

Confined Disposal Facility (CDF). With over 1.3 million CY placed since inception in 1984, the CDF will reach capacity in 2022. The plan will include disposal management of more highly contaminated dredged sediment and beneficial use planning for material that is deemed suitable for various identified uses. The study is identifying and analyzing potential locations along the Calumet harbor and River to construct a new sediment management facility, as well as the feasibility of expanding the existing CDF to provide the required capacity for safely handling material that is too contaminated for beneficial use.

The Corps has hosted a number of stakeholder engagements and public workshops up to this point and is continuing to coordinate with stakeholders and resource agencies to identify and assess any potentially significant adverse impacts to human health and the environment associated with the study. Availability of the Draft Dredged Material Management Plan and EIS is anticipated in the spring of 2019 for a 45-day period of public review. A public hearing(s) will be conducted following public release.

Additional information about the Chicago Area Waterway System and the Dredged Material Management Plan is available on the study website at: <https://www.lrc.usace.army.mil/Missions/Civil-Works-Projects/Calumet-Harbor-and-River/>.

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## DEPARTMENT OF EDUCATION

### Applications for New Awards; Expanding Opportunity Through Quality Charter Schools Program (CSP)—Grants to State Entities

**AGENCY:** Office of Innovation and Improvement, Department of Education.  
**ACTION:** Notice.

**SUMMARY:** The Department of Education is issuing a notice inviting applications for fiscal year (FY) 2019 for CSP—Grants to State Entities, Catalog of Federal Domestic Assistance (CFDA) number 84.282A.

**DATES:** *Applications Available:* December 28, 2018.

*Date of Pre-Application Webinar:* January 3, 2019, 2 p.m., Eastern Time.  
*Deadline for Transmittal of Applications:* February 12, 2019.

*Deadline for Intergovernmental Review:* April 15, 2019.

**ADDRESSES:** For the addresses for obtaining and submitting an application, please refer to our Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the **Federal Register** on February 12, 2018 (83 FR 6003), and available at [www.govinfo.gov/content/pkg/FR-2018-02-12/pdf/2018-02558.pdf](http://www.govinfo.gov/content/pkg/FR-2018-02-12/pdf/2018-02558.pdf).

**FOR FURTHER INFORMATION CONTACT:**

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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.

**SUPPLEMENTARY INFORMATION:**

**Full Text of Announcement**

**I. Funding Opportunity Description**

*Purpose of Program:* The major purposes of the CSP are to expand opportunities for all students, particularly traditionally underserved students, to attend public *charter schools*<sup>1</sup> and meet challenging *State* academic standards; provide financial assistance for the planning, program design, and initial implementation of *charter schools*; increase the number of *high-quality charter schools* available to students across the United States; evaluate the impact of *charter schools* on student achievement, families, and communities; share best practices between *charter schools* and other public schools; encourage *States* to provide facilities support to *charter schools*; and support efforts to strengthen the charter school authorizing process.

Through the CSP Grants to State Entities (CSP State Entities) competition (CFDA number 84.282A), the Department awards grants to *State entities* that, in turn, award subgrants to *eligible applicants* for the purpose of opening and preparing for the operation of new *charter schools* and *replicated high-quality charter schools*, and *expanding high-quality charter schools*. Grant funds may also be used to provide technical assistance to *eligible applicants* and *authorized public chartering agencies* in opening and preparing for the operation of new *charter schools* and *replicating and expanding high-quality charter schools*;

<sup>1</sup> Italicized terms are defined in the Definitions section of this notice.

and to work with *authorized public chartering agencies* in the *State* to improve authorizing quality, including developing capacity for, and conducting, fiscal oversight and auditing of *charter schools*.

*Background:* The CSP State Entities program provides financial assistance to *State entities (SEs)* to support *charter schools* that serve elementary and secondary school students in a given *State*. *Charter schools* receiving funds under the CSP State Entities program also may serve students in *early childhood education programs* or postsecondary students.

The CSP State Entities program is authorized under Title IV, Part C of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESSA) (20 U.S.C. 7221-7221j).<sup>2</sup> This notice contains information regarding eligibility, priorities, definitions, application requirements, and selection criteria under the CSP State Entities program.

All *charter schools* receiving CSP funds must meet each element of the definition of *charter school* in section 4310(2) of the ESSA, including the requirement to comply with 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, the Americans with Disabilities Act of 1990, section 444 of the General Education Provisions Act (GEPA), and part B of the Individuals with Disabilities Education Act (IDEA).

*Priorities:* This notice includes six competitive preference priorities. In accordance with 34 CFR 75.105(b)(2)(iv), these priorities are from section 4303(g)(2) of the ESSA.

*Competitive Preference Priorities:* For FY 2019 and any subsequent year in which we make awards from the list of unfunded applications from this competition, these priorities are competitive preference priorities. Under 34 CFR 75.105(c)(2)(i) we award:

- An additional two points to an application that meets competitive preference priority 1; and
- Up to an additional 16 points to an application that meets one or more of competitive preference priorities 2 through 6, depending on how well the application addresses the priorities.

<sup>2</sup> Prior to enactment of the Every Student Succeeds Act (ESSA), the ESEA, as amended by the No Child Left Behind Act of 2001 (NCLB), authorized the Secretary to make awards to *State educational agencies (SEAs)* to enable them to conduct charter school subgrant programs in their *States*. *State entities*, which include *SEAs*, are eligible applicants under the ESSA. In December 2015, Congress enacted the ESSA, which reauthorized the ESEA, as amended by NCLB.

An application may receive a total of up to 18 additional points under the competitive preference priorities.

These priorities are:

**Competitive Preference Priority 1—At Least One Authorized Public Chartering Agency Other than a Local Educational Agency, or an Appeals Process (0 or 2 points).**

To meet this priority, an applicant must demonstrate that it is located in a State that—

(a) Allows at least one entity that is not a local educational agency (LEA) to be an *authorized public chartering agency for developers* seeking to open a *charter school* in the State; or

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

**Competitive Preference Priority 2—Equitable Financing (up to 3 points).**

To be eligible to receive points under this priority, an applicant must demonstrate the extent to which the State in which it is located ensures equitable financing, as compared to traditional public schools, for *charter schools* and students in a prompt manner.

