

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. *Selection Criteria:* The selection criteria for this program are from 34 CFR 75.210 and are listed in the application package.

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

In addition, in making a competitive grant award, the Secretary also 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).

3. *Special Conditions:* Under 34 CFR 74.14 and 80.12, the Secretary may impose special 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 34 CFR parts 74 or 80, as applicable; 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). 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 multi-year 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 <http://www.ed.gov/fund/grant/apply/appforms/appforms.html>.

4. *Performance Measures:* Under the Government Performance and Results Act of 1993 (GPRA), the following two performance measures will be used by the Department in assessing the success of the Program for North American Mobility in Higher Education:

(1) The extent to which funded projects are being replicated (*i.e.*, adopted or adapted by others).

(2) The manner in which projects are being institutionalized and continued after funding.

If funded, you will be asked to collect and report data from your project on steps taken toward achieving the outcomes evaluated by these performance measures (*i.e.*, institutionalization and replication). Consequently, applicants are advised to include these two outcomes in conceptualizing the design, implementation, and evaluation of their proposed projects. Institutionalization and replication are important outcomes that ensure the ultimate success of international consortia funded through this program.

5. *Continuation Awards:* In making a continuation award, the Secretary may consider, under 34 CFR 75.253, the extent to which a grantee has made "substantial progress toward meeting the objectives in its approved application." This consideration includes the review of a grantee's progress in meeting the targets and projected outcomes in its approved application, and whether the grantee has expended funds in a manner that is consistent with its approved application and budget. In making a continuation grant, 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:

Amy Wilson, International and Foreign Language Education Programs, U.S. Department of Education, Program for North American Mobility in Higher Education, 1990 K Street, NW., Room 6082, Washington, DC 20006-8544. Telephone: (202) 502-7689.

If you use a TDD, 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 computer diskette) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice.

*Electronic Access to This Document:* You can 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.

**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 via the Federal Digital System at: <http://www.gpo.gov/fdsys>.

Dated: March 22, 2011.

**Eduardo M. Ochoa,**

*Assistant Secretary for Postsecondary Education.*

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## DEPARTMENT OF EDUCATION

### Applications for New Awards; Hispanic-Serving Institutions STEM and Articulation Programs

**AGENCY:** Office of Postsecondary Education, Department of Education.

**ACTION:** Notice.

## Overview Information

### *Hispanic-Serving Institutions STEM and Articulation Programs*

Notice inviting applications for new awards using fiscal year (FY) 2010 funds.

*Catalog of Federal Domestic Assistance (CFDA) Number:* 84.031C.

**DATES:** *Applications Available:* March 25, 2011.

*Deadline for Transmittal of Applications:* April 29, 2011.

*Deadline for Intergovernmental Review:* June 28, 2011.

## Full Text of Announcement

### I. Funding Opportunity Description

**Purpose of Programs:** The Hispanic-Serving Institutions STEM and Articulation programs authorized under section 371 of the Higher Education Act of 1965, as amended (HEA) provide grants to assist Hispanic-Serving institutions (HSIs) to develop and carry out activities to improve and expand their capacity to serve Hispanic and other low-income students.

**Note 1:** The Hispanic-Serving Institutions STEM and Articulation programs in this notice are authorized under section 371 of part F of title III of the HEA. This section appropriates \$100,000,000 annually for Hispanic-serving institutions (HSI), as defined in section 502 of the HEA, for activities described in section 503 of part A of title V of the HEA, with a priority given to applications that propose to increase the number of Hispanic and other low income students attaining degrees in the fields of science, technology, engineering, or mathematics and to develop model transfer and articulation agreements between 2-year Hispanic-serving institutions and 4-year institutions in such fields.

Although the Hispanic-Serving Institutions STEM and Articulation programs authorized under section 371 of the HEA are not part of the Developing HSIs program authorized by title V of the HEA, the eligibility and activity provisions under the Developing HSIs program apply to the Hispanic-Serving Institutions STEM and Articulation programs pursuant to section 371(a)(2) and (b)(2)(B) of the HEA. In light of the overlap of the statutory provisions in these two programs, the Secretary has determined that it is appropriate to use certain requirements contained in the Developing HSIs program regulations (see 34 CFR part 606) for use for the first grant competition for the Hispanic-Serving Institutions STEM and Articulation programs competition. Specifically, the Secretary has decided to base the requirements for this competition on the following Developing HSIs regulations: Enrollment of needy students provisions in 34 CFR 606.3 and the low education and general expenditures provisions in 34 CFR 606.4 as part of the eligibility criteria; unallowable activities in 34 CFR 606.10(c); and the tie-breaker provisions in 34 CFR 606.23(b).

