

## DEPARTMENT OF EDUCATION

[CFDA No.: 84.165A]

**Magnet Schools Assistance Program;  
Notice Inviting Applications for New  
Awards for Fiscal Year (FY) 1998**

*Purpose of Program:* Provides grants to eligible local educational agencies and consortia of those agencies to support magnet schools that are part of approved desegregation plans.

*Eligible Applicants:* Local educational agencies (LEAs) and consortia of those agencies.

*Deadline for Transmittal of*

*Applications:* April 9, 1998.

*Deadline for Intergovernmental*

*Review:* June 8, 1998.

*Applications Available:* February 17, 1998.

*Available Funds:* \$96,500,000.

*Estimated Range of Awards:*  
\$200,000–\$3,000,000 per year.

*Estimated Average Size of Awards:*  
\$1,608,000 per year.

*Estimated Number of Awards:* 60.

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

*Project Period:* Up to 36 months.

*Applicable Regulations:* (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR Parts 75, 77, 79, 80, 81, 82, 85 and 86; and (b) the regulations in 34 CFR Part 280.

**Priorities***Background*

The Magnet Schools Assistance Program (MSAP) makes grants to eligible LEAs and consortia of LEAs for programs that are designed to support—

- The elimination, reduction, or prevention of minority group isolation in public elementary and secondary schools with substantial proportions of minority group children;

- The development and implementation of magnet school projects that will assist in achieving systemic reform and providing all children the opportunity to meet challenging State content standards and challenging student performance standards;

- The development and design of innovative educational methods and practices; and

- Courses of instruction within magnet schools that will substantially strengthen the knowledge of academic subjects and the grasp of tangible and marketable vocational skills of students attending those magnet schools.

*Competitive Priorities*

Under 34 CFR 75.105(c)(2)(I) and 34 CFR 280.32(b)–(f), the Secretary gives

preference to applications that meet competitive priorities. Depending upon how well an application meets each priority, the Secretary awards additional points to the application for each priority up to the maximum number of points available for that priority. These points are in addition to any points the applicant earns under the selection criteria in 34 CFR 280.31.

The Secretary will award up to a total of 45 points for the following competitive priorities:

- *Need for assistance.* (5 points) The Secretary evaluates the applicant's need for assistance under this part, by considering—

- (a) The costs of fully implementing the magnet schools project as proposed;

- (b) The resources available to the applicant to carry out the project if funds under the program were not provided;

- (c) The extent to which the costs of the project exceed the applicant's resources; and

- (d) The difficulty of effectively carrying out the approved plan and the project for which assistance is sought, including consideration of how the design of the magnet school project—*e.g.*, the type of program proposed, the location of the magnet school within the LEA—impacts on the applicant's ability to successfully carry out the approved plan.

- *New or revised magnet schools projects.* (10 points) The Secretary determines the extent to which the applicant proposes to carry out new magnet schools projects or significantly revise existing magnet schools projects.

- *Selection of students.* (15 points) The Secretary determines the extent to which the applicant proposes to select students to attend magnet schools by methods such as lottery, rather than through academic examination.

- *Innovative approaches and systemic reform.* (10 points) The Secretary determines the extent to which the project for which assistance is sought proposes to implement innovative educational approaches that are consistent with the State's and LEA's systemic reform plans, if any, under Title III of Goals 2000: Educate America Act.

- *Collaborative efforts.* (5 points) The Secretary determines the extent to which the project for which assistance is sought proposes to draw on comprehensive community involvement plans.

Additionally, the Secretary gives preference to applications that use a significant portion of the program funds to address substantial problems in an Empowerment Zone, including a Supplemental Empowerment Zone, or

an Enterprise Community designated by the United States Department of Housing and Urban Development or the United States Department of Agriculture. Under 34 CFR 75.105(c)(2)(ii), the Secretary selects an application that meets this competitive priority over an application of comparable merit that does not meet this competitive priority.

**Note:** A list of areas that have been designated as Empowerment Zones and Enterprise Communities is published as an appendix to this notice.

**SUPPLEMENTARY INFORMATION:**

Applicants must submit with their applications one of the following types of plans to establish eligibility to receive MSAP assistance: (1) A desegregation plan required by a court order; (2) a plan required by a State agency or official of competent jurisdiction; (3) a plan required by the Office for Civil Rights (OCR), United States Department of Education (ED), under Title VI of the Civil Rights Act of 1964 (Title VI plan); or (4) a voluntary plan adopted by the applicant.

Under the regulations, applicants are required to provide all of the information required at § 280.20(a)–(g) in order to satisfy the civil rights eligibility requirements found in § 280.2(a)(2) and (b) of the regulations. Prior to 1995, if necessary, ED requested enrollment data or other information from applicants after their applications were submitted utilizing the procedures set forth in § 280.20(h). However, that follow-up process delayed awards under the program. In order to respond to requests from applicants and grantees that the Department announce MSAP awards earlier in the year, when conducting eligibility reviews of plans under § 280.2, the Department may not follow up with applicants to obtain additional information or clarification. Accordingly, in order to satisfy the civil rights eligibility requirements found in § 280.2(a)(2) and (b) of the regulations, it is very important that an applicant provide all of the information required under the regulations at § 280.20(a)–(g). This notice describes that information.