**Competitive Preference Priority 3—Charter School Facilities (up to 4 points).**

To be eligible to receive points under this priority, an applicant must demonstrate the extent to which the State in which it is located provides *charter schools* one or more of the following:

- (a) Funding for facilities;
- (b) Assistance with facilities acquisition;
- (c) Access to public facilities;
- (d) The ability to share in bonds or mill levies;
- (e) The right of first refusal to purchase public school buildings; or
- (f) Low- or no-cost leasing privileges.

**Competitive Preference Priority 4—Best Practices to Improve Struggling Schools and LEAs (up to 2 points).**

To be eligible to receive points under this priority, an applicant must demonstrate the extent to which the State in which it is located uses best practices from *charter schools* to help improve struggling schools and LEAs.

**Competitive Preference Priority 5—Serving At-Risk Students (up to 3 points).**

To be eligible to receive points under this priority, an applicant must demonstrate the extent to which it supports *charter schools* that serve at-risk students through activities such as dropout prevention, dropout recovery, or comprehensive career counseling services.

**Competitive Preference Priority 6—Best Practices for Charter School Authorizing (up to 4 points).**

To be eligible to receive points under this priority, an applicant must demonstrate the extent to which it has taken steps to ensure that all *authorized public chartering agencies* implement best practices for charter school authorizing.

**Note:** For purposes of this competition, “best practices for charter school authorizing” includes, but is not limited to, the practices for monitoring *charter schools* described in Assurance E below.

**Application Requirements:**

These application requirements are from section 4303(f) of the ESEA (20 U.S.C. 7221b(f)). The Department will reject an application that does not meet each application requirement.

Under selection criterion (b) *Objectives*, the Secretary considers the *ambitiousness* of the *State entity’s* objectives for its quality charter school program. An applicant may choose to respond to some or all of the elements of application requirement (I) *Description of Program* in the context of its response to selection criterion (b) *Objectives*, and should note the locations and page numbers of the responses accordingly.

Applications for funding under the CSP State Entities program must contain the following:

(I) *Description of Program*—A description of the *State entity’s* objectives in running a quality charter school program and how the objectives of the program will be carried out, including—

(A) A description of how the *State entity* will—

(1) Support the opening of *charter schools* through the startup of new *charter schools* and, if applicable, the *replication of high-quality charter schools*, and the *expansion of high-quality charter schools* (including the proposed number of new *charter schools* to be opened, *high-quality charter schools* to be opened as a result of the *replication of a high-quality charter school*, or *high-quality charter schools* to be *expanded* under the *State entity’s* program);

(2) Inform eligible *charter schools*, *developers*, and *authorized public chartering agencies* of the availability of funds under the program;

(3) Work with *eligible applicants* to ensure that the eligible applicants access all Federal funds that such applicants are eligible to receive, and help the *charter schools* supported by the applicants and the students attending those *charter schools*—

(a) Participate in the Federal programs in which the schools and students are eligible to participate;

(b) Receive the commensurate share of Federal funds the schools and students are eligible to receive under such programs; and

(c) Meet the needs of students served under such programs, including students with disabilities<sup>3</sup> and *English learners*;

(4) Ensure that *authorized public chartering agencies*, in collaboration with surrounding LEAs where applicable, establish clear plans and procedures to assist students enrolled in a *charter school* that closes or loses its charter to attend other high-quality schools;

(5) In the case of a *State entity* that is not a *State educational agency (SEA)*—

(a) Work with the *SEA* and *charter schools* in the State to maximize *charter school* participation in Federal and State programs for which *charter schools* are eligible; and

(b) Work with the *SEA* to operate the *State entity’s* program under section 4303 of the ESEA, if applicable;

(6) Ensure that each *eligible applicant* that receives a subgrant under the *State entity’s* program—

(a) Is using funds provided under this program for one of the activities described in section 4303(b)(1) of the ESEA; and

(b) Is prepared to continue to operate *charter schools* funded under section 4303 of the ESEA in a manner consistent with the *eligible applicant’s* application for such subgrant once the subgrant funds under this program are no longer available;

(7) Support—

(a) *Charter schools* in LEAs with a significant number of schools identified by the State for comprehensive support and improvement under section 1111(c)(4)(D)(i) of the ESEA; and

(b) The use of *charter schools* to improve struggling schools, or to turn around struggling schools;

(8) Work with *charter schools* on—

(a) Recruitment and enrollment practices to promote inclusion of all students, including by eliminating any barriers to enrollment for educationally disadvantaged students (who include foster youth and unaccompanied homeless youth); and

(b) Supporting all students once they are enrolled to promote retention, including by reducing the overuse of discipline practices that remove students from the classroom;

<sup>3</sup> For purposes of this competition, “students with disabilities” or “student with a disability” has the same meaning as *children with disabilities* or *child with a disability*.

(9) Share best and promising practices between *charter schools* and other public schools;

(10) Ensure that *charter schools* receiving funds under the *State entity's* program meet the educational needs of their students, including *children with disabilities* and *English learners*;

(11) Support efforts to increase charter school quality initiatives, including meeting the quality authorizing elements described in section 4303(f)(2)(E) of the ESEA;

(12)(a) In the case of a *State entity* that is not a *charter school support organization*, a description of how the *State entity* will provide oversight of authorizing activity, including how the *State* will help ensure better authorizing, such as by establishing authorizing standards that may include approving, monitoring, and re-approving or revoking the authority of an *authorized public chartering agency* based on the performance of the *charter schools* authorized by such agency in the areas of student achievement, student safety, financial and operational management, and compliance with all applicable statutes and regulations; and

(b) In the case of a *State entity* that is a *charter school support organization*, a description of how the *State entity* will work with the *State* to support the *State's* system of technical assistance and oversight, as described in subsection (a), of the authorizing activity of *authorized public chartering agencies*; and

