

requirements in the *Applicable Regulations* section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Reporting*: At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary.

4. *Performance Measures*: In response to the Government Performance and Results Act (GPRA), the Department developed two measures for evaluating the overall effectiveness of the Improving Literacy Through School Libraries program. These measures gauge improvement in student achievement and resources in the schools and districts served by the Improving Literacy Through School Libraries program by assessing increases in: (1) The percentage of participating schools and districts that exceed State Adequate Yearly Progress targets for reading achievement for all students; and (2) the school library media collections at participating schools, compared to schools not participating in the program.

The Department will collect data for these measures from grantees' annual performance reports and other existing data sources.

## VII. Agency Contact

*For Further Information Contact:* Irene Harwarth, U.S. Department of Education, 400 Maryland Avenue, SW., room 3W227, Washington, DC 20202-6200. Telephone: (202) 401-3751 or by e-mail: [Irene.Harwarth@ed.gov](mailto:Irene.Harwarth@ed.gov).

If you use a telecommunications device for the deaf (TDD), you may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the program contact person listed in this section.

## VIII. Other Information

*Electronic Access to This Document:* You may view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: [www.ed.gov/news/fedregister](http://www.ed.gov/news/fedregister).

To use PDF you must have Adobe Acrobat Reader, which is available free

at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

**Note:** The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: [www.gpoaccess.gov/nara/index.html](http://www.gpoaccess.gov/nara/index.html).

Dated: January 25, 2005.

**Raymond Simon,**

*Assistant Secretary for Elementary and Secondary Education.*

[FR Doc. 05-1652 Filed 1-27-05; 8:45 am]

**BILLING CODE 4000-01-U**

## DEPARTMENT OF EDUCATION

### Office of Innovation and Improvement Overview Information, Charter Schools Program (CSP); Notice Inviting Applications For New Awards For Fiscal Year (FY) 2005

*Catalog of Federal Domestic Assistance (CFDA) Number:* 84.282A, 84.282B, and 84.282C.

**DATES:** *Applications Available:* January 28, 2005.

*Deadline for Transmittal of Applications:* March 14, 2005.

*Deadline for Intergovernmental Review:* May 13, 2005.

*Eligible Applicants:*

(a) State educational agencies (SEAs) in States with a State statute specifically authorizing the establishment of charter schools may apply for funding.

(b) Non-SEA eligible applicants may apply for funding directly from the U.S. Department of Education (Department) if the SEA in the State elects not to participate in the CSP or does not have an application approved under the program.

Additional information concerning eligibility requirements is in Section III, 1. in this notice.

*Estimated Available Funds:* \$91,000,000.

*Estimated Range of Awards:* SEAs: \$500,000-\$20,000,000 per year. Other eligible applicants: \$10,000-\$150,000 per year.

*Estimated Average Size of Awards:*

SEAs: \$4,000,000 per year. Other eligible applicants: \$130,000 per year.

*Estimated Number of Awards:* SEAs: 18-23. Other eligible applicants: 25-50.

**Note:** The Department is not bound by any estimates in this notice.

*Project Period:* Up to 36 months.

**Note:** Planning and implementation grants or subgrants awarded by the Secretary or an

SEA to non-SEA eligible applicants will be awarded for a period of up to 36 months, no more than 18 months of which may be used for planning and program design and no more than two years of which may be used for the initial implementation of a charter school. Dissemination grants and subgrants are awarded for a period of up to two years.

## Full Text of Announcement

### I. Funding Opportunity Description

*Purpose of Program:* The purpose of the CSP is to increase national understanding of the charter school model and to expand the number of high-quality charter schools available to students across the Nation by providing financial assistance for the planning, program design, and initial implementation of charter schools, and evaluating the effects of charter schools, including the effects on students, student academic achievement, staff, and parents.

The Department will hold three (3) separate competitions under this program. All SEA applicants must apply for grant funds under CFDA No.

84.282A. Non-SEA eligible applicants that propose to use grant funds for planning, program design, and implementation must apply under CFDA No. 84.282B. Non-SEA eligible applicants that are requesting funds for dissemination activities must submit their applications under CFDA No. 84.282C.

*Priorities:* In accordance with 34 CFR 75.105(b)(2)(iv), these priorities are from section 5202(e) of the Elementary and Secondary Education Act of 1965, as amended (ESEA), 20 U.S.C. 7221a(e).

*Competitive Preference Priorities:* For FY 2005 these priorities are competitive preference priorities. Under 34 CFR 75.105(c)(2)(i) we award up to an additional 40 points to an applicant, depending on how well the application meets these priorities.

