

## POLICY JUSTIFICATION

*France—Guided Multiple Launch Rocket System (GMLRS) Unitary Rocket Pods and Related Support*

The Government of France has requested a possible sale of twenty-one (21) GMLRS Unitary Rocket Pods. Also included are a GMLRS Quality Assurance Team (QAT), GMLRS publications, live fire data, software updates, and technical assistance. The total estimated value of MDE is \$60 million. The overall total estimated value is \$90 million.

This proposed sale will enhance the foreign policy and national security objectives of the United States by helping to improve the security of a NATO ally which has been, and continues to be an important force for political stability and economic progress. It is vital to the U.S. national interest to assist France to develop and maintain a strong and ready self-defense capability.

France intends to use these missiles to expand its existing army architecture and improve its self-defense capabilities. France is a co-developer of the GMLRS and has operational requirements for additional missiles. France will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The U.S. Army procured the GMLRS Unitary from Lockheed Martin Industries, Camden, Arkansas. The sale of these GMLRS Unitary will be from U.S. stock; therefore, Lockheed Martin will not be involved. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require U.S. Government and contractor representatives to travel to France for equipment de-processing, fielding, system checkout, and new equipment training.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 16–22

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

Annex

Item No. vii

*(vii) Sensitivity of Technology:*

1. The Guided Multiple Launch Rocket System (GMLRS) M31 Unitary is the Army's primary munition for units fielding the High Mobility Artillery Rocket Systems (HIMARS) and Multiple Launcher Rocket Systems (MLRS)

M270A1 Rocket and Missile Launcher platforms. The M31 Unitary is a solid propellant artillery rocket that uses Global Positioning System (GPS)-aided inertial guidance to accurately and quickly deliver a single high-explosive blast fragmentation warhead on to point targets at ranges from 15 to 70 kilometers. The rockets are fired from a launch pod container that also serves as the storage and transportation container for the rockets. Each rocket pod holds six (6) total rockets.

2. The GMLRS Unitary employs a multi-mode fuze consisting of an Electronic Safe and Arm Fuze (ESAF) and a Frequency-Modulating Continuous Wave-Directional Doppler Ranging (FMCW-DDR) height-of-burst sensor. The weapon has three fuzing modes—point detonating, post-impact time delay, and proximity height of burst—which are all accomplished automatically via a launcher/fire control system electrical interface prior to launch. The height-of-burst sensor is not integrated with the fuze, but provides fire pulse input and interfaces with a mechanical fuze.

3. The Army's FMCW-DDR height-of-burst technology comprises components and software requiring special production skills and is deemed state of the art. The sensitive aspects of the technology reside primarily in the design, development, production, and manufacturing data for the related components (integrated circuits and flex cable assembly) and in the methodology required to integrate those components onto the flex cable assembly to process embedded data (the software, algorithm, and operating parameters). The sole technology aspect of the FMCW-DDR present in the M31 proximity height-of-burst sensor is the signal processing algorithm (*i.e.* processing techniques) modified specifically for use in the M31. The disclosure of know-how, software, and other associated documentation for this sensitive technology is not authorized under this sale.

4. A determination has been made that Government of France can provide the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of France.

[FR Doc. 2016–10890 Filed 5–9–16; 8:45 am]

**BILLING CODE 5001–06–P**

## DEPARTMENT OF EDUCATION

**Application for New Awards; Charter Schools Program (CSP)—Grants for Replication and Expansion of High-Quality Charter Schools**

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

**ACTION:** Notice.

**SUMMARY:** Overview Information: CSP—Grants for Replication and Expansion of High-Quality Charter Schools Notice inviting applications for new awards for fiscal year (FY) 2016.

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

**DATES:** Applications Available: May 10, 2016.

Date of Pre-Application Webinar: June 16, 2016, 2:00 p.m. to 3:30 p.m., Washington, DC, time.

Deadline for Transmittal of Applications: June 20, 2016.

Deadline for Intergovernmental Review: August 23, 2016.

**Full Text of Announcement****I. Funding Opportunity Description**

*Purpose of Program:* The purpose of the CSP is to increase national understanding of the charter school model by expanding the number of high-quality charter schools (as defined in this notice) available to students across the Nation; providing financial assistance for the planning, program design, and initial implementation of charter schools; and evaluating the effects of charter schools, including their effects on students, student academic achievement, staff, and parents.

The purpose of the CSP Grants for Replication and Expansion of High-Quality Charter Schools (Replication and Expansion) competition (CFDA 84.282M) is to award grants to eligible applicants to enable them to replicate (as defined in this notice) or expand high-quality charter schools (as defined in this notice) with demonstrated records of success, including success in increasing student academic achievement. Eligible applicants may use their grant funds to expand the enrollment of one or more existing charter schools by substantially increasing the number of available seats per school, or to open one or more new charter schools that are based on the charter school model for which the eligible applicant has presented evidence of success.

**SUPPLEMENTARY INFORMATION:** On December 10, 2015, the President signed into law the Every Student Succeeds

Act (ESSA), Public Law 114–95, which reauthorized the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001 (NCLB). Under section 5(c) of ESSA, CSP grants awarded in FY 2016 and earlier years will operate in accordance with the requirements of the ESEA, as amended by NCLB, and any continuation awards applicable to these grants also will operate in accordance with such requirements.

