

**DEPARTMENT OF COMMERCE****National Telecommunications and Information Administration (NTIA)**

[Docket No. 950313071-5071-01]

RIN 0660-ZA00

**National Endowment for Children's Educational Television (NECET)**

**AGENCY:** National Telecommunications and Information Administration, Commerce.

**ACTION:** Notice of availability of funds.

**SUMMARY:** The National Endowment for Children's Educational Television (NECET) hereby gives notice of the availability of funds for the purpose of enhancing the education of children through the creation and production of television programming specifically directed toward the development of fundamental intellectual skills.

**DATES:** The closing date for submission of all NECET Preliminary Applications (Pre-Applications) for the fiscal year (FY) 1995 grant cycle is Tuesday, May 2, 1995. Pre-Applications must be received at the NECET office no later than 5:00 p.m. EDT, May 2, 1995, whether mailed or hand-delivered. Fax copies will not be accepted.

Successful Pre-Applicants will be invited to submit Full Applications to NECET. Full Applications must be received at the NECET office no later than 5:00 p.m. EDT, Wednesday, July 26, 1995. Fax copies will not be accepted. NTIA intends to award FY 1995 NECET grants by September 29, 1995.

**ADDRESSES:** National Endowment for Children's Educational Television (NECET); Office of Telecommunications and Information Applications (OTIA); National Telecommunications and Information Administration (NTIA); U.S. Department of Commerce; 14th Street and Constitution Avenue, N.W., Room H-4096; Washington, DC 20230.

**FOR FURTHER INFORMATION CONTACT:** Dr. Heather Birnie; Acting Director, National Endowment for Children's Educational Television (NECET); Telephone: (202) 482-5802; Fax: (202) 501-8009; E-Mail: necet@ntia.doc.gov. Information on the NECET program may also be downloaded from the NTIA Bulletin Board by contacting (202) 482-1199 via modem or ntiabbs.ntia.doc.gov via Internet.

**SUPPLEMENTARY INFORMATION:****Authority**

The National Telecommunications and Information Administration (NTIA),

Department of Commerce, serves as the President's principal adviser on telecommunications and information policy. NTIA's functions were codified as part of the Telecommunications Authorization Act of 1992, Pub. L. No. 102-538, 106 Stat. 3533 (1992)(codified at 47 U.S.C. 901-904 (1993)).

The National Endowment for Children's Educational Television was established by The Children's Television Act of 1990, Pub. L. No. 101-437, 104 Stat. 996, 997 (1990) (codified at 47 U.S.C. 394 (1991)).

**Catalog of Federal Domestic Assistance (CFDA)**

11.551; The National Endowment for Children's Educational Television.

**Program Description**

*NECET Background:* NECET funds are intended to support the creation and production of children's television programming that is specifically directed toward the development of fundamental intellectual skills. In so doing, NECET's efforts are intended to supplement children's educational programming that is funded by other governmental entities.

Congress directed that NECET be administered by the Secretary of Commerce. The Secretary, in turn, has delegated this responsibility to the Assistant Secretary for Communications and Information, who serves as the Administrator of the National Telecommunications and Information Administration (NTIA).

The Children's Television Act of 1990 stipulates that, during the first two years following project completion, NECET-funded programming may be offered for distribution only to noncommercial public television stations. After the initial two-year period, NECET-funded programming may be made available to commercial media as well, including broadcast television networks and stations, and cable television networks and systems, as long as the programming is not interrupted by commercial advertisements.

*NECET Objectives:* For the FY 1995 grant round, NECET has three major objectives that applicants should consider when preparing their submissions.

- To Improve the Fundamental Intellectual Skills of Children Through the Vehicle of Television Programming. The term "fundamental intellectual skills" may be defined in a number of ways. In general, NECET interprets the term broadly, to include those competencies and abilities that enable children to effectively understand and cope with problems posed by the

contemporary world. Such skills might include proficiency in traditional academic disciplines, such as mathematics, science, history or reading, or they might consist of more abstract abilities, concerns or appreciations, such as problem-solving, ethics, multiculturalism or diversity. Regardless of approach, applicants are also encouraged to incorporate basic human development skills, such as self-esteem and pro-social behavior development, into their proposals. Finally, since most effective educational television programming for children has an entertainment element woven throughout it, NECET applicants are encouraged to incorporate this element into the design of their proposals.

