

program, you must use the funds to provide a program that—

(A) Shows the promise of being continued beyond the project period; and

(B) Demonstrates approaches that can be disseminated and duplicated in other LEAs.

You may also use funds under this program to—

(C) Include a professional development component.

In order to build foreign language program capacity at the local level, cost sharing is required. You should note that the Federal share of the cost of activities assisted under this program for each fiscal year is 50 percent. The Secretary may waive this requirement for any LEA which the Secretary determines does not have adequate resources to pay the non-Federal share.

The Secretary does not fund projects that propose Native American languages, Native Hawaiian, other Pacific Island languages or Native Alaskan languages. In addition, the program is not intended to support the teaching of English.

#### Competitive Priorities

Under 34 CFR 75.105(c)(2)(i) we award an additional 5 points to an application, depending on whether the application meets one or both of the following priorities.

**Note:** A total of 5 points will be awarded. There is no advantage in addressing both priorities, but you should not be dissuaded from addressing both priorities in your application if they provide a program that will meet the needs of your students and community. These points are in addition to any points the applicant earns under the selection criteria.

(1) Applications proposing to establish, improve, or expand foreign language learning in any or all of the following grades, Kindergarten through eighth grade, that teach any or all of the following less commonly taught languages of major economic and political importance to the United States: Russian, Chinese and Arabic.

(2) Applications proposing to establish a foreign language program in underserved schools. For the purpose of this priority an underserved school is defined as a school that does not currently have a foreign language program implemented during the school day, including two-way immersion and heritage language programs, and has not had one in the previous two school years 2001–2002 and 2002–2003.

#### Competitive Preferences

Under 34 CFR 75.105(c)(2)(ii) we give preference to applications that meet one

of the following priorities over an application of comparable merit that does not meet one of the priorities.

**Note:** There is no advantage in addressing all five priorities. Creating a program around the five priorities may result in a scattered or unfocused program design.

We give preference to applications describing programs that:

(1) Include intensive summer foreign language programs for professional development;

(2) Link non-native English speakers in the community with the schools in order to promote two-way language learning;

(3) Promote the sequential study of a foreign language for students, beginning in elementary schools;

(4) Make effective use of technology, such as computer-assisted instruction, language laboratories, or distance learning, to promote foreign language study; or

(5) Promote innovative activities, such as foreign language immersion, partial foreign language immersion, or content-based instruction.

#### 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 priorities and selection criteria. Section 437(d)(1) of the General Education Provisions Act, however, exempts from this requirement rules that apply to the first competition under a new or substantially revised program authority. This is the first competition under the Foreign Language Assistance Program as substantially revised by the No Child Left Behind Act of 2001. The requirements will apply to the FY 2003 grant competition only.

#### Reporting Requirements and Expected Outcomes

The Secretary requires successful applicants to submit annual performance reports that document the grantee's yearly progress toward meeting expected programmatic outcomes. These outcomes should be based on measurable performance objectives. The Secretary will use these reports to measure the success of the grantee's project, and the reports will contribute to a broader knowledge base about high-quality, effective foreign language programs. In addition, grantees will be required to submit a final performance report, due no later than 90 days after the end of the project period.

#### Selection Criteria

We use the following selection criteria to evaluate applications for new grants under this competition.

The maximum score for all of these criteria is 100 points.

The maximum score for each criterion is indicated in parentheses.

(a) *Significance.* (10 points)

We evaluate an application by determining how well the project proposed by the applicant meets the following statutory provisions:

(1) The extent to which the project shows the promise of being continued beyond the grant period.

(2) The extent to which the project demonstrates approaches that can be disseminated and duplicated in other local educational agencies.

(3) The extent to which the project will result in an effective effort to establish, improve or expand foreign language teaching and learning.

(b) *Quality of the product design.* (40 points)

In determining the quality of the design of the proposed project, we consider the following factors:

(1) The extent to which the project design represents a comprehensive plan which effectively links identified needs, goals, objectives, activities and outcomes.

(2) The extent to which the goals, objectives and outcomes are clearly specified and measurable.

(3) The extent to which the design of the proposed project incorporates the National Foreign Language Standards and up-to-date knowledge from scientifically based research and effective practice.

(4) The extent to which the project design will provide performance feedback and permit periodic assessment of progress toward achieving intended outcomes, such as, student progress, capacity building and dissemination.

(5) The extent to which the project design will provide guidance about effective strategies suitable for disseminating and duplicating the project in other settings.

(6) The extent to which the project design will provide quantifiable data reflecting:

(i) Student proficiency in reading, writing, comprehending and communicating in the foreign language,

(ii) Usage of the National Foreign Language Standards (Communication, Culture, Connections, Comparisons and Communities),

(iii) Building local capacity to continue program components beyond the grant period, and