**Note 2:** The eligibility criteria for this competition, including the enrollment of needy students and expenditure provisions, are set forth in section III. 1. *Eligible Applicants* of this notice. The unallowable activities provisions are set forth in section IV. 5. *Funding Restrictions* of this notice, and the tie-breaker provisions are set forth in section V. 2. *Tie-breaker for Development Grants* of this notice.

**Waiver of Proposed Rulemaking:** Under the Administrative Procedure Act (5 U.S.C. 553) the Department generally offers interested parties the opportunity to comment on proposed program requirements. Section 437(d)(1) of the General Education Provisions Act (GEPA), however, allows the Secretary to exempt from rulemaking requirements, regulations governing the first grant competition under a new or substantially revised program authority. The Health Care and Education Reconciliation Act of 2010 (Pub. L. 111–152) (Reconciliation Act) provided new authority to implement the Hispanic-Serving Institutions STEM and Articulation programs authorized under section 371 of the HEA. This is the first grant competition for the programs since the enactment of the Reconciliation Act; therefore, this competition qualifies for the exemption.

Under section 437(d)(1) of GEPA, in order to ensure timely grant awards, the Secretary has decided to forego public comment on the following requirements for this competition: the enrollment of needy students provision based on 34 CFR 606.3 and the low education and general expenditures provision based on 34 CFR 607.4 as part of the eligibility criteria, the unallowable activities provisions based on 34 CFR 606.10(c), and the tie-breaker provisions based on 34 CFR 606.23(b).

**Priorities:** This notice contains two absolute priorities and one competitive preference priority. In accordance with 34 CFR 75.105(b)(2)(iv), the two absolute priorities are from section 371(b)(2)(B) of the HEA, 20 U.S.C. 1067q(b)(2)(B). The competitive preference priority is selected from the final supplemental priorities and definitions for discretionary grant programs notice published in the **Federal Register** on December 15, 2010 (75 FR 78486).

**Absolute Priorities:** For FY 2011 and any subsequent year in which we make awards from the list of unfunded applicants from this competition, these priorities are absolute priorities. Under 34 CFR 75.105(c)(3) we consider only applications that meet these priorities.

These priorities are:

### Absolute Priority 1

To meet this priority, an applicant must submit in accordance with section 371(b)(2)(B)(i) of the HEA, an application for an Individual Development or Cooperative Arrangement Development Grant that proposes to increase the number of Hispanic and other low income students attaining degrees in the fields of science, technology, engineering, or mathematics.

### Absolute Priority 2

To meet this priority, an applicant must submit, in accordance with section 371(b)(2)(B)(ii) of the HEA, an application for an Individual Development or Cooperative Arrangement Development Grant that proposes to develop model transfer and articulation agreements between two-year HSIs and four-year institutions in such fields. **Competitive Preference Priority:** For FY 2011 and any subsequent year in which we make awards from the list of unfunded applicants from this competition, this priority is a competitive preference priority. Under 34 CFR 75.105(c)(2)(i) we award an additional five points to an application that meets this priority.

This priority is:

**Enabling More Data-Based Decision-Making.** Projects that are designed to collect (or obtain), analyze, and use high-quality and timely data, including data on program participant outcomes, in accordance with privacy requirements, in the following priority area:

Improving postsecondary student outcomes relating to enrollment, persistence, and completion and leading to career success.

**Note:** For purposes of this competitive preference priority, the term *privacy requirements* means the requirements of the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g, and its implementing regulations in 34 CFR part 99, the Privacy Act, 5 U.S.C. 552a, as well as all applicable Federal, State and local requirements regarding privacy.

**Program Authority:** 20 U.S.C. 1067q(b)(2)(B); Section 2103 of the Health Care and Education Reconciliation Act of 2010 (Pub. L. 111–152).

