and Section 504, including document review, drafting of settlement memos and stipulations, and negotiating settlements; administrative litigation of claims brought under IDEA, Section 504, and New York State Education Law. Please see Appendix E for detailed descriptions.	Education and Experience: JD and U.S. State bar admission. Admission to a Federal court is required for staff performing litigation functions. Attorneys must remain in good standing with their State bar for the duration of their assignment. Technologies: Azure Virtual Desktop (AVD), Microsoft Office (e.g. Teams, Outlook and Word) ; Adobe Acrobat Pro
Full-Time Paralegal and Payment Coordinator (Remote)	Document collection, negotiations, data entry, and drafting stipulations. Please see Appendix E for detailed descriptions.	Education and Experience: 4-year college degree Technologies : Azure Virtual Desktop (AVD), Microsoft Office (e.g. Teams, Outlook and Word) ; Adobe Acrobat Pro

Note: Applicants are precluded from consideration if they are actively involved with a claim or legal action against the City of New York and the New York City Department of Education.

NOTE: **Appendix A: Work Stream Description** attached.

INFORMATION REQUESTED

1. Provide a statement of qualifications, experience, and a brief description of your Firm, including, but not limited to:
 - a. Organization— Provide information about how your business is organized, the length of time the office has been in operation, and how your firm would fulfill the proposed NYCPS staffing goals.
 - b. Location of the Firm's main office; the engagement and technology teams along with biographies and qualifications to support this project.
 - c. Types of services performed by your firm.
 - d. Describe previous assignments as a full-service provider of applicable services to state agencies, municipalities, regional public entities, non-profits, or corporate entities. Include a list of clients similar to the NYCPS that your firm provided contract services in the last (5) years.
 - e. Description of the nature, size, and complexity of the legal services provided.



2. How will your firm recruit, interview, hire, maintain, and replace staff with the qualifications and the requested staffing estimates determined by the OGC?
3. Is your firm a New York State or New York City Minority and Women Based Enterprises ("MWBE") certified vendor?
- 4.
5. What is the process for performing resume verification, including work experience, certifications, and education?
6. What is the process for performing background checks? Provide a description of the screening process and procedures.
7. What is the company's description of the steps to enhance the retention of proposed staff?
8. What is your company's current communication strategy with clients, including but not limited to anticipated response times to client requests, hiring timelines from time of request to date of hire, employee satisfaction surveys, and exit interviews?
9. Detail how your company addresses and resolves performance issues related to employees hired through your company when communicated by a client.
10. How are these services typically implemented? Have you ever had difficulty with or failed to deliver on a staffing need requested by a client? If so, did your company have a plan to address these difficulties, how did your company resolve the situation and assist the client in still meeting their staffing needs, and what was the timeline for resolution?
11. What are the current challenges and risks in planning, executing, and monitoring these services?
12. How are service effectiveness, efficiency, and performance measured, tracked, improved, and reported?
 - a. What considerations should an organization bear when considering these types of services? Advantages and disadvantages.

Vendors responding to this Request must note that any subsequent procurement would be for services outlined in this RFI. Should there be interest in this service, a Request for Proposal ("RFP") will be generated; OGC is gathering information to make a decision if this is a service that best suits their needs. OGC is interested in responses from firms registered as MWBE and or firms that are willing to partner with an MWBE vendor to meet the qualification for procurement.

If you have questions on this RFI, please submit them to COPContract@schools.nyc.gov no later than **May 2, 2025, by 10 A.M. EST.**

Subsequent answers will be posted to <https://vendorportal.nycenet.edu/vendorportal/login.aspx>.



Electronic submissions to this RFI are to be emailed to COPContract@schools.nyc.gov by **May 16, 2025, by 3 P.M. EST**. All submissions should be made with the following email Subject Line: **RFI #11805 Temporary Attorneys – Vendor Name – Submission**

Note:

This Request for Information (“RFI”) and follow-up will not result in a contract award and is merely intended to assist the DOE in understanding the marketplace for this Services. Participation/input in the RFI is entirely optional. Please be aware, depending on the number of responses to this RFI, not all parties may be contacted. Your response is greatly appreciated. If you are willing to be contacted by the DOE, please provide the following information with your responses to questions 1 through 14.