For this year's competition, the Department uses the same absolute priorities, competitive preference priorities, and selection criteria as in FY 2015, because we believe these facilitated a large number of high-quality applications and a diverse pool of applicants. In developing their applications, applicants should review the application package available at [www.Grants.gov](http://www.Grants.gov) for additional information concerning the priorities, application requirements, and selection criteria of this notice, as well as more detailed information on the submission process.

Like the FY 2015 Replication and Expansion grant competition, this notice includes two absolute priorities for applicants with Experience Operating or Managing High-Quality Charter Schools, and for applicants serving a Low-Income Demographic. The first absolute priority requires applicants to operate or manage more than one high-quality charter school (as defined in this notice), and the second requires applicants to demonstrate that at least 60 percent of the students in the charter schools it operates or manages are from low-income families. Applicants should review the application package for additional information concerning the absolute priorities. Both absolute priorities are from the final priorities, requirements, and selection criteria for this program, published in the **Federal Register** on July 12, 2011 (76 FR 40898) (Final Priorities), and are intended to ensure that projects are designed to meet the needs of educationally disadvantaged and other students.

The FY 2016 Replication and Expansion grant competition also includes the same three competitive preference priorities as the FY 2015 Replication and Expansion competition. Applicants addressing Competitive Preference Priority 1 may select and address only one of three parts of the priority. Part (a) of Competitive Preference Priority 1 is for projects designed to support students who are members of federally recognized Indian tribes and is from the Secretary's final supplemental priorities and definitions

for discretionary grant programs, published in the **Federal Register** on December 10, 2014 (79 FR 73425) (Supplemental Priorities). Part (b) of Competitive Preference Priority 1 is for projects designed to replicate (as defined in this notice) and expand high-quality charter schools in order to support school improvement efforts by local educational agencies (LEAs) and is from the Final Priorities for this program. Part (c) of Competitive Preference Priority 1 is for projects designed to replicate (as defined in this notice) and expand high-quality charter schools (as defined in this notice) in federally designated Promise Zones, and is from the notice of final priority for Promise Zones, published in the **Federal Register** on March 27, 2014 (79 FR 17035) (Promise Zones Priority). The thirteen Promise Zones that have been designated thus far are located in Camden City, New Jersey; the Choctaw Nation of Oklahoma; East Indianapolis, Indiana; Los Angeles, California; the Lowlands of South Carolina; Minneapolis, Minnesota; North Hartford, Connecticut; Philadelphia, Pennsylvania; Pine Ridge, South Dakota; Sacramento, California; San Antonio, Texas; Southeastern Kentucky; and St. Louis, Missouri. Another Promise Zones competition is currently underway and new designees are expected to be announced in the spring of 2016. If new designees are announced prior to the deadline for transmittal of applications for this competition, applicants may meet this priority by submitting the requisite HUD form 50153, signed by an authorized representative of the lead organization of the newly designated Promise Zone.

The second competitive preference priority is *Promoting Diversity*. It is from the Final Priorities for this program. This priority awards additional points to applications that demonstrate a record of, and an intent to continue, taking active measures to promote diversity by bringing together students of different racial, ethnic, and socioeconomic backgrounds, and to serve students with disabilities and English learners at rates comparable to the rates at which these students are served in public schools in the surrounding area. In connection with developing responses to this priority, applicants are encouraged to refer to the joint guidance issued by the Department's Office for Civil Rights and the U.S. Department of Justice entitled, "Guidance on the Voluntary Use of Race to Achieve Diversity and Avoid Racial Isolation in Elementary and Secondary

Schools" ([www2.ed.gov/about/offices/list/ocr/docs/guidance-ese-201111.pdf](http://www2.ed.gov/about/offices/list/ocr/docs/guidance-ese-201111.pdf)) and "Schools' Civil Rights Obligations to English Learner Students and Limited English Proficient Parents" ([www2.ed.gov/about/offices/list/ocr/ellresources.html](http://www2.ed.gov/about/offices/list/ocr/ellresources.html)).

The third competitive preference priority is Novice Applicants (as defined in this notice). It is from 34 CFR 75.225(c)(2). This priority provides additional points to applicants that have neither received a CSP Replication and Expansion grant—either individually or as part of a group—at any point in the past nor received a discretionary grant from the Federal government in the previous five years.

The FY 2016 Replication and Expansion grant competition also continues to include an invitational priority that encourages applicants to conduct rigorous evaluations of practices within their schools that will, if well implemented, produce evidence that meets What Works Clearinghouse (WWC) Evidence Standards (as defined in this notice). The Department remains committed to building evidence of the effectiveness of a range of educational practices, increasing the number of schools that implement practices that are based on evidence, and identifying and evaluating practices that other schools or school systems could adopt to improve outcomes for their students (e.g., educator induction practices or school discipline policies).

Finally, the Consolidated Appropriations Act, 2016, Division H, Pub. L. 114–113 (FY 2016 Appropriations Act), retains the authority provided in Appropriations Acts for fiscal years 2014 and 2015 to use CSP funds "for grants that support preschool education in charter schools." For information on the use of CSP funds to support preschool education in charter schools, see "Guidance on the Use of Funds to Support Preschool Education" at [www2.ed.gov/programs/charter/csppreschoolfaq.doc](http://www2.ed.gov/programs/charter/csppreschoolfaq.doc).

All charter schools receiving CSP funds, as outlined in section 5210(1)(G) of the ESEA, must comply with various non-discrimination laws, including the Age Discrimination Act of 1975, title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, part B of the Individuals with Disabilities Education Act (specifies rights afforded to students with disabilities and their parents), and applicable State laws.