(13) Work with *eligible applicants* receiving a subgrant under the *State entity's* program to support the opening of new *charter schools* or *charter school* models described in application requirement (I)(A)(1) that are high schools;

(B) A description of the extent to which the *State entity*—

(1) Is able to meet and carry out competitive preference priorities 1 through 6;<sup>4</sup>

(2) Is working to develop or strengthen a cohesive statewide system to support the opening of new *charter schools* and, if applicable, the *replication of high-quality charter schools*, and the *expansion of high-quality charter schools*; and

(3) Is working to develop or strengthen a cohesive strategy to encourage collaboration between *charter schools* and LEAs on the sharing of best practices;

(C) A description of how the *State entity* will award subgrants, on a competitive basis, including—

(1) A description of the application each *eligible applicant* desiring to receive a subgrant will be required to submit, which application shall include—

(a) A description of the roles and responsibilities of *eligible applicants*, partner organizations, and *charter management organizations*, including the administrative and contractual roles and responsibilities of such partners;

(b) A description of the quality controls agreed to between the *eligible applicant* and the *authorized public chartering agency* involved, such as a contract or performance agreement, how a school's performance in the *State's* accountability system and impact on student achievement (which may include student academic growth) will be one of the most important factors for renewal or revocation of the school's charter, and how the *State entity* and the *authorized public chartering agency* involved will reserve the right to revoke or not renew a school's charter based on financial, structural, or operational factors involving the management of the school;

(c) A description of how the autonomy and flexibility granted to a *charter school* is consistent with the definition of *charter school* in section 4310 of the ESEA;

(d) A description of how the *eligible applicant* will solicit and consider input from *parents* and other members of the community on the implementation and operation of each *charter school* that will receive funds under the *State entity's* program;

(e) A description of the *eligible applicant's* planned activities and expenditures of subgrant funds to support opening and preparing for the operation of new *charter schools*, opening and preparing for the operation of *replicated high-quality charter schools*, or *expanding high-quality charter schools*, and how the *eligible applicant* will maintain financial sustainability after the end of the subgrant period; and

(f) A description of how the *eligible applicant* will support the use of effective *parent*, family, and community engagement strategies to operate each *charter school* that will receive funds under the *State entity's* program; and

(2) A description of how the *State entity* will review applications from *eligible applicants*;

(D) In the case of a *State entity* that partners with an outside organization to carry out the *State entity's* quality charter school program, in whole or in part, a description of the roles and responsibilities of the partner;

(E) A description of how the *State entity* will ensure that each *charter school* receiving funds under the *State entity's* program has considered and planned for the transportation needs of the school's students;

(F) A description of how the *State* in which the *State entity* is located addresses *charter schools* in the *State's* open meetings and open records laws; and

(G) A description of how the *State entity* will support diverse charter school models, including models that serve rural communities.

(II) Assurances—Assurances that—

(A) Each *charter school* receiving funds through the *State entity's* program will have a high degree of autonomy over budget and operations, including autonomy over personnel decisions;

(B) The *State entity* will support *charter schools* in meeting the educational needs of their students, including *children with disabilities* and *English learners*;

(C) The *State entity* will ensure that the *authorized public chartering agency* of any *charter school* that receives funds under the *State entity's* program adequately monitors each *charter school* under the authority of such agency in recruiting, enrolling, retaining, and meeting the needs of all students, including *children with disabilities* and *English learners*;

(D) The *State entity* will provide adequate technical assistance to *eligible applicants* to meet the objectives described in application requirement (I)(A)(8);

(E) The *State entity* will promote quality authorizing, consistent with *State* law, such as through providing technical assistance to support each *authorized public chartering agency* in the *State* to improve such agency's ability to monitor the *charter schools* authorized by the agency, including by—

(1) Assessing annual performance data of the schools, including, as appropriate, graduation rates, student academic growth, and rates of student attrition;

(2) Reviewing the schools' independent, annual audits of financial statements prepared in accordance with generally accepted accounting

<sup>4</sup>In accordance with 34 CFR 105(c)(2)(i), applications are not required to address competitive preference priorities but may receive additional points if they do so. However, to meet this application requirement, the *State entity* must describe the extent to which it is able to meet and carry out competitive preference priorities 1 through 6. If the *State entity* is unable to meet and carry out one or more of these competitive preference priorities, the description for that priority should state that the *State entity* is unable to meet or carry out the priority.

principles and ensuring that any such audits are publicly reported; and

(3) Holding *charter schools* accountable to the academic, financial, and operational quality controls agreed to between the *charter school* and the *authorized public chartering agency* involved, such as renewal, non-renewal, or revocation of the school's charter;

(F) *The State entity* will work to ensure that *charter schools* are included with the traditional public schools in decisionmaking about the public school system in the *State*; and

(G) *The State entity* will ensure that each *charter school* receiving funds under the *State entity's* program makes publicly available, consistent with the dissemination requirements of the annual *State* report card under section 1111(h) of the ESEA, including on the website of the school, information to help *parents* make informed decisions about the education options available to their children, including—

(1) Information on the educational program;

(2) Student support services;

(3) Parent contract requirements (as applicable), including any financial obligations or fees;

(4) Enrollment criteria (as applicable); and

(5) Annual performance and enrollment data for each of the subgroups of students, as defined in section 1111(c)(2) of the ESEA, except that such disaggregation of performance and enrollment data shall not be required in a case in which the number of students in a group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.

(III) Waivers—Requests for information about waivers, including—

(A) A request and justification for waivers of any Federal statutory or regulatory provisions that the *State entity* believes are necessary for the successful operation of the *charter schools* that will receive funds under the *State entity's* program under section 4303 of the ESEA or, in the case of a *State entity* that is a *charter school support organization*, a description of how the *State entity* will work with the *State* to request such necessary waivers, where applicable; and

(B) A description of any *State* or local rules, generally applicable to public schools, that will be waived or otherwise not apply to such schools.