Contact Affiliation (e.g., company, organization, institution):

Contact Name:

Contact Title:

Contact Phone:

Contact Email:

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APPENDIX A: WORK STREAM DESCRIPTIONS

Commercial Unit:

Attorney Responsibilities:

- Negotiate and draft contracts.
- Provide legal analysis and guidance on procurement matters, including interpretation and implementation of the Department of Education's ("DOE") Procurement Policy and Procedures.
- Negotiate and draft partnership agreements and Memorandum of Understanding ("MOUs") on behalf of DOE programmatic offices.
- Address and resolve issues of vendor compliance in contract matters; and
- Provide legal guidance on commercial related matters.

Administrative Trials Unit ("ATU"):

Attorney Responsibilities:

- Focuses on cases involving allegations of professional misconduct, including corporal punishment and verbal abuse.
- Handles legal issues and cases including recommendations concerning the soundness of charges, preparing specification of charges, coordinating the gathering of evidence, briefing witnesses, motion practice, and related trial work.
- Represents the Department at employee disciplinary proceedings pursuant to Education Law 3020-a and Civil Service Law § 75.
- Provides legal counsel and training to Superintendents and Principals on disciplinary procedures.
- Assists with trainings for Central and School based DOE employees and in-house attorney research and training regarding relevant Education Law and DOE policy and procedures regarding performance management and the disciplinary process.

Paralegal - Investigator (Employee Discipline) Responsibilities:

- Assembles and verifies data, records, and evidence in response to inquiries from Corporation Counsel and outside counsel.
- Examines and analyzes employee records and documents, case files, and legal filings necessary to respond to requests for disciplinary hearings; makes recommendations as to course of action.
- Assists attorneys in trial preparation, including drafting charges, maintenance, and preparation of documents for trial, witness preparation, and evidence gathering.
- Coordinates disciplinary hearings; organizes trial assignments and arbitrator calendar.
- Scan investigatory files and confidential documents/records.
- Interprets DOE administrative rules and regulations and policies as well as labor contract provisions related to due process procedures.
- Conducts highly complex or special investigations related to Department in Education Law section 3020-a proceedings and hearings pursuant to Section 75 of the Civil Service Law. Primary point of contact for principals to request and schedule case conferences.
- Plans and coordinates investigation schedules and staff assignments.
- Administers and maintains legal database of cases for the unit.

Teacher's Performance Unit ("TPU"):**Attorney Responsibilities:**

- Manages legal cases involving allegations of pedagogical incompetence.
- Handles legal issues and cases including recommendations concerning determining the soundness of charges, preparing specification of charges, coordinating the gathering of evidence, and briefing witnesses.
- Represents the New York City Department in Education on Law 3020-A proceedings and hearings pursuant to Section 75 of the Civil Service Law.
- As part of a team of attorneys, helps devise strategies for providing improved support and training to school leaders around evaluation and discipline, and for spurring the improvement or removal of poor performers.
- Assists with trainings for Central and School based DOE employees and in house attorney research and training regarding relevant Education Law and DOE policy and procedures regarding performance management and the disciplinary process.

Paralegal - Investigator (Employee Discipline) Responsibilities:

- Examines and analyzes employee records and documents, case files and legal filings necessary to respond to requests for disciplinary hearings; makes recommendations as to course of action.
- Assembles and verifies data, records and evidence in response to inquiries from Corporation Counsel and outside counsel.
- Assists attorneys in trial preparation including drafting charges, maintenance and preparation of documents for trial, witness preparation and evidence gathering.
- Coordinates disciplinary hearings; organizes trial assignments and arbitrator calendar.
- Research and evaluates tenure status of pedagogic employees; and responds to inquiries as a point of contact for principals.
- Interprets DOE administrative rules and regulations and policies as well as labor contract provisions related to due process procedures.
- Conducts highly complex or special investigations related to Department in Education Law 3020-a proceedings and hearings pursuant to Section 75 of the Civil Service Law. Primary point of contact for principals to request and schedule case conferences.
- Plans and coordinates investigation schedules and staff assignments.
- Administers and maintains legal database of cases for the unit.

Office of Labor Relations ("OLR"):**Attorney Responsibilities:**

- Provides counsel and representation on matters related to collective bargaining.
- Prepares and argues difficult cases and appeals in arbitration; Administrative Tribunals and in the courts.
- Conducts research and prepares legal briefs and memoranda on labor and employment law issues.
- Determines the advisability of presenting witnesses, admissibility of types of evidence and matters of legal strategy.
- Reviews and provides interpretations on complex, important or highly technical laws, rules or regulations.