*Priorities:* This notice includes two absolute priorities, three competitive preference priorities, and one invitational priority. Both absolute

priorities are from the Final Priorities for this program. Part (a) of Competitive Preference Priority 1 is from the Supplemental Priorities; part (b) is from the Final Priorities; and part (c) is from the Promise Zones Priority. Competitive Preference Priority 2 is from the Final Priorities, and Competitive Preference Priority 3 is from 34 CFR 75.225(c)(2).

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

**Absolute Priority 1—Experience Operating or Managing High-Quality Charter Schools.**

This priority is for projects that will provide for the replication or expansion of high-quality charter schools (as defined in this notice) by applicants that currently operate or manage more than one high-quality charter school (as defined in this notice).

**Absolute Priority 2—Low-Income Demographic.**

To meet this priority, an applicant must demonstrate that at least 60 percent of all students in the charter schools it currently operates or manages are individuals from low-income families (as defined in this notice).

**Competitive Preference Priorities:** For FY 2016 and any subsequent year in which we make awards based on the list of unfunded applications from this competition, these priorities are competitive preference priorities. Under 34 CFR 75.105(c)(2)(i), we will award an additional five points to an application that addresses part (a) of Competitive Preference Priority 1; an additional four points to an application that addresses part (b) of Competitive Preference Priority 1; or an additional point to an application that addresses part (c) of Competitive Preference Priority 1. An application may receive points for only one of the three parts of Competitive Preference Priority 1, and should specify which part it is addressing. If an applicant addresses more than one part of Competitive Preference Priority 1 and does not specify whether it is addressing part (a), (b), or (c), the application will be awarded priority points only for the part addressed in the application that has the highest maximum potential point value, regardless of the number of priority points the application is awarded for that particular part of Competitive Preference Priority 1.

We will award an additional three points to an application that meets Competitive Preference Priority 2, and

an additional two points to an application that meets Competitive Preference Priority 3. The maximum total competitive preference priority points an application can receive for this competition is 10.

These priorities are:

**Competitive Preference Priority 1.** (0, 1, 4, or 5 points).

(a) **Supporting High Need Students.** (0 or 5 points).

Projects that are designed to improve academic outcomes, learning environments, or both, for students who are members of federally recognized Indian tribes.

(b) **School Improvement.** (0 or 4 points).

To meet this priority, an applicant must demonstrate that its proposed replication or expansion of one or more high-quality charter schools (as defined in this notice) will occur in partnership with, and will be designed to assist, one or more LEAs in implementing academic or structural interventions to serve students attending schools that have been identified for improvement, corrective action, closure, or restructuring under section 1116 of the ESEA, and as described in the notice of final requirements for School Improvement Grants, published in the **Federal Register** on October 28, 2010 (75 FR 66363).

**Note:** Applicants in States that are exercising flexibility under the ESEA, as amended by NCLB, in the 2015–16 school year may partner with LEAs to serve students attending priority or focus schools (see the Department's June 7, 2012 guidance entitled, "ESEA Flexibility," at [www.ed.gov/esea/flexibility](http://www.ed.gov/esea/flexibility), and the Office of Elementary and Secondary Education's (OESE's) December 18, 2015 Dear Colleague Letter at <https://www2.ed.gov/policy/elsec/leg/essa/transition-dcl.pdf>). Applicants in all States should review OESE's January 28, 2016 Dear Colleague Letter at <https://www2.ed.gov/policy/elsec/leg/essa/transitionsy1617-dcl.pdf>, for information on interventions required in 2016–2017.

(c) **Promise Zones.** (0 or 1 point).

This priority is for projects that are designed to serve and coordinate with a federally designated Promise Zone.

**Note:** As a participant in the Administration's Promise Zones Initiative, the Department is cooperating with the Department of Housing and Urban Development (HUD), the Department of Agriculture (USDA), and nine other Federal agencies to support comprehensive revitalization efforts in 20 high-poverty urban, rural, and tribal communities across the country. Each application for Replication and

Expansion grant funds that is accompanied by a Certification of Consistency with Promise Zone Goals and Implementation (HUD Form 50153), signed by an authorized representative of the lead organization of a Promise Zone designated by HUD or USDA supporting the application, will meet this priority. To view the list of designated Promise Zones and lead organizations please go to [www.hud.gov/promisezones](http://www.hud.gov/promisezones). The certification form is available at [https://portal.hud.gov/hudportal/documents/huddoc?id=HUD\\_Form\\_50153.pdf](https://portal.hud.gov/hudportal/documents/huddoc?id=HUD_Form_50153.pdf).

**Competitive Preference Priority 2—Promoting Diversity.** (0 or 3 points).

This priority is for applicants that demonstrate a record of (in the schools they currently operate or manage), as well as an intent to continue (in schools that they will be creating or substantially expanding (as defined in this notice) under this grant), taking active measures to —

(a) Promote student diversity, including racial and ethnic diversity, or avoid racial isolation;

(b) Serve students with disabilities at a rate that is at least comparable to the rate at which these students are served in public schools in the surrounding area; and

(c) Serve English learners at a rate that is at least comparable to the rate at which these students are served in public schools in the surrounding area.

In support of this priority, applicants must provide enrollment data as well as descriptions of existing policies and activities undertaken or planned to be undertaken.

