

APPENDIX B

PROGRAM SUMMARIES

ADULT EDUCATION AND FAMILY LITERACY PROGRAM

The Adult Education and Family Literacy Program (Adult Education) is the major source of Federal support for basic skills programs for adult education and literacy services. It serves adults ages 16 and older, not enrolled or required to be enrolled in secondary school under State law, who lack a high school diploma or sufficient mastery of basic skills to function effectively in society. The Department provides grants to States on a formula basis, and States, in turn, make competitive awards for multi-year grants or contracts to eligible providers to develop, implement, and improve adult education and literacy activities within the State. Eligible providers include LEAs, community-based organizations of demonstrated effectiveness, volunteer literacy organizations of demonstrated effectiveness, institutions of higher education, public or private nonprofit agencies, libraries, and public housing authorities. Groups of eligible providers may also apply for funds under this program as consortia.

Charter schools may qualify as eligible applicants under this program as either LEAs or nonprofit agencies. Charter schools that are public schools within an LEA may also qualify for funds under the program if the LEA has received a grant from the State. Charter school LEAs and other eligible applicants may apply directly to the SEA or other State agency responsible for administering the grant. Under section 76.794(a) of the final regulations, States and LEAs must provide charter schools that are scheduled to open or expand on or before the date of a competition under the program with a *full and fair opportunity* to compete for funds. For a discussion of *full and fair opportunity*, see Q&A No. 39.

Authorizing Legislation: Adult Education and Family Literacy Act, Title II of the Workforce Investment Act of 1998, Public Law No. 105-220 (August 7, 1998).

ED Contact: Office of Vocational and Adult Education, Adult Education and Literacy Division. Telephone: (202) 205-8270; Internet: www.ed.gov/offices/OVAE.

CLASS-SIZE REDUCTION PROGRAM

The Class-Size Reduction Program (Class-Size) is a new initiative to help schools improve student learning by hiring additional highly-qualified teachers to enable children -- especially those in the early elementary grades -- can attend small classes. The Department provides funds to SEAs, which, in turn, award subgrants to LEAs on a formula basis. Charter schools that comply with program requirements and meet the

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definition of a *charter school LEA* under the final regulations are eligible to receive funds under the program.

SEAs must distribute eighty percent of the funds available under this program on the basis of poverty data compiled by the U.S. Census Bureau (Census). This data is based on the list of LEAs that existed on maps provided to the Census by each State for the 1995-96 school year. Thus, newly created charter school LEAs and a number of other *special LEAs* will not be included on the list.

The Department has developed two alternative methods for calculating Class-Size allocations for *special LEAs*, such as charter schools. Both methods involve equating free and reduced-price lunch (FRPL) data to Census poverty data and, thereby, deriving a Census poverty figure for the special LEAs. These methods are consistent with the Department's guidance for calculating Title 1 allocations for special LEAs. The first calculation is as follows:

- (1) Determine the number of FRPL children in each special LEA.
- (2) Divide the total census poverty number for the State by the total FRPL number for the State (the result is a *State-equating factor*).
- (3) For each special LEA, multiply the number of FRPL children in the special LEA by the State-equating factor. The result is the Census poverty estimate for that special LEA.
- (4) Each State now has a Census poverty figure for all LEAs and may distribute 80% of the Class-Size Reduction funds based on poverty data, in accordance with section 307 (b)(1)(A) of the program statute.

The second method for determining allocations for special LEAs under the Class-Size program uses the proportion of FRPL children from a traditional school district (or districts) who are attending a special LEA (or LEAs), and applies that proportion to the Census poverty data figures for the traditional LEAs to determine (a) an estimated Census poverty data figure for the special LEAs; and (b) an adjusted Census poverty data figure for the traditional LEAs. In order to use this method, the State must be able to identify the resident LEA of each student attending a special LEA.

Authorizing Legislation: 1999 Department of Education Appropriations Act, §307, Public Law No. 106-113 (November 29, 1999).

ED Contact: Office of Elementary and Secondary Education Program, Class-Size Reduction Program. Telephone: (202) 260-8228; Internet: www.ed.gov/offices/OESE/ClassSize.