In awarding grants to SEAs under CFDA No. 84.282A, the Secretary gives priority to States to the extent that the State meets the statutory criterion described in paragraph (a) of this section, and one or more of the statutory criteria described in paragraphs (b) through (d) of this section.

An SEA that meets priority (a) but does not meet one or more of the other priorities will not receive any priority points.

An SEA that does not meet priority (a) but meets one or more of the other priorities will not receive any priority points.

In order to receive preference, an applicant must identify the priorities that it believes it meets and provide documentation supporting its claims.

These priorities are:

(a) *Periodic Review and Evaluation* (10 points). The State provides for periodic review and evaluation by the authorized public chartering agency of each charter school at least once every 5 years, unless required more frequently by State law, to determine whether the charter school is meeting the terms of the school's charter, and is meeting or exceeding the academic achievement requirements and goals for charter schools as provided under State law or the school's charter.

(b) *Number of High-Quality Charter Schools* (10 points). The State has demonstrated progress in increasing the number of high-quality charter schools that are held accountable in the terms of the schools' charters for meeting clear and measurable objectives for the educational progress of the students attending the schools, in the period prior to the period for which an SEA applies for a grant under this competition.

(c) *One Authorized Public Chartering Agency Other than a Local Educational Agency (LEA), or an Appeals Process* (10 points). The State—

(1) Provides for one authorized public chartering agency that is not an LEA, such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to State law; or

(2) In the case of a State in which LEAs are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.

(d) *High Degree of Autonomy* (10 points). The State ensures that each charter school has a high degree of autonomy over the charter school's budgets and expenditures.

**Note:** The Secretary encourages applicants to provide citations and examples from their State charter law in responding to each of the competitive preference priorities.

**Invitational Priority:** Under these competitions we are particularly interested in applications that address the following priority. For FY 2005 this priority is an invitational priority. Under 34 CFR 75.105(c)(1), we do not give an applicant that meets this invitational priority a competitive or absolute preference over other applications.

The priority is:

The applicant proposes to plan, design, and implement one or more high-quality charter schools in geographic areas, including urban and rural areas, in which a large proportion or number of public schools has been identified for improvement, corrective

action, or restructuring under Title I, part A of the ESEA.

**Program Authority:** 20 U.S.C. 7221–7221j.

**Applicable Regulations:** The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 75, 76, 77, 79, 80, 81, 82, 84, 85, 86, 97, 98, and 99.

## II. Award Information

**Type of Award:** Discretionary grants.

**Estimated Available Funds:**

\$91,000,000.

**Estimated Range of Awards:** SEAs: \$500,000–\$20,000,000 per year. Other eligible applicants: \$10,000–\$150,000 per year.

**Estimated Average Size of Awards:**

SEAs: \$4,000,000 per year. Other

eligible applicants: \$130,000 per year.

**Estimated Number of Awards:** SEAs: 18–23. Other eligible applicants: 25–50.

**Note:** The Department is not bound by any estimates in this notice.

**Project Period:** Up to 36 months.

**Note:** Planning and implementation grants or subgrants awarded by the Secretary or an SEA to non-SEA eligible applicants will be awarded for a period of up to 36 months, no more than 18 months of which may be used for planning and program design and no more than two years of which may be used for the initial implementation of a charter school. Dissemination grants and subgrants are awarded for a period of up to two years.

## III. Eligibility Information

1. **Eligible Applicants:** (a) SEAs in States with a State statute specifically authorizing the establishment of charter schools may apply for funding.

**Note:** The Secretary awards grants to SEAs to enable them to conduct charter school programs in their States. SEAs use their CSP funds to award subgrants to non-SEA eligible applicants for planning, program design, and initial implementation of a charter school and to support the dissemination of information about, including successful practices in, charter schools.

(b) Non-SEA eligible applicants may apply for funding directly from the Department if the SEA in the State elects not to participate in the CSP or does not have an application approved under the program.

**Note:** A non-SEA *eligible applicant* is defined in the authorizing statute as a developer that has applied to an authorized public chartering authority to operate a charter school and has provided to that authority adequate and timely notice, and a copy, of its CSP application, except that the Secretary or the SEA may waive these requirements in the case of a pre-charter planning grant. Non-SEA eligible applicants, like SEAs, must be in States that have statutes specifically authorizing charter

schools. If an SEA's application is approved in this competition, the Department will return applications from non-SEA eligible applicants in that State to the applicants. In such a case, the non-SEA eligible applicant should contact the SEA for information related to the State's subgrant competition.