**Note:** An applicant addressing Competitive Preference Priority 2 is invited to discuss how the proposed design of its project will encourage approaches by charter schools that help bring together students of different backgrounds, including students from different racial and ethnic backgrounds, to attain the benefits that flow from a diverse student body. The applicant should discuss in its application how it would ensure that those approaches are permissible under current law.

**Competitive Preference Priority 3—Novice Applicant.** (34 CFR 75.225(c)(2)) (0 or 2 points).

This priority is for applicants that qualify as novice applicants (as defined in this notice).

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

invitational priority any preference over other applications.

This priority is:

*Invitational Priority—Rigorous Evaluation.*

The Secretary is particularly interested in funding applications that demonstrate that the applicant is currently conducting, or will conduct, a rigorous independent evaluation of specific practices within the applicant's charter schools (e.g., school discipline policies or professional development practices, such as teacher coaching), through a quasi-experimental design study or randomized controlled trial (as defined in this notice) that will, if well implemented, meet What Works Clearinghouse (WWC) Evidence Standards (as defined in this notice).

The following definitions are from 34 CFR 75.225 and 77.1 and the Final Priorities for this program.

*Ambitious* means promoting continued, meaningful improvement for program participants or for other individuals or entities affected by the grant, or representing a significant advancement in the field of education research, practices, or methodologies. When used to describe a performance target (as defined in this notice), whether a performance target (as defined in this notice) is ambitious depends upon the context of the relevant performance measure (as defined in this notice) and the baseline (as defined in this notice) for that measure. (34 CFR 77.1)

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

*Charter management organization (CMO)* is a nonprofit organization that operates or manages multiple charter schools by centralizing or sharing certain functions and resources among schools. (Final Priorities)

*Educationally disadvantaged students* includes, but is not necessarily limited to, individuals from low-income families (as defined in this notice), English learners, migratory children, children with disabilities, and neglected or delinquent children. (Final Priorities)

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

(1) Increasing student academic achievement and attainment for all students, including, as applicable, educationally disadvantaged students (as defined in this notice) served by the charter schools operated or managed by the applicant.

(2) Either (i) Demonstrated success in closing historic achievement gaps for the subgroups of students described in section 1111(b)(2)(C)(v)(II) of the ESEA at the charter schools operated or managed by the applicant, or

(ii) No significant achievement gaps between any of the subgroups of students described in section 1111(b)(2)(C)(v)(II) of the ESEA at the charter schools operated or managed by the applicant and significant gains in student academic achievement with all populations of students served by the charter schools operated or managed by the applicant.

(3) Achieved results (including performance on statewide tests, annual student attendance and retention rates, high school graduation rates, college attendance rates, and college persistence rates where applicable and available) for low-income and other educationally disadvantaged students (as defined in this notice) served by the charter schools operated or managed by the applicant that are above the average academic achievement results for such students in the State.

(4) No significant compliance issues (as defined in this notice), particularly in the areas of student safety and financial management. (Final Priorities)

*Individual from a low-income family* means an individual who is determined by a State educational agency (SEA) or LEA to be a child, age 5 through 17, from a low-income family on the basis of (a) data used by the Secretary to determine allocations under section 1124 of the ESEA, (b) data on children eligible for free or reduced-price lunches under the Richard B. Russell National School Lunch Act, (c) data on children in families receiving assistance under part A of title IV of the Social Security Act, (d) data on children eligible to receive medical assistance under the Medicaid program under Title XIX of the Social Security Act, or (e) an alternate method that combines or extrapolates from the data in items (a) through (d) of this definition (see 20 U.S.C. 6537(3)). (Final Priorities)

*Novice applicant* means—

(a) Any applicant for a grant from the Department that—

(i) Has never received a grant or subgrant under the program from which it seeks funding;

(ii) Has never been a member of a group application, submitted in accordance with 34 CFR 75.127–75.129, that received a grant under the program from which it seeks funding; and

(iii) Has not had an active discretionary grant from the Federal government in the five years before the

deadline date for applications for new awards under the program.

(b) For purposes of paragraph (a)(1)(iii) of this section, a grant is active until the end of the grant's project or funding period, including any extensions of those periods that extend the grantee's authority to obligate funds (34 CFR 75.225).

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

*Performance target* means a level of performance that an applicant would seek to meet during the course of a project or as a result of a project. (34 CFR 77.1)

*Quasi-experimental design study* means a study using a design that attempts to approximate an experimental design by identifying a comparison group that is similar to the treatment group in important respects. These studies, depending on design and implementation, can meet What Works Clearinghouse Evidence Standards with reservations (but not What Works Clearinghouse Evidence Standards without reservations). (34 CFR 77.1)

*Randomized controlled trial* means a study that employs random assignment of, for example, students, teachers, classrooms, schools, or districts to receive the intervention being evaluated (the treatment group) or not to receive the intervention (the control group). The estimated effectiveness of the intervention is the difference between the average outcome for the treatment group and for the control group. These studies, depending on design and implementation, can meet What Works Clearinghouse Evidence Standards (as defined in this notice) without reservations. (34 CFR 77.1)

*Replicate* means to open one or more new charter schools that are based on the charter school model or models for which the applicant has presented evidence of success. (Final Priorities)

*Significant compliance issue* means a violation that did, will, or could lead to the revocation of a school's charter. (Final Priorities)

*Substantially expand* means to increase the student count of an existing charter school by more than 50 percent or to add at least two grades to an existing charter school over the course of the grant. (Final Priorities)