Paralegal - Investigator (Employee Discipline) Responsibilities:

- Coordinates disciplinary hearings and implementation of monetary penalties; coordinates and organizes trial assignments and arbitrator calendar.
- Primary point of contact for principals to request and schedule case conferences.
- Maintains accurate, updated master calendar of all arbitration hearings, as well as proceedings before the Public Employment Relations Board ("PERB").
- Analyzes and evaluates documentation, case files and legal filings in connection with various Department of Education administrative hearings.
- Reviews case records and documentation necessary to respond to requests for disciplinary hearings; makes recommendations as to course of action.
- Assembles evidence and assists in researching issues for the DOE Office of Labor Relations and Collective Bargaining and the NYC Office of the Corporation Counsel.
- Responsible for managing and maintaining computer database of cases for the unit.
- Responds to inquiries from administrative officials at various DOE offices and schools.
- Serves as liaison to American Arbitration Association ("AAA"), arbitrators and parties on initial case scheduling, adjournments, additional hearing dates and related matters.

Records Access Unit ("RAU"):**Attorney Responsibilities:**

- Processes FOIL requests, including monitoring compliance with FOIL-related legal obligations, reviewing records for responsiveness and lawful redaction (with an emphasis first level review work), and drafting FOIL legal determinations.
- Carries out Department policy and legal mandates related to FOIL requests.
- Acts as liaison the New York City Law Department with respect to FOIL-related litigation.
- Assists the Subpoena Unit in monitoring and processing of subpoenas and other records requests. Ensures that Unit files and database content are updated with respect to subpoenas.
- Communicates with DOE offices, schools, and/or external parties to ensure proper authorizations are obtained or mandated notices are issued prior to compliance.

Paralegal - Community Coordinator Responsibilities:

- Provides and improves community outreach liaison services, including improving and facilitating communication between community-based organizations ("CBOs") and advocacy groups, law firms, the individuals they represent and serve, news organizations, reporters and other members of the press, administrative entities, agencies, and individual members of the public who are seeking access to public information pursuant to FOIL.
- Drafts responses and related correspondence to assist individual members of the public who are seeking access to public information pursuant to FOIL for review and approval by the Chief Privacy Officer and his/her deputies and/or designees.
- Coordinates and monitors responses to FOIL requests, including follow-up and interaction with Community Superintendents, Principals, schools and their parent/school communities, and various offices within the DOE, as well as outside attorneys and members of the public.
- Ensures timely compliance with FOIL procedural requirements to avoid serious penalties for failure to comply with court-ordered deadlines and possible litigation brought against the DOE.
- Provides and improves community outreach liaison functions, including improving and facilitating communication with the courts, City agencies such as the NYC Administration for Children's Services ("ACS"), the District Attorney's Office, and charter schools, community-based organizations and advocacy groups, law firms, the individuals they represent and serve, administrative entities, and individual members of the public who are seeking access or who have obtained access by court order or subpoena to agency records.

- Coordinates responses to subpoenas, authorizations for documents, and outside requests for information. This involves follow-up and outreach with Community Superintendents, Principals, schools and parent/school communities, and offices within the DOE as well as outside attorneys, members of the public and court officials.
- Interacts with attorneys to prepare documentation and locate witnesses for tort cases; utilizes computer systems such as the Human Resources System ("HRS"), and the Employee Information System ("EIS") to assist in the retrieval of information required for the processing of subpoenas and to track delinquent employees.

Privacy:**Attorney Responsibilities:**

- Provides legal advice concerning privacy laws and regulations that impact the NYC DOE, including the Family Educational Rights and Privacy Act ("FERPA") and NY Education Law §2-d.
- Conducts in-depth legal research as assigned; stays current on all applicable laws, regulations and industry best practices.
- Helps to develop, implement, and administer a robust privacy, cybersecurity, and data governance program.
- Addresses privacy- and cyber-security related complaints received from third parties.
- Works closely with DIIT and other stakeholders in the review and coordination of potential privacy or data security incidents, including incident investigations, identifying impacted data subjects, notification and other resolution efforts.
- Collaborates with key external stakeholders, including other city agencies, in fostering sound citywide privacy and data security practices.