The following States currently have approved applications under this program: Alaska, California, Colorado, Georgia, Indiana, Iowa, Kansas, Maryland, Massachusetts, Michigan, Missouri, New Hampshire, New Mexico, Ohio, Pennsylvania, South Carolina, and Texas. In these States, only the SEA is eligible to receive an award under this competition. Non-SEA eligible applicants in States that are not listed must apply directly to the Department on or before the deadline for transmittal of applications in order to be considered for funding in this competition.

(c) **Dissemination Grants.** A charter school may apply to an SEA for funds to carry out dissemination activities, whether or not the charter school has applied for or received funds under the CSP for planning or implementation, if the charter school has been in operation for at least three consecutive years and has demonstrated overall success, including—

(1) Substantial progress in improving student academic achievement;

(2) High levels of parent satisfaction; and

(3) The management and leadership necessary to overcome initial start-up problems and establish a thriving, financially viable charter school.

2. **Cost Sharing or Matching:** These competitions do not involve cost sharing or matching.

3. **Other:** All applications must meet the definitions of *charter school*, *developer*, *eligible applicant*, and *authorized public chartering agency*, as defined in the authorizing statute. These definitions are in the application package.

## IV. Application and Submission Information

1. **Address to Request Application Package:** Dean Kern, U.S. Department of Education, 400 Maryland Avenue, SW., room 4W227, FB6, Washington, DC 20202–5961. Telephone: (202) 260–1882 or by e-mail: [dean.kern@ed.gov](mailto:dean.kern@ed.gov).

If you use a telecommunications device for the deaf (TDD), you may call the Federal Relay Service (FRS) at 1–800–877–8339.

Individuals with disabilities may obtain a copy of the application package in an alternative format (e.g., Braille, large print, audiotope, or computer diskette) by contacting the program contact person listed in this section.

2. **Content and Form of Application Submission:** Requirements concerning

the content of an application, together with the forms you must submit, are in the application package for this competition.

**Page Limit:** The application narrative (Part III of the application) is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. The Secretary strongly encourages applicants to limit Part III to the equivalent of no more than 50 pages, using the following standards:

- A "page" is 8.5" x 11", on one side only, with 1" margins at the top, bottom, and both sides.
- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.
- Use a font that is either 12 point or larger or no smaller than 10 pitch (characters per inch).

The suggested page limit does not apply to Part I, the cover sheet; Part II, the budget section, including the narrative budget justification; Part IV, the assurances and certifications; or the one-page abstract, the resumes, the bibliography, or the letters of support. However, you must include all of the application narrative in Part III.

### 3. *Submission Dates and Times:*

*Applications Available:* January 28, 2005.

*Deadline for Transmittal of Applications:* March 14, 2005.

Applications for grants under this competition must be submitted electronically using the Electronic Grant Application System (e-Application) available through the Department's e-Grants system. For information (including dates and times) about how to submit your application electronically or by mail or hand delivery if you qualify for an exception to the electronic submission requirement, please refer to section IV.6. *Other Submission Requirements* in this notice.

We do not consider an application that does not comply with the deadline requirements.

*Deadline for Intergovernmental Review:* May 13, 2005.

4. *Intergovernmental Review:* This competition is subject to Executive Order 12372 and the regulations in 34 CFR part 79. Information about Intergovernmental Review of Federal Programs under Executive Order 12372 is in the application package for this competition.

5. *Funding Restrictions: Use of Funds for Dissemination Activities.* An SEA may reserve not more than 10 percent of

the grant funds to support dissemination activities. A charter school may use those funds to assist other schools in adapting the charter school's program (or certain aspects of the charter school's program), or to disseminate information about the charter school through such activities as—

- (a) Assisting other individuals with the planning and start-up of one or more new public schools, including charter schools, that are independent of the assisting charter school and the assisting charter school's developers and that agree to be held to at least as high a level of accountability as the assisting charter school;
- (b) Developing partnerships with other public schools, including charter schools, designed to improve student performance in each of the schools participating in the partnership;
- (c) Developing curriculum materials, assessments, and other materials that promote increased student achievement and are based on successful practices within the assisting charter school; and
- (d) Conducting evaluations and developing materials that document the successful practices of the assisting charter school and that are designed to improve student achievement.

We reference regulations outlining funding restrictions in the *Applicable Regulations* section of this notice.

6. *Other Submission Requirements:* Applications for grants under this competition must be submitted electronically, unless you qualify for an exception to this requirement in accordance with the instructions in this section.