COMPREHENSIVE SCHOOL REFORM DEMONSTRATION PROGRAM

The Comprehensive School Reform Demonstration Program (CSRDP) provides financial incentives for schools -- particularly, Title I schools -- in need of substantial improvement in the area of student achievement. The grants assist schools in implementing comprehensive reform programs, based on reliable research and effective practices, in order to allow all students to meet challenging State content and performance standards. Such reform efforts are intended to stimulate schoolwide change affecting virtually all aspects of school operations, as opposed to a piece-meal, fragmented approach to reform. Accordingly, to be considered comprehensive, reforms must address nine specific components as set forth in the program legislation.

States conduct subgrant competitions for CSRDP funds among LEAs. Thus, charter schools that meet the definition of *charter school LEA* under section 76.787 of the final regulations are eligible to apply directly to the SEA. For charter schools that are public schools within an LEA, the LEA would either include the charter school as part of the LEA's application or apply on behalf of the charter school. Under the CSRDP program, 83% of the funds are reserved for Title I-eligible schools, and other public schools are eligible to compete for the remaining 17% of funds under the Fund for the Improvement of Education. States must award grants of at least \$50,000 per school, and may award larger grants to schools with high enrollments. In accordance with section 76.794(a) of the final regulations, States must provide charter schools that are scheduled to open on or before the date of any competition with a *full and fair opportunity* to compete for funds under the program. An SEA is not required, however, to delay its competitive process in order to allow a charter school LEA that has not yet opened to compete for funds. For a discussion of *full and fair opportunity*, see Q&A No. 39.

Authorizing Legislation: Fiscal Year 1998 Department of Education Appropriations Act, Public Law No. 105-78 (November 13, 1997); H.R. Rep. No. 390, at 32, 38, 96-99, and 106-109 (1997).

ED Contact: Office of Elementary and Secondary Education, Comprehensive School Reform Demonstration Program. Telephone: (202) 205-3847; Internet: www.ed.gov/offices/OESE/compreform.

EISENHOWER PROFESSIONAL DEVELOPMENT PROGRAM (TITLE II)

The Eisenhower Professional Development Program (Eisenhower) supports the improvement of teaching and learning of all students through sustained, intensive, high-quality professional development activities in the core academic subjects at the State and local levels, with a continued focus on mathematics and science. Eighty-four percent of funds available under this program are allocated to SEAs, which then allocate funds to LEAs by formula. The remaining 16 percent of funds are allocated to the State Agency for Higher Education (SAHE) in each State, which awards subgrants to institutions of higher education and non-profit agencies on a competitive basis. Funding priority is given to professional development activities that focus on mathematics and science.

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Charter schools that are established as nonprofit organizations are eligible to compete for a subgrant from the SAHE. Under section 76.794(a) of the final regulations, the SAHE must provide each eligible charter school that is scheduled to open on or before the closing date of the competition with a *full and fair opportunity* to compete for funds. For a discussion of *full and fair opportunity*, see Q&A No. 39.

In addition, charter schools that meet the definition of a *charter school LEA* and comply with all program requirements are eligible to receive a formula allocation from the SEA. The amount of funds the SEA distributes to each LEA is based upon two factors: (1) the relative enrollment of students in public and participating private nonprofit elementary and secondary schools within the LEA's boundaries; and (2) the relative amount of each LEA's Title I, Part A, allocation for the preceding fiscal year. For the year a charter school opens for the first time or significantly expands its enrollment, SEAs and LEAs are precluded from determining the charter school's eligibility to participate in a covered program on the basis of enrollment or eligibility data from a prior year. 34 CFR §76.791. For a detailed discussion of an SEA or LEA's options for determining the amount of Title II funds to allocate to a new charter school that did not receive a Title I allocation for the preceding fiscal year, see Q&A No. 35.

Authorizing Legislation: Title II, Part B of the Elementary and Secondary Education Act of 1965, as amended, 20 U.S.C. 6641-6651.

ED Contact: Office of Elementary and Secondary Education, School Improvement Programs. Telephone: (202) 260-2544.

