

Washington, DC 20202-6200.  
Telephone: (202) 260-1091 or by e-mail: [beth.fine@ed.gov](mailto:beth.fine@ed.gov) or Francisco Ramirez, U.S. Department of Education, 400 Maryland Ave., SW., room 3W225, Washington, DC 20202-6200.  
Telephone: (202) 260-1541 or by e-mail: [francisco.ramirez@ed.gov](mailto:francisco.ramirez@ed.gov).

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

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

### VIII. Other Information

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

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

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

Dated: January 17, 2006.

**Henry L. Johnson,**

*Assistant Secretary for Elementary and Secondary Education.*

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BILLING CODE 4000-01-P

## DEPARTMENT OF EDUCATION

### Office of Innovation and Improvement; Overview Information; Charter School Program (CSP); Notice Inviting Applications for New Awards for Fiscal Year (FY) 2006

Catalog of Federal Domestic Assistance  
(CFDA) Number: 84.282A.

**DATES:** *Applications Available:* January 23, 2006.

*Deadline for Transmittal of  
Applications:* March 10, 2006.

*Deadline for Intergovernmental  
Review:* May 9, 2006.

*Eligible Applicants:* State educational agencies (SEAs) in States with a State

statute specifically authorizing the establishment of charter schools.

**Note:** Non-SEA eligible applicants in states in which the SEA elects not to participate in or does not have an application approved under the CSP may apply for funding directly from the Department. The Department plans to hold a separate competition for non-SEA eligible applicants under CFDA Nos. 84.282B and 84.282C.

*Estimated Available Funds:*  
\$36,000,000.

*Estimated Range of Awards:*  
\$500,000-\$20,000,000 per year.

*Estimated Average Size of Awards:*  
\$3,000,000 per year.

*Estimated Number of Awards:* 10-12.

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

*Project Period:* Up to three years.

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

### Full Text of Announcement

#### I. Funding Opportunity Description

*Purpose of Program:* The purpose of the CSP is to increase national understanding of the charter school model and to expand the number of high-quality charter schools available to students across the Nation by providing financial assistance for the planning, program design, and initial implementation of charter schools, and to evaluate the effects of charter schools, including their effects on students, student academic achievement, staff, and parents. The Secretary awards grants to SEAs to enable them to conduct charter school programs in their States. SEAs use their CSP funds to award subgrants to non-SEA eligible applicants for planning, program design, and initial implementation of a charter school and to support the dissemination of information about, including successful practices in, charter schools.

*Priorities:* In accordance with 34 CFR 75.105(b)(2)(iv), these priorities are from section 5202(e) of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001 (NCLB), 20 U.S.C. 7221a(e).

*Competitive Preference Priorities:* For FY 2006 these priorities are competitive preference priorities. Under 34 CFR 75.105(c)(2)(i) we award up to an additional 40 points to an application,

depending on how well the application meets these priorities.

In awarding grants to SEAs under this competition, the Secretary gives priority to States to the extent that the State meets the statutory criterion described in paragraph (a) of this section and one or more of the statutory criteria described in paragraphs (b) through (d) of this section. In order to receive preference, an applicant must identify the priorities that it believes it meets and provide documentation supporting its claims.

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

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

These priorities are:

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

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

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

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

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

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

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

**Invitational Priority:** Under this competition we are particularly interested in applications that address the following priority. For FY 2006 this priority is an invitational priority. Under 34 CFR 75.105(c)(1), we do not give an application that meets this invitational priority a competitive or absolute preference over other applications.

The priority is:

The applicant proposes to plan, design, and implement one or more high-quality charter high schools in geographic areas, including urban and rural areas, in which a large proportion or number of public schools has been identified for improvement, corrective action, or restructuring under Title I, Part A of the ESEA.

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

**Applicable Regulations:** The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 76, 77, 79, 80, 81, 82, 84, 85, 86, 97, 98, and 99.