- To the Extent Feasible, to Support the Development of Programming for Children Aged 6 to 10. Although there is a need for high-quality educational television programming for children of all ages, NECET has identified the six-to-ten-year-old child as currently among the most underserved by educational television programming, and therefore deserving of special consideration for the FY 1995 grant round. Consistent with this emphasis, projects that meet the needs of this particular age group are more likely to be competitive and to receive funding consideration than projects focused on other age groups. NECET, however, will not automatically reject projects designed for other age groups. In future grant rounds, NECET may emphasize projects designed for different age levels.

- To Encompass a Broad Range of Subject Areas within the Overall Context of the Grant Program. NECET is imposing no limits on the scope of the proposals that may be submitted for funding consideration. In selecting the goals for their projects, applicants may choose to encompass a broad array of targeted skills. Alternatively, applicants may choose to center on a single learning need.

**Funding Availability**

The Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1995, Pub.L. No. 103-317, 108 Stat. 1724, 1747 (1994), provides the Department of Commerce \$2.5 million in assistance for the National Endowment for Children's Educational Television under 47 U.S.C. § 394, to be used for the creation and production of television programming specifically directed toward the development of fundamental intellectual skills. Congress has appropriated a total of \$2.5 million for NECET for Fiscal Year 1995. NTIA anticipates that in FY 1995

NECET will fund up to twelve grant awards, depending on the nature of the projects and the need of the recipients, and that NECET awards will range from \$100,000 to \$400,000.

### Matching Requirements

NECET grant recipients will be required to provide matching funds toward the total eligible costs of their project. Matching funds may be in the form of cash or in-kind contributions (see OMB Circular A-110). An applicant's matching share normally must be drawn entirely from non-Federal sources. Funds from another Federal Agency may be used as the source of an applicant's match only when those funds have been specifically authorized by that agency's enabling legislation for use as a non-Federal match for Federal grants.

The Department of Commerce will award funds up to 50 percent of the total eligible costs of a project, unless extraordinary circumstances warrant a grant of up to 75 percent. Since NECET funds are limited, applicants are encouraged to provide as much outside funding and matching support as possible, and to explore co-production and co-funding opportunities for their projects. Grant funds under this program will be released in direct proportion to non-Federal matching funds raised and/or documented.

### Type of Funding Instrument

The funding instrument for awards made under this program will be a grant.

### Eligibility Criteria

Any individual, partnership, association, joint stock company, trust, corporation (not-for-profit or for-profit), or state or local governmental entity is eligible to submit an application for NECET funding.

### Award Period

Successful applicants will have up to twenty-four months to complete their project, although the grant award period will vary as a function of the complexity and scope of the project.

### Indirect Costs

The total dollar amount of the indirect costs proposed in an application under this program must not exceed the indirect cost rate negotiated and approved by a cognizant Federal agency prior to the proposed effective date of the award or 100 percent of the total proposed direct costs dollar amount in the application, whichever is less.

### Application Forms and Kit

The NECET grant program has a two-stage application process.

**Preliminary Applications:** All applicants are first required to submit a Preliminary Application (Pre-Application) that provides a brief narrative summary of the general nature of the proposed project. The Pre-Application consists of two parts: 1) a Standard Form 424 (SF-424) (Rev. 4-92) Application for Federal Assistance; and 2) a narrative summary of the general nature of the proposed project, not to exceed five single-spaced pages. An original and two copies of each complete Pre-Application is required for each project submission. No organization or individual is permitted to submit Pre-Applications for more than three separate projects. Videotapes, audio cassettes and other related materials are not permitted with Pre-Applications. A copy of the SF-424 and an outline of points to be included in the Pre-Application narrative summary is contained in the National Endowment for Children's Educational Television Guidelines for Preparing Applications: 1995 Grant Cycle. This booklet may be secured by contacting the NECET Office by telephone, fax, or electronic mail, as described in the "Addresses" section above.

**Full Applications:** The Full Application is a comprehensive document that consists of required Federal forms, four sections of additional information, and three exhibits. Detailed instructions for completing the Full Application are contained in the Guidelines for Preparing Applications: 1995 Grant Cycle cited earlier.