We will reject your application if you submit it in paper format unless, as described elsewhere in this section, you qualify for one of the exceptions to the electronic submission requirement and submit, no later than two weeks before the application deadline date, a written statement to the Department that you qualify for one of these exceptions. Further information regarding calculation of the date that is two weeks before the application deadline date is provided later in this section under *Exception to Electronic Submission Requirement*.

#### a. *Electronic Submission of Applications.*

Applications for grants under the Charter Schools Program—CFDA Number 84.282A, 84.282B, and 84.282C—must be submitted electronically using e-Application available through the Department's e-Grants system, accessible through the e-Grants portal page at: <http://e-grants.ed.gov>.

While completing your electronic application, you will be entering data online that will be saved into a database. You may not e-mail an electronic copy of a grant application to us.

Please note the following:

- You must complete the electronic submission of your grant application by 4:30 p.m., Washington, DC time, on the application deadline date. The e-Application system will not accept an application for this program [competition] after 4:30 p.m., Washington, DC time, on the application deadline date. Therefore, we strongly recommend that you do not wait until the application deadline date to begin the application process.

- The regular hours of operation of the e-Grants Web site are 6 a.m. Monday until 7 p.m. Wednesday; and 6 a.m. Thursday until midnight Saturday, Washington, DC time. Please note that the system is unavailable on Sundays, and between 7 p.m. on Wednesdays and 6 a.m. on Thursdays, Washington, DC time, for maintenance. Any modifications to these hours are posted on the e-Grants Web site.

- You will not receive additional point value because you submit your application in electronic format, nor will we penalize you if you qualify for an exception to the electronic submission requirement, as described elsewhere in this section, and submit your application in paper format.

- You must submit all documents electronically, including the Application for Federal Education Assistance (ED 424), Budget Information—Non-Construction Programs (ED 524), and all necessary assurances and certifications.

- Any narrative sections of your application should be attached as files in a .DOC (document), .RTF (rich text), or .PDF (Portable Document) format.

- Your electronic application must comply with any page limit requirements described in this notice.

- Prior to submitting your electronic application, you may wish to print a copy of it for your records.

- After you electronically submit your application, you will receive an automatic acknowledgement that will include a PR/Award number (an identifying number unique to your application).

- Within three working days after submitting your electronic application, fax a signed copy of the ED 424 to the Application Control Center after following these steps:

- (1) Print ED 424 from e-Application.

- (2) The applicant's Authorizing Representative must sign this form.

(3) Place the PR/Award number in the upper right hand corner of the hard-copy signature page of the ED 424.

(4) Fax the signed ED 424 to the Application Control Center at (202) 245-6272.

- We may request that you provide us original signatures on other forms at a later date.

*Application Deadline Date Extension in Case of e-Application System Unavailability:*

If you are prevented from electronically submitting your application on the application deadline date because the e-Application system is unavailable, we will grant you an extension of one business day in order to transmit your application electronically, by mail, or by hand delivery. We will grant this extension if—

(1) You are a registered user of e-Application and you have initiated an electronic application for this competition; and

(2) (a) The e-Application system is unavailable for 60 minutes or more between the hours of 8:30 a.m. and 3:30 p.m., Washington, DC time, on the application deadline date; or

(b) The e-Application system is unavailable for any period of time between 3:30 p.m. and 4:30 p.m., Washington, DC time, on the application deadline date.

We must acknowledge and confirm these periods of unavailability before granting you an extension. To request this extension or to confirm our acknowledgement of any system unavailability, you may contact either (1) the person listed elsewhere in this notice under **FOR FURTHER INFORMATION CONTACT** (see VII. Agency Contact) or (2) the e-Grants help desk at 1-888-336-8930. If the system is down and therefore the application deadline is extended, an e-mail will be sent to all registered users who have initiated an e-Application. Extensions referred to in this section apply only to the unavailability of the Department's e-Application system.

*Exception to Electronic Submission Requirement:* You qualify for an exception to the electronic submission requirement, and may submit your application in paper format, if you are unable to submit an application through the e-Application system because—

- You do not have access to the Internet; or
- You do not have the capacity to upload large documents to the Department's e-Application system; and
- No later than two weeks before the application deadline date (14 calendar days or, if the fourteenth calendar day before the application deadline date

falls on a Federal holiday, the next business day following the Federal holiday), you mail or fax a written statement to the Department, explaining which of the two grounds for an exception prevent you from using the Internet to submit your application. If you mail your written statement to the Department, it must be postmarked no later than two weeks before the application deadline date. If you fax your written statement to the Department, we must receive the faxed statement no later than two weeks before the application deadline date.