*Definitions:*

The following definitions are from sections 4303(a), 4310, and 8101 of the ESEA (20 U.S.C. 7221b(a), 7221i, and 7801); and 34 CFR 77.1.

*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 (34 CFR 77.1).

*Authorized public chartering agency* means a *State educational agency*, local educational agency, or other public entity that has the authority pursuant to *State* law and approved by the Secretary to authorize or approve a *charter school* (ESEA section 4310(1)).

*Baseline* means the starting point from which performance is measured and targets are set (34 CFR 77.1).

*Charter school* means a public school that—

(a) In accordance with a specific *State* statute authorizing the granting of charters to schools, is exempt from significant *State* or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the other requirements of this definition;

(b) Is created by a *developer* as a public school, or is adapted by a *developer* from an existing public school, and is operated under public supervision and direction;

(c) Operates in pursuit of a specific set of educational objectives determined by the school's *developer* and agreed to by the *authorized public chartering agency*;

(d) Provides a program of elementary or secondary education, or both;

(e) Is nonsectarian in its programs, admissions policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution;

(f) Does not charge tuition;

(g) Complies with 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, the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.*), section 444 of GEPA (20 U.S.C. 1232g) (commonly referred to as the "Family Educational Rights and Privacy Act of 1974"), and part B of the IDEA;

(h) Is a school to which *parents* choose to send their children, and that—

(1) Admits students on the basis of a lottery, consistent with section 4303(c)(3)(A) of the ESEA, if more students apply for admission than can be accommodated; or

(2) In the case of a school that has an affiliated *charter school* (such as a school that is part of the same network of schools), automatically enrolls students who are enrolled in the immediate prior grade level of the affiliated *charter school* and, for any additional student openings or student openings created through regular attrition in student enrollment in the affiliated *charter school* and the enrolling school, admits students on the basis of a lottery as described in paragraph (1);

(i) Agrees to comply with the same Federal and *State* audit requirements as do other elementary schools and secondary schools in the *State*, unless such *State* audit requirements are waived by the *State*;

(j) Meets all applicable Federal, *State*, and local health and safety requirements;

(k) Operates in accordance with *State* law;

(l) Has a written performance contract with the *authorized public chartering agency* in the *State* that includes a description of how student performance will be measured in *charter schools* pursuant to *State* assessments that are required of other schools and pursuant to any other assessments mutually agreeable to the *authorized public chartering agency* and the *charter school*; and

(m) May serve students in *early childhood education programs* or postsecondary students (ESEA section 4310(2)).

*Charter management organization* means a nonprofit organization that operates or manages a network of *charter schools* linked by centralized support, operations, and oversight (ESEA section 4310(3)).

*Charter school support organization* means a nonprofit, non-governmental entity that is not an *authorized public chartering agency* and provides, on a statewide basis—

(a) Assistance to *developers* during the planning, program design, and initial implementation of a *charter school*; and

(b) Technical assistance to operating *charter schools* (ESEA section 4310(4)).

*Child with a disability* means—

(a) A child (1) with intellectual disabilities, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance (referred to as "emotional disturbance"), orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities; and (2) who, by reason

thereof, needs special education and related services.

(b) For a child aged 3 through 9 (or any subset of that age range, including ages 3 through 5), may, at the discretion of the *State* and the LEA, include a child (1) experiencing developmental delays, as defined by the *State* and as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas: Physical development; cognitive development; communication development; social or emotional development; or adaptive development; and (2) who, by reason thereof, needs special education and related services (ESEA section 8101(4)).

*Demonstrates a rationale* means a key *project component* included in the *project's logic model* is informed by research or evaluation findings that suggest the *project component* is likely to improve *relevant outcomes* (34 CFR 77.1).

*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 (ESEA section 4310(5)).

*Early childhood education program* means (a) a Head Start program or an Early Head Start program carried out under the Head Start Act (42 U.S.C. 9831 *et seq.*), including a migrant or seasonal Head Start program, an Indian Head Start program, or a Head Start program or an Early Head Start program that also receives State funding; (b) a State licensed or regulated child care program; or (c) a program that (1) serves children from birth through age six that addresses the children's cognitive (including language, early literacy, and early mathematics), social, emotional, and physical development; and (2) is (i) a *State* prekindergarten program; (ii) a program authorized under section 619 or part C of the IDEA; or (iii) a program operated by an LEA (ESEA section 8101(16)).

*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 (ESEA section 4310(6)).

*English learner*, when used with respect to an individual, means an individual—

(a) Who is aged 3 through 21;

(b) Who is enrolled or preparing to enroll in an elementary school or secondary school;

(c)(1) Who was not born in the United States or whose native language is a language other than English;

(2)(i) Who is a Native American or Alaska Native, or a native resident of the outlying areas; and

(ii) Who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or

(3) Who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and

(d) Whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual—

(1) The ability to meet the challenging State academic standards;

(2) The ability to successfully achieve in classrooms where the language of instruction is English; or

(3) The opportunity to participate fully in society (ESEA section 8101(20)).

*Expand*, when used with respect to a *high-quality charter school*, means to significantly increase enrollment or add one or more grades to the *high-quality charter school* (ESEA section 4310(7)).

*High-quality charter school* means a *charter school* that—

(a) Shows evidence of strong academic results, which may include strong student academic growth, as determined by a *State*;

(b) Has no significant issues in the areas of student safety, financial and operational management, or statutory or regulatory compliance;

(c) Has demonstrated success in significantly increasing student academic achievement, including graduation rates where applicable, for all students served by the *charter school*; and

(d) Has demonstrated success in increasing student academic achievement, including graduation rates where applicable, for each of the subgroups of students, as defined in section 1111(c)(2) of the ESEA, except that such demonstration is not required in a case in which the number of students in a group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student (ESEA section 4310(8)).

*Logic model* (also referred to as theory of action) means a framework that identifies key *project components* of the proposed *project* (*i.e.*, the active “ingredients” that are hypothesized to be critical to achieving the *relevant outcomes*) and describes the theoretical

and operational relationships among the key *project components* and *relevant outcomes* (34 CFR 77.1).

