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 Dated: April 14, 2016.

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 Deputy Director, AmeriCorps State and National.

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DEPARTMENT OF EDUCATION

Application for New Awards; Charter Schools Program (CSP) Grants for State Educational Agencies

AGENCY: Office of Innovation and Improvement, Department of Education.

ACTION: Notice.

Overview Information:
 Charter Schools Program (CSP) Grants for State Educational Agencies (SEAs)
 Notice inviting applications for new awards for fiscal year (FY) 2016.
 Catalog of Federal Domestic Assistance (CFDA) Number: 84.282A.

DATES:

Applications Available: April 21, 2016.

Date of Pre-Application Webinar: April 26, 2016, 2:00 p.m. to 4:00 p.m., Washington, DC, time.

Deadline for Transmittal of Applications: June 1, 2016.

Deadline for Intergovernmental Review: July 30, 2016.

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 by—

(1) Providing financial assistance for the planning, program design, and initial implementation of charter schools;

(2) Evaluating the effects of charter schools, including the effects on students, student achievement, student growth, staff, and parents;

(3) Expanding the number of *high-quality charter schools* available to students across the Nation; and

(4) Encouraging the States to provide support to charter schools for facilities financing in an amount more nearly commensurate to the amount the States have typically provided for traditional public schools.

The purpose of the CSP Grants for SEAs competition is to enable SEAs to provide financial assistance, through subgrants to *eligible applicants* (also referred to as non-SEA *eligible applicants*), for the planning, program design, and initial implementation of charter schools and for the dissemination of information about successful charter schools, including practices that existing charter schools have demonstrated are successful.

SUPPLEMENTARY INFORMATION: On December 10, 2015, the President signed into law the Every Student Succeeds Act (ESSA), Public Law 114-95, which reauthorized the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001 (NCLB). Under section 5(c) of the ESSA, CSP grants awarded in FY 2016 and earlier years will operate in accordance with the requirements of the ESEA, as amended by NCLB, and any continuation awards applicable to these grants also will operate in accordance with such requirements.

The FY 2016 CSP Grants for SEAs competition is similar to the previous year's competition, with a few changes to simplify the application and review process, consistent with feedback from applicants, peer reviewers, and panel monitors. Notably, the competitive preference priorities have been streamlined and the selection criteria have been reduced in number and simplified. In addition, to ensure that CSP funds are used efficiently by SEAs and their subgrantees, the Department has established a maximum amount of subgrant funds that an SEA may award to a subgrantee for planning, program design, and initial implementation of a charter school. In developing their applications, applicants should review the application package available at www.grants.gov for additional information concerning the priorities, application requirements, and selection criteria for this competition, as well as more detailed information on the application submission process.

As in FY 2015, the Department seeks to achieve three main goals through this competition. The first goal is to ensure that CSP funds are directed toward the creation of *high-quality charter schools*. For example, under selection criterion (d) *Project Design*, reviewers will consider how an applicant's CSP project design furthers its overall strategy for increasing the number of *high-quality charter schools* in the State, including how the SEA intends to ensure that subgrants will be awarded to *eligible*

applicants demonstrating the capacity to create *high-quality charter schools*.

The second goal is to strengthen public accountability for authorized public chartering agencies (also referred to as authorizers) and their charter schools through rigorous and transparent charter school authorization and oversight processes. For example, Absolute Priorities 1 *Periodic Review and Evaluation* and 2 *Charter School Oversight* require an applicant to demonstrate that its State implements specific charter school authorization and oversight policies to ensure public accountability for charter schools in the State, including holding *authorized public chartering agencies* accountable for the quality of the charter schools in their portfolios.

The third goal is to support and improve academic outcomes for *educationally disadvantaged students* through equal access to *high-quality charter schools*, improved academic performance for students at the greatest risk of academic failure, and a concerted effort to increase student-body diversity in charter schools. Diversity—in particular racial, ethnic, and socioeconomic diversity—is a critical component of improving outcomes for all students, including *educationally disadvantaged students*. Accordingly, under selection criterion (f) *Oversight of Authorized Public Chartering Agencies*, reviewers will consider the quality of an applicant's plan to help ensure that authorized public chartering agencies approve charter school petitions that incorporate school models, practices, or strategies that may be effective in improving outcomes for *educationally disadvantaged students*, including models, practices, and strategies that focus on increasing student-body diversity. These approaches may include, for example, site-location and transportation planning to facilitate charter school enrollment of students from different neighborhoods or communities, targeted recruitment of high-need student populations to attract diverse pools of applicants to charter schools, weighted admissions lotteries for *educationally disadvantaged students* to increase student body diversity in charter schools, academic themes and course offerings to attract a diverse group of students, or other practices, including evidence-based practices related to serving educationally disadvantaged students, such as practices designed to increase access to rigorous coursework or intensive, near-peer mentoring for such students. In addition, the dissemination of best practices related to student discipline and school climate may help

prevent disproportionate suspensions and expulsions, and increase retention and academic performance, of *educationally disadvantaged students* enrolled in charter schools. Under selection criterion (e), *Dissemination of Information and Best Practices*, reviewers will consider the quality of the SEA's plan for disseminating information and research on best or promising practices related to student discipline. Lastly, as part of our commitment to transparency and ensuring that charter schools are serving all students, including our Nation's high-need students, we include an invitational priority designed to encourage applicants to describe how they publicly report student demographic information for each charter school in their State, as well as how they publicly report comparable demographic information for school districts and public schools in the surrounding areas.

Although related, the goal of increasing student-body diversity should not be confused with basic compliance requirements related to non-discrimination. We remind applicants of the need to ensure charter school compliance with applicable Federal and State laws and policies, and expect grantees to include appropriate oversight in their subgrantee monitoring plans with respect to the following areas:

(1) For all charter schools that receive CSP or other Federal funds, compliance with non-discrimination laws, including the Age Discrimination Act of 1975, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Part B of the Individuals with Disabilities Act (IDEA), and applicable State laws;

(2) For charter schools that are opened and operate as single-sex schools, compliance with applicable nondiscrimination laws, including the Equal Protection Clause of the U.S. Constitution (as interpreted in *United States v. Virginia*, 518 U.S. 515 (1996) and other cases) and Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 *et seq.*) and its implementing regulations, including 34 CFR 106.34(c). In addition, with respect to opening and operating co-educational charter schools that offer single-sex classes or extracurricular activities, the applicant must ensure that charter schools in its State comply with the Title IX regulations at 34 CFR 106.34(b). Please see the application package for further information;

(3) For charter schools that are closing (whether voluntarily or otherwise),

compliance with applicable laws that govern public school closures generally, and requirements for closing out CSP subgrants properly. The Department encourages SEAs to develop written procedures and guidelines to assist charter schools that close in addressing various issues, including appropriate disposition of the school's assets, placement of students in other public schools, the transfer of student records, and protection of students' personal information.