Address and mail or fax your statement to: Dean Kern, U.S. Department of Education, 400 Maryland Avenue, SW., room 4W227, Washington, DC 20202-5961. Fax: (202) 205-5630.

Your paper application must be submitted in accordance with the mail or hand delivery instructions described in this notice.

*b. Submission of Paper Applications by Mail.*

If you qualify for any exception to the electronic submission requirement, you may mail (through the U.S. Postal Service or a commercial carrier) your application to the Department. You must mail the original and two copies of your application, on or before the application deadline date, to the Department at the applicable following address:

*By mail through the U.S. Postal Service:* U.S. Department of Education, Application Control Center, Attention: (CFDA Number 84.282A, 84.282B, or 84.282C), 400 Maryland Avenue, SW., Washington, DC 20202-4260; or

*By mail through a commercial carrier:* U.S. Department of Education, Application Control Center—Stop 4260, Attention: (CFDA Number 84.282A, 84.282B, or 84.282C), 7100 Old Landover Road, Landover, MD 20785-1506.

Regardless of which address you use, you must show proof of mailing consisting of one of the following:

- (1) A legibly dated U.S. Postal Service postmark,
- (2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service,
- (3) A dated shipping label, invoice, or receipt from a commercial carrier, or
- (4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of Education.

If you mail your application through the U.S. Postal Service, we do not accept either of the following as proof of mailing:

- (1) A private metered postmark, or

(2) A mail receipt that is not dated by the U.S. Postal Service.

If your application is postmarked after the application deadline date, we will not consider your application.

**Note:** The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, you should check with your local post office.

*c. Submission of Paper Applications by Hand Delivery.*

If you qualify for an exception to electronic submission requirement, you (or a courier service) may deliver your paper application to the Department by hand. You must deliver the original and two copies of your application, by hand, on or before the application deadline date, to the Department at the following address: U.S. Department of Education, Application Control Center, Attention: (CFDA Number 84.282A, 84.282B, or 84.282C), 550 12th Street, SW., Room 7041, Potomac Center Plaza, Washington, DC 20202-4260.

The Application Control Center accepts hand deliveries daily between 8 a.m. and 4:30 p.m., Washington, DC time, except Saturdays, Sundays, and Federal holidays.

*Note for Mail or Hand Delivery of Paper Applications:* If you mail or hand deliver your application to the Department:

(1) You must indicate on the envelope and—if not provided by the Department—in Item 4 of the ED 424 the CFDA number—and suffix letter, if any—of the competition under which you are submitting your application.

(2) The Application Control Center will mail a grant application receipt acknowledgment to you. If you do not receive the grant application receipt acknowledgment within 15 business days from the application deadline date, you should call the U.S. Department of Education Application Control Center at (202) 245-6288.

**V. Application Review Information**

1. *Selection Criteria:* All SEA and non-SEA applicants applying for CSP grant funds must address both the application requirements and the selection criteria. Each SEA and non-SEA applicant applying for CSP grant funds may choose to respond to the application requirements in the context of the applicant's responses to the selection criteria.

(a) *SEAs (CFDA No. 84.282A).*

(i) *Application Requirements (CFDA No. 84.282A).*

(A) Describe the objectives of the SEA's charter school grant program and describe how these objectives will be fulfilled, including steps taken by the

SEA to inform teachers, parents, and communities of the SEA's charter school grant program;

(B) Describe how the SEA will inform each charter school in the State about Federal funds that the charter school is eligible to receive and Federal programs in which the charter school may participate;

(C) Describe how the SEA will ensure that each charter school in the State receives the school's commensurate share of Federal education funds that are allocated by formula each year, including during the first year of operation of the school;

(D) Describe how the SEA will disseminate best or promising practices of charter schools to each LEA in the State;

(E) If an SEA elects to reserve part of its grant funds (no more than 10 percent) for the establishment of a revolving loan fund, describe how the revolving loan fund would operate;

(F) If an SEA desires the Secretary to consider waivers under the authority of the CSP, include a request and justification for any waiver of statutory or regulatory provisions that the SEA believes is necessary for the successful operation of charter schools in the State; and

(G) Describe how charter schools that are considered to be LEAs under State law, and LEAs in which charter schools are located, will comply with sections 613(a)(5) and 613(e)(1)(B) of the Individuals with Disabilities Education Act.