*What Works Clearinghouse Evidence Standards* means the standards set forth in the What Works Clearinghouse Procedures and Standards Handbook (Version 3.0, March 2014), which can be found at the following link: [//ies.ed.gov/ncee/wwc/DocumentSum.aspx?sid=19](http://ies.ed.gov/ncee/wwc/DocumentSum.aspx?sid=19). (34 CFR 77.1)

**Program Authority:** FY 2016 Appropriations Act; and the ESEA, as amended by NCLB (20 U.S.C. 7221–7221j).

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

**Note 1:** The regulations in 34 CFR part 79 apply to all applicants except federally recognized Indian tribes.

**Note 2:** The regulations in 34 CFR part 86 apply only to institutions of higher education.

## II. Award Information

**Type of Award:** Discretionary grants.

**Estimated Available Funds:**

\$65,000,000.

**Estimated Range of Awards:** \$500,000 to \$3,000,000 per year.

**Estimated Average Size of Awards:**

\$1,600,000 per year.

**Estimated Number of Awards:** 10–20.

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

**Project Period:** Up to 60 months.

**Maximum Award:** See *Reasonable and Necessary Costs* in section III.3.(a) below for information regarding the maximum amount of funds that may be awarded per new school seat and per new school.

## III. Eligibility Information

1. **Eligible Applicants:** Non-profit charter management organizations (as defined in this notice) and other entities that are not for-profit entities. Eligible applicants also may apply as a group or consortium.

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

3. **Other:** (a) *Reasonable and Necessary Costs:* The Secretary may elect to impose maximum limits on the amount of grant funds that may be awarded per charter school replicated (as defined in this notice), per charter school substantially expanded (as

defined in this notice), or per new school seat created.

For this competition, the maximum limit of grant funds that may be awarded per new school seat is \$3,000, including a maximum limit per new school created of \$800,000. The maximum limit per new school seat in a charter school that is substantially expanding (as defined in this notice) its enrollment is \$1,500, including a maximum limit per substantially expanded (as defined in this notice) school of \$800,000.

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

(b) *Other CSP Grants:* A charter school that has received CSP funds for replication or expansion previously, or that has received funds for planning or initial implementation of a charter school (*i.e.*, CFDA 84.282A or 84.282B), may not use funds under this grant for the same purpose. However, such charter school may be eligible to receive funds under this competition to substantially expand the charter school beyond the existing grade levels or student count.

A charter school that receives funds under this competition is ineligible to receive funds for the same purpose under section 5202(c)(2) of the ESEA, including for planning and program design or the initial implementation of a charter school (*i.e.*, CFDA 84.282A or 84.282B).

(c) *Costs for Evaluation.* In accordance with 34 CFR 75.590, Replication and Expansion grant funds may be used to cover post-award costs associated with an evaluation under the invitational priority or an evaluation under Selection Criterion (e) of this notice, provided that such costs are reasonable and necessary to meet the objectives of the approved project.

## IV. Application and Submission Information

1. **Address To Request Application Package:** Brian Martin, U.S. Department of Education, 400 Maryland Avenue SW., Room 4W224, Washington, DC 20202–5970. Telephone: (202) 205–9085 or by email: [brian.martin@ed.gov](mailto:brian.martin@ed.gov).

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

Individuals with disabilities can obtain a copy of the application package

in an accessible format (*e.g.*, braille, large print, audiotope, or compact disc) by contacting the program contact person listed in this section.

2.a. **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 priorities, selection criteria, and application requirements that reviewers use to evaluate your application. We recommend that you limit the application narrative [Part III] to no more than 60 pages, using the following standards:

- A “page” is 8.5” x 11”, on one side only, with 1” margins at the top, bottom, and both sides.
- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.
- Use a font that is either 12 point or larger or no smaller than 10 pitch (characters per inch).
- Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial. An application submitted in any other font (including Times Roman or Arial Narrow) will not be accepted.

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

b. **Submission of Proprietary Information:**

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

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

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

### 3. Submission Dates and Times:

Applications Available: May 10, 2016.

Date of Pre-Application Webinar: The Department will hold a pre-application meeting via Webinar for prospective applicants on June 16, 2016, 2:00 p.m. to 3:30 p.m., Washington, DC, time. Individuals interested in attending this meeting are encouraged to pre-register by emailing their name, organization, and contact information with the subject heading "PRE-APPLICATION MEETING" to [CharterSchools@ed.gov](mailto:CharterSchools@ed.gov). There is no registration fee for attending this meeting.

For further information about the pre-application meeting, contact Brian Martin, U.S. Department of Education, 400 Maryland Avenue SW., Room 4W224, Washington, DC 20202-5970. Telephone: (202) 205-9085 or by email: [brian.martin@ed.gov](mailto:brian.martin@ed.gov).

Deadline for Transmittal of Applications: June 24, 2016.

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

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

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

Deadline for Intergovernmental Review: August 23, 2016.

4. *Intergovernmental Review*: This program is subject to Executive Order 12372 and the regulations in 34 CFR

part 79. Information about Intergovernmental Review of Federal Programs under Executive Order 12372 is in the application package for this competition.

5. *Funding Restrictions*: Grantees under this program must use the grant funds to replicate (as defined in this notice) or substantially expand (as defined in this notice) the charter school model or models for which the applicant has presented evidence of success. Grant funds must be used to carry out allowable activities, as described in section 5204(f)(3) of the ESEA (20 U.S.C. 7221c(f)(3)).