In addition to the particular data and other items for required and voluntary plans, described separately in the information that follows, an application must include:

- Signed civil rights assurances (included in the application package);
- A copy of the applicant's plan; and
- An assurance that the plan is being implemented or will be implemented if the application is funded.

*Required Plans*

## 1. Plans Required by a Court Order

An applicant that submits a plan required by a court must submit complete and signed copies of all court or State documents demonstrating that the magnet schools are a part of the approved plan. Examples of the types of documents that would meet this requirement include—

- A Federal or State court order that establishes or amends a previous order or orders by establishing additional or different specific magnet schools;
- A Federal or State court order that requires or approves the establishment of one or more unspecified magnet schools or that authorizes the inclusion of magnet schools at the discretion of the applicant.

## 2. Plans Required by a State Agency or Official of Competent Jurisdiction

An applicant submitting a plan ordered by a State agency or official of competent jurisdiction must provide documentation that shows that the plan was ordered based upon a determination that State law was violated. In the absence of this documentation, the applicant should consider its plan to be a voluntary plan and submit the data and information necessary for voluntary plans.

## 3. Title VI Required Plans

An applicant that submits a plan required by OCR under Title VI must submit a complete copy of the plan demonstrating that magnet schools are part of the approved plan.

## 4. Modifications to Required Plans

A previously approved desegregation plan that does not include the magnet school or program for which the applicant is now seeking assistance must be modified to include the magnet school component. The modification to the plan must be approved by the court, agency or official, that originally approved the plan. An applicant that wishes to modify a previously approved OCR Title VI plan to include different or additional magnet schools must submit the proposed modification for review and approval to the OCR Regional Office that approved its original plan.

An applicant should indicate in its application if it is seeking to modify its previously approved plan. However, all applicants must submit proof to ED of approval of all modifications to their plans by May 7, 1998.

*Voluntary Plans*

A voluntary plan must be approved each time an application is submitted for funding. Even if ED has approved a voluntary plan in an LEA in the past, the plan must be resubmitted to ED for approval as part of the application.

An applicant submitting a voluntary plan must include in its application:

- A copy of a school board resolution or other evidence of final official action adopting and implementing the plan, or agreeing to adopt and implement the plan upon the award of assistance.
- Enrollment and other information as required by the regulations at § 280.20(f) and (g) for applicants with voluntary plans. Enrollment data and information are critical to ED's determination of an applicant's eligibility under a voluntary plan.

*Narrow Tailoring*

The purposes of the MSAP include the reduction, elimination or prevention of minority group isolation. In many instances, in order to carry out these purposes, districts take race into account in assigning students to magnet schools. In order to meet the requirements of Title VI of the Civil Rights Act of 1964 and the Fourteenth Amendment to the United States Constitution, applicants submitting voluntary plans that involve the use of race in decisionmaking must ensure that the use of race satisfies strict scrutiny. That is, the use of race must be narrowly tailored to achieve the compelling interest in reducing, eliminating or preventing minority group isolation.

In order for the Department to make a determination that a voluntary plan involving a racial classification is adequate under Title VI the plan must be narrowly tailored. Among the considerations that affect a determination of whether the use of race in a voluntary plan is narrowly tailored are (1) whether the district tried or seriously considered race-neutral alternatives and determined that those measures have not been or would not be similarly effective, before resorting to race-conscious action; (2) the scope and flexibility of the use of race, including whether it is subject to a waiver; (3) the manner in which race is used, that is, whether race determines eligibility for a program or whether race is just one factor in the decision making process; (4) the duration of the use of race and whether it is subject to periodic review; and (5) the degree and type of burden imposed on students of other races.

Each of these considerations should be specifically considered in framing a district's strategy. Some examples

follow, although it must be recognized that the legal standards in this area are developing.

*Race-Neutral Means*

Before resorting to race-conscious action, school districts must try or seriously consider race-neutral alternatives and determine that they have not been or would not be similarly effective. One example of a race-neutral approach for applicants proposing to conduct a lottery for student admission to a magnet school would be to strengthen efforts to recruit a large pool of eligible students for the lottery that reflects the diverse racial and ethnic composition of the students in the applicant's district. If recruitment efforts are successful, the lottery should result in a racially and ethnically diverse student body.

It may be possible to broaden the appeal of a given magnet school by aggressively publicizing it, making application to it as easy as possible, and broadening the geographic area from which the school is intended to draw.

*Use of Racial Criteria in Admissions*

It may be permissible to establish a procedure whereby race is taken into account in admissions only if race-neutral steps are considered and a determination is made that they would not prove similarly effective. Racial caps are the most difficult use of race to justify under a narrow tailoring analysis.

The decision to consider race in admission decisions should be made on a school-by-school basis.

*Scope and Flexibility*

Over time, the enrollment at a magnet school may become stable and the school may attract a diverse group of students. At this point, use of race as a factor in admissions may no longer be necessary.

In some instances, exceptions to the use of race in admissions—where a relatively small number of students are adversely affected and their admission will not substantially affect the racial composition of the program—should be available.

*Duration of the Program and Reexamination of the Use of Criteria*

The school or school district should formally review the steps it has taken which involve the use of race on a regular basis, such as on an annual basis, to determine whether the use of race is still needed, or should be modified.