EMERGENCY IMMIGRANT EDUCATION PROGRAM

The Emergency Immigrant Education Program (EIEP) provides funds to SEAs to assist LEAs that experience unexpectedly large increases in their student population due to immigration. The purposes of the program are as follows: (a) to provide high quality instruction to immigrant children and youth; (b) to help those children and youth with their transition into American society; and (c) to help them meet the same challenging State performance standards expected of all children and youth. Under this program, States have the discretion to award subgrants to eligible LEAs by formula, through a competition, or a combination of the two.¹ An *eligible LEA* is one in which the number of immigrant children who are enrolled in public and non-public elementary or secondary schools in that district, for the fiscal year for which payments under the EIEP are to be made, is at least 500 or three percent of the total number of students enrolled in the district's public and nonpublic elementary or secondary schools. 20 U.S.C. § 7544(b)(2).

¹ The Fiscal Year 1999 Appropriations Act gave SEAs the option to use all or part of the State's allocation under the EIEP to award competitive subgrants to LEAs. Additionally, if the State allocation is more than \$50,000,000 for a fiscal year, the SEA may reserve up to 20% for redistribution through a competitive process (this option accounts for less than 10 percent of all program funds).

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Immigrant children and youth are defined as individuals who: (1) are ages 3 through 21; (2) were not born in any State; and (3) have not been attending one or more schools in the United States for more than three full academic years. 20 U.S.C. § 7601(7).

In order to receive a subgrant in a State that awards subgrants by formula, a new or expanding charter school would have to (a) qualify as a *charter school LEA* as defined in section 76.787 of the final regulations, and (b) serve at least 500 immigrant children and youth or a number of immigrant children and youth that is at least three percent of the total number of students enrolled in the charter school.

States that choose to award EIEP subgrants to eligible LEAs through a competition may do so as follows: (1) at least one-half of the subgrants must be made available to eligible LEAs with the highest numbers and percentages of immigrant children and youth; and (2) funds reserved under this paragraph and not made available under subparagraph (1) may be distributed to LEAs within the State experiencing a sudden influx of immigrant children and youth which are not otherwise eligible for assistance under this part. See 20 U.S.C. § 7544(e)(1)(A) and (B). An SEA also has discretion to award up to one-half of its EIEP funds to LEAs that meet the eligibility criteria set forth in 20 U.S.C.

§7544(e)(1)(B). A *charter school LEA* could qualify for a competitive subgrant under this provision if it (a) is not an LEA that is eligible for EIEP funds under 20 U.S.C. §7544(b)(2), and (b) is experiencing a sudden influx of immigrant children. The SEA would have some discretion in defining what constitutes a sudden influx of immigrant children. States that award EIEP subgrants on a competitive basis must provide charter schools that are scheduled to open on or before the closing date of the competition with a *full and fair opportunity* to compete for funds under the program. 34 CFR 76.794(a). For a discussion of *full and fair opportunity*, see Q&A No. 39.

Authorizing Legislation: Title VII, Part C of the Elementary and Secondary Education Act of 1965, as amended, 20 U.S.C. 7541-7549.

ED Contact: Office of Elementary and Secondary Education, Emergency Immigrant Education Program. Telephone: (202) 205-9808.

EVEN START FAMILY LITERACY PROGRAM

The Even Start Family Literacy Program (Even Start) provides funds for family-centered education projects for low-income families with young children. The purpose of the program is to improve educational opportunities for children and adults from low-income families by helping parents become full partners in the education of their children, assisting children in reaching their full potential as learners, and providing literacy training for parents. SEAs award competitive subgrants to partnerships between one or more LEAs and one or more public or private nonprofit organizations, including institutions of higher education and community-based organizations. Thus, a charter school may qualify for Even Start funds as either a nonprofit organization, or as an independent LEA if the charter school meets the definition of *charter school LEA* under the final regulations, provided that the charter school applies in partnership with a

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requisite partner organization. For a discussion of the circumstances under which a charter school may be treated as an LEA, see Q&A No. 24.

Under section 76.794(a) of the final regulations, SEAs must provide charter schools that are scheduled to open on or before the closing date of any competition under the program with a *full and fair opportunity* to compete for funds. For a discussion of *full and fair opportunity*, see Q&A No. 39.

Authorizing Legislation: Title I, Part B of the Elementary and Secondary Education Act of 1965, as amended, 20 U.S.C. 6361-6370.