**Applicable Regulations:** (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 82, 84, 85, 86, 97, 98, and 99. (b) The notice of final supplemental priorities and definitions for discretionary grant programs, published in the **Federal Register** on December 15, 2010 (75 FR 78486).

**Note:** The regulations in 34 CFR part 79 apply to all applicants except Federally recognized Indian Tribes.

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

## II. Award Information

*Type of Award:* Discretionary grants.

*Estimated Available Funds:*

\$99,900,000.

Contingent upon the availability of funds and the quality of applications, we may make additional awards in FY 2012 from the list of unfunded applicants from this competition.

**Note:** Funds appropriated for this program for FY 2010 remain available for obligation in FY 2011 pursuant to 20 U.S.C. 1067q(b)(1)(B).

*Estimated Range of Awards:*

\$700,000–1,200,000.

*Estimate Average Size of Awards:*

Individual Development Grant:

\$775,000. Cooperative Arrangement

Development Grant: \$1,100,000.

*Maximum Awards:* Individual

Development Grant: \$870,000.

Cooperative Arrangement Development

Grant: \$1,200,000. We will reject any

application that proposes a budget

exceeding these maximum amounts for

a single budget period of 12 months.

The Assistant Secretary for

Postsecondary Education may change

the maximum amount through a notice published in the **Federal Register**.

*Estimated Number of Awards:*

Individual Development Grants: 46.

Cooperative Arrangement Development

Grants: 58.

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

*Project Period:* Up to 60 months.

## III. Eligibility Information

1. *Eligible Applicants:* IHEs that qualify as eligible HSIs are eligible to apply for new Individual Development Grants and Cooperative Arrangement Development Grants under the Hispanic-Serving Institutions STEM and Articulation Programs. To be an eligible HSI, an IHE must—

(a) Have an enrollment of needy students, as defined in section 502(b) of the HEA (section 502(a)(2)(A)(i) of the HEA; 20 U.S.C. 1101a(a)(2)(A)(i));

(b) Have, except as provided in section 522(b) of the HEA, average educational and general expenditures that are low, per full-time equivalent (FTE) undergraduate student, in comparison with the average educational and general expenditures per FTE undergraduate student of institutions that offer similar instruction

(section 502(a)(2)(A)(ii) of the HEA; 20 U.S.C. 1101a(a)(2)(A)(ii));

**Note:** To demonstrate an enrollment of needy students and low average educational and general expenditures per FTE undergraduate student, an IHE must be designated as an “eligible institution” in accordance with 34 CFR 606.3 through 606.5 and the notice inviting applications for designation as an eligible institution for the fiscal year for which the grant competition is being conducted.

(c) Be accredited by a nationally recognized accrediting agency or association that the Secretary has determined to be a reliable authority as to the quality of education or training offered, or making reasonable progress toward accreditation, according to such an agency or association (section 502(a)(2)(A)(iv) of the HEA; 20 U.S.C. 1101a(a)(2)(A)(iv));

(d) Be legally authorized to provide, and provide within the State, an educational program for which the institution awards a bachelor's degree (section 502(a)(2)(A)(iii) of the HEA; 20 U.S.C. 1101a(a)(2)(A)(iii)); and

(e) Have an enrollment of undergraduate FTE students that is at least 25 percent Hispanic students at the end of the award year immediately preceding the date of application (section 502(a)(5)(B) of the HEA; 20 U.S.C. 1101a(a)(5)(B)).

**Note 1:** Funds for the Hispanic-Serving Institutions STEM and Articulation Programs will be awarded each fiscal year; thus, for this program, the “end of the award year immediately preceding the date of application” refers to the end of the fiscal year prior to the application due date. The end of the fiscal year occurs on September 30 for any given year.