*Effect on Students of Other Races*

Where there are a number of magnet schools, it may also be possible to assign students to a comparable magnet school, if they are unable to gain admission to their first preference.

*Enrollment and Other Information*

A voluntary plan is a plan to reduce, eliminate, or prevent minority group isolation (MGI), either at a magnet school or at a feeder school—a school from which students are drawn to attend the magnet school. Under § 280.2, the establishment of the magnet school cannot result in an increase in MGI at a magnet school or any feeder school above the districtwide percentage of minority group students at the grade levels served by the magnet school.

The following example and those in subsequent sections of this notice are designed to assist applicants in the preparation of their application. The examples illustrate the types of data and information that have proven successful in the past for satisfying the voluntary plan regulation requirements.

District A has a districtwide percentage of 65.5 percent for its minority student population in elementary schools. District A has six

elementary schools with the following minority student populations:

1. School A—67 percent
2. School B—58 percent
3. School C—64 percent
4. School D—76 percent
5. School E—47 percent
6. School F—81 percent

District A has five minority group isolated schools, *i.e.*, five schools with minority student enrollment of over 50 percent. District A seeks funding to establish a magnet program at School F to reduce MGI at that school. For District A to be eligible for a grant, the establishment of the magnet program at School F should not increase the minority student enrollment at feeder school C to more than 65.5 percent (the districtwide percentage). Also, the establishment of the magnet program should not increase the minority student enrollment at feeder schools A or D at all because those schools are already above the districtwide percentage for minority students. If projected enrollments at a magnet or feeder school indicate that there will be an increase in MGI, District A should provide an explanation in its application for the increase that shows it is not caused by the establishment of the magnet program. See the following discussion.

An applicant that proposes to establish new magnet schools must submit projected data for each magnet and feeder school that show that the magnet schools and all feeders will maintain eligibility for the entire three-year period of the grant.

Projected data are included in the following examples.

**Objective: Reduction of Minority Group Isolation in Existing Magnet Schools**

In situations where the applicant intends to reduce minority isolation in an existing magnet program, whether in the magnet school or in one or more of the feeder schools, and minority isolation has increased, the applicant must provide data and information to demonstrate that the increase was not due to the applicant's magnet program, in accordance with § 280.20(g). See the following examples.

**Options for Demonstrating Reduction**

1. Magnet School Analysis

District Z has two existing magnet elementary schools. All of the other schools in the district are feeder schools to one or both of the magnet schools. District Z has six feeder schools and a districtwide minority enrollment of 60.0 percent at the elementary school level.

DISTRICT Z BASE YEAR DATA FOR MAGNET SCHOOLS

| Magnet school (base year) | Total enrollment | Minority number | Minority percentage | Non-minority number | Non-minority percentage |
|---------------------------|------------------|-----------------|---------------------|---------------------|-------------------------|
| Adams (1996) .....        | 449              | 382             | 85.1                | 67                  | 14.9                    |
| Edison (1996) .....       | 387              | 306             | 79.1                | 81                  | 20.9                    |

Note: "Base Year" is the year prior to the year each school became a magnet.

DISTRICT Z CURRENT YEAR DATA FOR MAGNET SCHOOLS

| Magnet school | Total enrollment | Minority number | Minority percentage | Non-minority number | Non-minority percentage |
|---------------|------------------|-----------------|---------------------|---------------------|-------------------------|
| Adams .....   | 459              | 365             | 79.5                | 94                  | 20.5                    |
| Edison .....  | 400              | 326             | 81.5                | 74                  | 18.5                    |

Since becoming a magnet school last year, Adams has decreased in MGI from 85.1 percent to 79.5 percent and the district projects that through operation as a magnet school MGI will continue to be reduced over the next three years. At Edison, the district projects that MGI will be reduced over the next three years through its operation as a magnet even though MGI increased 2.4 percent, from 79.1 percent to 81.5 percent since

the school first became a magnet. Because of the increase, this school would be found ineligible unless the increase in MGI in the current year was not caused by the magnet school. This may be shown through data indicating an increase either in minority enrollment districtwide or in the area served by the magnet school.

If District Z's districtwide elementary school enrollment has become more

minority isolated due to districtwide demographic changes in the student population and if a magnet or a feeder school's increase in MGI is less than the districtwide increase in MGI, ED will conclude that the school's increase in MGI was not the result of the magnet programs, but due to the overall effect of demographic changes in the district as a whole at the elementary level.

## DISTRICT Z BASE YEAR DATA FOR FEEDER SCHOOLS

| Feeder school      | Total enrollment | Minority number | Minority percentage | Non-minority number | Non-minority percentage |
|--------------------|------------------|-----------------|---------------------|---------------------|-------------------------|
| Rose .....         | 398              | 301             | 75.6                | 97                  | 24.4                    |
| Rocky Mount .....  | 289              | 199             | 68.9                | 90                  | 31.1                    |
| Wheeler .....      | 239              | 144             | 60.3                | 95                  | 39.7                    |
| King .....         | 289              | 144             | 49.8                | 145                 | 50.2                    |
| Tinker .....       | 429              | 173             | 40.3                | 256                 | 59.7                    |
| Holly .....        | 481              | 122             | 25.4                | 359                 | 74.6                    |
| Districtwide ..... | 2,961            | 1,771           | 59.8                | 1,190               | 40.2                    |