Pursuant to section 5204(f)(3) of the ESEA, grantees under this program must use the grant funds 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.

The FY 2016 Appropriations Act authorizes the use of CSP funds "for grants that support preschool education in charter schools." Therefore, an application submitted under this competition may propose to use CSP funds to support preschool education in a charter school. For additional information and guidance regarding the use of CSP funds to support preschool education in charter schools, see "Guidance on the use of Funds to support Preschool Education," released in November 2014 ([www2.ed.gov/programs/charter/csp/preschoolfaqs.doc](http://www2.ed.gov/programs/charter/csp/preschoolfaqs.doc)).

In accordance with the program requirements from the Final Priorities, a grantee may use up to 20 percent of grant funds for initial operational costs associated with the expansion or improvement of the grantee's oversight or management of its charter schools, provided that: (i) The specific charter schools being created or substantially expanded (as defined in this notice) under the grant are the intended beneficiaries of such expansion or improvement, and (ii) such expansion or improvement is intended to improve the grantee's ability to manage or

oversee the charter schools created or substantially expanded under the grant.

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

6. *Data Universal Numbering System Number, Taxpayer Identification Number, and System for Award Management*: To do business with the Department of Education, you must—

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

b. Register both your DUNS number and TIN with the System for Award Management (SAM) (formerly the Central Contractor Registry), the Government's primary registrant database;

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

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

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

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

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

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

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

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

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

#### 7. Other Submission Requirements.

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

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

Applications for grants under the CSP Grants for Replication and Expansion of High-Quality Charter Schools, CFDA number 84.282M, must be submitted electronically using the Governmentwide Grants.gov Apply site at [www.Grants.gov](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 email an electronic copy of a grant application to us.

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

You may access the electronic grant application for CSP Grants for Replication and Expansion of High-Quality Charter Schools at [www.Grants.gov](http://www.Grants.gov). You must search for the downloadable application package for this competition by the CFDA number. Do not include the CFDA number's alpha suffix in your search (e.g., search for 84.282, not 84.282M).

##### Please note the following:

- When you enter the Grants.gov site, you will find information about submitting an application electronically

through the site, as well as the hours of operation.

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

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

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

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

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

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

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

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

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

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



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

*Application Deadline Date Extension in Case of Technical Issues with the Grants.gov System:* If you are experiencing problems submitting your application through Grants.gov, please contact the Grants.gov Support Desk, toll free, at 1-800-518-4726. You must obtain a Grants.gov Support Desk Case Number and must keep a record of it.

If you are prevented from electronically submitting your application on the application deadline date because of technical problems with the Grants.gov system, we will grant you an extension until 4:30:00 p.m., Washington, DC time, the following business day to enable you to transmit your application electronically or by hand delivery. You also may mail your application by following the mailing instructions described elsewhere in this notice.

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

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

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

- You do not have access to the Internet; or
  - You do not have the capacity to upload large documents to the Grants.gov system;
- and

• No later than two weeks before the application deadline date (14 calendar days or, if the fourteenth calendar day before the application deadline date falls on a Federal holiday, the next business day following the Federal holiday), you mail or fax a written statement to the Department, explaining which of the two grounds for an exception prevents you from using the Internet to submit your application.

If you mail your written statement to the Department, it must be postmarked no later than two weeks before the application deadline date. If you fax your written statement to the Department, we must receive the faxed statement no later than two weeks before the application deadline date.

Address and mail or fax your statement to: Brian Martin, U.S. Department of Education, 400 Maryland Avenue SW., Room 4W224, Washington, DC 20202-5970. FAX: (202) 205-5630.

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

*b. Submission of Paper Applications by Mail.*

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

U.S. Department of Education,  
Application Control Center,  
Attention: CFDA Number 84.282M,  
LBJ Basement Level 1, 400 Maryland  
Avenue SW., Washington, DC 20202-  
4260.

You must show proof of mailing consisting of one of the following:

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

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

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

**Note:** The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, you

should check with your local post office.

We will not consider applications postmarked after the application deadline.

*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 84.282M,  
550 12th Street SW., Room 7039,  
Potomac Center Plaza, Washington,  
DC 20202-4260.

The Application Control Center accepts hand deliveries daily between 8:00 a.m. and 4:30 p.m., Washington, DC time, except Saturdays, Sundays, and Federal holidays.

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

(1) You must indicate on the envelope and—if not provided by the Department—in Item 11 of the SF 424 the CFDA number, including suffix letter, if any, of the competition under which you are submitting your application; and

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

**V. Application Review Information**

*1. Application Requirements:* Applications for CSP Replication and Expansion grant funds must address the following application requirements. An applicant may choose to respond to the application requirements in the context of its responses to the selection criteria.

These application requirements are from the Final Priorities for this program.

(a) Describe the objectives of the project for replicating or substantially expanding high-quality charter schools (as defined in this notice) and the methods by which the applicant will determine its progress toward achieving those objectives.

(b) Describe how the applicant currently operates or manages the charter schools for which it has



presented evidence of success, and how the proposed new or substantially expanded (as defined in this notice) charter schools will be operated or managed. Include a description of central office functions, governance, daily operations, financial management, human resources management, and instructional management. If applying as a group or consortium, describe the roles and responsibilities of each member of the group or consortium and how each member will contribute to this project.

