

equitable participation in State-level programs, as required by section 427 of the General Education Provisions Act. In addition, as with the preliminary plans, the final plans will need to be developed through a public participation process that comports with section 14303(a)(7) of the ESEA.

In all other respects, the criteria proposed in the January 13 notice continue to reflect the framework and content that the Department is considering for final consolidated State plans.

III. Other Issues

1. *Consolidated Local Plans.* Commenters on the Department's January 13 proposal requested further information on submission of consolidated local plans under section 14305 of the ESEA. The Department issued and distributed such guidance under a March 24, 1995 letter from the Assistant Secretary [* * *].

2. *Consolidation of State Administrative Funds.* Commenters requested clarification on the consolidation of State administrative funds under section 14201 of the ESEA. Under this provision, an SEA may consolidate funds available under certain programs for State administration without regard to whether the State submits a consolidated State plan under section 14302. To take advantage of this flexibility, the SEA must be able to demonstrate that a majority of its resources comes from non-Federal sources.

3. *Participation by Private School Children.* SEAs that submit consolidated State plans are encouraged to review the requirements in the ESEA regarding participation of children in private schools, including those contained in sections 1120 and 14503 of the ESEA. An SEA that submits a preliminary or final consolidated State plan is subject to these requirements for the programs covered in the plan to the same extent that it would be if it were submitting separate State plans or applications.

4. *Goals 2000; School-to-Work.* A State that includes the Goals 2000 or School-to-Work programs in its final consolidated plan may be asked to describe how activities conducted as part of planning, developing, and implementing these programs may be integrated into or coordinated with other activities conducted under the consolidated State plan.

5. *Duration.* Subject to any change in the law, the Department intends that approval of a State's final consolidated plan would be the basis for providing a grant to the State for all remaining years of each program authority under which the State requests funding in its plan.

Appendix B—Response to Public Comment on Proposed Guidance

This appendix contains the Department's response to major substantive comments on the proposed guidance published on January 13, 1995, on the submission of consolidated State plans under section 14302 of the ESEA, as amended by the IASA.

1. *General.* Comments from State educational agencies were generally strongly favorable to the Secretary's proposed criteria for consolidated State plans. These

commenters affirmed that the flexibility afforded SEAs was consistent with the intent of section 14302, and constituted an important and appropriate means of encouraging SEAs to carry out cross-program coordination and integration. A number of SEAs further indicated that the overall approach reflected in the proposed guidance would result in improved program administration and a greater focus on higher student achievement.

For example, one State superintendent observed: "Your proposal to provide a two-stage approach for states to follow in their planning is 'right on target' with the approach our workgroup has been following. We have found the proposed criteria quite workable and easy to follow* * *. [T]he criteria proposed will facilitate the linkages and coordination needed between IASA and [Goals 2000 and School-to-Work.]" Another State superintendent commented: "[W]e believe consolidated planning will serve as a catalyst for closer linkages between federal and state educational programs." On behalf of another SEA, a commenter observed: "[The SEA] is very supportive of the concept of a consolidated state plan as it will facilitate the delivery of programs and services designed to improve student achievement. A consolidated plan offers new opportunities for state and local educators to develop and implement a vision of seamless service delivery." Yet another SEA representative commented, with respect to the guidance, "We do not believe that flexibility is granted at the expense of accountability, but rather refocuses the accountability on school districts to produce students that are capable of succeeding at future endeavors."

The Department agrees with these comments. The guidance for the submission of preliminary consolidated State plans retains the thrust, flexibility, and basic content of the criteria proposed in the January 13 notice. In response to various requests to clarify limited aspects of the proposed criteria, the Department has made relatively minor changes in the guidance to ensure accountability and adherence to core provisions in the ESEA. These changes include an SEA's inclusion of pupil services personnel among the key individuals with whom it will consult on the State's final consolidated plan, and identification of programs under the Perkins Vocational and Applied Technology Act that may be included in a consolidated State plan.

2. *Scope of plan; reduction of descriptions.* One commenter observed that, in failing to require all substantive descriptions contained in program-specific plans or applications under individual program statutes, proposed criteria for the consolidated State plan were not consistent with, or supported by, section 14302. The commenter stated that the approach taken in the proposed criteria would impair program accountability. The commenter urged that the criteria retain the specific content of individual program plans and applications, while eliminating unnecessary duplication among common plan and application elements.

The Department believes that the guidance for submission of preliminary consolidated

State plans is consistent with section 14302 and carries out its intent. Section 14302(a) provides the Secretary with broad authority to tailor the criteria and procedures to govern a consolidated State plan so as to reduce burden and to encourage the meaningful cross-program coordination, integration of services, and overall focus on increased student achievement that section 14301 anticipates. Indeed, section 14302(b)(3) specifically provides that "[t]he Secretary shall require only *descriptions*, information, assurances, and other materials that are *absolutely necessary* for the consideration of the consolidated State plan * * *." (emphasis added).

The Department has observed this direction in providing guidance regarding criteria for the optional, preliminary consolidated State plan. These criteria acknowledge that States would have insufficient time to submit well-considered final consolidated plans this year, and so focus on the most essential elements that the Department believes should guide State thinking. The criteria therefore contemplate preparation, during the coming year and with the active involvement of all interested stakeholders, of a final consolidated State plan that will focus all of the resources of Federal programs included in the plan on a thorough, coordinated and integrated effort to provide the intended beneficiaries of those programs with services in ways that will contribute to an increased level of student achievement. Moreover, the Department believes that the results that Congress wanted to encourage by its enactment of sections 14301-07 are more likely to be achieved through the decreased burdens offered by the Department's approach than through continued use of the individual program-specific plan and application provisions that the commenter would prefer.

The Department emphasizes that, absent a waiver, submission of a consolidated State plan neither relieves a State nor any of its grantees of the obligation to comply with all requirements governing the use of funds provided for programs included in the plan. Moreover, these requirements extend to those that the individual program statute include as elements of program-specific plans or applications. Preparation and submission of a consolidated plan merely permits the State, as a condition of receiving funds for the Federal programs that the plan includes, to prepare a plan that addresses cross-program coordination, service integration and student achievement rather than the various elements in the program-specific applications and plans. Rather than use program-specific applications to secure information on how these programs might be implemented, the Department intends to focus on pertinent aspects of program implementation through other means, including integrated program monitoring and State-by-State collaboration.

3. *Section 1111(a).* Some commenters suggested that criteria for the final consolidated State plan include information, particularly with regard to standards and assessments, specified in section 1111(b) of the Title I, ESEA, statute. The commenters urged that this information was a core aspect of the statutory requirements, applicable