*Parent* includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the child's welfare) (ESEA section 8101(38)).

*Performance measure* means any quantitative indicator, statistic, or metric used to gauge program or project performance (34 CFR 77.1).

*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* (34 CFR 77.1).

*Project component* means an activity, strategy, intervention, process, product, practice, or policy included in a *project*. Evidence may pertain to an individual *project component* or to a combination of *project components* (*e.g.*, training teachers on instructional practices for *English learners* and follow-on coaching for these teachers) (34 CFR 77.1).

*Relevant outcome* means the student outcome(s) or other outcome(s) the key *project component* is designed to improve, consistent with the specific goals of the program (34 CFR 77.1).

*Replicate*, when used with respect to a *high-quality charter school*, means to open a new *charter school*, or a new campus of a *high-quality charter school*, based on the educational model of an existing *high-quality charter school*, under an existing charter or an additional charter, if permitted or required by *State* law (ESEA section 4310(9)).

*State* means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and each of the outlying areas (ESEA section 8101(48)).

*State educational agency* means the agency primarily responsible for the *State* supervision of public elementary schools and secondary schools (ESEA section 8101(49)).

*State entity* means—

(a) A *State educational agency*;

(b) A *State* charter school board;

(c) A Governor of a *State*; or

(d) A *charter school support organization* (ESEA section 4303(a)).

*Program Authority*: Title IV, part C of the ESEA (20 U.S.C. 7221–7221j).

*Applicable Regulations*: (a) The Education Department General Administrative Regulations in 34 CFR parts 75, 76, 77, 79, 81, 82, 84, 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 as regulations of the Department in 2 CFR part 3474.

## II. Award Information

*Type of Award:* Discretionary grant.

*Estimated Available Funds:*

\$108,000,000.

Contingent upon the availability of funds and the quality of applications, we may make additional awards in subsequent years from the list of unfunded applications from this competition.

*Estimated Range of Awards:*

\$2,000,000 to \$25,000,000 per year.

*Estimated Average Size of Awards:*

\$10,000,000 per year.

*Maximum Award:* See section III.4.(a) of this notice, *Reasonable and Necessary Costs*, for information regarding the maximum amount of funds that *SEs* may award for each *charter school* receiving subgrant funds.

*Estimated Number of Awards:* 3–8.

**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. We may use FY 2019 funds to support multiple 12-month budget periods for one or more grantees.

*Project Period:* Up to five years.

## III. Eligibility Information

1. *Eligible Applicants:* *SEs* in *States* with a specific *State* statute authorizing the granting of charters to schools.

Under section 4303(e)(1) of the ESEA, no *SE* may receive a grant under this competition for use in a *State* in which an *SE* has a current CSP State Entities grant. The Department awarded new CSP State Entities grants under section 4303 of the ESEA in FY 2017 and FY 2018.

Accordingly, no *SE* may receive a grant under this competition for use in a *State* in which an *SE* received a CSP State Entities grant in FY 2017 or FY 2018, and is currently using the grant; these *States* are Arizona, Arkansas, Colorado, Delaware, Idaho, Indiana, Maryland, Michigan, Minnesota, Mississippi, New Mexico, New York, North Carolina, Oklahoma, Rhode Island, Texas, and Wisconsin. *SEs* in *States* in which an *SEA* has a current CSP grant for *SEAs* that was awarded prior to FY 2017, under the ESEA, as amended by the NCLB, are eligible to apply for a CSP State Entities grant under this competition, so long as no other *SE* in the *State* has a current CSP State Entities grant.

In addition, consistent with section 4303(e)(1) of the ESEA, if multiple *SEs* in a *State* submit applications that receive high enough scores to be recommended for funding under this competition, only the highest-scoring application among such *State entities* would be funded.

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

3. *Subgrantees:* (a) Under section 4303(b) and (c)(2) of the ESEA, an *SE* may award subgrants to *eligible applicants* and technical assistance providers.

(b) Under section 4303(d)(2) of the ESEA, an *SE* awarding subgrants to eligible applicants must use a peer-review process to review applications.

**Note:** An *eligible applicant* (i.e., charter school developer or charter school) in a *State* in which no *SE* has an approved grant application under section 4303 of the ESEA may apply for funding directly from the Department under the CSP Grants to Developers (CFDA number 84.282B or 84.282E) competition. Additional information about the CSP Grants to Developers program and any upcoming competitions is available at <https://innovation.ed.gov/what-we-do/charter-schools/charter-schools-program-non-state-educational-agencies-non-sea-planning-program-design-and-initial-implementation-grant/>.

4. *Other:* (a) *Reasonable and Necessary Costs:* The Secretary may elect to impose maximum limits on the amount of subgrant funds that an *SE* may award to an *eligible applicant* per new *charter school* created or *replicated*, per *charter school expanded*, or per new school seat created.

For this competition, the maximum amount of subgrant funds an *SE* may award to a subgrantee per new *charter school*, *replicated high-quality charter school*, or *expanding high-quality charter school* over a five-year subgrant period is \$1,500,000.

**Note:** Applicants must ensure that all costs included in the proposed budget are necessary and reasonable to meet the goals and objectives of the proposed *project*. Any costs determined by the Secretary to be unreasonable or unnecessary will be removed from the final approved budget.

(b) *Audits:* (i) A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit conducted for that year in accordance with the provisions of 2 CFR part 200. (2 CFR 200.501(a)).

(ii) A non-Federal entity that expends less than \$750,000 during the non-Federal entity's fiscal year in Federal

awards is exempt from Federal audit requirements for that year, except as noted in 2 CFR 200.503 (Relation to other audit requirements), but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and Government Accountability Office. (2 CFR 200.501(d)).