## II. Award Information

**Type of Award:** Discretionary grants.

**Estimated Available Funds:**

\$36,000,000.

**Estimated Range of Awards:**

\$500,000–\$20,000,000 per year.

**Estimated Average Size of Awards:**

\$3,000,000 per year.

**Estimated Number of Awards:** 10–12.

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

**Project Period:** Up to three years.

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

## III. Eligibility Information

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

**Note:** Non-SEA eligible applicants in states in which the SEA elects not to participate in or does not have an application approved under the CSP may apply for funding directly from the Department. The Department plans to hold a separate competition for non-SEA eligible applicants under CFDA Nos. 84.282B and 84.282C.

2. **Cost Sharing or Matching:** This competition does not involve cost sharing or matching.

## IV. Application and Submission Information

1. **Address to Request Application Package:** Dean Kern, U.S. Department of Education, 400 Maryland Avenue, SW., room 4W227, FB6, Washington, DC 20202–5970. Telephone: (202) 260–1882 or by e-mail: [dean.kern@ed.gov](mailto:dean.kern@ed.gov).

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

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

2. **Content and Form of Application Submission:** Requirements concerning the content of an application, together with the forms you must submit, are in the application package for this competition. Page Limit: The application narrative (Part III of the application) is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. The Secretary strongly encourages applicants to limit Part III to the equivalent of no more than 50 pages, using the following standards:

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

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

3. **Submission Dates and Times:** Applications Available: January 23, 2006.

**Deadline for Transmittal of Applications:** March 10, 2006.

Applications for grants under this competition must be submitted electronically using the Grants.gov Apply site ([Grants.gov](http://Grants.gov)). For information (including dates and times) about how to submit your application

electronically or by mail or hand delivery if you qualify for an exception to the electronic submission requirement, please refer to section IV. 6. **Other Submission Requirements** in this notice.

We do not consider an application that does not comply with the deadline requirements. We do not consider an application that does not address the application requirements, selection criteria, and other required information outlined in the application package.

**Deadline for Intergovernmental Review:** May 9, 2006

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

5. **Funding Restrictions:**

**Use of Funds for Post-Award Planning and Design of the Educational Program and Initial Implementation of the Charter School.** A non-SEA eligible applicant receiving a subgrant under this program may use the subgrant funds only for:

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

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

**Use of Funds for Dissemination Activities.** An SEA may reserve not more than 10 percent of its grant funds to support dissemination activities. A charter school may use those funds to assist other schools in adapting the charter school’s program (or certain aspects of the charter school’s program) or to disseminate information about the charter school through such activities as:

(a) Assisting other individuals with the planning and start-up of one or more new public schools, including charter schools, that are independent of the assisting charter school and the assisting charter school’s developers and that agree to be held to at least as high a level

of accountability as the assisting charter school;

(b) Developing partnerships with other public schools, including charter schools, designed to improve student academic achievement in each of the schools participating in the partnership;

(c) Developing curriculum materials, assessments, and other materials that promote increased student achievement and are based on successful practices within the assisting charter school; and

(d) Conducting evaluations and developing materials that document the successful practices of the assisting charter school and that are designed to improve student achievement.

#### *Award Basis*

In determining whether to approve a grant award and the amount of such award, the Department will consider, among other things, the amount of any carryover funds the applicant has under an existing grant under the program.

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

#### *6. Other Submission Requirements.*

Applications for grants under this competition must be submitted electronically unless you qualify for an exception to this requirement in accordance with the instructions in this section.

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

Applications for grants under the Charter School Program, CFDA Number 84.282A must be submitted electronically using the Grants.gov Apply site at: <http://www.grants.gov>. Through this site, you will be able to download a copy of the application package, complete it offline, and then upload and submit your application. You may not e-mail an electronic copy of a grant application to us.