Priorities: This notice includes two absolute priorities, two competitive preference priorities, and one invitational priority. The absolute priorities and Competitive Preference Priority 1 are from the notice of final priorities, requirements, definitions, and selection criteria for this program, published in the **Federal Register** on June 15, 2015 (80 FR 34201) (NFP), and Competitive Preference Priority 2 is from section 5202(e) of the ESEA (20 U.S.C. 7221a(e)(3)(B)).

Absolute Priorities: For FY 2016 and any subsequent year in which we make awards from the list of unfunded applications from this competition, these priorities are absolute priorities. Under 34 CFR 75.105(c)(3), we consider only applications that meet both of the following absolute priorities.

These priorities are:

Absolute Priority 1—Periodic Review and Evaluation

To meet this priority, the applicant must demonstrate that the State provides for periodic review and evaluation by the authorized public chartering agency of each charter school at least once every five years, unless required more frequently by State law, and takes steps to ensure that such reviews take place. The review and evaluation must serve to determine whether the charter school is meeting the terms of the school's charter and meeting or exceeding the student academic achievement requirements and goals for charter schools as set forth in the school's charter or under State law, a State regulation, or a State policy, provided that the student academic achievement requirements and goals for charter schools established by that policy meet or exceed those set forth under applicable State law or State regulation. This periodic review and evaluation must include an opportunity for the authorized public chartering agency to take appropriate action or impose meaningful consequences on the charter school, if necessary.

Absolute Priority 2—Charter School Oversight

To meet this priority, an application must demonstrate that State law,

regulations, or other policies in the State where the applicant is located require the following:

(a) That each charter school in the State—

(1) Operates under a legally binding charter or performance contract between itself and the school's authorized public chartering agency that describes the rights and responsibilities of the school and the public chartering agency;

(2) Conducts annual, timely, and independent audits of the school's financial statements that are filed with the school's authorized public chartering agency; and

(3) Demonstrates improved student academic achievement; and

(b) That all authorized public chartering agencies in the State use increases in student academic achievement for all groups of students described in section 1111(b)(2)(C)(v) of the ESEA (20 U.S.C. 6311(b)(2)(C)(v)) as one of the most important factors when determining whether to renew or revoke a school's charter.

Competitive Preference Priorities: For FY 2016 and any subsequent year in which we make awards based on the list of unfunded applications from this competition, these priorities are competitive preference priorities. Under 34 CFR 75.105(c)(2)(i) we award up to an additional 15 points to an application depending on how well the application addresses Competitive Preference Priority 1, and an additional five points to an application that meets Competitive Preference Priority 2. Applications addressing each of these priorities may receive up to a total of 20 priority points.

These priorities are:

Competitive Preference Priority 1—High-Quality Authorizing and Monitoring Processes (Up to 15 additional points)

To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:

(a) Authorizing processes that establish clear criteria for evaluating charter applications and include a multi-tiered clearance or review of a charter school, including a final review immediately before the school opens for its first operational year.

(b) Authorizing processes that include differentiated review of charter petitions to assess whether, and the extent to which, the charter school *developer* has been successful (as determined by the authorized public chartering agency) in establishing and operating one or more *high-quality charter schools*.

(c) Clear and specific standards and formalized processes that measure and

benchmark the performance of the authorized public chartering agency or agencies, including the performance of its portfolio of charter schools, and provide for the annual dissemination of information on such performance.

Competitive Preference Priority 2—One Authorized Public Chartering Agency Other Than a Local Educational Agency, or an Appeals Process (0 or 5 points)

To meet this priority, the applicant must demonstrate that the State—

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

(b) 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.

Invitational Priority: For FY 2016 and any subsequent year in which we make awards from the list of unfunded applications from this competition, this priority is an invitational priority. Under 34 CFR 75.105(c)(1) we do not give an application that meets this invitational priority a competitive or absolute preference over other applications.

This priority is:

Public Reporting of Charter School Demographics

The Secretary encourages projects that specify how, on an annual basis, the SEA publicly reports, or will publicly report, on student demographics (*e.g.*, socioeconomic status, race, ethnicity, English language learner status, and disability status) of each charter school in the State, and how the SEA publicly reports comparable data for school districts and public schools in the surrounding areas.

Application Requirements:

Applications for funding under the CSP Grants for SEAs program must address the application requirements described below.

These application requirements are from sections 5203(b) and 5204(e) and (f) of the ESEA (20 U.S.C. 7221b(b), 7221c(e) and (f)), and the NFP. An applicant may choose to respond to the application requirements in the context of its responses to the selection criteria, when applicable.

(a) **Disseminating best practices:** Describe how the SEA will disseminate best or promising practices of charter schools to each LEA in the State.

(b) **Federal funds and programs:** Describe how the SEA—

(i) Will inform each charter school in the State regarding Federal funds the

charter school is eligible to receive and Federal programs in which the charter school may participate; and

(ii) Will ensure that each charter school in the State receives the charter 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.

(c) **IDEA Compliance:** 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 IDEA (20 U.S.C. 1400, *et seq.*).

(d) **Logic model:** Provide a complete *logic model* (as defined in this notice) for the project. The *logic model* must address the role of the grant in promoting the State-level strategy for expanding the number of *high-quality charter schools* through startup subgrants, optional dissemination subgrants, optional revolving loan funds, and other strategies.

(e) **Lottery and enrollment preferences:** Describe (1) how lotteries for admission to charter schools will be conducted in the State, including any student enrollment preferences or exemptions from the lottery that charter schools are required or expressly permitted by the State to employ; and (2) any mechanisms that exist for the SEA or authorized public chartering agency to review, monitor, or approve such lotteries or student enrollment preferences or exemptions from the lottery. In addition, the SEA must provide an assurance that it will require each applicant for a CSP subgrant to include in its application descriptions of its recruitment and admissions policies and practices, including a description of the proposed lottery and any enrollment preferences or exemptions from the lottery the charter school employs or plans to employ, and how those enrollment preferences or exemptions are consistent with State law and the CSP authorizing statute (for information related to admissions and lotteries under the CSP, please see section E of the CSP Nonregulatory Guidance (January 2014) at www2.ed.gov/programs/charter/nonregulatory-guidance.html).

(f) **Objectives:** Describe the objectives of 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;

(g) **Revolving loan fund:** If an SEA elects to reserve a portion of its grant funds (no more than 10 percent) to establish a revolving loan fund, describe

how the revolving loan fund would operate; and

(h) **Waivers:** If an SEA desires the Secretary to consider waivers under section 5204(e) of the ESEA (20 U.S.C. 7221c(e)), include a request and justification for any waiver of any statutory or regulatory requirement over which the Secretary exercises authority except any such requirement relating to the elements of a charter school described in section 5210(1) of the ESEA.