## DISTRICT Z CURRENT YEAR DATA FOR FEEDER SCHOOLS

| Feeder school      | Total enrollment | Minority number | Minority percentage | Non-minority number | Non-minority percentage |
|--------------------|------------------|-----------------|---------------------|---------------------|-------------------------|
| Rose .....         | 401              | 278             | 69.3                | 123                 | 30.7                    |
| Rocky Mount .....  | 291              | 211             | 72.5                | 80                  | 27.5                    |
| Wheeler .....      | 251              | 153             | 61.0                | 98                  | 39.0                    |
| King .....         | 277              | 149             | 53.8                | 128                 | 46.2                    |
| Tinker .....       | 424              | 198             | 46.7                | 226                 | 53.3                    |
| Holly .....        | 475              | 130             | 27.4                | 345                 | 72.6                    |
| Districtwide ..... | 2,978            | 1,810           | 60.8                | 1,168               | 39.2                    |

## DISTRICT Z PROJECTED 1998-1999 DATA FOR MAGNET SCHOOLS

| Magnet school | Total enrollment | Minority number | Minority percentage | Non-minority number | Non-minority percentage |
|---------------|------------------|-----------------|---------------------|---------------------|-------------------------|
| Adams .....   | 469              | 349             | 74.4                | 120                 | 25.6                    |
| Edison .....  | 410              | 312             | 76.1                | 98                  | 23.9                    |

## DISTRICT Z PROJECTED 1999-2000 DATA FOR MAGNET SCHOOLS

| Magnet school | Total enrollment | Minority number | Minority percentage | Non-minority number | Non-minority percentage |
|---------------|------------------|-----------------|---------------------|---------------------|-------------------------|
| Adams .....   | 483              | 331             | 68.5                | 152                 | 31.5                    |
| Edison .....  | 407              | 289             | 71.0                | 118                 | 29.0                    |

## DISTRICT Z PROJECTED 2000-2001 DATA FOR MAGNET SCHOOLS

| Magnet school | Total enrollment | Minority number | Minority percentage | Non-minority number | Non-minority percentage |
|---------------|------------------|-----------------|---------------------|---------------------|-------------------------|
| Adams .....   | 489              | 307             | 62.8                | 182                 | 37.2                    |
| Edison .....  | 409              | 266             | 65.0                | 143                 | 35.0                    |

## DISTRICT Z PROJECTED 1998-1999 DATA FOR FEEDER SCHOOLS

| Feeder school      | Total enrollment | Minority number | Minority percentage | Non-minority number | Non-minority percentage |
|--------------------|------------------|-----------------|---------------------|---------------------|-------------------------|
| Rose .....         | 400              | 272             | 68.0                | 128                 | 32.0                    |
| Rocky Mount .....  | 306              | 216             | 70.6                | 90                  | 29.4                    |
| Wheeler .....      | 250              | 148             | 59.2                | 102                 | 40.8                    |
| King .....         | 280              | 151             | 53.9                | 129                 | 46.1                    |
| Tinker .....       | 417              | 232             | 55.6                | 185                 | 44.4                    |
| Holly .....        | 447              | 170             | 38.0                | 277                 | 62.0                    |
| Districtwide ..... | 2,979            | 1,850           | 62.1                | 1,129               | 37.9                    |

## DISTRICT Z PROJECTED 1999-2000 DATA FOR FEEDER SCHOOLS

| Feeder school     | Total enrollment | Minority number | Minority percentage | Non-minority number | Non-minority percentage |
|-------------------|------------------|-----------------|---------------------|---------------------|-------------------------|
| Rose .....        | 396              | 265             | 66.9                | 131                 | 33.1                    |
| Rocky Mount ..... | 293              | 202             | 68.9                | 91                  | 31.1                    |
| Wheeler .....     | 259              | 153             | 59.1                | 106                 | 40.9                    |

DISTRICT Z PROJECTED 1999–2000 DATA FOR FEEDER SCHOOLS—Continued

| Feeder school      | Total enrollment | Minority number | Minority percentage | Non-minority number | Non-minority percentage |
|--------------------|------------------|-----------------|---------------------|---------------------|-------------------------|
| King .....         | 291              | 169             | 58.1                | 122                 | 41.9                    |
| Tinker .....       | 418              | 242             | 57.9                | 176                 | 42.1                    |
| Holly .....        | 451              | 216             | 47.9                | 235                 | 52.1                    |
| Districtwide ..... | 2,998            | 1,867           | 62.3                | 1,131               | 37.7                    |

DISTRICT Z PROJECTED 2000–2001 DATA FOR FEEDER SCHOOLS

| Feeder school      | Total enrollment | Minority number | Minority percentage | Non-minority number | Non-minority percentage |
|--------------------|------------------|-----------------|---------------------|---------------------|-------------------------|
| Rose .....         | 400              | 267             | 66.8                | 133                 | 33.2                    |
| Rocky Mount .....  | 299              | 204             | 68.2                | 95                  | 31.8                    |
| Wheeler .....      | 262              | 154             | 58.8                | 108                 | 41.2                    |
| King .....         | 302              | 181             | 59.9                | 121                 | 40.1                    |
| Tinker .....       | 419              | 244             | 58.2                | 175                 | 41.8                    |
| Holly .....        | 441              | 227             | 51.5                | 214                 | 48.5                    |
| Districtwide ..... | 3,021            | 1,850           | 61.2                | 1,171               | 38.8                    |

However, as with the Edison magnet, if the MGI in a magnet increases above the districtwide increase between the base year and the current year, an applicant must demonstrate that the magnet is not causing the problem. In order to show that the increase in MGI

at a particular school is not the result of the operation of a magnet, a district should provide student transfer data on the number of minority and non-minority students that attend the magnet program from the other feeder schools in the district for the current

year. If, by subtracting from the magnet enrollment those students that came from other schools, the MGI is higher than the actual MGI for the current year, it can be concluded that the increase in MGI was not caused by the magnet school.