## IV. Application and Submission Information

### 1. Application Submission

*Instructions:* For information on how to submit an application please refer to our Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the **Federal Register** on February 12, 2018 (83 FR 6003) and available at [www.govinfo.gov/content/pkg/FR-2018-02-12/pdf/2018-02558.pdf](http://www.govinfo.gov/content/pkg/FR-2018-02-12/pdf/2018-02558.pdf).

2. *Submission of Proprietary Information:* Given the types of *projects* that may be proposed in applications for funds under the CSP State Entities grant competition, your application may include business information that you consider proprietary. In 34 CFR 5.11 we define "business information" and describe the process we use in determining whether any of that information is proprietary and, thus, protected from disclosure under Exemption 4 of the Freedom of Information Act (5 U.S.C. 552, as amended).

Because we plan to make successful applications available to the public, you may wish to request confidentiality of business information.

Consistent with Executive Order 12600, please designate in your application any information that you believe is exempt from disclosure under Exemption 4. In the appropriate Appendix section of your application, under "Other Attachments Form," please list the page number or numbers on which we can find this information. For additional information please see 34 CFR 5.11(c).

3. *Intergovernmental Review:* This program 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.

4. *Funding Restrictions:* In accordance with section 4303(c) of the ESEA, an *SE* receiving a grant under this program shall: (a) Use not less than 90 percent of the grant funds to award subgrants to *eligible applicants*, in accordance with the quality charter school program described in the *SE's* application pursuant to section 4303(f), for activities

related to opening and preparing for the operation of new *charter schools* and *replicated high-quality charter schools*, or *expanding high-quality charter schools*; (b) reserve not less than 7 percent of the grant funds to provide technical assistance to *eligible applicants* and *authorized public chartering agencies* in carrying out such activities, and to work with *authorized public chartering agencies* in the *State* to improve authorizing quality, including developing capacity for, and conducting, fiscal oversight and auditing of *charter schools*; and (c) reserve not more than 3 percent of the grant funds for administrative costs, which may include technical assistance. An *SE* may use a grant received under this program to provide technical assistance and to work with *authorized public chartering agencies* to improve authorizing quality under section 4303(b)(2) of the ESEA directly or through grants, contracts, or cooperative agreements.

**Limitation on Grants and Subgrants:** Under section 4303(d) of the ESEA, a grant awarded by the Secretary to an *SE* under this competition shall be for a period of not more than five years.

A subgrant awarded by an *SE* under this program shall be for a period of not more than five years, of which an *eligible applicant* may use not more than 18 months for planning and program design. An *eligible applicant* may not receive more than one subgrant under this program for each individual *charter school* for a five-year period, unless the *eligible applicant* demonstrates to the *SE* that such individual *charter school* has at least three years of improved educational results for students enrolled in such *charter school*, with respect to the elements described in section 4310(8)(A) and (D) of the ESEA.<sup>5</sup>

**Other CSP Grants:** A *charter school* that previously received CSP funds for opening or preparing to operate a new *charter school*, *replication*, or *expansion* under this program, the CSP Grants to Charter Management Organizations for the Replication and Expansion of High-Quality Charter Schools (CMO) program (CFDA number 84.282M), or the CSP Grants to Developers for the Opening of New Charter Schools and for the Replication and Expansion of High-quality Charter Schools (Developer

program (CFDA numbers 84.282B and 84.282E) may not use funds under this program to carry out the same activities. However, such *charter school* may be eligible to receive funds under this competition to *expand the charter school* beyond the existing grade levels or student count.

Likewise, a *charter school* that receives funds from an *SE* under this program is ineligible to receive funds to carry out the same activities under the CMO program (CFDA number 84.282M) or Developer program (CFDA numbers 84.282B and 84.282E), including for opening or preparing to operate a new *charter school*, *replication*, or *expansion*.

**Uses of Subgrant Funds:** *State entities* awarded grants under this competition shall award subgrants to *eligible applicants* to enable such *eligible applicants* to—

(a) Open and prepare for the operation of new *charter schools*;

(b) Open and prepare for the operation of *replicated high-quality charter schools*; or

(c) *Expand high-quality charter schools*.

An *eligible applicant* receiving a subgrant under this program shall use such funds to support activities related to opening and preparing for the operation of new *charter schools* or *replicating or expanding high-quality charter schools*, which shall include one or more of the following:

(a) Preparing teachers, school leaders, and specialized instructional support personnel, including through paying costs associated with—

(i) Providing professional development; and

(ii) Hiring and compensating, during the *eligible applicant's* planning period specified in the application for subgrant funds, one or more of the following:

(A) Teachers.

(B) School leaders.

(C) Specialized instructional support personnel.

(b) Acquiring supplies, training, equipment (including technology), and educational materials (including developing and acquiring instructional materials).

(c) Carrying out necessary renovations to ensure that a new school building complies with applicable statutes and regulations, and minor facilities repairs (excluding construction).

(d) Providing one-time, startup costs associated with providing transportation to students to and from the *charter school*.

(e) Carrying out community engagement activities, which may include paying the cost of student and staff recruitment.

(f) Providing for other appropriate, non-sustained costs related to opening, *replicating*, or *expanding high-quality charter schools* when such costs cannot be met from other sources.

**Diversity of Projects:** Each *State entity* awarding subgrants under this competition shall award subgrants in a manner that, to the extent practicable and applicable, ensures that such subgrants—

(a) Are distributed throughout different areas, including urban, suburban, and rural areas; and

(b) Will assist *charter schools* representing a variety of educational approaches.

**Award Basis:** In determining whether to approve a grant award and the amount of such award, the Department will consider, among other things, 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 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.

**5. Recommended Page Limit and English Language Requirement:** The application narrative (Part III of the application) is where you, the applicant, address the priorities, selection criteria, and application requirements that reviewers use to evaluate your application. We recommend that you (1) limit the application narrative to no more than 60 pages and (2) use 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.

Applications must be in English, and peer reviewers will only consider

<sup>5</sup> Section 4303(e)(2) of the ESEA prescribes the circumstances under which an *eligible applicant* may be eligible to apply to an *SE* for a second subgrant for an individual *charter school* for a five-year period. The *eligible applicant* still would have to meet all program requirements, including the requirements for *replicating or expanding a high-quality charter school*.

supporting documents submitted with the application that are in English.