**Note 2:** In considering applications for grants under this program, the Department will compare the data and documentation the institution relied on in its application with data reported to the Department's Integrated Postsecondary Education Data System (IPEDS), the IHE's State-reported enrollment data, and the institutional annual report. If different percentages or data are reported in these various sources, the institution must, as part of the 25 percent assurance verification, explain the reason for the differences. If the IPEDS data show that less than 25 percent of the institution's undergraduate FTE students are Hispanic, the burden is on the institution to show that the IPEDS data are inaccurate. If the IPEDS data indicate that the institution has an undergraduate FTE less than 25 percent, and the institution fails to demonstrate that the IPEDS data are inaccurate, the institution will be considered ineligible.<sup>1</sup>

<sup>1</sup>For purposes of making the determination described in paragraph (e) of the Eligibility Criteria for this competition, IHEs must report their undergraduate Hispanic FTE percent based on the

2. *Cost Sharing or Matching:* There are no cost sharing or matching requirements unless the grantee uses a portion of its grant for establishing or improving an endowment fund. If a grantee uses a portion of its grant for endowment fund purposes, it must match those grant funds with non-Federal funds. (20 U.S.C. 1101b(c)(2)).

## IV. Application and Submission Information

1. *Address To Request Application*

*Package:* Carolyn Proctor, U.S.

Department of Education, 1990 K Street, NW., Room 6060, Washington, DC

20006–8513. *Telephone:* (202) 502–7567

or by *e-mail:* Carolyn.Proctor@ed.gov.

If you use a telecommunications

device for the deaf (TDD), 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, 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 these programs.

*Page Limits:* The application narrative (Part III of the application) is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. We have established mandatory page limits for both the Individual Development Grant and the Cooperative Arrangement Development Grant applications. You must limit the application narrative (Part III) to no more than 50 pages for the Individual Development Grant application and no more than 70 pages for the Cooperative Arrangement Development Grant application, 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

student enrollment count closest to, but not after, September 30, 2009.

In addition, for purposes of establishing eligibility for this competition, the Notice Inviting Applications for Designation as Eligible Institutions for FY 2010 was published in the **Federal Register** on December 7, 2009 (74 FR 64059), and the deadline for application was January 6, 2010. The Notice Inviting Applications for Designation as Eligible Institutions for FY 2010 was reopened on August 13, 2010 (75 FR 49484), and the deadline for applications was September 13, 2010. Only institutions that submitted the required application and received designation through one of these processes are eligible to submit applications for this competition.

application narrative, except titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs. These items may be single spaced. Charts, tables, figures, and graphs in the application narrative count toward the page limit.

- 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 and Arial Narrow) will not be accepted.

- If you do not use all of the allowable space on a page, it will be counted as a full page in determining compliance with the page limit.

The page limit does not apply to Part I, the Application for Federal Assistance (SF 424); the Department of Education Supplemental Information form (SF 424); Part II, Budget Information—Non-Construction Programs (ED 524); Part IV, the assurances and certifications; or the one-page abstract, or the program activity budget detail form and supporting narrative. However, the page limit does apply to all of the application narrative section (Part III), including the narrative on budget that responds to the selection criteria. If you include any attachments or appendices not specifically requested in the application package, these items will be counted as part of your application narrative (Part III) for purposes of the page limit requirement. You must include your complete response to the selection criteria in the application narrative.

**Note:** The narrative response to the budget selection criteria is not the same as the activity detail budget form and supporting narrative. The supporting narrative for the detail budget form explains the requested budget items line by line.

We will reject your application if you exceed the applicable page limit.

### 3. *Submission Dates and Times:*

*Applications Available:* March 25, 2011.

*Deadline for Transmittal of Applications:* April 29, 2011.

Applications for grants under this competition must be submitted electronically using the Grants.gov Apply site (*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 section IV. 7. *Other Submission Requirements* 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: June 28, 2011.

4. *Intergovernmental Review:* These programs are 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 these programs.

5. *Funding Restrictions:* A grantee may not carry out the following activities or pay the following costs under a HSI STEM and Articulation Programs Development Grant:

(1) Activities that are not included in the grantee's approved application.

(2) Activities that are inconsistent with any State plan for higher education that is applicable to the institution, including, but not limited to, a State plan for desegregation of higher education.

(3) Activities or services that relate to sectarian instruction or religious worship.

(4) Activities provided by a school or department of divinity. For the purpose of this provision, a "school or department of divinity" means an institution, or a department of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter into some other religious vocation or to prepare them to teach theological subjects.

(5) Developing or improving non-degree or non-credit courses other than basic skills development courses.

(6) Developing or improving community-based or community services programs, unless the program provides academic-related experiences or academic credit toward a degree for degree students, or, unless it is a program or services to encourage elementary and secondary school students to develop the academic skills and the interest to pursue postsecondary education.