Definitions:

The following definitions are from 34 CFR 77.1, the NFP, and section 5210 of the CSP authorizing statute (20 U.S.C. 7221i).

Academically poor-performing charter school means—

(a) A charter school that has been in operation for at least three years and that—

(1) Has been identified as being in the lowest-performing five percent of all schools in the State and has failed to improve school performance (based on the SEA's accountability system under the ESEA) over the past three years; and

(2) Has failed to demonstrate student academic growth of at least an average of one grade level for each cohort of students in each of the past three years, as demonstrated by statewide or other assessments approved by the authorized public chartering agency; or

(b) An SEA may use an alternative definition for *academically poor-performing charter school*, provided that the SEA provides (1) the specific definition it proposes to use; and (2) a written explanation of how the proposed definition is at least as rigorous as the standard in paragraph (a).

Ambitious means promoting continued, meaningful improvement for program participants or for other individuals or entities affected by the grant, or representing a significant advancement in the field of education research, practices, or methodologies. When used to describe a *performance target*, whether a *performance target* is *ambitious* depends upon the context of the relevant *performance measure* and the *baseline* for that measure.

Baseline means the starting point from which performance is measured and targets are set.

Developer means an individual or group of individuals (including a public or private nonprofit organization), which may include teachers, administrators and other school staff, parents, or other members of the local community in which a charter school project will be carried out.

Educationally disadvantaged students means economically disadvantaged students, students with disabilities, migrant students, limited English proficient students (also referred to as English learners or English language learners), neglected or delinquent students, or homeless students.

Eligible applicant means a developer that has (a) applied to an authorized public chartering authority to operate a charter school; and (b) provided adequate and timely notice to that authority under section 5203(d)(3) of the ESEA.

High-quality charter school means—

(a) A charter school that shows evidence of strong academic results for the past three years (or over the life of the school, if the school has been open for fewer than three years), based on the following factors:

(1) Increased student academic achievement and attainment (including, if applicable and available, high school graduation rates and college and other postsecondary education enrollment rates) for all students, including, as applicable, *educationally disadvantaged students* served by the charter school;

(2) Either—
(i) Demonstrated success in closing historic achievement gaps for the subgroups of students described in section 1111(b)(2)(C)(v)(II) of the ESEA (20 U.S.C. 6311(b)(2)(C)(v)(II)) at the charter school; or

(ii) No significant achievement gaps between any of the subgroups of students described in section 1111(b)(2)(C)(v)(II) of the ESEA (20 U.S.C. 6311) at the charter school and significant gains in student academic achievement for all populations of students served by the charter school;

(3) Results (including, if applicable and available, performance on statewide tests, annual student attendance and retention rates, high school graduation rates, college and other postsecondary education attendance rates, and college and other postsecondary education persistence rates) for low-income and other *educationally disadvantaged students* served by the charter school that are above the average academic achievement results for such students in the State;

(4) Results on a performance framework established by the State or authorized public chartering agency for the purpose of evaluating charter school quality; and

(5) No *significant compliance issues*, particularly in the areas of student safety, financial management, and equitable treatment of students; or

(b) An SEA may use an alternative definition for *high-quality charter*

school, provided that the SEA provides (1) the specific definition it proposes to use; and (2) a written explanation of how the proposed definition is at least as rigorous as the standard in paragraph (a).

Logic model (also referred to as theory of action) means a well-specified conceptual framework that identifies key components of the proposed process, product, strategy, or practice (*i.e.*, the active “ingredients” that are hypothesized to be critical to achieving the *relevant outcomes*) and describes the relationships among the key components and outcomes, theoretically and operationally.

Performance measure means any quantitative indicator, statistic, or metric used to gauge program or project performance.

Performance target means a level of performance that an applicant would seek to meet during the course of a project or as a result of a project.

Relevant outcome means the student outcome(s) (or the ultimate outcome if not related to students), the proposed process, product, strategy, or practice is designed to improve; consistent with the specific goals of a program.

Significant compliance issue means a violation that did, will, or could (if not addressed or if it represents a pattern of repeated misconduct or material non-compliance) lead to the revocation of a school’s charter by the authorizer.

Program Authority: The CSP is authorized under Title V, Part B, Subpart 1 of the ESEA (20 U.S.C. 7221–7221j); and the Consolidated Appropriations Act, 2016, Pub. L. 114–113 (FY 2016 Appropriations Act).

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 75, 76, 77, 79, 81, 82, 84, 86, 97, 98, and 99. (b) The Office of Management and Budget Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485. (c) The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR part 200, as adopted and amended in 2 CFR 3474. (d) The NFP.

Note: The regulations in 34 CFR part 79 apply to all applicants except federally recognized Indian tribes.

Note: The regulations in 34 CFR part 86 apply only to institutions of higher education.

II. Award Information

Type of Award: Discretionary grant.

Estimated Available Funds:

\$160,000,000.

Estimated Range of Awards:

\$2,000,000 to \$42,000,000 per year.

Estimated Average Size of Awards:

\$10,000,000 per year.

Estimated Number of Awards: 8 to 12.

Note: The Department is not bound by any estimates in this notice. The estimated range and average size of awards are based on a single 12-month budget period.

Project Period: Up to 36 months.

Note: SEAs may award planning and implementation subgrants to *eligible applicants* for a period of up to three years, 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. SEAs may award dissemination subgrants to eligible charter schools for a period of up to two years.

Maximum Award: There is no maximum award amount for this competition. See *Reasonable and Necessary Costs* in section III.3.(a) below, however, for information regarding the maximum amount of funds that SEAs may award for each planning, program design, and initial implementation subgrant.

III. Eligibility Information

1. **Eligible Applicants:** SEAs in States with a State statute specifically authorizing the establishment of charter schools.

Note: Non-SEA *eligible applicants* in States in which the SEA elects not to participate in or does not have an application approved under the CSP may apply for funding directly from the Department. The Department plans to announce two separate competitions for CSP grants to non-SEA *eligible applicants* later in the year, under CFDA numbers 84.282B (Non-SEA Planning, Program Design, and Initial Implementation grants) and 84.282C (Non-SEA Dissemination grants). Additional information about the competitions for non-SEA *eligible applicants* is available at <http://innovation.ed.gov/what-we-do/charter-schools/charter-schools-program-non-state-educational-agencies-non-sea-planning-program-design-and-initial-implementation-grant>.

2. **Cost Sharing or Matching:** This program does not require cost sharing or matching.

3. **Other:**

(a) **Reasonable and Necessary Costs:** The Secretary may elect to impose maximum limits on the amount of subgrant funds that an SEA may award to an eligible entity.