(ii) *Selection Criteria* (CFDA No. 84.282A). SEAs that propose to use a portion of their grant funds for dissemination activities must address each selection criterion (A) through (E) individually and title each accordingly. SEAs that do not propose to use a portion of their grant funds for dissemination activities must address selection criteria (A) through (D) only, and need not address selection criterion (E).

The maximum possible score is 120 points for SEAs that do not propose to use grant funds to support dissemination activities and 150 points for SEAs that propose to use grant funds to support dissemination activities.

The maximum possible score for each criterion is indicated in parentheses following the criterion.

To ensure fairness, if an SEA is not proposing to use grant funds to support dissemination activities, the Secretary will not consider points awarded under criterion (E) in determining whether to approve an application for funding.

In evaluating an application from an SEA, the Secretary considers the following criteria:

(A) The contribution the charter schools grant program will make in assisting educationally disadvantaged and other students to achieve State academic content standards and State student academic achievement standards (30 points).

**Note:** The Secretary encourages applicants to provide a description of the objectives for the SEA's charter school grant program and how these objectives will be fulfilled, including steps taken by the SEA to inform teachers, parents, and communities of the SEA's charter school grant program and how the SEA will disseminate best or promising practices of charter schools to each LEA in the State.

(B) The degree of flexibility afforded by the SEA to charter schools under the State's charter school law (30 points).

**Note:** The Secretary encourages the applicant to include a description of how the State's law establishes an administrative relationship between the charter school and the authorized public chartering agency, and exempts charter schools from significant State or local rules that inhibit the flexible operation and management of public schools.

The Secretary also encourages the applicant to include a description of the degree of autonomy charter schools have achieved over such matters as the charter school's budget, expenditures, daily operation, and personnel in accordance with their State's law.

(C) The number of high-quality charter schools to be created in the State (30 points).

**Note:** The Secretary considers the SEA's estimate of the number of new charter schools to be authorized and opened in the State during the 36-month period of this grant.

Because research has identified the lack of adequate resources as a major impediment to the creation of high-quality charter schools, the Secretary encourages the applicant to describe how the SEA will inform each charter school in the State about Federal funds that the charter school is eligible to receive and about the Federal programs in which the charter school may participate.

The Secretary also considers how the SEA will ensure that each charter school in the State receives the school's commensurate share of Federal education funds that are allocated by formula each year, including during the first year of operation of the school and during a year in which the school's enrollment expands significantly.

(D) The quality of the management plan to achieve the objectives of the proposed project on time and within

budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks (30 points).

**Note:** In addition to describing the proposed objectives of the SEA charter school grant program and how these objectives will be fulfilled, the Secretary encourages applicants to provide descriptions of the steps that the SEA will take to award subgrant funds to eligible applicants desiring to receive these funds, including descriptions of the peer review process to review applications for assistance, the timelines for awarding such funds, and how the SEA will assess the quality of the applications.

(E) In the case of SEAs that propose to use grant funds to support dissemination activities under section 5204(f)(6) of the ESEA, the quality of the dissemination activities (15 points) and the likelihood that those activities will improve student achievement (15 points).

**Note:** The Secretary encourages applicants to provide a description of the steps that the SEA will take to award these funds to eligible applicants, including descriptions of the peer review process to review applications for dissemination, the timelines for awarding such funds, and how the SEA will assess the quality of the applications.

(b) *Non-SEA Applicants* (CFDA No. 84.282B and 84.282C). The application requirements for all non-SEA applicants are listed in paragraph (i) in this section.

The selection criteria for non-SEA applicants for *Planning, Program Design, and Implementation Grants* (CFDA No. 82.282B) are listed in paragraph (ii) in this section.

The selection criteria for non-SEA applicants for *Dissemination Grants* (CFDA No. 84.282C) are listed in paragraph (iii) in this section.

(i) *Application Requirements* (CFDA Nos. 84.282B and 84.282C). (A) Describe the educational program to be implemented by the proposed charter school, including how the program will enable all students to meet challenging State student academic achievement standards, the grade levels or ages of students to be served, and the curriculum and instructional practices to be used;

(B) Describe how the charter school will be managed;

(C) Describe the objectives of the charter school and the methods by which the charter school will determine its progress toward achieving those objectives;

(D) Describe the administrative relationship between the charter school and the authorized public chartering agency;

(E) Describe how parents and other members of the community will be

involved in the planning, program design, and implementation of the charter school;

(F) Describe how the authorized public chartering agency will provide for continued operation of the charter school once the Federal grant has expired, if that agency determines that the charter school has met its objectives;