(7) Purchase of standard office equipment, such as furniture, file cabinets, bookcases, typewriters, or word processors.

(8) Payment of any portion of the salary of a president, vice president, or equivalent officer who has college-wide administrative authority and responsibility at an institution to fill a position under the grant such as project coordinator or activity director.

(9) Costs of organized fund-raising, including financial campaigns, endowment drives, solicitation of gifts and bequests, and similar expenses incurred solely to raise capital or obtain contributions.

(10) Costs of student recruitment such as advertisements, literature, and college fairs.

(11) Services to high school students, unless they are services to encourage such students to develop the skills and the interest to pursue postsecondary education.

(12) Instruction in the institution's standard courses as indicated in the institution's catalog.

(13) Costs for health and fitness programs, transportation, and day care services.

(14) Student activities such as entertainment, cultural, or social enrichment programs, publications, social clubs, or associations.

(15) Activities that are operational in nature rather than developmental in nature.

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

6. *Data Universal Numbering System Number, Taxpayer Identification Number, and Central Contractor Registry:* 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 Central Contractor Registry (CCR), the Government's primary registrant database;

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

d. Maintain an active CCR 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. A DUNS number can be created within one business day.

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 2–5 weeks for your TIN to become active.

The CCR registration process may take five or more business days to complete. If you are currently registered with the CCR, 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 CCR registration on an annual basis. This may take three or more business days to complete.

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 in the Grants.gov 3—Step Registration Guide. (*see <http://www.grants.gov/section910/Grants.govRegistrationBrochure.pdf>*).

**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 Hispanic-Serving Institutions STEM and Articulation Programs, CFDA number 84.031C, must be submitted electronically using the Governmentwide 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 Hispanic-Serving Institutions STEM and Articulation Programs at <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 84.031 not 84.031C).

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 <http://www.G5.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 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 .PDF (Portable Document) format only. If you upload a file type other than a .PDF 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 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.) The Department then will retrieve your application from Grants.gov and send a second notification to you by e-mail. This second notification indicates that the Department has received your application and has assigned your application 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 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 that problem affected your ability to submit your application by 4:30:00 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:** 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 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: Carolyn Proctor, U.S. Department of Education, 1990 K Street, NW., room 6048, Washington, DC 20006–8516. FAX: (202) 502–7861.

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 84.031C), 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.

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 84.031C), 550 12th Street, SW., Room 7041, Potomac Center Plaza, Washington, DC 20202–4260.

The Application Control Center accepts hand deliveries daily between 8:00 a.m. and 4:30:00 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. *Selection Criteria:* The selection criteria for these programs are from

34 CFR 75.209(a) and 75.210, and are as follows:

- Need for the project (20 points);
- Quality of the project design (15 points);
- Quality of project services (15 points);
- Quality of project personnel (10 points);
- Adequacy of resources (10 points);
- Quality of the management plan (15 points); and
- Quality of project evaluation (15 points).

Additional information regarding these criteria is listed in the application package for this competition.

2. *Review and Selection Process:* We remind potential applicants that in reviewing applications in any discretionary grant competition, the Secretary may consider, under 34 CFR 75.217(d)(3), the past performance of the applicant in carrying out a previous award, such as achievement of project objectives, the applicant's use of funds, 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 also 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).

Additional factors we consider in selecting an application for an award are as follows:

(A) Documentation of at least 25 Percent Hispanic Undergraduate FTE Students. An applicant must provide, as an attachment to the application, the documentation the institution relied upon in determining that at least 25 percent of the institution's undergraduate FTE students are Hispanic.

**Note:** The 25 percent requirement applies only to *undergraduate* Hispanic students and is calculated based upon FTE students. Instructions for formatting and submitting the verification documentation to Grants.gov are in the application package for this competition.

(B) *Tie-breaker for development grants (based on 34 CFR 606.23).* To resolve ties in the reader scores of applications for development grants, the Department will award one additional point to an application from an IHE that has an endowment fund for which the market value per FTE student is less than the comparable average current

market value of the endowment funds per FTE student at similar type IHEs. In addition, to resolve ties in the reader scores of applications for HSI STEM and Articulation Programs development grants, the Department will award one additional point to an application from an IHE that has expenditures for library materials per FTE student that are less than the comparable average expenditures for library materials per FTE student at similar type IHEs.