For CSP grants awarded under this competition, the maximum amount of subgrant funds that an SEA may award to an eligible entity for planning, program design, and initial

implementation of a single charter school is \$800,000.

(b) *Other CSP Grants*: A charter school that receives or has received CSP funds for planning, program design, or initial implementation under section 5202(c)(2) of the ESEA (CFDA No. 84.282B), or for the replication or expansion of a *high-quality charter school* under one of the Department's Appropriations Acts ¹ (CFDA No. 84.282M), is not eligible to receive subgrant funds from an SEA under this program for the same or a substantially similar purpose.

Likewise, a charter school that receives or has received subgrant funds from an SEA under this program is ineligible to receive other CSP funds for the same or a substantially similar purpose under section 5202(c)(2) of the ESEA, including for planning, program design, or the initial implementation of a charter school (CFDA No. 84.282B), or for the replication or expansion of a *high-quality charter school* (CFDA No. 84.282M) under one of the Department's Appropriations Acts.

IV. Application and Submission Information

1. *Address To Request Application Package*: Kathryn Meeley, U.S. Department of Education, 400 Maryland Avenue SW., Room 4W257, Washington, DC 20202-5970. Telephone: (202) 453-6818 or by email: Kathryn.Meeley@ed.gov.

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

Individuals with disabilities can obtain a copy of the application package in an accessible format (e.g., braille, large print, audiotope, or compact disc) 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. We recommend that you limit the application narrative (Part III) to no more than 60 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).

- Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial. An application submitted in any other font (including Times Roman or Arial Narrow) will not be accepted.

The 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, the page limit does apply to all of the application narrative section (Part III).

3. *Submission Dates and Times*:

Applications Available: April 21, 2016.

Date of Pre-Application Webinar: The Department will hold a pre-application Webinar for prospective applicants from 2:00 p.m.–4:00 p.m. on April 26, 2016.

Individuals interested in participating in this Webinar are encouraged to pre-register through our Web site at (<https://educateevents.webex.com/educateevents/onstage/g.php?d=743947188&t=a>). There is no registration fee for participating in this Webinar.

For further information about the pre-application Webinar, contact Kathryn Meeley, U.S. Department of Education, 400 Maryland Avenue SW., Room 4W257, Washington, DC 20202-5970. Telephone: (202) 453-6818 or by email: Kathryn.Meeley@ed.gov.

Deadline for Transmittal of Applications: June 1, 2016.

Applications for grants under this competition must be submitted electronically using the Grants.gov Apply site (Grants.gov). For information (including dates and times) about how to submit your application electronically, or in paper format by mail or hand delivery if you qualify for an exception to the electronic submission requirement, please refer to section IV. 7. *Other Submission Requirements* of this notice.

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

Individuals with disabilities who need an accommodation or auxiliary aid

in connection with the application process should contact the person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice. If the Department provides an accommodation or auxiliary aid to an individual with a disability in connection with the application process, the individual's application remains subject to all other requirements and limitations in this notice.

Deadline for Intergovernmental Review: July 30, 2016.

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 program.

5. *Funding Restrictions*: Grant funds must be used to carry out allowable activities, as described in section 5204(f) of the ESEA (20 U.S.C. 7221c(f)). The following funding restrictions apply to this competition:

Planning and Implementation Subgrants: An *eligible applicant* receiving a subgrant under this program may use the subgrant funds only for—

(a) Post-award planning and design of the educational program, which may include (i) refinement of the desired educational results and of the methods for measuring progress toward achieving those results; and (ii) professional development of teachers and other staff who will work in the charter school; and

(b) Initial implementation of the charter school, which may include (i) informing the community about the school; (ii) acquiring necessary equipment and educational materials and supplies; (iii) acquiring or developing curriculum materials; and (iv) other initial operational costs that cannot be met from State or local sources. (20 U.S.C. 7221c(f)(3))

The FY 2016 Appropriations Act authorizes the use of CSP funds "for grants that support preschool education in charter schools." Accordingly, an application submitted under this competition may propose to use CSP funds to support preschool education in charter schools. For information on the use of CSP funds to support preschool education in charter schools, see "Guidance on the Use of Funds to Support Preschool Education" at www2.ed.gov/programs/charter/csp/preschool/faqs.doc.

Dissemination Subgrants: An SEA may reserve not more than 10 percent of its grant funds to make subgrants to eligible charter schools to carry out

¹ Beginning with the Consolidated Appropriations Act, 2010, Public Law 111-117, each of the Department's appropriations acts through the FY 2016 Appropriations Act has authorized the Secretary to award grants for the replication and expansion of charter schools.

dissemination activities. A charter school may use dissemination subgrant 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 academic achievement 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.

Award Basis. In determining whether to approve a grant award and the amount of such award, the Department will consider, among other things, the amount of any unobligated carryover funds the applicant has under an existing CSP grant and the applicant's performance and use of funds under a previous or existing award under any Department program (34 CFR 75.217(d)(3)(ii) and 75.233(b)). In assessing the applicant's performance and use of funds under a previous or existing award, the Secretary will consider, among other things, the outcomes the applicant has achieved and the results of any Departmental grant monitoring, including the applicant's progress in remedying any deficiencies identified in such monitoring.

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

6. Data Universal Numbering System Number, Taxpayer Identification Number, and System for Award Management:

To do business with the Department of Education, you must—

a. Have a Data Universal Numbering System (DUNS) number and a Taxpayer Identification Number (TIN);

b. Register both your DUNS number and TIN with the System for Award Management (SAM) (formerly the Central Contractor Registry), the

Government's primary registrant database;

c. Provide your DUNS number and TIN on your application; and

d. Maintain an active SAM registration with current information while your application is under review by the Department and, if you are awarded a grant, during the project period.

You can obtain a DUNS number from Dun and Bradstreet at the following Web site: <http://fedgov.dnb.com/webform>. A DUNS number can be created within one to two business days.

If you are a corporate entity, agency, institution, or organization, you can obtain a TIN from the Internal Revenue Service. If you are an individual, you can obtain a TIN from the Internal Revenue Service or the Social Security Administration. If you need a new TIN, please allow two to five weeks for your TIN to become active.

The SAM registration process can take approximately seven business days, but may take upwards of several weeks, depending on the completeness and accuracy of the data you enter into the SAM database. Thus, if you think you might want to apply for Federal financial assistance under a program administered by the Department, please allow sufficient time to obtain and register your DUNS number and TIN. We strongly recommend that you register early.

Note: Once your SAM registration is active, it may be 24 to 48 hours before you can access the information in, and submit an application through, Grants.gov.