ED Contact: Office of Elementary and Secondary Education, Compensatory Education Programs. Telephone: (202) 260-4021.

GOALS 2000 -- STATE AND LOCAL SYSTEMIC EDUCATION IMPROVEMENT

The Goals 2000 program provides grants to States to assist them in developing and implementing comprehensive reform plans to help all children reach challenging academic standards. SEAs award competitive subgrants to LEAs to develop local comprehensive reform plans and to fund preservice teacher training, professional development programs, and reform initiatives. To be eligible for a direct grant, a new or expanding charter school must meet the definition of a *charter school LEA* under the final regulations. SEAs determine additional eligibility requirements (e.g., based on Title 1 data, etc.), which vary from State to State. Each LEA must develop and submit a local improvement plan that addresses districtwide education improvement in the context of State content and student performance standards, and meets the requirements of section 309(a) of the Goals 2000: Educate America Act. In accordance with section 76.794(a) of the final regulations, SEAs must provide charter schools that are scheduled to open on or before the closing date of any competition under the program with a *full and fair opportunity* to compete for funds. For a discussion of *full and fair opportunity*, see Q&A No. 39.

Authorizing Legislation: Goals 2000: Educate America Act, Title III, 20 U.S.C. 5881-5899.

ED Contact: Office of Elementary and Secondary Education, Goals 2000 Program. Telephone: (202) 401-0039.

HOMELESS CHILDREN AND YOUTH ASSISTANCE PROGRAM

The Homeless Children and Youth Assistance Program (Homeless) provides grants to States to assist them in educating homeless children and youth. The purpose of the program is to ensure that all homeless children and youth have equal access to the same free appropriate public education (FAPE), including public preschool education, provided to other children and youth. SEAs and LEAs are required to develop, review, and revise policies to remove barriers to the enrollment, attendance, and success in school of

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homeless children and youth, and to provide such children and youth with the opportunity to meet the same challenging State content and performance standards to which all students are held.

LEAs, including *charter school LEAs*, are the only eligible applicants for subgrants under this program, and have considerable flexibility in using their funds. Funds may be used to provide enriched supplemental instruction, transportation, professional development, referrals to health care, and other services facilitating the enrollment, attendance, and success in school of homeless children and youth. SEAs award subgrants to LEAs on the basis of need, and may do so by formula or through a competition. Under section 76.794(a) of the final regulations, SEAs that hold a competition must give each *charter school LEA* that is scheduled to open on or before the date of the competition a *full and fair opportunity* to compete for funds (see Q&A No. 39 for a discussion of *full and fair opportunity*). Although most schools receive flow-through funds as public schools within an LEA under the Homeless program, a few LEAs actually provide services to children in shelters or other settings. Although the statute does not specifically require a participating LEA to provide funds or services to every school in the LEA that has homeless students, when applying for a Homeless subgrant or when providing funds or services under the program, LEAs should consider new and expanding charter schools on the same basis as other public schools in the LEA.

Authorizing Legislation: Title VII, Subtitle B of the Stewart B. McKinney Homeless Assistance Act of 1987, as amended, 42 U.S.C. 11431-11435.

ED Contact: Office of Elementary and Secondary Education, Compensatory Education Programs. Telephone: (202) 260-0826.

INNOVATIVE EDUCATION PROGRAM STRATEGIES (TITLE VI)

The Innovative Education Program Strategies Program (Title VI) provides funds to support State and local efforts to accomplish the National Education Goals; assist local educational reform efforts that are consistent with and support statewide reform efforts under the Goals 2000: Educate America Act; enable SEAs and LEAs to implement promising educational reform programs; provide a continuing source of innovation and educational improvement, including support for library services and instructional and media materials; and meet the special educational needs of at-risk and high cost students. The SEA allocates at least eighty-five percent of the funds available under this program to LEAs by formula. The SEA may retain fifteen percent of the State's funds for the following purposes: administration of programs; support for planning, designing, and initial implementation of charter schools as described in Part C of Title X of the ESEA; and technical assistance, direct grants, and Statewide education reform activities that assist LEAs to provide targeted assistance. Charter schools that meet the definition of *charter school LEA* under the final regulations and comply with all program requirements are eligible to receive a formula allocation from the SEA.