Office of Special Investigations ("OSI"):**Attorney Responsibilities:**

- Investigates allegations of improper and unlawful behavior, including corporal punishment and verbal abuse against students, to help ensure a safe and secure learning environment for New York City's students, staff members, and parents.
- Drafts investigative reports to ensure that all allegations have been fully addressed, all necessary witnesses have been interviewed, all necessary documentary evidence has been obtained and reviewed, and that the investigation has been thoroughly conducted. Ensures that the analysis is comprehensive, consistent with like cases, and legally sound.
- Reviews investigative files to ensure that all necessary documentation has been filed in accordance with OSI investigation-related policies and administrative procedures.
- Conducts research and prepares legal briefs and memoranda on education law issues.
- Acts as liaison with executives within the DOE and at other City agencies.

General Practice Unit ("GPU"):**Attorney Responsibilities:**

- Represent the DOE in administrative proceedings before the City Commission on Human Rights, the State Division of Human Rights, the Equal Employment Opportunity Commission, and the U.S. Department of Education Office for Civil Rights.
- Conduct legal investigations including examination of prospective witnesses.
- Serve as agency liaison to the Corporation Counsel's office for cases brought against the DOE under federal, state, and city anti-discrimination laws.
- Make recommendations for settlements and adjustments.

- Provide direct assistance to central program offices, administrators, and school leadership throughout the DOE in resolving matters with legal implications.
- Perform legal research and analyses on critical issues and policy initiatives for the DOE.
- Analyze and report on the impact of federal, state, and city legislation.
- Draft and revise rules and regulations for the DOE.

Paralegal - Community Coordinator Responsibilities:

- Receives, tracks, researches, and coordinates with assigned attorneys to respond to inquiries from internal staff, other City offices, and the general public to OGC, or routes such inquiries appropriately.
- Maintains and enters data related to OGC legal matters in various databases and spreadsheets to update and track case status, close cases, run reports, and archive files.
- Assists in gathering information and preparing legal documents requested by the attorneys related to specific cases or requests for information.
- Prepares correspondence involving complex and/or confidential material.
- Exercises judgment in prioritizing messages, meetings, and incoming requests.
- Ensures law library is up to date, and manages subscriptions to legal publications.
- Performs work using various Microsoft Office applications (e.g., Word and Excel) and other computer applications (e.g., Adobe Acrobat), including letters and other assignments.
- Ensures the smooth functioning of office systems and provides general office support, including but not limited to ordering supplies, reporting defective office equipment, maintaining rotation calendar, receiving and sorting mail and faxes.

Special Education Unit ("SEU"):**Attorney Responsibilities:**

- Provides representation and counsel to the DOE to ensure that schools are providing special needs students with a free and appropriate education (FAPE).
- Prepares for and/or tries complex cases involving significant precedents, novel and complicated determinations of law and fact, or having significant legal, policy or financial implications for the Department of Education.
- Negotiates and implements the settlement of special education claims.
- Drafts memoranda seeking fiscal settlement authority.
- Conducts legal investigations; administers meetings to confer with CSE impartial hearings teams and clinical staff to discuss pending special education claims and CSE special education-related matters.
- Reviews and negotiates claims for attorney's fees.
- Gathers evidence and assists in researching issues for the Special Education Unit.
- Trains administrators and staff on students with IEP's rights, and represents the Department in the impartial hearing process.

Paralegal - Community Coordinator Responsibilities:

- Works with public advocacy groups, parents and private attorneys to collect settlement documentation to ensure timely implementation of settlement agreements.
- Conducts outreach to other members of SEU, parents and their representatives, including public advocates and attorneys regarding the status of ten-day notice and/or impartial hearing cases filed.
- Collects, examines and analyzes documents for claims filed by private attorneys and takes necessary steps to obtain settlement authority ; provides guidance to subordinate staff on appropriate procedures for communicating with parents and their representatives.