CURRENT YEAR STUDENT TRANSFER DATA FOR MAGNET SCHOOLS THAT INCREASE IN MINORITY GROUP ISOLATION ABOVE THE DISTRICTWIDE AVERAGE

|  | Total enrollment | Minority number | Minority percentage | Non-minority number | Non-minority percentage |
|--|------------------|-----------------|---------------------|---------------------|-------------------------|
| Edison (1997) .....  | 400              | 326             | 81.5                | 74                  | 18.5                    |
| Students who transferred from feeder schools to Edison in order to attend magnet ..... | 50               | 31              | .....               | 19                  | .....                   |
| Edison enrollment with transfer students "returned" to feeder schools .....            | 350              | 295             | 84.3                | 55                  | 15.7                    |

CURRENT YEAR STUDENT TRANSFER DATA FOR FEEDER SCHOOLS THAT INCREASE IN MINORITY GROUP ISOLATION ABOVE THE DISTRICTWIDE AVERAGE

|   | Total enrollment | Minority number | Minority percentage | Non-minority number | Non-minority percentage |
|---|------------------|-----------------|---------------------|---------------------|-------------------------|
| Rocky Mount (1997) .....  | 291              | 211             | 72.5                | 80                  | 27.5                    |
| Students who transferred to Edison to attend magnet .....         | 10               | 8               | .....               | 2                   | .....                   |
| Students who transferred to Adams to attend magnet .....          | 6                | 6               | .....               | 0                   | .....                   |
| Rocky Mount enrollment if transfer students were "returned" ..... | 307              | 225             | 73.3                | 82                  | 26.7                    |

2. Feeder School Analysis

In District Z, two feeder schools whose MGI was greater than the districtwide average, Rocky Mount and Wheeler, increased in MGI by 3.7 percent and 0.7 percent respectively between the base year and the current year. Since Wheeler's MGI increase of 0.7 percent is less than the districtwide MGI increase of 1.0 percent for the same time period, Wheeler's MGI increase would be considered to be due to the

demographic changes in the district and further scrutiny of Wheeler is not required.

Because Rocky Mount, a feeder school to magnet programs at Adams and Edison, increased in MGI over the districtwide average from 68.9 percent to 72.5 percent, this would make both Adams and Edison ineligible unless the district demonstrates that the increase was not because of the magnet programs. The clearest way for an

applicant to show this is to provide student transfer data on the number of minority and non-minority students that left Rocky Mount to attend magnet programs at Adams and Edison. (See previous student transfer data.) By adding the number of students that transferred to the magnet programs to Rocky Mount's total enrollment, ED can determine whether the increase was due to the magnet program. If it can be demonstrated that without the magnet

program, the MGI at the feeder school would be even higher, these magnet schools would be found eligible.

Some applicants may find that they are unable to provide the type of student transfer data referred to previously. In some cases, these applicants may be able to present demographic or other statistical data and information that would satisfy the requirements of the statute and regulations. This demographic data must persuasively demonstrate that the operation of a proposed magnet school would reduce, eliminate, or prevent minority group isolation in the applicant's magnet schools and would not result in an increase of MGI at one of the applicant's feeder schools above the districtwide percentage for minority students at the same grade levels as those served in the magnet school. (34 CFR § 280.20(g)). For

example, an applicant might include data provided to it by a local social service agency about the numbers and concentration of families in a recent influx of immigrants into the neighborhood or attendance zone of the feeder school.

3. Additional Base-Year Data

If an applicant believes that comparing a magnet program's current-year enrollment data with its base year enrollment data—i.e., data from the year prior to the year each school became a magnet or a feeder—is misleading due to significant changes that have occurred in attendance zones or other factors affecting the magnet school or in the closing and combining of other schools with the magnet school, additional and more recent enrollment data for an alternative to the base year

may be submitted along with a justification for its submission.

**Objective: Conversion of an Existing School to a New Magnet Program**

District X will convert Williams, an existing elementary school, to a new elementary magnet program. Currently, Williams has a minority enrollment of 94.67 percent. The district projects that the magnet program will reduce minority group isolation at Williams to 89 percent in the first year of the project. The projection of enrollment should be based upon reasonable assumptions and should clearly state the basis for these assumptions, e.g., parent or student interest surveys, or other objective indicators, such as waiting lists for other magnet schools in the district.