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LEAs have the primary responsibility for deciding how to allocate funds among nine innovative assistance programs as follows: (1) technology related to the implementation of school-based reform programs, including professional development to assist teachers regarding how to use this equipment and software effectively; (2) programs for the acquisition and use of instructional and educational materials that are tied to high academic standards that will be used to improve student achievement and that are part of an overall education reform program; (3) promising education reform projects, including effective schools and magnet schools; (4) programs to improve higher order thinking skills of disadvantaged students and to prevent students from dropping out of school; (5) programs to combat illiteracy in the student and adult population, including parent illiteracy; (6) programs to provide for the educational needs of gifted and talented children; (7) school reform activities that are consistent with the Goals 2000: Educate America Act; (8) planning, designing, and initial implementation of charter schools as described in Part C of Title X of the ESEA; and (9) school improvement programs or activities under sections 1116 and 1117 of the ESEA.

Authorizing Legislation: Title VI of the Elementary and Secondary Education Act of 1965, as amended, 20 U.S.C. 7301-7373.

ED Contact: Office of Elementary and Secondary Education, School Improvement Programs. Telephone: (202) 260-0228.

MIGRANT EDUCATION -- BASIC STATE FORMULA GRANT PROGRAM

The Migrant Education Program provides funds to establish and improve high quality education programs that address the special needs of migratory children and youth, and to help migratory children meet the same challenging State content and performance standards that all children are expected to meet. States use program funds to identify eligible children and to provide education and support services, including academic instruction, enrichment and compensatory instruction, bilingual instruction, college preparation, vocational instruction, career education services, special guidance, counseling and testing services, health services, and preschool services. Funds target youth who are migratory agricultural workers or migratory fishermen or whose parent, spouse or guardian is a migratory agricultural worker or migratory fisherman. SEAs may award subgrants to LEAs by formula or provide services directly.

Authorizing Legislation: Elementary and Secondary Education Act of 1965, Title I, Part C, as amended, 20 U.S.C. 6391-6399.

ED Contact: Office of Elementary and Secondary Education, Office of Migrant Education. Telephone: (202) 260-1164.

NEGLECTED AND DELINQUENT CHILDREN PROGRAM

The Neglected and Delinquent Children Program provides financial assistance to State agencies that operate education programs for neglected or delinquent children in

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State-supported institutions, community day programs, and adult correctional institutions to supplement and improve the education services provided to these children. The program also provides assistance to LEAs for dropout prevention programs that meet the needs of at-risk children and youth. State agencies responsible for providing free public education for children in institutions for neglected and delinquent children, in adult correctional facilities, and in community day programs for neglected or delinquent children apply to the SEA. LEAs with high numbers or percentages of youth in local correctional facilities may also receive subgrants from the SEA. To be eligible for State funding, juvenile institutions must provide 20 hours a week of instruction using non-Federal funds; and adult correctional institutions must provide 15 hours a week of instruction using non-Federal funds. Funds typically are used for supplemental instruction in core subject areas as well as tutoring and counseling.

Authorizing Legislation: Elementary and Secondary Education Act of 1965, Title I, Part D, as amended, 20 U.S.C. 6421-6472.

ED Contact: Office of Elementary and Secondary Education, Compensatory Education Programs. Telephone (202) 260-4021.

SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES PROGRAM

The Safe and Drug-Free Schools and Communities Program (SDFSC) supports a variety of activities designed to prevent the illegal use of drugs and to eliminate violence among students at all educational levels from preschool through the postsecondary level. SEAs receive 80 percent of each State's formula grant, and Governors receive the remaining 20 percent. SEAs use at least 91 percent of the funds they receive for subgrants to LEAs.

SEAs must allocate funds to new and expanding *charter school LEAs* that meet the eligibility criteria for the SDFSC program in accordance with the requirements of the final regulations. Funds available under this program support activities such as curriculum, instruction, staff development, student assistance programs, referral services, community service projects, establishing safe zones of passage for students to and from school, acquiring and installing metal detectors, and hiring security personnel.