We also will add one additional point to an application from an IHE that proposes to carry out one or more of the following activities—

1. Faculty development;
2. Funds and administrative management;
3. Development and improvement of academic programs;
4. Acquisition of equipment for use in strengthening management and academic programs;
5. Joint use of facilities; and
6. Student services.

For the purpose of these funding considerations, we will use the most recent complete data available (e.g., for FY 2010, we will use 2008–2009 data).

If a tie remains after applying the tie-breaker mechanism above, priority will be given in the case of applicants for: (a) Individual development grants, to applicants that addressed the statutory priority found in section 521(d) of the HEA; and b. Cooperative arrangement grants, to applicants in accordance with section 524(b) of the HEA, if the Secretary determines that the cooperative arrangement is geographically and economically sound or will benefit the applicant institution.

If a tie still remains after applying the additional point(s) and the relevant statutory priority, we will determine the ranking of applicants based on the lowest endowment values per FTE enrolled student.

3. *Special Conditions:* Under 34 CFR 74.14 and 80.12, the Secretary may impose special 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 34 CFR parts 74 or 80, as applicable; 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). 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 in this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section in 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 multi-year 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 <http://www.ed.gov/fund/grant/apply/appforms/appforms.html>.

4. *Performance Measures:* The Secretary has established the following key performance measures for assessing the effectiveness of the Hispanic-Serving Institutions STEM and Articulation Programs:

(1) The percentage change, over the five-year grant period, of the number of full-time degree-seeking undergraduates enrolled at HSIs.

(2) The percentage of first-time, full-time degree-seeking undergraduate students who were in their first year of postsecondary enrollment in the previous year and are enrolled in the current year at the same institution.

(3) The percentage of first-time, full-time degree-seeking undergraduate students enrolled at four-year HSIs graduating within six years of enrollment.

(4) The percentage of first-time, full-time degree-seeking undergraduate students enrolled at two-year HSIs graduating within three years of enrollment.

(5) Federal cost for undergraduate and graduate degrees at institutions in the Hispanic-Serving Institutions STEM and Articulation Programs.

5. *Hispanic-Serving Institutions STEM and Articulation Programs Special Analyses:* The Hispanic-Serving Institutions STEM and Articulation Programs include two absolute priorities and one competitive preference priority listed under *Priorities* in section I of this notice.

To assess the impact of the adoption of these priorities on program outcomes, the Department will collect data through the annual performance report and conduct special analyses to determine the changes that occur during the course of the grant period in:

(1) The percentage of graduates receiving STEM related degrees from grantee institutions; and

(2) The number of students transferring from two-year grantee institutions to four-year institutions; and

(3) The use of student data on enrollment, persistence, and completion by grantee institutions that select the Competitive Preference Priority in conducting project activities. Such data may include data from State longitudinal data systems or other reliable third-party resources.

6. *Continuation Awards:* In making a continuation award, the Secretary may consider, under 34 CFR 75.253, the extent to which a grantee has made “substantial progress toward meeting the objectives in its approved application.” This consideration includes the review of a grantee’s progress in meeting the targets and projected outcomes in its approved application, and whether the grantee has expended funds in a manner that is consistent with its approved application and budget. In making a continuation grant, 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:** Carolyn Proctor, U.S. Department of Education, 1990 K Street, NW., room 6048, Washington, DC 20006–8513. Telephone: (202) 502–7567 or by e-mail: [Carolyn.Proctor@ed.gov](mailto:Carolyn.Proctor@ed.gov).

If you use a TDD, 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 computer diskette) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT** in section VII in this notice.

**Electronic Access to This Document:** You can 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.

**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 via the Federal Digital System at: <http://www.gpo.gov/fdsys>.

Dated: March 22, 2011.

**Eduardo M. Ochoa,**

*Assistant Secretary for Postsecondary Education.*

[FR Doc. 2011-7127 Filed 3-24-11; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF EDUCATION

### 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 of proposed priorities, requirements, definitions, and selection criteria.