DISTRICT X CURRENT YEAR DATA FOR MAGNET & FEEDER SCHOOLS

| School               | Total enrollment | Minority number | Minority percentage | Non-minority number | Non-minority percentage |
|----------------------|------------------|-----------------|---------------------|---------------------|-------------------------|
| Hill (Magnet) .....  | 450              | 426             | 94.7                | 24                  | 5.3                     |
| Shaw (Feeder) .....  | 398              | 179             | 44.9                | 219                 | 55.1                    |
| Smith (Feeder) ..... | 477              | 186             | 39.0                | 291                 | 61.0                    |
| Districtwide .....   | 4,704            | 2,598           | 55.2                | 2,106               | 44.8                    |

DISTRICT X PROJECTED 1998–1999 DATA FOR MAGNET & FEEDER SCHOOLS

| School               | Total enrollment | Minority number | Minority percentage | Non-minority number | Non-minority percentage |
|----------------------|------------------|-----------------|---------------------|---------------------|-------------------------|
| Hill (Magnet) .....  | 450              | 400             | 89.0                | 50                  | 11.0                    |
| Shaw (Feeder) .....  | 404              | 195             | 48.3                | 209                 | 51.7                    |
| Smith (Feeder) ..... | 471              | 191             | 40.5                | 280                 | 59.5                    |
| Districtwide .....   | 4,712            | 2,622           | 55.6                | 2,090               | 44.4                    |

DISTRICT X PROJECTED 1999–2000 DATA FOR MAGNET & FEEDER SCHOOLS

| School               | Total enrollment | Minority number | Minority percentage | Non-minority number | Non-minority percentage |
|----------------------|------------------|-----------------|---------------------|---------------------|-------------------------|
| Hill (Magnet) .....  | 500              | 415             | 83.0                | 85                  | 17.0                    |
| Shaw (Feeder) .....  | 406              | 203             | 50.0                | 203                 | 50.0                    |
| Smith (Feeder) ..... | 482              | 205             | 42.5                | 277                 | 57.5                    |
| Districtwide .....   | 4,794            | 2,683           | 55.9                | 2,111               | 44.1                    |

DISTRICT X PROJECTED 2000–2001 DATA FOR MAGNET & FEEDER SCHOOLS

| School               | Total enrollment | Minority number | Minority percentage | Non-minority number | Non-minority percentage |
|----------------------|------------------|-----------------|---------------------|---------------------|-------------------------|
| Hill (Magnet) .....  | 600              | 450             | 75.0                | 150                 | 25.0                    |
| Shaw (Feeder) .....  | 410              | 215             | 52.4                | 195                 | 47.6                    |
| Smith (Feeder) ..... | 477              | 229             | 48.0                | 248                 | 52.0                    |
| Districtwide .....   | 4,815            | 2,690           | 55.9                | 2,125               | 44.1                    |

**Objective: Construction of New Magnet School/Reopening Closed School**

District Y will construct a new school, Ashe, and open its magnet program in 1999. There is no pre-existing school,

and consequently, it appears that no enrollment data are readily available to use as a comparison. However, the district estimates that if the proposed magnet school had opened as a "neighborhood school," without a

magnet program designed to attract students from outside the "neighborhood" or attendance zone, it would have a minority enrollment of 67 percent. This estimate was based on national census tract data,

supplemented by more current data on the neighborhood provided by the local county government. The district further reasonably anticipates, based on surveys and other indicators, that when the new

school opens as a magnet school in 1999, it will have a minority enrollment of 58 percent.

Note that in this example, since the school will not open until the second

year of the project (the 1999–2000 school year), data is needed only for the current year and each of the two years of the project during which the magnet at Ashe will be implemented.

DISTRICT Y CURRENT YEAR DATA FOR MAGNET & FEEDER SCHOOLS

| School               | Total enrollment | Minority number | Minority percentage | Non-minority number | Non-minority percentage |
|----------------------|------------------|-----------------|---------------------|---------------------|-------------------------|
| Ashe (Magnet) .....  | 600              | 400             | 66.7                | 200                 | 33.3                    |
| Mason (Feeder) ..... | 298              | 101             | 33.9                | 197                 | 66.1                    |
| Vine (Feeder) .....  | 324              | 111             | 34.2                | 213                 | 65.8                    |
| Districtwide .....   | 2,511            | 1,339           | 53.3                | 1,172               | 46.7                    |

DISTRICT Y PROJECTED 1999–2000 DATA FOR MAGNET & FEEDER SCHOOLS

| School               | Total enrollment | Minority number | Minority percentage | Non-minority number | Non-minority percentage |
|----------------------|------------------|-----------------|---------------------|---------------------|-------------------------|
| Ashe (Magnet) .....  | 600              | 348             | 58.0                | 252                 | 42.0                    |
| Mason (Feeder) ..... | 290              | 133             | 45.8                | 157                 | 54.2                    |
| Vine (Feeder) .....  | 332              | 144             | 43.4                | 188                 | 56.6                    |
| Districtwide .....   | 2,559            | 1,352           | 52.8                | 1,207               | 47.2                    |

DISTRICT Y PROJECTED 2000–2001 DATA FOR MAGNET & FEEDER SCHOOLS

| School               | Total enrollment | Minority number | Minority percentage | Non-minority number | Non-minority percentage |
|----------------------|------------------|-----------------|---------------------|---------------------|-------------------------|
| Ashe (Magnet) .....  | 600              | 300             | 50.0                | 300                 | 50.0                    |
| Mason (Feeder) ..... | 300              | 145             | 48.3                | 155                 | 52.7                    |
| Vine (Feeder) .....  | 336              | 170             | 50.6                | 166                 | 49.4                    |
| Districtwide .....   | 2,604            | 1,383           | 56.2                | 1,221               | 43.8                    |