The recommended 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 recommended page limit does apply to all of the application narrative.

#### 6. Pre-Application Webinar

**Information:** The Department will hold a pre-application meeting via webinar for prospective applicants on January 3, 2019, 2 p.m., Eastern Time. Individuals interested in attending this meeting are encouraged to pre-register by emailing their name, organization, and contact information with the subject heading "STATE ENTITIES GRANTS PRE-APPLICATION MEETING" to [CharterSchools@ed.gov](mailto:CharterSchools@ed.gov). There is no registration fee for attending this meeting.

For further information about the pre-application meeting, contact Ashley Gardner, U.S. Department of Education, 400 Maryland Avenue SW, Room 4W216, Washington, DC 20202-5970. Telephone: (202) 453-6787. Email: [ashley.gardner@ed.gov](mailto:ashley.gardner@ed.gov).

### V. Application Review Information

1. **Selection Criteria:** The selection criteria for this competition are from section 4303(g)(1) of the ESEA (20 U.S.C. 7221b(g)(1)) and 34 CFR 75.210. The maximum possible total score an application can receive for addressing the criteria is 100 points. The maximum possible score for addressing each criterion is indicated in parentheses following the criterion.

(a) **Quality of the Project Design (up to 15 points).** The Secretary considers the quality of the design of the proposed project. In determining the quality of the design of the proposed project, the Secretary considers:

(1) The extent to which the proposed project demonstrates a rationale (up to 10 points); and

(2) The extent to which the goals, objectives, and outcomes to be achieved by the proposed project are clearly specified and measurable (up to 5 points).

(b) **Objectives (up to 20 points):** The ambitiousness of the State entity's objectives for the quality charter school program carried out under the CSP State Entities program.

**Note:** In response to this criterion, an applicant may address (or cross-reference) some or all of the components of application requirements (I)(A)–(G) in this notice, which require the applicant to provide a description

of the State entity's objectives in running a quality charter school program and how the objectives of the program will be carried out.

(c) **Quality of Eligible Subgrant Applicants (up to 15 points):** The likelihood that the eligible applicants receiving subgrants under the program will meet those objectives and improve educational results for students.

(d) **State Plan (up to 20 points):** The State entity's plan to—

(1) Adequately monitor the eligible applicants receiving subgrants under the State entity's program (up to 5 points);

(2) Work with the authorized public chartering agencies involved to avoid duplication of work for the charter schools and authorized public chartering agencies (up to 5 points); and

(3) Provide technical assistance and support for—

(i) The eligible applicants receiving subgrants under the State entity's program; and

(ii) Quality authorizing efforts in the State (up to 10 points).

(e) **Quality of the Management Plan (up to 15 points).** The Secretary considers the quality of the management plan for the proposed project. In determining the quality of the management plan for the proposed project, the Secretary considers:

(1) 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; and

(2) The extent to which the time commitments of the project director and principal investigator and other key project personnel are appropriate and adequate to meet the objectives of the proposed project.

(f) **Parent and Community Involvement (up to 10 points):** The State entity's plan to solicit and consider input from parents and other members of the community on the implementation and operation of charter schools in the State.

(g) **Flexibility (up to 5 points):** The degree of flexibility afforded by the State's charter school law and how the State entity will work to maximize the flexibility provided to charter schools under such law.

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 (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

3. **Risk Assessment and Specific 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 specific 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.

4. **Integrity and Performance System:** If you are selected under this competition to receive an award that over the course of the project period may exceed the simplified acquisition threshold (currently \$150,000) under 2 CFR 200.205(a)(2), we must make a judgment about your integrity, business ethics, and record of performance under Federal awards—that is, the risk posed by you as an applicant—before we make an award. In doing so, we must consider any information about you that is in the integrity and performance system (currently referred to as the Federal Awardee Performance and Integrity Information System (FAPIIS)), accessible through the System for Award Management. You may review and comment on any information about yourself that a Federal agency previously entered and that is currently in FAPIIS.

Please note that, if the total value of your currently active grants, cooperative agreements, and procurement contracts from the Federal Government exceeds \$10,000,000, the reporting requirements in 2 CFR part 200, Appendix XII, require you to report certain integrity information to FAPIIS semiannually. Please review the requirements in 2 CFR part 200, Appendix XII, if this grant plus all the other Federal funds you receive exceed \$10,000,000.



## 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. *Open Licensing Requirements:* Unless an exception applies, if you are awarded a grant under this competition, you will be required to openly license to the public grant deliverables created in whole, or in part, with Department grant funds. When the deliverable consists of modifications to pre-existing works, the license extends only to those modifications that can be separately identified and only to the extent that open licensing is permitted under the terms of any licenses or other legal restrictions on the use of pre-existing works. Additionally, a grantee or subgrantee that is awarded competitive grant funds must have a plan to disseminate these public grant deliverables. This dissemination plan can be developed and submitted after your application has been reviewed and selected for funding. For additional information on the open licensing requirements please refer to 2 CFR 3474.20.

4. *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](http://www.ed.gov/fund/grant/apply/appforms/appforms.html).

(c) In accordance with section 4303(i) of the ESEA, each *State entity* receiving a grant under this section must submit to the Secretary, at the end of the third year of the five-year grant period (or at the end of the second year if the grant period is less than five years), and at the end of such grant period, a report that includes the following:

(1) The number of students served by each subgrant awarded under this section and, if applicable, the number of new students served during each year of the period of the subgrant.

(2) A description of how the *State entity* met the objectives of the quality charter school program described in the *State entity's* application, including—

(A) How the *State entity* met the objective of sharing best and promising practices as outlined in section 4303(f)(1)(A)(ix) of the ESEA in areas such as instruction, professional development, curricula development, and operations between *charter schools* and other public schools; and

(B) If known, the extent to which such practices were adopted and implemented by such other public schools.