In addition, those applicants requesting funds for production of a series, individual program(s), or special program(s) are also strongly recommended to submit a half-inch VHS videocassette that represents the quality of work of which the applicant is capable. This tape may take the form of a pilot or other sample tape of the proposed project, or may be a tape of an unrelated nature that demonstrates the creative and technical capability of the applicant. Applicants requesting NECET funds for pre-production activities only (e.g., planning, research, development, scripting, etc.) and/or for production of a pilot program do not need to submit a videocassette with their Full Applications. Videocassettes will not be returned.

Because of the high level of public interest in projects supported by NECET, the program anticipates receiving requests for copies of

applications. Applicants are hereby notified that the applications they submit are subject to the Freedom of Information Act. Applicants may identify sensitive information and label it "confidential" to assist NTIA in making disclosure determinations.

### Project Funding Priorities

In general, NECET funds are available to support all of the varied tasks associated with the production of children's television, and project eligibility is not limited to any particular stage of production or type of activity as long as it is germane to the production of children's television programming that furthers the objectives of the 1990 Act.

In general, NECET expects to award funds for four categories of projects:

**Series:** To initiate new series productions, or to complete a series project already underway.

**Individual Programs or Specials.** To support production of new individual program(s) or special(s).

**Pilot Programs.** To support various pre-production activities (e.g., planning, research, development, scripting, etc.) up through and including the production of pilot program(s).

**Pre-Production Projects.** To support preliminary pre-production activities, such as planning, research, development and/or scripting, that will eventually lead to production.

Programming funded by NECET is primarily intended for general at-home viewing by children, although it may also have value and be used within a school-based instructional context.

### Evaluation Criteria

Five Evaluation Criteria will be used to evaluate all NECET Pre-Application and NECET Full Application submissions received during the FY 1995 grant cycle. These criteria, and the weight accorded each criterion, are as follows:

**Creativity (30 points):** The proposed project must display a high degree of creativity, originality and artistic imagination and, ideally, be unique and innovative in its approach.

**Clarity of Educational Objectives; Plan for Evaluating Educational Effectiveness; Indication of Developmental Appropriateness (30 points):** Applicants must provide: (1) A clear statement of the educational objectives of their proposal; (2) a plan for evaluating the educational effectiveness of the proposed project, and (3) an indication that the proposed project is developmentally appropriate for the target audience specified in the proposal.

*Conformance with NECET Objectives (15 points):* Applicants must satisfy NECET that their project will further the three NECET objectives discussed earlier in this Notice: (1) To Improve the Fundamental Intellectual Skills of Children through the Vehicle of Television Programming; (2) To the Extent Feasible, to Support the Development of Programming for Children Aged 6 to 10; and (3) To Encompass a Broad Range of Subject Areas within the Overall Context of the Grant Program.

*Applicant Capability (15 points):* Applicants must indicate why NECET may be confident that they will be able to complete the proposed project in a satisfactory manner. Applicants may demonstrate this capability in various ways, including documentation of previous experience, description of qualifications of key personnel associated with the project, and presentation of a well-developed plan.

*Thoroughness of Project Plan (10 points):* Applicants must provide evidence of a well-developed and sound plan for execution of their project, including a detailed and realistic budget that accurately reflects the needs of the project. Project timetables are also acceptable and may be included in an attachment to the application.

#### **Selection Procedures**

NECET grants are awarded on the basis of a competitive review process.

*Pre-Applications:* Upon receipt, each NECET Pre-Application will be thoroughly reviewed and evaluated by outside reviewers with demonstrated expertise in the area of children's television programming. Criteria to be used in the evaluation of each proposal are listed in the "Evaluation Criteria" section of this Notice. Reviewers will provide written comments and assign numerical points to each Pre-Application proposal, and then make a non-binding recommendation to NECET staff regarding each project. Written comments and points assigned by reviewers will not be made available to the applicant, and Pre-Application submissions will not be returned. Following reviewer evaluation, the NECET Director will prepare a proposed slate of the highest rated Pre-Applications based solely on the comments, recommendations and points assigned by outside reviewers. This proposed slate is then submitted for consideration to the NTIA Administrator, who, as the selecting official, shall make a final determination regarding successful and unsuccessful Pre-Applications. Successful and unsuccessful Pre-Applicants will be

notified by letter about their proposals in early June, 1995. Those determined to be unsuccessful Pre-Applicants will be dropped from further consideration for the FY 1995 NECET grant cycle. Those determined to be successful Pre-Applicants will be invited to submit Full Applications to NECET. However, not all successful Pre-Applicants who are invited to submit Full Applications will be funded.