**Objective: Reduction, Elimination, or Prevention of MGI at Targeted Feeder Schools**

Many applicants apply for MSAP funding to reduce, eliminate, or prevent minority group isolation at a magnet

school. However, some applicants have established magnet programs at schools that are not minority-isolated for the purpose of reducing, eliminating, or preventing minority isolation at one or more targeted feeder schools. The data

requirements and analysis for this type of magnet program are the same as described for "Existing Magnet Schools." In this example, MGI is being reduced in each of the targeted feeder schools.

BASE YEAR DATA FOR MAGNET & FEEDER SCHOOLS

| School               | Total enrollment | Minority number | Minority percentage | Non-minority number | Non-minority percentage |
|----------------------|------------------|-----------------|---------------------|---------------------|-------------------------|
| Grant (Magnet) ..... | 505              | 62              | 12.3                | 443                 | 87.7                    |
| North (Feeder) ..... | 449              | 347             | 77.3                | 102                 | 22.7                    |
| Lewis (Feeder) ..... | 404              | 355             | 87.9                | 49                  | 12.1                    |
| Clark (Feeder) ..... | 471              | 459             | 97.5                | 12                  | 2.5                     |
| Districtwide .....   | 1,829            | 1,223           | 66.9                | 606                 | 33.1                    |

CURRENT YEAR DATA FOR MAGNET & FEEDER SCHOOLS

| School               | Total enrollment | Minority number | Minority percentage | Non-minority number | Non-minority percentage |
|----------------------|------------------|-----------------|---------------------|---------------------|-------------------------|
| Grant (Magnet) ..... | 520              | 105             | 20.2                | 415                 | 79.8                    |
| North (Feeder) ..... | 453              | 338             | 74.6                | 115                 | 25.4                    |
| Lewis (Feeder) ..... | 398              | 335             | 84.1                | 63                  | 15.9                    |
| Clark (Feeder) ..... | 477              | 443             | 92.9                | 34                  | 7.1                     |
| Districtwide .....   | 1,848            | 1,221           | 66.1                | 627                 | 33.9                    |

## PROJECTED 1998–1999 DATA FOR MAGNET &amp; FEEDER SCHOOLS

| School               | Total enrollment | Minority number | Minority percentage | Non-minority number | Non-minority percentage |
|----------------------|------------------|-----------------|---------------------|---------------------|-------------------------|
| Grant (Magnet) ..... | 526              | 139             | 26.5                | 387                 | 73.5                    |
| North (Feeder) ..... | 461              | 331             | 71.9                | 130                 | 28.1                    |
| Lewis (Feeder) ..... | 424              | 347             | 81.8                | 77                  | 18.2                    |
| Clark (Feeder) ..... | 499              | 427             | 85.5                | 72                  | 14.5                    |
| Districtwide .....   | 1,910            | 1,244           | 65.1                | 664                 | 34.9                    |

## PROJECTED 1999–2000 DATA FOR MAGNET &amp; FEEDER SCHOOLS

| School               | Total enrollment | Minority number | Minority percentage | Non-minority number | Non-minority percentage |
|----------------------|------------------|-----------------|---------------------|---------------------|-------------------------|
| Grant (Magnet) ..... | 532              | 200             | 37.5                | 332                 | 62.5                    |
| North (Feeder) ..... | 470              | 329             | 70.0                | 141                 | 30.0                    |
| Lewis (Feeder) ..... | 445              | 344             | 77.2                | 101                 | 22.8                    |
| Clark (Feeder) ..... | 528              | 425             | 80.4                | 103                 | 19.6                    |
| Districtwide .....   | 1,975            | 1,298           | 65.7                | 677                 | 34.3                    |

## PROJECTED 2000–2001 DATA FOR MAGNET &amp; FEEDER SCHOOLS

| School               | Total enrollment | Minority number | Minority percentage | Non-minority number | Non-minority percentage |
|----------------------|------------------|-----------------|---------------------|---------------------|-------------------------|
| Grant (Magnet) ..... | 548              | 263             | 48.0                | 285                 | 52.0                    |
| North (Feeder) ..... | 475              | 316             | 66.5                | 159                 | 33.5                    |
| Lewis (Feeder) ..... | 460              | 342             | 74.4                | 118                 | 25.6                    |
| Clark (Feeder) ..... | 536              | 402             | 75.0                | 134                 | 25.0                    |
| Districtwide .....   | 2,019            | 1,323           | 65.5                | 696                 | 44.1                    |

**Objective: Prevention of Minority Group Isolation**

An applicant that applies for MSAP funding for the purposes of preventing minority isolation must demonstrate that without the intervention of the magnet program, the magnet school or targeted feeder school will become minority-isolated within the project period. Generally this may be documented by showing a trend in the enrollment data for the proposed school. For example, if a neighborhood school currently has a 45 percent minority enrollment and, for the last three years, minority enrollment has increased an average of three percent each year (36 percent, 39 percent, and 42 percent), it is reasonable to expect that, in three years, the school would exceed 50 percent thereby becoming minority-isolated during the project period without the intervention of a magnet. The applicant in this example should submit this enrollment data in its application.