If you are currently registered with SAM, you may not need to make any changes. However, please make certain that the TIN associated with your DUNS number is correct. Also note that you will need to update your registration annually. This may take three or more business days.

Information about SAM is available at www.SAM.gov. To further assist you with obtaining and registering your DUNS number and TIN in SAM or updating your existing SAM account, we have prepared a SAM.gov Tip Sheet, which you can find at: www2.ed.gov/fund/grant/apply/sam-faqs.html.

In addition, if you are submitting your application via Grants.gov, you must (1) be designated by your organization as an Authorized Organization Representative (AOR); and (2) register yourself with Grants.gov as an AOR. Details on these steps are outlined at the following Grants.gov Web page: www.grants.gov/web/grants/register.html.

7. **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.

a. Electronic Submission of Applications

Applications for grants under the CSP Grants for SEAs competition, CFDA number 84.282A, must be submitted electronically using the Governmentwide Grants.gov Apply site at www.Grants.gov. Through this site, you will be able to download a copy of the application package, complete it offline, and then upload and submit your application. You may not email an electronic copy of a grant application to us.

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*.

You may access the electronic grant application for CSP Grants for SEAs competition at www.Grants.gov. You must search for the downloadable application package for this competition by the CFDA number. Do not include the CFDA number's alpha suffix in your search (e.g., search for 84.282, not 84.282A).

Please note the following:

- When you enter the Grants.gov site, you will find information about submitting an application electronically through the site, as well as the hours of operation.
- Applications received by Grants.gov are date and time stamped. Your application must be fully uploaded and submitted and must be date and time stamped by the Grants.gov system no later than 4:30:00 p.m., Washington, DC time, on the application deadline date. Except as otherwise noted in this section, we will not accept your application if it is received—that is, date and time stamped by the Grants.gov system—after 4:30:00 p.m., Washington, DC time, on the application deadline date. We do not consider an application that does not comply with the deadline requirements. When we retrieve your application from Grants.gov, we will notify you if we are rejecting your application because it was date and time

stamped by the Grants.gov system after 4:30:00 p.m., Washington, DC time, on the application deadline date.

- The amount of time it can take to upload an application will vary depending on a variety of factors, including the size of the application and the speed of your Internet connection. Therefore, we strongly recommend that you do not wait until the application deadline date to begin the submission process through Grants.gov.

- You should review and follow the Education Submission Procedures for submitting an application through Grants.gov that are included in the application package for this competition to ensure that you submit your application in a timely manner to the Grants.gov system. You can also find the Education Submission Procedures pertaining to Grants.gov under News and Events on the Department's G5 system home page at www.G5.gov. In addition, for specific guidance and procedures for submitting an application through Grants.gov, please refer to the Grants.gov Web site at: www.grants.gov/web/grants/applicants/apply-for-grants.html.

- 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 all information you typically provide on the following forms: The Application for Federal Assistance (SF 424), the Department of Education Supplemental Information for SF 424, Budget Information—Non-Construction Programs (ED 524), and all necessary assurances and certifications.

- You must upload any narrative sections and all other attachments to your application as files in a read-only, non-modifiable Portable Document Format (PDF). Do not upload an interactive or fillable PDF file. If you upload a file type other than a read-only, non-modifiable PDF (e.g., Word, Excel, WordPerfect, etc.) or submit a password-protected file, we will not review that material. Please note that this could result in your application not being considered for funding because the material in question—for example, the project narrative—is critical to a meaningful review of your proposal. For that reason, it is important to allow yourself adequate time to upload all material as PDF files. The Department will not convert material from other formats to PDF.

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

- After you electronically submit your application, you will receive from Grants.gov an automatic notification of receipt that contains a Grants.gov tracking number. This notification indicates receipt by Grants.gov only, not receipt by the Department. Grants.gov will also notify you automatically by email if your application met all the Grants.gov validation requirements or if there were any errors (such as submission of your application by someone other than a registered Authorized Organization Representative, or inclusion of an attachment with a file name that contains special characters). You will be given an opportunity to correct any errors and resubmit, but you must still meet the deadline for submission of applications.

Once your application is successfully validated by Grants.gov, the Department will retrieve your application from Grants.gov and send you an email with a unique PR/Award number for your application.

These emails do not mean that your application is without any disqualifying errors. While your application may have been successfully validated by Grants.gov, it must also meet the Department's application requirements as specified in this notice and in the application instructions. Disqualifying errors could include, for instance, failure to upload attachments in a read-only, non-modifiable PDF; failure to submit a required part of the application; or failure to meet applicant eligibility requirements. It is your responsibility to ensure that your submitted application has met all of the Department's requirements.

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

Application Deadline Date Extension in Case of Technical Issues With the Grants.gov System: If you are experiencing problems submitting your application through Grants.gov, please contact the Grants.gov Support Desk, toll free, at 1-800-518-4726. You must obtain a Grants.gov Support Desk Case Number and must keep a record of it. If you are prevented from electronically submitting your application on the application deadline date because of technical problems with the Grants.gov system, we will grant you an extension until 4:30:00 p.m., Washington, DC time, the following business day to enable you to transmit your application electronically or by hand delivery. You also may mail your application by

following the mailing instructions described elsewhere in this notice.

If you submit an application after 4:30:00 p.m., Washington, DC time, on the application deadline date, please contact the person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice and provide an explanation of the technical problem you experienced with Grants.gov, along with the Grants.gov Support Desk Case Number. We will accept your application if we can confirm that a technical problem occurred with the Grants.gov system and that the problem affected your ability to submit your application by 4:30:00 p.m., Washington, DC time, on the application deadline date. We will contact you after we determine whether your application will be accepted.

Note: The extensions to which we refer in this section apply only to the unavailability of, or technical problems with, the Grants.gov system. We will not grant you an extension if you failed to fully register to submit your application to Grants.gov before the application deadline date and time or if the technical problem you experienced is unrelated to the Grants.gov 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 Grants.gov system because—

- You do not have access to the Internet; or

- You do not have the capacity to upload large documents to the Grants.gov 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 prevents 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: Kathryn Meeley, U.S. Department of Education, 400 Maryland Avenue SW., Room 4W257, Washington, DC 20202-5970. 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 an 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 following address: U.S. Department of Education, Application Control Center, Attention: CFDA Number 84.282A, LBJ Basement Level 1, 400 Maryland Avenue SW., Washington, DC 20202-4260.

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

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.

We will not consider applications postmarked after the application deadline date.

c. Submission of Paper Applications by Hand Delivery

If you qualify for an exception to the 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, 550 12th Street SW., Room 7039, Potomac Center Plaza, Washington, DC 20202-4260.