The Governor's Program awards competitive subgrants to community-based and other nonprofit organizations to support programs that serve youth and children not normally served by LEAs, including preschool students, incarcerated youth, parenting teens, and school dropouts. As nonprofit organizations, charter schools are eligible to compete for funds under the SDFSC Governor's Program. Under section 76.794(a) of the final regulations, each Governor's Office is required to give eligible charter schools that are scheduled to open or expand on or before the date of any competition under the program a *full and fair opportunity* to compete for funds. For a discussion of *full and fair opportunity*, see Q&A No. 39.

Authorizing Legislation: Title IV, Part A, Subpart 1 of the Elementary and Secondary Education Act of 1965, as amended, 20 U.S.C. 7111-7118.

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ED Contact: Office of Elementary and Secondary Education, Safe and Drug-Free Schools and Communities Program. Telephone: (202) 260-3954.

SPECIAL EDUCATION -- GRANTS TO STATES PROGRAM

The Grants to States program is authorized under section 611 of Part B of the Individuals with Disabilities Education Act (Part B) and provides funds to States to assist them in providing FAPE to children with disabilities who are in need of special education and related services. To be eligible for funding under this program, States must make FAPE available to all disabled children residing in the State, ages three through 21, except that they are not required to serve children ages three through five, and ages 18 through 21, if serving such children is inconsistent with State law or practice or the order of any court. In addition to ensuring the availability of FAPE to children with disabilities, States receiving funds under this program must ensure that eligible children receive required instruction and services in the least restrictive environment to the maximum extent appropriate, and that children with disabilities and their parents are afforded procedural safeguards and due process rights. For additional information about the procedural and substantive requirements governing the provision of special educational services to disabled students under Part B of IDEA, see 20 U.S.C. §§1412-1415; and 34 CFR Part 300.

To receive services under Part B, a child must have one of the impairments specified in the statute and, because of that impairment, need special education and related services. 34 CFR §300.7(c). Children ages three through nine may, at State and LEA discretion, be determined to be disabled under Part B under the developmental delay designation if they are experiencing developmental delays, as defined by the State and measured by appropriate diagnostic instruments and procedures, and need special education and related services. 34 CFR §§300.7(b) and 300.313.

Although States must pass most Part B funds on to LEAs, States may retain a portion of the funds for State-level activities, such as administration, monitoring, and mediation (see Q&A Nos. 70 and 73 for a discussion of the use of Part B funds for State-level activities). LEAs, including *charter school LEAs*, and educational service agencies (ESAs) are the only eligible applicants for subgrants under Part B. States allocate funds to LEAs and ESAs based on a statutory formula that usually relies on a prior year's data. Under the final regulations, States and LEAs may not determine the eligibility of a new or expanding charter school to receive Part B funds on the basis of enrollment or eligibility data from a prior year. 34 CFR 791. For a general discussion of Part B requirements, including the statutory allocation formula for the Grants to States Program, and a State or LEA's options for determining the amount of Part B funds an eligible charter school may receive during the year the charter school opens for the first time or significantly expands its enrollment, see Q&A Nos. 57-92.

Authorizing Legislation: Individuals with Disabilities Education Act, Part B, §§611-618, 620, as amended, 20 U.S.C. 1411-1418, 1420.

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ED Contact: Office of Special Education and Rehabilitative Services, Office of Special Education Programs, Division of Monitoring and State Improvement Planning. Telephone: (202) 205-8825.

SPECIAL EDUCATION -- PRESCHOOL GRANTS PROGRAM

The Preschool Grants program is authorized under section 619 of Part B, and provides funds to States to assist them in providing special education and related services to preschool children with disabilities, ages three through five, and, at the State's discretion, providing FAPE to two year old children with disabilities who will turn three during the school year. The Preschool Grants program is consistent with the Part B Grants to States program in that State grantees must meet the same eligibility and program requirements under both programs, the eligible applicants are the same under both programs, and LEA allocations under both programs are based on statutory formula that usually rely on a prior year's data. As stated above, the final regulations preclude States and LEAs from determining the eligibility of a new or expanding charter school to receive Part B funds on the basis of enrollment or eligibility data from a prior year. For a general discussion of Part B requirements, including the statutory allocation formula for the Preschool Grants Program, and a State or LEA's options for determining the amount of Part B funds an eligible charter school may receive during the year the charter school opens for the first time or significantly expands its enrollment, see Q&A Nos. 57-92.