The preceding examples are not intended to be an exhaustive set of examples. Applicants with questions about their desegregation plans and the information required in support of those desegregation plans (including applicants that find that these examples do not fit their circumstances and

applicants who find that the enrollment data requested is unavailable or do not reflect accurately the effectiveness of their proposed magnet program) are encouraged to contact ED for technical assistance, prior to submitting their application by calling the contact person listed under the **FOR APPLICATIONS OR INFORMATION** heading.

**FOR APPLICATIONS OR INFORMATION CONTACT:** Steven L. Brockhouse, U.S. Department of Education, 600 Independence Avenue, S.W., Portals Room 4509, Washington, D.C. 20202–6140. Telephone (202) 260–2476. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

Individuals with disabilities may obtain this document in an alternate format (e.g., Braille, large print, audiotape, or computer diskette) on request of the contact person listed in the preceding paragraph.

Individuals with disabilities may obtain a copy of the application package in an alternate format, also, by contacting that person. However, the Department is not able to reproduce in an alternate format the standard forms included in the application package.

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**Note:** The official version of a document is the document published in the **Federal Register**.

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Dated: February 10, 1998.

**Gerald N. Tirozzi,**

*Assistant Secretary, Elementary and Secondary Education.*

**Appendix—Empowerment Zones and Enterprise Communities**

*Empowerment Zones and Enterprise Communities*

*Empowerment Zones*

California: Los Angeles  
California: Oakland  
Georgia: Atlanta  
Illinois: Chicago  
Kentucky: Kentucky Highlands\*  
Maryland: Baltimore  
Massachusetts: Boston  
Michigan: Detroit  
Mississippi: Mid Delta\*  
Missouri/Kansas: Kansas City, Kansas City  
New York: Harlem, Bronx  
Ohio: Cleveland  
Pennsylvania/New Jersey: Philadelphia, Camden  
Texas: Houston  
Texas: Rio Grande Valley\*

*Enterprise Communities*

Alabama: Birmingham  
Alabama: Chambers County\*  
Alabama: Greene, Sumter Counties\*  
Arizona: Phoenix  
Arizona: Arizona Border\*  
Arkansas: East Central\*  
Arkansas: Mississippi County\*  
Arkansas: Pulaski County  
California: Imperial County\*  
California: L.A., Huntington Park  
California: San Diego  
California: San Francisco, Bayview, Hunter's Point

California: Watsonville\*  
Colorado: Denver  
Connecticut: Bridgeport  
Connecticut: New Haven  
Delaware: Wilmington  
District of Columbia: Washington  
Florida: Jackson County\*  
Florida: Tampa  
Florida: Miami, Dade County  
Georgia: Albany  
Georgia: Central Savannah\*  
Georgia: Crisp, Dooley Counties\*  
Illinois: East St. Louis  
Illinois: Springfield  
Indiana: Indianapolis  
Iowa: Des Moines  
Kentucky: Louisville  
Louisiana: Northeast Delta\*  
Louisiana: Macon Ridge\*  
Louisiana: New Orleans  
Louisiana: Ouachita Parish  
Massachusetts: Lowell  
Massachusetts: Springfield  
Michigan: Five Cap\*  
Michigan: Flint  
Michigan: Muskegon  
Minnesota: Minneapolis  
Minnesota: St. Paul  
Mississippi: Jackson  
Mississippi: North Delta\*  
Missouri: East Prairie\*  
Missouri: St. Louis  
Nebraska: Omaha  
Nevada: Clarke County, Las Vegas  
New Hampshire: Manchester  
New Jersey: Newark  
New Mexico: Albuquerque  
New Mexico: Mora, Rio Arriba, Taos Counties\*  
New York: Albany, Schenectady, Troy  
New York: Buffalo  
New York: Newburgh, Kingston  
New York: Rochester

North Carolina: Charlotte  
North Carolina: Halifax, Edgecombe, Wilson Counties\*  
North Carolina: Robeson County\*  
Ohio: Akron  
Ohio: Columbus  
Ohio: Greater Portsmouth\*  
Oklahoma: Choctaw, McCurtain Counties\*  
Oklahoma: Oklahoma City  
Oregon: Josephine\*  
Oregon: Portland  
Pennsylvania: Harrisburg  
Pennsylvania: Lock Haven\*  
Pennsylvania: Pittsburgh  
Rhode Island: Providence  
South Dakota: Deadle, Spink Counties\*  
South Carolina: Charleston  
South Carolina: Williamsburg County\*  
Tennessee: Fayette, Haywood Counties\*  
Tennessee: Memphis  
Tennessee: Nashville  
Tennessee/Kentucky: Scott, McCreary Counties\*  
Texas: Dallas  
Texas: El Paso  
Texas: San Antonio  
Texas: Waco  
Utah: Ogden  
Vermont: Burlington  
Virginia: Accomack\*  
Virginia: Norfolk  
Washington: Lower Yakima\*  
Washington: Seattle  
Washington: Tacoma  
West Virginia: West Central\*  
West Virginia: Huntington  
West Virginia: McDowell\*  
Wisconsin: Milwaukee

\*Denotes rural designee.

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