

**DEPARTMENT OF EDUCATION****Bilingual Education: Academic Excellence Awards**

**AGENCY:** Department of Education.

**ACTION:** Notice of funding priority and selection criteria for fiscal year (FY) 1995.

**SUMMARY:** The Secretary establishes the selection criteria for evaluating applications and an absolute funding priority under the Academic Excellence Awards program for FY 1995. The Secretary establishes selection criteria and an absolute funding priority to support those applicants that have implemented high quality education programs and have been nominated by their State education agency (SEA) for a grant.

**EFFECTIVE DATES:** This notice takes effect on August 2, 1995.

**FOR FURTHER INFORMATION CONTACT:**

MAry T. Mahony, U.S. Department of Education, 600 Independence Avenue SW., Room 5609, Switzer Building, Washington, DC 20202-6510. Telephone: (202) 205-8728. 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:** The Academic Excellence Awards program is authorized by Title VII of the Elementary and Secondary Education Act of 1965 as amended by the Improving America's Schools Act of 1994 (Pub. L. 103-382, enacted October 20, 1994) (the Act).

Under section 7133 of the Act, this program promotes the adoption and implementation of bilingual education, special alternative instruction programs, and professional development programs that demonstrate promise of assisting limited English proficient (LEP) children and youth to meet challenging State standards by providing grants to SEAs, local educational agencies, nonprofit organizations, and institutions of higher education. The new law represents a substantial change from previous legislation governing the Academic Excellence Awards program.

The Secretary is establishing an absolute priority for applications that are nominated by an applicant's SEA and that have been implemented already at one or more sites. The Secretary has exempted applications submitted by SEAs from the nomination requirement because the Secretary believes that an application submitted by an SEA is equivalent to an SEA

nomination of the application. The Secretary establishes this absolute priority to ensure that the Department funds only exemplary programs that have the support of a reliable entity, i.e., the SEA, that is familiar with the exemplary program. The Secretary requires the applicant to have an existing model site to show that it is feasible to implement the exemplary program.

Section 7133 of the Act provides that the Secretary must establish effectiveness criteria for a peer review of applications for a grant under this program. In accordance with this provision, the Secretary will consider the effectiveness of the exemplary program, the exemplary program's potential for adoption, and the applicant's dissemination plan including sustained training, evaluation plan, and coordination strategies.

The Secretary believes that new selection criteria are necessary to carry out the purposes of the new Academic Excellence Awards program authority. The new criteria offer applicants flexibility to design new dissemination approaches and ensure integration with State and local reform efforts.

**Note:** This notice does *not* solicit applications. A notice inviting applications under this competition is published elsewhere in this issue of the **Federal Register**.

**Priority**

Under 34 CFR 75.105(c)(3) and section 7133 of the Act, the Secretary gives an absolute preference to applications that meet the following priority. The Secretary funds under this program only applications that meet this absolute priority:

(a) Applications that are submitted by local educational agencies, nonprofit organizations, and institutions of higher education must be nominated by their SEA. (This requirement does not apply to applications submitted by SEAs.) This nomination must be included with the application and must contain an assurance by the SEA that the applicant's program is exemplary and consistent with the State plan for systemic educational reform; and

(b) All the exemplary programs that are submitted for funding under this program must have been implemented already at one or more model sites. Applications must describe how all the essential elements of the exemplary programs have been implemented at these model sites.

**Selection Criteria**

(a) In evaluating applications for grants under this competition, the Secretary uses the following criteria.

(b) The maximum score for all of the criteria in this section is 115 points.

(c) The maximum score for each criterion is indicated in parentheses following the heading of each criterion.

(d) The Secretary evaluates each application for a grant under this program by using the following selection criteria, which are based on section 7133 of the Act:

(1) *Evidence of effectiveness.* (25 points) The extent to which the exemplary program provides demonstrated evidence of effectiveness in assisting LEP students to attain high academic standards and challenging State standards.

(2) *Sound research.* (15 points) How well the pedagogical approach and materials of the exemplary program reflect sound research and current professional development practices.

(3) *Potential for adoption.* (20 points) The extent to which the exemplary program demonstrates potential for adoption by other education service providers.

(4) *Management plan.* (20 points) How well the proposed management plan will support—

(i) National dissemination of the exemplary program; and

(ii) Sustain training for teachers, other educational personnel, parents, and other members of the school communities where the exemplary program will be adopted.

(5) *Evaluation plan.* (15 points) The extent to which the evaluation plan includes collection of impact data on student learning and documentation of the outcomes of technical assistance at the adoption sites.

(6) *Key personnel.* (10 points) The extent to which key personnel have the experience, training, and skills to implement the project successfully.

(7) *Coordination of activities.* (10 points) The quality of the applicant's plan to coordinate activities with regional, State, and local reform efforts to assist LEP students.

**Waiver of Proposed Rulemaking**

In accordance with the Administrative Procedure Act (5 U.S.C. 553), it is the practice of the Department of Education to offer interested parties the opportunity to comment on proposed priorities and regulations. However, in order to make timely grant awards in FY 1995, the Director, in accordance with section 437(d)(1) of the General Education Provisions Act, has