Authorizing Legislation: Individuals with Disabilities Education Act, Part B, §619, as amended, 20 U.S.C. 1419.

ED Contact: Office of Special Education and Rehabilitative Services, Office of Special Education Programs, Division of Monitoring and State Improvement Planning. Telephone: (202) 205-8825.

TECHNOLOGY LITERACY CHALLENGE FUND

The Technology Literacy Challenge Fund (TLCF) provides grants to LEAs to assist them in developing, adapting, or expanding existing and new applications of technology to support school reform effort and to improve student learning. SEAs are required to assist districts with the greatest numbers or percentages of children in poverty and with the greatest need for educational technology and may determine additional eligibility requirements (e.g., based on Title I data, etc.), which vary from State to State. SEAs and LEAs are encouraged to use this assistance to leverage additional support from business and industry and other public and private entities, including museums, libraries, and institutions of higher education, to use technology to improve America's schools. New and expanding charter schools that meet the definition of *charter school LEA* under the final regulations are eligible to apply for subgrants under this program. In order to be eligible for funds, all LEAs, including charter school LEAs, must submit to the SEA for approval a long-range (i.e., three to five years) systemic plan for educational technology that is consistent with the objectives of the systemic Statewide plan and meets all the

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requirements of section 3135 of the ESEA. To the extent possible, funds must be used by LEAs for five major purposes: (1) to apply technology to support school reform; (2) to acquire hardware and software to improve student learning; (3) to acquire connections to telecommunications networks to obtain access to resources and services; (4) to provide ongoing professional development in the integration of technology into improvements of the school curriculum; and (5) to provide better educational services for adults and families.

TLCF subgrants are awarded on a competitive basis. Thus, under section 76.794(a) of the final regulations, SEAs must provide each charter school LEA that is scheduled to open by the date of the competition a *full and fair opportunity* to compete for funds. For a discussion of *full and fair opportunity*, see Q&A No. 39.

Authorizing Legislation: Title III, Part A, Subpart 2 of the Elementary and Secondary Education Act of 1965, as amended, Public Law 103-382.

ED Contact: Office of Elementary and Secondary Education, Goals 2000 Program. Telephone: (202) 401-0039; Internet: www.ed.gov/legislation/ESEA/sec3135.html.

TITLE I, PART A PROGRAM

The Title I, Part A Program (Title I) provides financial assistance to improve the teaching and learning of low-achieving children in high-poverty schools to enable those children to meet challenging academic content and performance standards in core academic subjects. Specifically, Title I funds support extra instruction in reading, mathematics, science, and computers, as well as special preschool, after-school, and summer programs to extend and reinforce the regular school curriculum. Schools with 50 percent or more children living in poverty may use Title I funds to develop a schoolwide reform effort, which allows schools to combine funds from multiple Federal and local sources (e.g., Title I, Title II, Goals 2000, Vocational Education, etc.).

Charter schools may qualify for Title I funds as LEAs or as participating public schools within an LEA. When allocating Title I funds, SEAs generally must treat charter schools in a manner consistent with the Title I statute and regulations, and ensure that charter schools receive the proportionate allocations for which they are eligible. Like Title II and the Grants to States and Preschool Grants Programs under Part B of IDEA, States allocate Title I funds to LEAs based on a statutory formula that relies on a prior year's data. The final regulations, however, preclude States and LEAs from determining a new or expanding charter school's eligibility to receive Title I funds on the basis of enrollment or eligibility data from a prior year. For a discussion of Title I requirements, including the statutory allocation formula, and a State or LEA's options for determining the amount of Title I funds an eligible charter school may receive during the year the charter school opens for the first time or significantly expands its enrollment, see Q&A Nos. 46-56.

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Authorizing Legislation: Elementary and Secondary Education Act (ESEA) of 1965, Title I, Part A, as amended, 20 U.S.C. 6301-6338 and 6491-6514.

ED Contact: Office of Elementary and Secondary Education, Compensatory Education Programs. Telephone: (202) 260-4021.