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

You may access the electronic grant application for the Charter School program at: <http://www.grants.gov>. You must search for the downloadable application package for this program by

the CFDA number. Do not include the CFDA number's alpha suffix in your search.

Please note the following:

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

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

- You should review and follow with Education Submission Procedures for submitting an application through Grants.gov that are included in the application package for this program to ensure that you submit your application in a timely manner to the Grants.gov system. You can also find the Education Submission Procedures pertaining to Grants.gov at <http://e-Grants.ed.gov/help/GrantsgovSubmissionProcedures.pdf>.

- To submit your application via Grants.gov, you must complete all of the steps in the Grants.gov registration process (see <http://www.Grants.gov/GetStarted>). These steps include (1) registering your organization, (2) registering yourself as an Authorized Organization Representative (AOR), and (3) getting authorized as an AOR by your organization. Details on these steps are outlined in the Grants.gov 3-Step Registration Guide (see <http://www.grants.gov/assets/GrantsgovCoBrandBrochure8X11.pdf>).

You also must provide on your application the same D-U-N-S Number used with this registration. Please note that the registration process may take five or more business dates to complete,

and you must have completed all registration steps to allow you to successfully submit an application via Grants.gov.

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

- You must submit all documents electronically, including all information typically included on the Application for Federal Education Assistance (ED 424), Budget Information—Non-Construction Programs (ED 524), and all necessary assurances and certifications. You must attach any narrative sections of your application as files in a .DOC (document), .RTF (rich text), or .PDF (Portable Document) format. If you upload a file type other than the three file types specified above or submit a password protected file, we will not review that material.

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

- After you electronically submit your application, you will receive an automatic acknowledgment from Grants.gov that contains a Grants.gov tracking number. The Department will retrieve your application from Grants.gov and send you a second confirmation by e-mail that will include a PR/Award number (an ED-specified identifying number unique to your application).

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

*Application Deadline Date Extension in Case of Technical Issues with the Grants.gov System:* If you are prevented from electronically submitting your application on the application deadline date because of technical programs with the Grants.gov system, we will grant you an extension until 4:30 p.m., Washington, DC time, the following business day to enable you to transmit your application electronically, or by hand delivery. You also may mail your application by following the mailing instructions as described elsewhere in this notice. If you submit an application after 4:30 p.m., Washington, DC time, on the deadline date, please contact the person listed elsewhere in this notice under **FOR FURTHER INFORMATION CONTACT**, and provide an explanation of the technical problem you experienced with Grants.gov, along with the Grants.gov Support Desk Case Number (if available). We will accept your application if we can confirm that a

technical problem occurred with the Grants.gov system and that that problem affected your ability to submit your application by 4:30 p.m., Washington, DC time, on the application deadline date. The Department will contact you after a determination is made on whether your application will be accepted.

**Note:** Extensions referred to in this section apply only to the unavailability of or technical problems with the Grants.gov system. We will not grant you an extension if you failed to fully register to submit your application to Grants.gov before the deadline date and time or if the technical problem you experienced is unrelated to the Grants.gov system.

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

- You do not have access to the Internet; or
- You do not have the capacity to upload large documents to the Grants.gov system; and
- No later than two weeks before the application deadline date (14 calendar days or, if the fourteenth calendar day before the application deadline date falls on a Federal holiday, the next business day following the Federal holiday), you mail or fax a written statement to the Department, explaining which of the two grounds for an exception prevent you from using the Internet to submit your application. If you mail your written statement to the Department, it must be postmarked no later than two weeks before the application deadline date. If you fax your written statement to the Department, we must receive the faxed statement no later than two weeks before the application deadline date.

Address and mail or fax your statement to: Dean Kern, U.S. Department of Education, 400 Maryland Avenue, SW., room 4W227, FB6, Washington, DC 20202-5970. FAX: (202) 205-5630.

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

**b. Submission of Paper Applications by Mail.**

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

Department at the applicable following address:

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

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

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

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

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

- (1) A private metered postmark, or
- (2) A mail receipt that is not dated by the U.S. Postal Service.