The Application Control Center accepts hand deliveries daily between 8:00 a.m. and 4:30:00 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 11 of the SF 424 the CFDA number, including suffix letter, if any, of the competition under which you are submitting your application; and

(2) The Application Control Center will mail to you a notification of receipt of your grant application. If you do not receive this notification 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:* The selection criteria for this program are from the NFP, section 5204(a) of the ESEA (20 U.S.C. 7221c), and 34 CFR 75.210. Peer reviewers will use the Scoring Allocation Chart in the Appendix to this notice in evaluating an SEA's response and assigning points to each selection criterion. The maximum possible score for addressing each criterion and its component factors (if applicable) is provided in the Appendix.

Note: The Secretary does not consider selection criterion (c) *Past Performance* in evaluating the application submitted by an SEA in a State that enacted a charter school law for the first time less than five years before the closing date of this competition. Accordingly, such an SEA should not address this criterion in its application. To enable the Secretary to determine whether to consider criterion (c), an SEA should provide in its application the date that its State first enacted a charter school law and relevant supporting documentation.

In evaluating an application, the Secretary considers the following selection criteria:

(a) *Educationally Disadvantaged Students.* (20 U.S.C. 7221c) The Secretary considers the contribution that the charter schools grant program will make to assisting educationally disadvantaged and other students in meeting State academic content standards and State student academic achievement standards.

(b) *Vision for Growth and Accountability.* (NFP) The Secretary determines the quality of the statewide vision, including the role of the SEA, for charter school growth and accountability. In determining the quality of the statewide vision, the Secretary considers the following factors:

(1) The ambitiousness, quality of vision, and feasibility of the SEA's plan

(including key actions) to support the creation of *high-quality charter schools* during the project period, including a reasonable estimate of the number of *high-quality charter schools* in the State at both the beginning and the end of the project period; and

(2) The ambitiousness, quality of vision, and feasibility of the SEA's plan (including key actions) to support the closure of *academically poor-performing charter schools* in the State (*i.e.*, through revocation, non-renewal, or voluntary termination of a charter) during the project period.

(c) *Past Performance.* (NFP) The Secretary considers the past performance of charter schools in a State that enacted a charter school law for the first time five or more years before submission of its application. In determining the past performance of charter schools in such a State, the Secretary considers the following factors:

(1) The extent to which there has been a demonstrated increase, for each of the past five years, in the number and percentage of *high-quality charter schools* (as defined in this notice) in the State; and

(2) The extent to which there has been a demonstrated reduction, for each of the past five years, in the number and percentage of *academically poor-performing charter schools* (as defined in this notice) in the State.

(d) *Project Design.* (NFP) The Secretary considers the quality of the design of the SEA's charter school subgrant program, including the extent to which the project design furthers the SEA's overall strategy for increasing the number of *high-quality charter schools* in the State and improving student academic achievement. In determining the quality of the project design, the Secretary considers the following factors:

(1) The quality of the SEA's process for awarding subgrants for planning, program design, and initial implementation and, if applicable, for dissemination, including—

(i) The subgrant application and peer review process, timelines for these processes, and how the SEA intends to ensure that subgrants will be awarded to *eligible applicants* demonstrating the capacity to create *high-quality charter schools*; and

(ii) A reasonable year-by-year estimate, with supporting evidence, of (a) the number of subgrants the SEA expects to award during the project period and the average size of those subgrants, including an explanation of any assumptions upon which the estimates are based; and (b) if the SEA

has previously received a CSP grant, the percentage of *eligible applicants* that were awarded subgrants and how this percentage related to the overall quality of the applicant pool.

(2) The process for monitoring CSP subgrantees.

(e) *Dissemination of Information and Best Practices.* (NFP) The Secretary considers the quality of the SEA's plan to disseminate information about charter schools and best or promising practices of successful charter schools to each LEA in the State as well as to charter schools, other public schools, and charter school *developers* (20 U.S.C. 7221b(b)(2)(C) and 7221(c)(f)(6)). If an SEA proposes to use a portion of its grant funds for dissemination subgrants under section 5204(f)(6)(B) of the ESEA (20 U.S.C. 7221c(f)(6)(B)), the SEA should incorporate these subgrants into the overall plan for dissemination. In determining the quality of the SEA's plan to disseminate information about charter schools and best or promising practices of successful charter schools, the Secretary considers the following factors:

(1) The extent to which the SEA will serve as a leader in the State for identifying and disseminating information and research (which may include, but is not limited to, providing technical assistance) about best or promising practices in successful charter schools, including how the SEA will use measures of efficacy and data in identifying such practices and assessing the impact of its dissemination activities.

(2) The quality of the SEA's plan for disseminating information and research on best or promising practices in charter schools related to student discipline and school climate.

(f) *Oversight of Authorized Public Chartering Agencies.* (NFP)

(1) The Secretary considers the quality of the SEA's plan (including any use of grant administrative or other funds) to monitor, evaluate, assist, and hold accountable authorized public chartering agencies. In determining the quality of the SEA's plan to provide oversight to authorized public chartering agencies, the Secretary considers how well the SEA's plan will ensure that authorized public chartering agencies are—

(i) Approving charter school petitions with design elements that incorporate evidence-based school models and practices, including, but not limited to, school models and practices that focus on racial and ethnic diversity in student bodies and diversity in student bodies with respect to *educationally*

disadvantaged students, consistent with applicable law;

(ii) Establishing measureable academic and operational performance expectations for all charter schools (including alternative charter schools, virtual charter schools, and charter schools that include pre-kindergarten, if such schools exist in the State) that are consistent with the definition of *high-quality charter school* as defined in this notice;

(iii) Providing, on an annual basis, public reports on the performance of their portfolios of charter schools, including the performance of each individual charter school with respect to meeting the terms of, and expectations set forth in, the school's charter or performance contract; and

(iv) Supporting charter school autonomy while holding charter schools accountable for results and meeting the terms of their charters or performance contracts.

(2) The Secretary considers the quality of the SEA's plan (including any use of grant administrative or other funds) to monitor, evaluate, assist, and hold accountable authorized public chartering agencies. In determining the quality of the SEA's plan to provide oversight to authorized public chartering agencies, the Secretary considers how well the SEA's plan will ensure that authorized public chartering agencies are—

(i) Seeking and approving charter school petitions from *developers* that have the capacity to create charter schools that can become *high-quality charter schools*;

(ii) Monitoring their charter schools on at least an annual basis, including conducting an in-depth review of each charter school at least once every five years, to ensure that charter schools are meeting the terms of their charter or performance contracts and complying with applicable State and Federal laws;

(iii) Using increases in student academic achievement as one of the most important factors in renewal decisions; basing renewal decisions on a comprehensive set of criteria, which are set forth in the charter or performance contract; and revoking, not renewing, or encouraging the voluntary termination of charters held by *academically poor-performing charter schools*; and

(iv) Ensuring the continued accountability of charter schools during any transition to new State assessments or accountability systems, including those based on college- and career-ready standards.