(G) If the charter school desires the Secretary to consider waivers under the authority of the CSP, include a request and justification for waivers of any Federal statutory or regulatory provisions that the applicant believes are necessary for the successful operation of the charter school and a description of any State or local rules, generally applicable to public schools, that will be waived for, or otherwise not apply to, the school;

(H) Describe how the grant funds will be used, including how these funds will be used in conjunction with other Federal programs administered by the Secretary;

(I) Describe how students in the community will be informed about the charter school and be given an equal opportunity to attend the charter school;

(J) Describe how a charter school that is considered an LEA under State law, or an LEA in which a charter school is located, will comply with sections 613(a)(5) and 613(e)(1)(B) of the Individuals with Disabilities Education Act; and

(K) If the eligible applicant desires to use grant funds for dissemination activities under section 5202(c)(2)(C), describe those activities and how those activities will involve charter schools and other public schools, LEAs, developers, and potential developers.

(ii) *Selection Criteria (CFDA No. 84.282B)*. Non-SEA Planning, Program Design, and Initial Implementation Grant applicants must address each selection criterion (A) through (I) individually and title each accordingly.

The maximum possible score for all of the criteria in this section is 145 points.

The maximum possible score for each criterion is indicated in parentheses following the criterion.

In evaluating an application from a non-SEA eligible applicant for Planning, Program Design, and Implementation, the Secretary considers the following criteria:

(A) The quality of the proposed curriculum and instructional practices (25 points).

(B) The degree of flexibility afforded by the SEA and, if applicable, the LEA to the charter school (10 points).

(C) The extent of community support for the application (10 points).

(D) The ambitiousness of the objectives for the charter school (15 points).

(E) The quality of the strategy for assessing achievement of those objectives (10 points).

(F) The likelihood that the charter school will meet those objectives and improve educational results for students during and after the period of Federal financial assistance (20 points).

(G) The extent to which the proposed project encourages parental involvement (20 points).

(H) The qualifications, including relevant training and experience, of the project director; and the extent to which the applicant encourages applications for employment from persons who are members of groups that traditionally have been underrepresented based on race, color, national origin, gender, age, or disability (10 points).

(I) The contribution the charter school will make in assisting educationally disadvantaged and other students to achieve to State academic content standards and State student academic achievement standards (25 points).

(iii) *Selection Criteria (CFDA No. 84.282C)*. Non-SEA applicants for Dissemination Grants must address each selection criterion (A) through (E) individually and title each accordingly.

The maximum possible score for all of the criteria in this section is 125 points.

The maximum possible score for each criterion is indicated in parentheses following the criterion.

In evaluating an application from a non-SEA eligible applicant for a dissemination grant, the Secretary considers the following criteria:

(A) The quality of the proposed dissemination activities and the likelihood that those activities will improve student achievement (30 points).

(B) The extent to which the school has demonstrated overall success, including—

(1) Substantial progress in improving student achievement (15 points);

(2) High levels of parent satisfaction (15 points); and

(3) The management and leadership necessary to overcome initial start-up problems and establish a thriving, financially viable charter school (15 points).

(C) The extent to which the results of the proposed project will be disseminated in a manner that will enable others to use the information or strategies (20 points).

(D) The qualifications, including relevant training and experience, of the project director and the extent to which the applicant encourages applications

for employment from persons who are members of groups that traditionally have been underrepresented based on race, color, national origin, gender, age, or disability (10 points).

(E) The adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks (20 points).

## VI. Award Administration Information

1. *Award Notices*: If your application is successful, we will notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN). We may also notify you informally.

If your application is not evaluated or not selected for funding, we notify you.

2. *Administrative and National Policy Requirements*: We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Reporting*: At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multi-year award, you must submit an annual performance report that provides the most current performance and financial expenditure information as specified by the Secretary in 34 CFR 75.118.

4. *Performance Measures*: Under the Government Performance and Results Act (GPRA), one measure has been developed for evaluating the overall effectiveness of the CSP: To support the creation of a large number of high-quality charter schools. The objective of this goal is to encourage the development of a large number of high-quality charter schools that are free from State or local rules that inhibit flexible operation, are held accountable for enabling students to reach challenging State performance standards, and are open to all students. The Secretary has set an overall performance target that calls for an increase in both the number of States with charter school legislation and the number of charter schools in operation around the Nation.

All grantees will be expected to submit an annual performance report

documenting their contribution in assisting the Department in meeting this performance measure by creating or supporting the creation of one or more high-quality charter schools that are free from State or local rules that inhibit flexible operation, are held accountable for enabling students to reach challenging state performance standards, and are open to all students.