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

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

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

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

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

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

- (1) You must indicate on the envelope and—if not provided by the Department—in Item 4 of the Application for Federal Education Assistance (ED 424) the CFDA

number—and suffix letter, if any—of the competition under which you are submitting your application.

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

**V. Application Review Information**

**Selection Criteria:** Applicants applying for CSP grant funds must address both the statutory application requirements and the selection criteria described in the following paragraphs. Each applicant applying for CSP grant funds may choose to respond to the application requirements in the context of its responses to the selection criteria.

(a) **Application Requirements.** (i) Describe the objectives of the SEA's charter school grant program and describe how these objectives will be fulfilled, including steps taken by the SEA to inform teachers, parents, and communities of the SEA's charter school grant program;

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

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

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

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

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

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

(b) *Selection Criteria.* The following selection criteria are from the authorizing statute for this program and 34 CFR 75.210 of EDGAR.

SEAs that propose to use a portion of their grant funds for dissemination activities must address each selection criterion (i) through (v) individually and title each accordingly. SEAs that do not propose to use a portion of their grant funds for dissemination activities must address selection criteria (i) through (iv) only, and need not address selection criterion (v). SEAs that do not address criterion (v) because they are not proposing to use a portion of their grant funds for dissemination activities will not be penalized.

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

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

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

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

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

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

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

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

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

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

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

(iv) The quality of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks (30 points).

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

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

**Note:** The Secretary encourages applicants to describe the steps to be taken by the SEA to award these funds to eligible applicants, including descriptions of the peer review process the SEA will use to review applications for dissemination, the timelines for awarding such funds, and how the SEA will assess the quality of the applications.

## VI. Award Administration Information

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

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

2. *Administrative and National Policy Requirements:* We identify administrative and national policy requirements in the application package and reference these and other

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

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

3. *Reporting:* At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multi-year award, you must submit an annual performance report that provides the most current performance and financial expenditure information as specified by the Secretary in 34 CFR 75.118. For specific requirements on grantee reporting, please go to the ED Performance Report Form 524B at <http://www.ed.gov/fund/grant/apply/appforms/appforms.html>.

4. *Performance Measures:* The goal of the CSP is to support the creation and development of a large number of high-quality charter schools that are free from State or local rules that inhibit flexible operation, are held accountable for enabling students to reach challenging State performance standards, and are open to all students. The Secretary has set three performance indicators to measure this goal: (1) The number of States, including the District of Columbia and Puerto Rico, with charter school laws, (2) the number of charter schools in operation around the Nation, and (3) the percentage of charter school students who are achieving at or above the proficient level on State examinations in mathematics and reading. Additionally, the Secretary has established the following measure to examine the efficiency of the CSP: Federal cost per student in implementing a successful school (defined as a school in operation for three or more years).

All grantees will be expected to submit an annual performance report documenting their contribution in assisting the Department in meeting these performance measures.

## VII. Agency Contact

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

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### VIII. Other Information

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

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

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

Dated: January 18, 2006.

**Christopher J. Doherty,**

*Acting Assistant Deputy Secretary, Office of Innovation and Improvement.*

[FR Doc. E6-755 Filed 1-20-06; 8:45 am]

BILLING CODE 4000-01-P

## DEPARTMENT OF EDUCATION

### Office of Postsecondary Education; Overview Information; Gaining Early Awareness and Readiness for Undergraduate Programs; Notice Inviting Applications for New Awards for Fiscal year (FY) 2006

Catalog of Federal Domestic Assistance (CFDA) Numbers: 84.334S (State grants) and 84.334A (Partnership grants).

**DATES:** Applications Available: January 23, 2006. Deadline for Transmittal of Applications: March 9, 2006. Deadline for Intergovernmental Review: May 2, 2006.