*Full Applications:* NECET Full Applications and, as may be relevant, accompanying videocassettes will be thoroughly reviewed by a panel of outside reviewers with demonstrated expertise in the area of children's television programming. The review panels will evaluate Full Applications using criteria identical to those used in the evaluation of Pre-Applications. These criteria are listed elsewhere in this Notice. Reviewers will provide written comments and assign numerical points to each Full Application proposal, and then make a non-binding recommendation to NECET staff regarding each project. Written comments and points assigned by reviewers will not be made available to the applicant, and Full Application submissions and videocassettes will not be returned. Following review panel evaluation, the NECET Director will prepare a proposed slate of the highest rated projects based solely on the comments, recommendations and points assigned by review panelists. This proposed slate is then submitted for consideration to the NTIA Administrator, who, as the selecting official, shall make a final determination regarding those Full Applications to be negotiated for a possible grant award. In making their final decisions, the NECET Director and the NTIA Administrator will consider the following selection criteria:

- The written evaluations and points assigned by the outside reviewers;
- The degree to which the slate of applications, taken as a whole, satisfies NECET Objectives and Project Funding Priorities;
- The extent to which a proposed children's television project is intended to be used within a general at-home viewing context, as opposed to a school-based instructional viewing context;
- The ability of an applicant to immediately proceed with the project, as demonstrated by the availability and amount of non-Federal matching funds, either raised or documented; and
- The availability of NECET funds.

After applications have been selected in this manner, negotiations will take place between NECET staff and the applicant. These negotiations are

intended to resolve any differences that exist between the applicant's original funding request and what NECET proposes to fund. Not all applicants who are contacted for negotiation will necessarily receive a NECET grant. When the negotiations are completed, the NECET Director will recommend final award actions to the NTIA Administrator. Applying the same factors listed above, the Administrator will then make the final selection of grant recipients from the pool of negotiated applications.

#### **Program Standards**

Programs produced with NECET grant funding must meet broadcast-quality production and technical standards consistent with those of the Public Broadcasting Service (PBS). All programs must be closed-captioned. Programming funded by NECET may not be interrupted with commercial advertising messages for the life of the program. All NECET-funded programming must be aired with a funding (underwriting) credit for the National Endowment for Children's Educational Television (NECET), and any ancillary materials produced with this grant shall contain a similar credit. Such funding credit shall be consistent with common practice for funding announcements on public broadcasting stations.

#### **Rights, Clearances, and Distribution**

NECET grant recipients are entitled to retain continuing rights to the programming that they create with NECET funding assistance. Recipients of NECET grant funding must comply with all requirements of United States copyright law, including requirements to obtain permission from owners of copyright in works of authorship and to pay any required license fees. Accordingly, NECET requires that all completed creative works supported by NECET funding have appropriate clearances, releases, and/or other documentation demonstrating that the organization or individual producing the programming either has obtained rights for the use of all elements in the programs, or has itself originally created the work. These rights and clearances apply to all elements of such programming.

NECET Applicants should note that they will need to obtain an option on any material critical to the successful completion of their projects *before* they apply to NECET, unless all such material has already been cleared or is entirely original with the applicant.

## Other Requirements

### *Federal Policies and Procedures:*

Recipients and sub-recipients are subject to all applicable Federal laws and Federal and Department of Commerce policies, regulations, and procedures applicable to Federal financial assistance awards.

*Past Performance:* Unsatisfactory performance under prior Federal financial assistance awards may result in an application not being considered for funding.

*Pre-award Activities:* If applicants incur any costs prior to the awarding of funds, they do so solely at their own risk of not being reimbursed by the government. Applicants are hereby notified that, notwithstanding any verbal or written assurance that they may have received, there is no obligation on the part of the Department of Commerce or NTIA to cover pre-award costs.

*No Obligation for Future Funding:* If an application is selected for funding, the Department of Commerce has no obligation to provide any additional future funding in connection with that award. Renewal of an award to increase funding or extend the period of performance is at the total discretion of the Department of Commerce. Receipt of a NECET grant, however, will not eliminate the recipient from consideration for future funding.

*Delinquent Federal Debts:* No award of Federal funds shall be made to an applicant who has an outstanding delinquent Federal debt until either:

- The delinquent account is paid in full;
- A negotiated repayment schedule is established and at least one payment is received; or
- Other arrangements satisfactory to the Department of Commerce are made.