(c) Describe how the applicant will ensure that each proposed new or substantially expanded charter school receives its commensurate share of Federal education funds that are allocated by formula each year, including during the first year of operation of the school and any year in which the school's enrollment substantially expands (as defined in this notice).

(d) Describe the educational program to be implemented in the proposed new or substantially expanded charter schools, including how the program will enable all students (including educationally disadvantaged students (as defined in this notice)) to meet State student academic achievement standards, the grade levels or ages of students to be served, and the curriculum and instructional practices to be used.

**Note:** As part of the grants review process, an applicant currently operating or proposing to create or substantially expand (as defined in this notice) a single-sex charter school, or an applicant currently providing or proposing to provide a single-sex class or single-sex extracurricular activity within a coeducational charter school (collectively referred to as "single-sex educational program"), must demonstrate that its existing or proposed single-sex educational program is in compliance with applicable nondiscrimination laws, including the Equal Protection Clause of the U.S. Constitution (as interpreted in *United States v. Virginia*, 518 U.S. 515 (1996), and other cases) and Title IX of the Education Amendments of 1972 (20 U.S.C. 1681, *et seq.*) and its regulations, including 34 CFR 106.34. Such an applicant likely will be required to provide fact-specific information about the single-sex educational program within specified timeframes. In addition, special conditions are likely to be placed on any grant awarded to an applicant that provides a single-sex educational program. Please see the application package for additional

information related to the requirements for single-sex educational programs.

(e) Describe the administrative relationship between the charter school or schools to be replicated (as defined in this notice) or substantially expanded (as defined in this notice) by the applicant and the authorized public chartering agency.

(f) Describe how the applicant will provide for continued operation of the proposed new or substantially expanded charter school or schools once the Federal grant has expired.

(g) Describe how parents and other members of the community will be involved in the planning, program design, and implementation of the proposed new or substantially expanded (as defined in this notice) charter school or schools.

(h) Include a request and justification for waivers of any Federal statutory or regulatory provisions that the applicant believes are necessary for the successful operation of the proposed new or substantially expanded charter schools.

(i) Describe how the grant funds will be used, including how these funds will be used in conjunction with other Federal programs administered by the Secretary, and with any matching funds.

(j) Describe how all students in the community, including students with disabilities, English learners, and other educationally disadvantaged students (as defined in this notice), will be informed about the proposed new or substantially expanded (as defined in this notice) charter schools and given an equal opportunity to attend such schools.

**Note:** Under section 5210(1)(H) of the ESEA (20 U.S.C. 7221i(1)(H)), charter schools receiving CSP funds must admit students on the basis of a lottery if more students apply for admission than can be accommodated. Accordingly, the application must include a description of the applicant's admissions policy, including the lottery that will be employed by each charter school that is oversubscribed.

(k) Describe how the proposed new or substantially expanded charter schools that are considered to be LEAs under State law, or the LEAs in which the new or substantially expanded (as defined in this notice) charter schools are located, will comply with sections 613(a)(5) and 613(e)(1)(B) of the Individuals with Disabilities Education Act (IDEA).

(l) Provide information on any significant compliance issues (as defined in this notice) identified within the past three years for each school managed by the applicant, including compliance issues in the areas of student safety, financial management, and statutory or regulatory compliance.

(m) For each charter school currently operated or managed by the applicant, provide the following information: The year founded, the grades currently served, the number of students, the address, the percentage of students in each subgroup of students described in section 1111(b)(2)(C)(v)(II) of the ESEA, results on the State assessment for the past three years (if available) by subgroup, attendance rates, student attrition rates for the past three years, and (if the school operates a 12th grade) high school graduation rates and college attendance rates (maintaining standards to protect personally identifiable information).

(n) Provide objective data showing applicant quality. In particular, the Secretary requires the applicant to provide the following data:

(1) Performance (school-wide and by subgroup) for the past three years (if available) on statewide tests of all charter schools operated or managed by the applicant as compared to all students in other schools in the State or States at the same grade level, and as compared with other schools serving similar demographics of students (maintaining standards to protect personally identifiable information);

(2) Annual student attendance and retention rates (school-wide and by subgroup) for the past three years (or over the life of the school, if the school has been open for fewer than three years), and comparisons with other similar schools (maintaining standards to protect personally identifiable information); and

(3) Where applicable and available, high school graduation rates, college attendance rates, and college persistence rates (school-wide and by subgroup) for the past three years (if available) of students attending schools operated or managed by the applicant, and the methodology used to calculate these rates (maintaining standards to protect personally identifiable information). When reporting data for schools in States that may have particularly demanding or low standards of proficiency, applicants are invited to discuss how their academic success might be considered against applicants from across the country.

(o) Provide such other information and assurances as the Secretary may require.

2. *Selection Criteria.* The selection criteria for this program are from the Final Priorities for this program and 34 CFR 75.210. The maximum possible score for addressing all of the criteria in this section is 100 points. The maximum possible score for addressing

each criterion is indicated in parentheses following the criterion.

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

(a) *Quality of the eligible applicant.* (Final Priorities) (50 points)

In determining the quality of the applicant, the Secretary considers the following factors—

(1) The degree, including the consistency over the past three years, to which the applicant has demonstrated success in significantly increasing student academic achievement and attainment for all students, including, as applicable, educationally disadvantaged students (as defined in this notice) served by the charter schools operated or managed by the applicant (20 points).