(g) *Policy Context for Charter Schools.* (NFP) The Secretary considers the

policy context for charter schools under the proposed project. In determining the policy context for charter schools under the proposed project, the Secretary considers the following factors:

(1) The degree of flexibility afforded to charter schools under the State's charter school law, including—

(i) The extent to which charter schools in the State are exempt from State or local rules that inhibit the flexible operation and management of public schools; and

(ii) The extent to which charter schools in the State have a high degree of autonomy, including autonomy over the charter school's budget, expenditures, staffing, procurement, and curriculum; and

(2) The quality of the SEA's plan to ensure that 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 IDEA (20 U.S.C. 1400, *et seq.*), the Age Discrimination Act of 1975 (42 U.S.C. 6101, *et seq.*), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d, *et seq.*), title IX of the Education Amendments of 1972 (20 U.S.C. 1681, *et seq.*), and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

2. *Review and Selection Process:* We remind potential applicants that in reviewing applications in any discretionary grant competition, the Secretary may consider, under 34 CFR 75.217(d)(3), the past performance of the applicant in carrying out a previous award, such as the applicant's use of funds, achievement of project objectives, and compliance with grant conditions. The Secretary may also consider whether the applicant failed to submit a timely performance report or submitted a report of unacceptable quality.

In addition, in making a competitive grant award, the Secretary requires various assurances including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department of Education (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

3. *Risk Assessment and Special Conditions:* Consistent with 2 CFR 200.205, before awarding grants under this competition the Department conducts a review of the risks posed by applicants. Under 2 CFR 3474.10, the Secretary may impose special conditions and, in appropriate circumstances, high-risk conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a

financial or other management system that does not meet the standards in 2 CFR part 200, subpart D; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

VI. Award Administration Information

1. *Award Notices:* If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN); or we may send you an email containing a link to access an electronic version of your GAN. We may notify you informally, also.

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:* (a) If you apply for a grant under this competition, you must ensure that you have in place the necessary processes and systems to comply with the reporting requirements in 2 CFR part 170 should you receive funding under the competition. This does not apply if you have an exception under 2 CFR 170.110(b).

(b) 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 multiyear award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to www.ed.gov/fund/grant/apply/appforms/appforms.html.

(c) Under 34 CFR 75.250(b), the Secretary may provide a grantee with additional funding for data collection analysis and reporting. In this case the Secretary establishes a data collection period.

4. *Performance Measures:*

(a) *Program Performance Measures (GPRA Measures).* The goal of the CSP is to support the creation and development 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 established two performance indicators to measure progress towards this goal: (1) The number of charter schools in operation around the Nation, and (2) the percentage of fourth- and eighth-grade charter school students who are achieving at or above the proficient level on State assessments in mathematics and reading/language arts. Additionally, the Secretary has established the following measure to examine the efficiency of the CSP: Federal cost per student in implementing a successful school (defined as a school in operation for three or more consecutive years).

(b) *Project-Specific Performance Measures.* Applicants must propose project-specific *performance measures* and *performance targets* consistent with the objectives of the proposed project. Applications must provide the following information as directed under 34 CFR 75.110(b) and (c):

(1) *Performance measures.* How each proposed *performance measure* (as defined in this notice) would accurately measure the performance of the project and how the proposed *performance measure* would be consistent with the *performance measures* established for the program funding the competition.

(2) *Baseline data.* (i) Why each proposed *baseline* (as defined in this notice) is valid; or (ii) If the applicant has determined that there are no established *baseline* data for a particular *performance measure*, an explanation of why there is no established *baseline* and of how and when, during the project period, the applicant would establish a valid *baseline* for the *performance measure*.

(3) *Performance targets.* Why each proposed *performance target* (as defined in this notice) is *ambitious* (as defined in this notice), yet achievable, compared to the *baseline* for the *performance measure* and when, during the project period, the applicant would meet the *performance target(s)*.

Note: The Secretary encourages applicants to consider developing project-specific *performance measures* and targets tied to their grant activities as well as to student academic achievement during the grant period. The project-specific *performance measures* should be sufficient to gauge the progress throughout the grant period, show results by the end of the grant period, and be included in the *logic model* as outlined in the Application Requirements section of this document.

(4) *Data Collection.* The applicant must also describe in the application: (i) The data collection and reporting methods the applicant would use and why those methods are likely to yield reliable, valid, and meaningful performance data, and (ii) the applicant's capacity to collect and report reliable, valid, and meaningful performance data, as evidenced by high-quality data collection, analysis, and reporting in other projects or research.

Note: If the applicant does not have experience with collection and reporting of performance data through other projects or research, the applicant should provide other evidence of capacity to successfully carry out data collection and reporting for their proposed project.

All grantees must submit an annual performance report with information that is responsive to these *performance measures*.

5. *Continuation Awards:* In making a continuation award under 34 CFR 75.253, the Secretary considers, among other things: Whether a grantee has made substantial progress in achieving the goals and objectives of the project; whether the grantee has expended funds in a manner that is consistent with its approved application and budget; and, if the Secretary has established performance measurement requirements, the *performance targets* in the grantee's approved application.

In making a continuation award, the Secretary also considers whether the grantee is operating in compliance with the assurances in its approved application, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

6. *Project Director's Meeting:* Applicants approved for funding under this competition must attend a two-day meeting for project directors at a location to be determined in the continental United States during each year of the project. Applicants may include the cost of attending this meeting in their proposed budgets.

VII. Agency Contact

FOR FURTHER INFORMATION CONTACT: Kathryn Meeley, U.S. Department of Education, 400 Maryland Avenue SW., Room 4W257, Washington, DC 20202-5970. Telephone: (202) 453-6818 or by email: Kathryn.Meeley@ed.gov. If you use a TDD or a TTY, call the FRS, toll free, at 1-800-877-8339.

VIII. Other Information

Accessible Format: Individuals with disabilities can obtain this document

and a copy of the application package in an accessible format (e.g., braille, large print, audiotope, or compact disc) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice.

Electronic Access to This Document: 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 via the Federal Digital System at: www.gpo.gov/fdsys. At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF you must have

Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: www.federalregister.gov. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: April 18, 2016.
Nadya Chinoy Dabby,
Assistant Deputy Secretary for Innovation and Improvement.

Appendix: Scoring Allocation Chart

Peer reviewers will use this scoring allocation chart in evaluating an SEA's

response and assigning points to each selection criterion. The maximum possible score for addressing each criterion and its component factors (if applicable) is provided in the chart below. The maximum possible total score (based on the selection criteria and not including the competitive preference priorities) is 100 points, except that, for SEAs in States that first enacted a charter school law less than five years before the closing date of this competition, the maximum possible total score is 85 points because, as noted in the notice, the Secretary does not consider selection criterion (c) *Past Performance* in evaluating applications from these States.

