DEPARTMENT OF EDUCATION

Office of Elementary and Secondary Education

Consolidated State Plans Under Section 14302 of Title I of the Improving America's Schools Act

AGENCY: Department of Education. **ACTION:** Notice of proposed criteria and request for comment.

SUMMARY: The Department of Education proposes criteria for optional State consolidated plans submitted under section 14302 of the Elementary and Secondary Education Act of 1965 (ESEA), as recently reauthorized by the Improving America's Schools Act, Pub. L. 103–382 (IASA). Submitting a consolidated plan will allow a State to obtain funds under many Federal programs through a single plan, rather than through separate and detailed program funding plans or applications. The consolidated plan would explain how all of the resources of Federal programs included in the plan would work together to promote the State's educational goals for all students while effectively meeting the needs of the programs' intended beneficiaries. To receive fiscal year (FY) 1995 program funds, a State educational agency (SEA) would need only to describe how it would develop its final plan over the following year, and to submit basic information needed to ensure fiscal accountability.

DATES: Written comments must be received on or before February 13, 1995.

ADDRESSES: All comments should be addressed to Thomas W. Payzant, Assistant Secretary for Elementary and Secondary Education, U.S. Department of Education, 600 Independence Avenue SW., Washington, DC 20202-6100. The Internet address for submitting comments is: _plan@ed.gov. The fax consolidated

number is $(202) \ \overline{205} - 0303$.

FOR FURTHER INFORMATION CONTACT: William Wooten, Office of Elementary and Secondary Education, U.S. Department of Education, 600 Independence Avenue SW., Washington, DC 20202-6100. Telephone: (202) 260–1922. The Internet address is: _plan@ed.gov. The fax consolidated number is (202) 205-0303. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m. Eastern time, Monday through Friday.

SUPPLEMENTARY INFORMATION: Section 14302 of the ESEA, as reauthorized by Title I of the IASA, permits the Secretary to establish criteria under which any SEA may obtain certain Federal program funds through a single consolidated plan rather than through separate funding applications or plans. As explained in section 14301, this consolidated plan would enhance crossprogram coordination, planning and service delivery, and the integration of Federal program services with services offered by States and localities as keys to increased student achievement.

So that the development and use of consolidated plans can achieve their maximum potential, the Secretary proposes to offer States a two-phase process for completing their consolidated plans: (1) Submission in the spring of 1995 of a relatively simple preliminary plan, followed by (2) the State's development and submission the next year of a final consolidated plan. This final plan would focus specifically on how the Federal programs included in the plan, while still serving their intended beneficiaries, would support State goals and education reform strategies. In developing its consolidated plan, a State is encouraged to consider the relationship of this plan to the State's overall reform efforts. including efforts under the Goals 2000: Educate America Act or the School-to-Work Opportunities Act. A State also is encouraged to consider what waivers it may need to carry out its reforms effectively. Finally, each State is encouraged to consider how its local educational agencies (LEAs) and schools can tap the full potential of consolidated plans at the local level through the authority offered to them under section 14305 of the ESEA.

These provisions for development of consolidated State plans—particularly when coupled with the Secretary's new waiver authority, contained in section 14401 of the ESEA (as well as in the Goals 2000 and School-to-Work statutes) and other provisions of the IASA that offer new opportunities for flexibilityalso enable the Department to refocus its administration of programs in ways that can better assist a State in meeting its education goals and objectives. Indeed, the information contained in a consolidated plan may help to clarify why an SEA or LEA needs a waiver of certain program requirements in order to improve student achievement. The Department will soon issue separate guidance describing the process for obtaining waivers of programmatic requirements under section 14401.

Development of a consolidated State plan, either in preliminary or final form,

is voluntary. It is the State's decision whether to submit a consolidated plan, which of the eligible programs to include in it if one is submitted, and whether to add to a final consolidated plan programs that were not included in a preliminary plan. Moreover, an SEA that submits a preliminary plan for FY 1995 could choose to forgo development of the final consolidated plan during the following year, and instead submit individual program plans or applications. Likewise, an SEA that chooses for FY 1995 to submit individual program plans or applications could, in any subsequent fiscal year, submit a final consolidated plan.

Approval of a consolidated plan, whether in preliminary or final form, permits the Secretary to award funds under the programs included in the plan. Approval of a consolidated plan also eliminates the need for an SEA, under those included programs, to submit separate program applications or develop separate program planning documents that otherwise would be required by the program statutes. Moreover, approval of a consolidated plan establishes a different context for any Departmental review of an SEA's administration of the included

programs.

The Secretary stresses that approval of a consolidated plan does not alter the obligation of an SEA and its grantees to continue to comply with all requirements of each program, including those that would have been described in plan or application descriptions or assurances under the statute. (See further discussion and examples under "Assurances" to be submitted as part of the first-year (preliminary) consolidated plan.) In addition, while an SEA that meets the conditions of section 14201 of the ESEA may consolidate administrative funds under specified programs, approval of a consolidated State plan does not authorize commingling of program funds. However, the Secretary is authorized to waive certain program requirements under waiver provisions contained in the IASA, the Goals 2000: Educate America Act, and the Schoolto-Work Opportunities Act.

The remainder of this notice identifies the programs that might be included in a consolidated plan, and proposed questions that a State might address in both the preliminary and final consolidated plans. Appendix A to this document contains the Department's preliminary guidance on the consolidated plan; this guidance was provided to members of the public who attended a Federal program conference