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

**SUMMARY:** The Assistant Deputy Secretary for Innovation and Improvement proposes priorities, requirements, definitions, and selection criteria under the CSP—Replication and Expansion of High-Quality Charter Schools grant competition. The Assistant Deputy Secretary may use these priorities, requirements, definitions, and selection criteria for competitions in fiscal year (FY) 2011 and later years. The Assistant Deputy Secretary intends to use these priorities, requirements, definitions, and selection criteria to award grants to eligible applicants to enable them to replicate or substantially expand high-quality charter schools with demonstrated records of success, including success in

increasing student academic achievement.

**DATES:** We must receive your comments on or before April 25, 2011.

**ADDRESSES:** Address all comments about this notice to Erin Pfeltz, U.S. Department of Education, 400 Maryland Avenue, SW., room 4W255, Washington, DC 20202-5970.

If you prefer to send your comments by e-mail, use the following address: [erin.pfeltz@ed.gov](mailto:erin.pfeltz@ed.gov). You must include the phrase “CSP Grants for Replication and Expansion of High-Quality Charter Schools—Comments on FY 2011 Proposed Priorities” in the subject line of your electronic message.

**FOR FURTHER INFORMATION CONTACT:** Erin Pfeltz. (202) 205-3525 or by e-mail: [erin.pfeltz@ed.gov](mailto:erin.pfeltz@ed.gov).

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

#### SUPPLEMENTARY INFORMATION:

**Invitation to Comment:** We invite you to submit comments regarding this notice. To ensure that your comments have maximum effect in developing the notice of final priorities, requirements, definitions, and selection criteria, we urge you to identify clearly the specific proposed priority, requirement, definition, or selection criterion that each comment addresses.

We invite you to assist us in complying with the specific requirements of Executive Order 12866 and its overall requirement of reducing regulatory burden that might result from these proposed priorities, requirements, definitions, and selection criteria. Please let us know of any further opportunities we should take to reduce potential costs or increase potential benefits while preserving the effective and efficient administration of the program.

During and after the comment period, you may inspect all public comments about this notice in room 4W255, 400 Maryland Avenue, SW., Washington, DC, between the hours of 8:30 a.m. and 4 p.m., Washington, DC time, Monday through Friday of each week except Federal holidays.

**Assistance to Individuals with Disabilities in Reviewing the Rulemaking Record:** On request, we will provide an appropriate accommodation or auxiliary aid to an individual with a disability who needs assistance to review the comments or other documents in the public rulemaking record for this notice. If you want to schedule an appointment for this type of accommodation or auxiliary aid, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

**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, initial implementation, or expansion of charter schools; and to evaluate the effects of charter schools, including their effects on students, student academic achievement, staff, and parents.

The purpose of the CSP—Replication and Expansion of High-Quality Charter Schools grant competition (CFDA 84.282M) is to award grants to eligible entities for the replication and expansion of successful charter school models.

**Program Authority:** 20 U.S.C. 7221-7221j; Consolidated Appropriations Act, 2010, Division D, Title III, Public Law 111-117.

**Note:** The Department anticipates that an authority similar to that in the Consolidated Appropriations Act, 2010, Division D, Title III, Public Law 111-117 will be included in the legislation that sets forth the Department's fiscal year 2011 appropriations.

#### Proposed Priorities

The Assistant Deputy Secretary for Innovation and Improvement proposes the following four priorities for this program. We may apply one or more of these priorities in any year in which this program is in effect.

#### *Proposed Priority 1—Experience Operating or Managing High-Quality Charter Schools*

##### Background

The Consolidated Appropriations Act, 2010, Division D, Title III, Public Law 111-117 called for the Department to make awards to eligible entities for the replication and expansion of “successful” charter school models in fiscal year (FY) 2010. For FY 2011, the Department anticipates that its appropriations statute will include similar language. Accordingly, because the focus of this program is specifically on the replication and expansion of “successful” charter school models, the Department believes that it is important that applicants have experience operating or managing multiple high-quality charter schools. Examples of successful applications under this program for FY 2010 can be found at <http://www.ed.gov/news/press-releases/education-secretary-arne-duncan-announces-twelve-grants-50-million-charter-school>. The abstracts describing these projects are available at <http://www2.ed.gov/programs/charter-rehqcs/index.html>.