VOCATIONAL EDUCATION -- BASIC GRANTS TO STATES

Title I of the Carl D. Perkins Vocational and Technical Education Act provides financial assistance to States and outlying areas to develop more fully the academic, vocational, and technical skills of students enrolled in vocational and technical education programs. States award subgrants to improve both secondary and postsecondary education programs. Eligible recipients for subgrants for secondary education are LEAs, area vocational and technical schools, educational service agencies, or consortia. Eligible recipients for postsecondary education are institutions of higher education, LEAs providing education at the postsecondary level, area vocational and technical education schools providing education at the postsecondary level, educational service agencies, postsecondary education institutions controlled by the Bureau of Indian Affairs or an Indian tribe; or consortia of 2 more of these entities.

Subgrant allocations are determined using formulas prescribed by the statute. For secondary programs, 30 percent of the allocation is based on the number of youth ages 15 to 19 who reside within the school district served by the LEA, and the remaining 70 percent is based on the number of youth ages 15 to 19 who are from low-income families. In order to receive funds, an agency or consortium at the secondary level must qualify for a minimum of \$15,000 under the allocation formula, and an institution or consortium at the postsecondary level must qualify for at least \$50,000 under the allocation formula. The State may waive this minimum requirement for a public charter school if it demonstrates that it is unable to enter into a consortium.

Eligible recipients must use subgrants to improve vocational and technical education programs that are of sufficient size, scope, and intensity to be effective and to meet other requirements set out in the statute. Allowable uses of funds include professional development for teachers, counselors, and administrators; technology; career guidance and academic counseling; internships and other work-related learning opportunities; programs for special populations; and equipment. Recipients must report annually to the State student learning and other outcomes, including attainment of State academic standards and placement in postsecondary education and employment.

Authorizing Legislation: Title I, Part C of the Carl D. Perkins Vocational and Technical Education Act of 1998, as amended, 20 U.S.C. 2311-2343.

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VOCATIONAL EDUCATION -- TECH-PREP EDUCATION PROGRAM

The Tech-Prep Education Program (Tech-Prep) provides financial assistance to States for grants to local consortia to support tech-prep education programs that consist of two years of secondary education and two years of postsecondary education, and lead to an associate's degree or a 2-year certificate in a specific career field. The Department allocates funds to the eligible State agency -- either the SEA or the State board of vocational education -- and the eligible State agency awards subgrants to consortia of (1) LEAs, intermediate education agencies, area vocational education schools serving secondary school students, or secondary schools funded by the Bureau of Indian Affairs; and (2) nonprofit institutions of higher education, proprietary institutions of higher education, and employer or labor organizations. Each consortium must submit to the eligible State agency an application containing a five-year plan for the development and implementation of Tech-Prep programs under guidelines issued by the eligible State agency.

Charter school LEAs wishing to participate in the Tech-Prep program must offer vocational and technical education programs that are of sufficient size, scope and quality to be considered effective. Such schools need to take proactive steps either to join an existing Tech-Prep consortium or to establish a new consortium with an eligible institution of higher education. Each program must consist of at least two years of secondary school preceding graduation and two years or more of higher education, or an apprenticeship program of at least two years following secondary instruction, with a common core of required proficiency in mathematics, science, reading, writing, communications, and technologies designed to lead to an associate's degree or a postsecondary certificate in a specific career field. Each program must also meet academic standards developed by the State and link secondary schools and 2-year postsecondary institutions, and, if possible, 4-year postsecondary institutions. Additionally, where possible and appropriate, the Tech-Prep program must use work-based learning, educational technology, and distance learning.

The eligible State agency has discretion to award subgrants to consortia by formula or competitively in any given year. If the eligible State agency holds a competition, under section 76.794(a) of the final regulations, it must give each charter school that is scheduled to open or expand on or before the closing date of the competition a *full and fair opportunity* to apply to participate in the program. Generally, this means that the State agency must provide the charter school with *timely and meaningful information* about the program, including basic eligibility requirements and the dates of any upcoming competitions. For discussions of *timely and meaningful information* and *full and fair opportunity*, see Q&A Nos. 16 and 39, respectively.

Authorizing Legislation: Title II, Carl D. Perkins Vocational and Technical Education Act of 1998, as amended, 20 U.S.C. 2394-2394e.

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