(3) The number and amount of subgrants awarded under this program to carry out activities described in section 4303(b)(1)(A) through (C) of the ESEA.

(4) A description of—

(A) How the *State entity* complied with, and ensured that *eligible applicants* complied with, the assurances included in the *State entity's* application; and

(B) How the *State entity* worked with *authorized public chartering agencies*, and how the agencies worked with the management company or leadership of the schools that received subgrant funds under this program, if applicable.

(d) 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.

### 5. *Performance Measures:*

(a) The Secretary has established two performance indicators to measure annual progress towards achieving the purposes of the program, which are discussed elsewhere in this notice. The performance indicators are: (1) The number of new *charter schools* and

*charter school* campuses in operation around the Nation; (2) the number of *States* that demonstrate annual increases in 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; (3) the number of *States* that demonstrate annual decreases in the percentage of *charter schools* that are identified as a comprehensive support and improvement school. Additionally, the Secretary has established the following measure to examine the efficiency of the CSP: The 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* 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* 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* is *ambitious* yet achievable compared to the *baseline* for the *performance measure* and when, during the project period, the applicant would meet the *performance target(s)*.

(4) *Data collection and reporting.* (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.

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

6. *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).

7. *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 as allowable administrative costs.

## VII. 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**.

*Electronic Access to This Document*: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at: [www.govinfo.gov](http://www.govinfo.gov). 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](http://www.federalregister.gov). Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: December 21, 2018.

**James C. Blew**,

*Acting Assistant Deputy Secretary for Innovation and Improvement.*

[FR Doc. 2018-28284 Filed 12-27-18; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF ENERGY

### Notice of Availability of Supplemental Environmental Impact Statement for Disposition of Depleted Uranium Oxide Conversion Product Generated From DOE's Inventory of Depleted Uranium Hexafluoride

**AGENCY**: Office of Environmental Management, U.S. Department of Energy.

**ACTION**: Notice of availability and public hearings.

**SUMMARY**: The U.S. Department of Energy (DOE), Office of Environmental Management, announces the availability of the Draft Supplemental Environmental Impact Statement for Disposition of Depleted Uranium Oxide Conversion Product Generated from DOE's Inventory of Depleted Uranium Hexafluoride (Draft SEIS) (DOE/EIS-0359-S1; DOE/EIS-0360-S1). DOE also announces three web-based public hearings to receive comments on the Draft SEIS. The Draft SEIS evaluates the potential environmental impacts associated with the transportation to final disposition of depleted uranium (DU) oxide conversion product from its depleted uranium hexafluoride (DUF<sub>6</sub>) conversion facilities at the Paducah, Kentucky, and Portsmouth, Ohio, sites at three alternative offsite low-level radioactive waste disposal facilities: The DOE-owned low-level radioactive waste disposal facility at the Nevada National Security Site (NNSS) in Nye County, Nevada; the EnergySolutions low-level radioactive waste disposal facility in Clive, Utah; and the Waste Control Specialists LLC (WCS) low-level radioactive waste disposal facility in Andrews, Texas.

**DATES**: DOE is inviting public comments on the Draft SEIS starting with the date of publication of this Notice and ending on Monday, February 11, 2019. DOE will host three web-based public hearings to receive comments on the Draft SEIS. Comments submitted during this public comment period will be considered in preparation of the Final SEIS. DOE will consider late comments to the extent practicable. DOE will conduct web-based public comment hearings on the dates indicated below:

- Tuesday, January 22, 2019 from 2:00–4:00 p.m., Web-based

- Wednesday, January 23, 2019 from 4:00–6:00 p.m., Web-based

- Thursday, January 24, 2019, from 7:00–9:00 p.m., Web-based

**ADDRESSES**: Comments on the Draft SEIS may be submitted by any of the following methods:

- *Mail*: Ms. Jaffet Ferrer-Torres, Document Manager, Office of Environmental Management, Department of Energy, EM-4.22, 1000 Independence Avenue SW, Washington, DC 20585. Note: Comments submitted by U.S. Postal Service may be delayed by mail screening.

- *Email*: [DUF6\\_NEPA@em.doe.gov](mailto:DUF6_NEPA@em.doe.gov).

- WebEx Meeting Room (during scheduled dates see Web-based Public Hearing Information Section):

- [https://doe.webex.com/join/duf6\\_nepa](https://doe.webex.com/join/duf6_nepa) (Copy and Paste into web browser).

- DU Oxide SEIS Website: <http://www.energy.gov/em/disposition-uranium-oxide-conversion-depleted-uranium-hexafluoride>.

This NOA, the Environmental Protection Agency NOA, and the Draft SEIS will be posted on the DOE NEPA website at <http://energy.gov/nepa>. These documents, and additional materials relating to this Draft SEIS, will be also available on the DU Oxide SEIS website at: <http://www.energy.gov/em/disposition-uranium-oxide-conversion-depleted-uranium-hexafluoride>.

**FOR FURTHER INFORMATION CONTACT**: For further information about this Draft SEIS, please contact Ms. Jaffet Ferrer-Torres, U.S. Department of Energy at the mailing addresses listed in **ADDRESSES**. For information on DOE's NEPA process, please contact Mr. William Ostrum, Acting NEPA Compliance Officer, Office of Regulatory Compliance, U.S. Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585; or email at [askNEPA@hq.doe.gov](mailto:askNEPA@hq.doe.gov).

#### SUPPLEMENTARY INFORMATION:

The Draft SEIS has been prepared in accordance with Council on Environmental Quality (CEQ) and DOE NEPA implementing regulations at 40 CFR parts 1500–1508 and 10 CFR part 1021, respectively. The Draft SEIS evaluates the potential impacts from three Action Alternatives and the No Action alternative (in accordance with 40 CFR 1502.14). Under the No Action alternative, transportation to and disposal of the conversion product at an offsite low-level waste disposal facility would not occur and refilled cylinders of DU oxide conversion product would remain in storage at DOE's Paducah and Portsmouth sites.