- Reviews various data systems and coordinates with other Legal Services staff to ensure reconciliation and accurate data entry.
- Examines and analyzes documents for legal fee claims filed by private attorneys and provides guidance to subordinate staff on appropriate procedures for working with parents in preparing stipulations of settlement.
- Prepares and reviews reports that inform management of due process hearing issues and summarizes information related to case filings and scheduling.
- Utilizes computer systems to assist in the processing of due process complaints.
- Examines and analyzes records and documents, case files, and legal filings in connection with various administrative proceedings involving the Department of Education special education impartial hearings; interprets internal Special Education Unit policy and procedures to subordinate staff.
- Reviews case records and documentation necessary to respond to requests for impartial hearings.
- Recommends settlement of special education claims.

Office of Ethics and Conflicts of Interest:

Attorney Responsibilities:

- Provides advice to and review conflicts of interest waiver requests from: DOE employees, Community Education Council (“CEC”) candidates/applicants/members, and Panel for Educational Policy (“PEP”) candidates/members. Seek advice from the New York City Conflicts Board as appropriate.
- Conducts Conflicts of Interest Training for DOE employees, CEC and PEP members.
- Interacts with the New York City Conflicts of Interest Board (“COIB”).
- Assists in overseeing various annual financial disclosure processes for required DOE filers, CEC members, and PEP members, as well as filers leaving those positions.
- Assists in gathering information for annual reports and documents submitted to COIB annually.

Paralegal - Community Coordinator Responsibilities:

- Respond to calls and emails from parents on various conflicts of interest issues, including, but not limited to, related services, special education teacher support services, gifts, and taking reports of alleged violations of conflicts of interest rules.
- Respond to calls and emails from various Department of Education vendors on conflicts of interest issues, such as the rules on outside part-time employment and post-employment by DOE employees.
- Review Community Education Council and Citywide Council candidate and member applications for conflicts issues; respond to questions and follow up as needed with parents and appointees of the Borough President and Public Advocate to gather additional information; prepare waiver requests if necessary.
- Provide support for annual financial disclosure filing process required by City law, including gathering information to determine required filers, entering and editing information in the COIB database, distributing packets for filers, and responding to questions from DOE employees and COIB; facilitate DOE employee compliance with COIB enforcement actions.
- Prepare conflicts of interest waiver request letters and other letters to send to COIB for review.
- Perform work using various Microsoft Office applications (e.g., Word and Excel), and other computer applications (e.g., Adobe Acrobat), including drafting letters and other assignments.
- Maintain records, files and databases; make entries concerning case progress and ensure compliance with legal timeframes.

Risk Management and Litigation:**Attorney Responsibilities:**

- Provides counsel on major litigation, including class action cases, filed against the NYC DOE.
- Makes recommendations to the Law Department about whether representation should be provided to NYC DOE employees who have been named in a lawsuit.
- Conducts research on legal issues and prepares legal memoranda for legal staff and senior NYCPS officials.
- Assists with developing enhancements to NYCPS databases to ensure compliance with consent decrees, settlement agreements, and the collection of accurate and reliable information.
- Provides direct support to program offices to develop and review policies and procedures, including regulations.
- Assists senior members of the General Counsel's Office in preparing for meetings with relevant department personnel and persons outside of the Department.
- Reviews and drafts Memoranda of Understanding to formalize certain Department relationships with key partners and other stakeholders.
- Drafts and publishes annual reports regarding settlement implementation and litigation compliance, including making policy recommendations about citywide practices and school-based responsibilities.

Office of Equal Opportunity (OEO):**Attorney Responsibilities:**

- Serves as OEO's subject matter expert on Title IX and its implementation regulations. Keeps informed of current research, legal and judicial decisions related to Title IX and gender equity.
- Receives, processes, and investigates Title IX complaints, as well as other discrimination complaints, from students, staff, parents and third-parties. Conducts interviews of all relevant parties to a complaint, including but not limited to, the complainant, the respondent, witnesses, students, parents of students, and staff members. School-based investigations may require travel to schools in any of the five boroughs.
- Conducts legal research and prepares legal memoranda on issues related to Title IX compliance.
- Develops agency policies and practices relating to Title IX, and takes appropriate remedial steps, where necessary, to ensure compliance with Title IX. Responsible for appropriate dissemination and posting of agency's non-discrimination policy.
- Acts as liaison with other DOE offices, and external agencies, regarding legal matters relating to Title IX.
- Provides training regarding Title IX compliance for DOE entities and partners with said offices to disseminate related information.
- Reviews and edits confidential reports prepared by OEO investigators.
- Reviews and analyzes agency-wide data and statistics related to the implementation of Title IX.

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