## VII. Agency Contact

For Further Information Contact: Dean Kern, U.S. Department of Education, 400 Maryland Avenue, SW., room 4W227, FB6, Washington, DC 20202-5961. Telephone: (202) 260-1882 or by e-mail: [dean.kern@ed.gov](mailto:dean.kern@ed.gov).

If you use a telecommunications device for the deaf (TDD), you may call the Federal Relay Service (FRS) at 1-800-877-8339.

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the program contact person listed in this section.

## VIII. Other Information

*Electronic Access to This Document:* You may view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/news/fedregister>.

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

**Note:** The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.gpoaccess.gov/nara/index.html>.

Dated: January 25, 2005.

**Nina Shokraii Rees,**

*Assistant Deputy Secretary for Innovation and Improvement.*

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BILLING CODE 4000-01-P

## DEPARTMENT OF EDUCATION

### Office of Innovation and Improvement; Overview Information; Excellence in Economic Education Program; Notice Inviting Applications for New Awards for Fiscal Year (FY) 2005

*Catalog of Federal Domestic Assistance (CFDA) Number:* 84.215B.

**DATES:** *Applications Available:* January 31, 2005.

*Deadline for Transmittal of Applications:* March 23, 2005.

*Deadline for Intergovernmental Review:* May 24, 2005.

*Eligible Applicants:* Any national nonprofit educational organization that has as its primary purpose the improvement of the quality of student understanding of personal finance and economics through effective teaching of economics in grades kindergarten through grade 12 in the Nation's classrooms.

Applicants are required to submit evidence of their organization's eligibility.

*Estimated Available Funds:* \$1,478,000 for budget period one, and \$1,500,000 for budget periods two through five.

*Number of Awards:* 1.

**Note:** The Department is not bound by any estimates in this notice.

*Project Period:* Up to 60 months.

*Budget Period:* 12 months.

### Full Text of Announcement

#### I. Funding Opportunity Description

*Purpose of Program:* This program promotes economic and financial literacy among all students in kindergarten through grade 12 through the award of one grant to a national nonprofit educational organization that has as its primary purpose the improvement of the quality of student understanding of personal finance and economics.

*Priorities:* This competition includes two absolute priorities and two invitational priorities that are explained in the following paragraphs.

In accordance with 34 CFR 75.105(b)(2)(iv), these priorities are from sections 5533(b), 5534(b), and 5535(b) of the Elementary and Secondary Education Act of 1965, as amended (ESEA) (20 U.S.C. 7267b-7267e).

*Absolute Priorities:* For FY 2005 these priorities are absolute priorities. Under 34 CFR 75.105(c)(3) we consider only applications that meet both of these priorities.

These priorities are:

#### *Absolute Priority 1—Direct Activities*

A project must indicate how it would use 25 percent of the funds available each year to do all of the following activities:

(a) Strengthen and expand the grantee's relationships with State and local personal finance, entrepreneurial, and economic education organizations.

(b) Support and promote training of teachers who teach a grade from kindergarten through grade 12 regarding economics, including the dissemination of information on effective practices and research findings regarding the teaching of economics.

(c) Support research on effective teaching practices and the development of assessment instruments to document student understanding of personal finance and economics.

(d) Develop and disseminate appropriate materials to foster economic literacy.

#### *Absolute Priority 2—Subgrant Activities*

A project must indicate how it would use 75 percent of the funds available each year to award subgrants both to (a) State educational agencies (SEAs) or local educational agencies (LEAs), and (b) State or local economic, personal finance, or entrepreneurial education organizations. (Definitions of SEAs and LEAs are found in section 9101(26) and (41) of the ESEA, as amended by NCLB (20 U.S.C. 7801(26) and (41)).

(a) *Allowable Subgrantee Activities.* Applications must indicate that these subgrants are to be used to pay for the Federal share of the cost of enabling the subgrantees to work in partnership with *one or more* eligible partners as described elsewhere in this notice, for *one or more* of the following purposes:

(1) Collaboratively establishing and conducting teacher training programs that use effective and innovative approaches to the teaching of economics, personal finance, and entrepreneurship. The teacher training programs must—(i) train teachers who teach a grade from kindergarten through grade 12; and (ii) encourage teachers from disciplines other than economics and financial literacy to participate in such teacher training programs, if the training will promote the economic and financial literacy of those teachers' students.

(2) Providing resources to school districts that desire to incorporate economics and personal finance into the curricula of the schools in those districts.

(3) Conducting evaluations of the impact of economic and financial literacy education on students.