*No Funding for Sectarian Purposes:* The Department of Commerce has a long-standing policy of not funding projects for purposes the essential thrust of which is sectarian. Consistent with this policy, NECET will not fund projects the essential thrust of which is sectarian. Sectarian organizations, however, are eligible applicants and may request funds for non-sectarian purposes. [Compare with NTIA Public Telecommunications Facilities Program (PTFP) regulations at 15 C.F.R. §§ 2301.1, 2301.22(d); *Fordham University v. Brown*, No. 93-2120 (C.R.R.) (D.D.C. June 29, 1994), appeal docketed, No. 94-5229 (D.C. Cir. Aug. 22, 1994)]

*Name Check Review:* All non-profit and for-profit applicants are subject to a

name check review process. Officials of state and local governments and officials of accredited colleges and universities who are acting on behalf of their respective entities in applying for assistance are exempt from the name check review process. In addition, all elected officials of state and local governments who are serving in capacities other than their elected capacities when applying for assistance are also exempt. Name checks are intended to reveal if any key individuals associated with the applicant have been convicted of or are presently facing criminal charges such as fraud, theft, perjury, or other matters that significantly reflect on the applicant's management honesty or financial integrity.

*Primary Applicant Certifications:* All primary applicants must submit a completed Form CD-511, "Certifications Regarding Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements and Lobbying." The following explanations are hereby provided:

- Non-procurement Debarment and Suspension. Prospective participants (as defined at 15 C.F.R. Part 26, Section 105) are subject to 15 C.F.R. Part 26, "Non-procurement Debarment and Suspension" and the related section of the certification form prescribed above applies;
- Drug-Free Workplace. Grantees (as defined at 15 CFR part 26, Section 605) are subject to 15 CFR part 26, Subpart F, "Government-wide Requirements for Drug-Free Workplace (Grants) and the related section of the certification form prescribed above applies;
- Anti-Lobbying. Persons (as defined at 15 CFR part 28, Section 105) are subject to the lobbying provisions of 31 U.S.C. 1352, "Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions," and the lobbying section of the certification form prescribed above applies to applications/bids for grants, cooperative agreements, and contracts for more than \$100,000, and loans and loan guarantees for more than \$150,000 or the single family maximum mortgage limit for affected programs, whichever is greater; and
- Anti-Lobbying Disclosure. Any applicant that has paid or will pay for lobbying in connection with a covered Federal action, such as the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, or the extension,

continuation, renewal, amendment, or modification of any Federal contract, grant loan, or cooperative agreement using any funds must submit an SF-LLL, "Disclosure of Lobbying Activities," as required under 15 CFR part 28, Appendix B.

*Lower Tier Certifications:* Grant recipients shall require applicants/bidders for sub-grants, contracts, subcontracts, or other lower tier covered transactions at any tier under the award to submit, if applicable, a completed Form CD-512, "Certifications Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions and Lobbying" and disclosure from SF-LLL, "Disclosure of Lobbying Activities." Form CD-512 is intended for the use of recipients and should not be transmitted to DOC. SF-LLL submitted by any tier recipient or sub-recipient should be submitted to DOC in accordance with the instructions contained in the award document.

*False Statements:* A false statement on an application is grounds for denial or termination of funds and grounds for possible punishment by a fine or imprisonment as provided in 18 U.S.C. 1001.

*Intergovernmental Review:* Applications under this program are subject to Executive Order 12372, "Intergovernmental Review of Federal Programs."

*Requirement to Buy American-Made Equipment or Products:* Applicants are hereby notified that they will be encouraged, to the greatest extent practicable, to purchase American-made equipment and products with funding provided under this program in accordance with Congressional intent as set forth in the resolution contained in Public Law 103-317, Sections 607 (a) and (b).

*Paperwork Reduction Act:* The standard forms have been approved by the Office of Management and Budget pursuant to the Paperwork Reduction Act under OMB Approval Nos. 0348-0043, 0348-0044, 0348-0040 and 0348-0046.

*Executive Order 12866:* This Notice has been determined to be not significant for purposes of Executive Order 12866.

Dated: March 17, 1995.

**Larry Irving,**

*Assistant Secretary for Communications and Information.*

[FR Doc. 95-7109 Filed 3-23-95; 8:45 am]

BILLING CODE 3510-60-P