CSP GRANTS FOR SEAs—FY 2016 GRANT COMPETITION

Selection criteria	Maximum factor points (up to)	Maximum selection criterion points (max)
(a) Educationally Disadvantaged Students	N/A	15
(b) Vision for Growth and Accountability		
(b)(1) Support the Creation of High-Quality Charter Schools		
(b)(2) Support the Closure of Academically Poor-Performing Charter Schools	N/A	10
(c) Past Performance (N/A for States with new charter school laws)		
(c)(1) Increase—High-Quality Charter Schools		
(c)(2) Decrease—Academically Poor-Performing Charter Schools	N/A	15/0*
(d) Project Design		20
(d)(1) Process for Awarding Subgrants	10	
(i) Application and Peer Review Process.		
(ii) Year-by-Year Estimate:		
(a) Subgrant Numbers and Award Amounts.		
(b) Quality of Previous Grant Applicant Pool.		
(d)(2) Process for Monitoring CSP Subgrantees	10	
(e) Dissemination of Information and Best Practices		10
(e)(1) Serve as a Dissemination Leader in the State Using Data to Assess Impact	7	
(e)(2) Student Discipline and School Climate	3	
(f) Oversight of Authorized Public Chartering Agencies		25
(f)(1) Quality of SEA's Plan to Ensure that Authorizers are:		
(i) Focusing on Racial and Ethnic Diversity in Student Bodies		
(ii) Establishing Measureable Performance Expectations		
(iii) Providing Annual Public Performance Reports		
(iv) Supporting Charter School Autonomy	20	
(f)(2) Quality of SEA's Plan to Ensure that Authorizers are:		
(i) Seeking and Approving High-Quality Charter Schools		
(ii) Monitoring and Conducting In-depth Reviews		
(iii) Using Data for Renewal and Revocation Decisions		
(iv) Ensuring Accountability During Accountability Transition	5	
(g) Policy Context for Charter Schools		
(g)(1) Degree of Flexibility		
(i) Exempt from State or Local Rules		
(ii) High Degree of Autonomy		
(g)(2) Comply with Federal Law	N/A	5
<i>Selection Criteria Subtotal</i>		100/85*

Competitive preference priorities	Factor points (up to)	Maximum priority points (max)
(1) High-Quality Authorizing and Monitoring Processes		15
(1)(a) Multi-tiered clearance or review of a charter school	5	
(1)(b) Differentiated review of charter petitions	5	
(1)(c) Measure and benchmark performance of authorizers	5	
(2) One Authorized Public Chartering Agency Other than a Local Educational Agency, or an Appeals Process	N/A	5
TOTAL POSSIBLE POINTS (selection criteria points awarded converted to a base of 100 + possible 20 competitive preference priority points = max 120 points)		120

* Applicants that are not required to respond to selection criterion C *Past Performance* can receive a maximum of 85 total points for the selection criteria.

[FR Doc. 2016-09298 Filed 4-20-16; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF EDUCATION

Applications for New Awards; Innovative Approaches to Literacy Program; Supplemental Notice

AGENCY: Office of Elementary and Secondary Education, Department of Education.

ACTION: Supplemental notice inviting applications.

Catalog of Federal Domestic Assistance (CFDA) Number: 84.215G

SUMMARY: On April 7, 2016, the Office of Elementary and Secondary Education of the U.S. Department of Education published in the **Federal Register** (81 FR 20376) a notice inviting applications for new awards for fiscal year (FY) 2016 for the Innovative Approaches to Literacy (IAL) program. This supplemental notice clarifies that, consistent with Congressional intent and the prior notices inviting applications for the IAL program, the Secretary reserves the right to award at least 50 percent of available IAL funds to local educational agencies (LEAs) that submit high-quality applications (on behalf of school libraries) for high-quality school library projects that increase access to a wide range of literacy resources (either print or electronic) and provide learning opportunities for all students. This notice provides clarification and does not change any portion of the April 7, 2016 notice inviting applications.

Deadline for Transmittal of Applications: May 9, 2016.

SUPPLEMENTARY INFORMATION: We are clarifying that, in accordance with the Senate report that accompanied the Consolidated Appropriations Act, 2016 (S. Rep. No. 114-74, at 170 (2015)) and the prior notices inviting applications for the IAL program, the Secretary reserves the right to fund a sufficient

number of high-quality literacy and book distribution projects to ensure that no less than 50 percent of IAL funds go to applications from LEAs (on behalf of school libraries) for high-quality school library projects that increase access to a wide range of literacy resources (either print or electronic) and provide learning opportunities for all students.

Program Authority: Sections 5411-5413 of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001; title III of Division H of Public Law 114-113, the Consolidated Appropriations Act, 2016.

FOR FURTHER INFORMATION CONTACT: Beth Yeh, U.S. Department of Education, 400 Maryland Avenue SW., Room 3E332, Washington, DC 20202-6200. Telephone: (202) 205-5798 or by email: beth.yeh@ed.gov.

If you use a TDD or a TTY, call the FRS, toll free, at 1-800-877-8339.

Accessible Format: Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (e.g., braille, large print, audiotope, or compact disc) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT** of this notice.

Electronic Access to This Document: 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 via the Federal Digital System at: www.gpo.gov/fdsys. At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or PDF. To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: www.federalregister.gov. Specifically, through the advanced search feature at this site, you can limit

your search to documents published by the Department.

Dated: April 18, 2016.

Ann Whalen,

Senior Advisor to the Secretary Delegated the Duties of Assistant Secretary for Elementary and Secondary Education.

[FR Doc. 2016-09287 Filed 4-20-16; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP16-618-000]

Algonquin Gas Transmission, LLC; Notice of Technical Conference

Take notice that a technical conference will be held in this proceeding on Monday, May 9, 2016, beginning at 10:00 a.m. and ending at approximately 3:30 p.m., at the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. All interested parties are invited to attend the conference. Commission members may participate in the conference.

The purpose of the technical conference is to examine the issues raised in the protests and comments regarding the February 19, 2016 filing made by Algonquin Gas Transmission, LLC (Algonquin). In that filing, Algonquin proposed to exempt from the capacity release bidding requirements certain types of capacity releases of firm transportation by electric distribution companies that are participating in state-regulated electric reliability programs.¹ Issues to be examined at the technical conference include concerns raised regarding the basis and need for the waiver.

Those interested in speaking at the technical conference should notify the Commission by April 25, 2016 by

¹ *Algonquin Gas Transmission, LLC*, 154 FERC ¶ 61,269 (2016).