(2) Either—

(i) The degree, including the consistency over the past three years, to which the applicant has demonstrated success in closing historic achievement gaps for the subgroups of students described in section 1111(b)(2)(C)(v)(II) of the ESEA at the charter schools operated or managed by the applicant, or

(ii) The degree, including the consistency over the past three years, to which there have not been significant achievement gaps between any of the subgroups of students described in section 1111(b)(2)(C)(v)(II) of the ESEA at the charter schools operated or managed by the applicant and to which significant gains in student academic achievement have been made with all populations of students served by the charter schools operated or managed by the applicant (15 points).

(3) The degree, including the consistency over the past three years, to which the applicant has achieved results (including performance on statewide tests, annual student attendance and retention rates, high school graduation rates, college attendance rates, and college persistence rates where applicable and available) for low-income and other educationally disadvantaged students (as defined in this notice) served by the charter schools operated or managed by the applicant that are significantly above the average academic achievement results for such students in the State (15 points).

(b) *Contribution in assisting educationally disadvantaged students.* (Final Priorities) (10 points)

The contribution the proposed project will make in assisting educationally disadvantaged students (as defined in this notice) served by the applicant to meet or exceed State academic content standards and State student academic

achievement standards, and to graduate college- and career-ready. When responding to this selection criterion, applicants must discuss the proposed locations of schools to be created or substantially expanded and the student populations to be served.

(c) *Quality of the project design.* (Final Priorities) (10 points) The Secretary considers the quality of the design of the proposed project. In determining the quality of the design of the proposed project, the Secretary considers the extent to which the goals, objectives, and outcomes to be achieved by the proposed project are clearly specified, measurable, and attainable. Applicants proposing to open schools serving substantially different populations than those currently served by the model for which they have demonstrated evidence of success must address the attainability of outcomes given this difference.

(d) *Quality of the management plan and personnel.* (Final Priorities) (20 points)

The Secretary considers the quality of the management plan and personnel to replicate and substantially expand high-quality charter schools (as defined in this notice). In determining the quality of the management plan and personnel for the proposed project, the Secretary considers—

(1) The adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks (4 points).

(2) The business plan for improving, sustaining, and ensuring the quality and performance of charter schools created or substantially expanded (as defined in this notice) under these grants beyond the initial period of Federal funding in areas including, but not limited to, facilities, financial management, central office, student academic achievement, governance, oversight, and human resources of the charter schools (4 points).

(3) A multi-year financial and operating model for the organization, a demonstrated commitment of current and future partners, and evidence of broad support from stakeholders critical to the project's long-term success (4 points).

(4) The plan for closing charter schools supported, overseen, or managed by the applicant that do not meet high standards of quality (2 points).

(5) The qualifications, including relevant training and experience, of the project director, chief executive officer

or organization leader, and key project personnel, especially in managing projects of the size and scope of the proposed project (6 points).

(e) *Quality of the evaluation plan.* (34 CFR 75.210(h)(2)(iv)) (10 points)

The Secretary considers the quality of the evaluation to be conducted of the proposed project. In determining the quality of the evaluation, the Secretary considers the extent to which the methods of evaluation include the use of objective performance measures (as defined in this notice) that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data to the extent possible.

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

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

4. *Risk Assessment and Special Conditions:* Consistent with 2 CFR 200.205, before awarding grants under this competition the Department conducts a review of the risks posed by applicants. Under 2 CFR 3474.10, the Secretary may impose special conditions and, in appropriate circumstances, high-risk conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a financial or other management system that does not meet the standards in 2 CFR part 200, subpart D; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

## VI. Award Administration Information

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

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

2. *Administrative and National Policy Requirements:* We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

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

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

(b) At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multiyear award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to [www.ed.gov/fund/grant/apply/appforms/appforms.html](http://www.ed.gov/fund/grant/apply/appforms/appforms.html).

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

4. *Performance Measures:* (a) The goal of the CSP is to support the creation and development of a large number of high-quality charter schools (as defined in this notice) 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 two performance indicators to measure progress towards this goal: (1) The number of charter schools in operation around the Nation, and (2) the percentage of fourth- and eighth-grade charter school students who are achieving at or above the proficient level on State assessments in mathematics and reading/language arts. Additionally, the Secretary has established the following measure to

examine the efficiency of the CSP: Federal cost per student in implementing a successful school (defined as a school in operation for three or more consecutive years).

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

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

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

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

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

All grantees must submit an annual performance report with information that is responsive to these performance measures (as defined in this notice).

5. *Continuation Awards:* In making a continuation award under 34 CFR 75.253, the Secretary considers, among other things: Whether a grantee has made substantial progress in achieving

the goals and objectives of the project; whether the grantee has expended funds in a manner that is consistent with its approved application and budget; and, if the Secretary has established performance measurement requirements, the performance targets (as defined in this notice) in the grantee's approved application.

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

## VII. Agency Contact

**FOR FURTHER INFORMATION CONTACT:** Brian Martin, U.S. Department of Education, 400 Maryland Avenue SW., Room 4W224, Washington, DC 20202-5970. Telephone: (202) 205-9085 or by email: [brian.martin@ed.gov](mailto:brian.martin@ed.gov).

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

## VIII. Other Information

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

*Electronic Access to This Document:* The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys). At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

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

Dated: May 5, 2016.

**Nadya Chinoy Dabby,**

*Assistant Deputy Secretary for Innovation and Improvement.*

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