*Eligible Applicants:* (1) A State; or (2) a partnership consisting of (A) one or more local educational agencies acting on behalf of (i) one or more elementary schools or secondary schools, and (ii) the secondary schools that students from the schools described in (i) would normally attend; (B) one or more degree granting institutions of higher education; and (C) at least two community organizations or entities, such as businesses, professional associations, community-based

organizations, philanthropic organizations, State agencies, institutions or agencies sponsoring programs authorized under subpart 4 of part A of Title IV of the Higher Education Act of 1965, as amended, or other public or private agencies or organizations.

**Note:** For State grants, the fiscal agent/applicant must be a single State agency as designated by the State's governor. For partnership grants, the fiscal agent/applicant must be either an institution of higher education that is not pervasively sectarian or a local educational agency.

*Estimated Available Funds:* \$24,500,000 for partnership grants and \$12,000,000 for State grants.

*Estimated Range of Awards:* \$100,000-\$7,000,000 for partnership grants and \$500,000-\$3,000,000 for State grants.

*Estimated Average Size of Awards:* \$1,200,000 for partnership grants and \$3,000,000 for State grants.

*Maximum Award:* We will reject any application for a State grant that proposes a budget exceeding \$3,000,000 for a single budget period of 12 months. We will reject any application for a partnership grant that proposes a budget exceeding \$800 per student for a single budget period of 12 months. We also will reject any State or partnership grant application that proposes an increase in its budget after the first 12-month budget period. The Assistant Secretary for Postsecondary Education may change any of these maximum amounts through a notice published in the **Federal Register**.

*Estimated Number of Awards:* 4 State grants and 20 partnership grants.

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

*Project Period:* Up to 72 months.

### Full Text of Announcement

#### I. Funding Opportunity Description

*Purpose of Program:* The purpose of the Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP) is to support early college preparation and awareness activities for low-income students.

*Priority:* Under this competition we are particularly interested in applications that address one or both of the following priorities.

*Invitational Priority:* For FY 2006 these priorities are invitational priorities. Under 34 CFR 75.105(c)(1) we do not give an application that meets these invitational priorities a competitive or absolute preference over other applications.

These priorities are:

#### Invitational Priority 1

Applicants are encouraged to include plans to develop and administer an assessment in the tenth and/or eleventh grade to determine whether GEAR UP students are adequately prepared for postsecondary education. Assessments would include math and language skills, and other content areas or skills the applicant believes are sound indicators of preparedness for college-level work. The results of such an assessment would then be used as a substitute for placement tests that members of the cohort who are admitted to a partner institution of higher education would otherwise be required to take, and to guide intervention strategies that focus on the needs of individual GEAR UP students to help ensure that, by the time they graduate from high school, they are prepared for college.

The Secretary will review the results of this invitational priority (including the number of applicants who include information responsive to this priority and whether any grantees develop and administer an assessment), and may propose to modify the regulations for the GEAR UP program (34 CFR part 694) to require that grantees conduct this type of an assessment of the students receiving services through GEAR UP partnership or State grants.

#### Invitational Priority 2

Partnership applicants are encouraged to include plans to establish and maintain a financial assistance program that awards college scholarships to GEAR UP students consistent with the requirements governing GEAR UP scholarships that State grantees must meet in section 404E of the Higher Education Act of 1965, as amended. That provision includes requirements regarding the amounts of the scholarships and student eligibility. Applicants proposing plans that include this priority should be sure to consider how the financial assistance program will be administered after Federal funding for the grant has ended. Since any Federal funds or non-Federal matching contributions to be used for scholarships in future years must be obligated during the appropriate budget period, the requirement of an obligation requires that these funds be placed in a trust or other irrevocable instrument for the benefit of the GEAR UP students until such time as the funds are awarded to individual students.

**Program Authority:** 20 U.S.C. 1070a-21.

*Applicable Regulations:* (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 80, 81, 82,