

not be subject to the jurisdiction of any State educational agency other than the Bureau of Indian Affairs.

- The term includes educational service agencies and consortia of those agencies.

- The term includes the State educational agency in a State in which the State is the sole educational agency for all public schools.

(6) The term "non-profit" refers to an agency, organization, or institution, that is owned and operated by one or more corporations or associations whose net earnings do not benefit, and cannot lawfully benefit, any private shareholder or entity.

(7) The term "community-based organization" means a public or private nonprofit organization of demonstrated effectiveness that is representative of a community or significant segments of a community and provides educational or related services to individuals in the community.

(8) The term "novice applicant" means any applicant for a grant for the U.S. Department of Education that:

- Has never received a grant or sub-grant under the Foundations For Learning Program;
- Has never been a member of a group application, submitted in accordance with 34 CFR 75.127–75.129, that received a grant under the Foundations For Learning Program; and

- Has not had an active discretionary grant from the Federal government in the five years before the deadline date for applications under this program (Foundations for Learning Grants). For the purposes of this requirement, a grant is active until the end of the grant's project or funding period, including any extensions of those periods that extend the grantee's authority to obligate funds.

In case of a group application submitted in accordance with 34 CFR 75.127–75.129, to qualify as a novice applicant a group includes only parties that meet the requirements listed above.

**Performance measures:** The Secretary has established the following key performance measures for assessing the effectiveness of the Foundations for Learning Grants Program: (1) The percentage of eligible children served by the grant attaining measurable gains in emotional, behavioral, and social development will increase; and (2) The percentage of eligible children and their families served by the grant receiving individualized support from child-serving agencies or organizations will increase.

In applying the selection criteria that follow for "Quality of project services" and "Quality of the project evaluation", the Secretary will take into

consideration the extent to which the applicant demonstrates a strong capacity to provide reliable data on these indicators.

**Selection criteria:** We will use the following selection criteria to evaluate applications under this competition. The maximum score for all of these criteria is 100 points. The maximum score for each criterion is indicated in parentheses.

(1) *Significance* (15 points)

In determining the significance of the proposed project, the following factor is considered:

(a) The extent to which the proposed project is likely to build local capacity to provide, improve, or expand services that address the needs of the target population. (15 points)

**Note:** Under this criterion we will look at the quality and feasibility of the applicant's plan to develop or enhance early childhood community partnerships in order to build a community system of care.

(2) *Quality of the project design.* (35 points)

In determining the quality of the design of the proposed project, the following factors are considered:

(a) The extent to which the design of the proposed project reflects up-to-date knowledge from research and effective practice; (10 points)

(b) The extent to which the proposed project encourages parental involvement; (10 points)

(c) The extent to which the proposed project is designed to build capacity and yield results that will extend beyond the period of Federal financial assistance; (15 points)

**Note:** Under this criterion we will look at the quality of the applicant's plan to comprehensively address the emotional, behavioral, and social development of eligible children.

(3) *Quality of the Project Services.* (30 points)

In determining the quality of project services, the following factors are considered:

(a) In determining the quality of the services to be provided by the proposed project, the quality and sufficiency of strategies for ensuring equal access and treatment for eligible project participants who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender age, or disability; (5 points)

(b) The likely impact of the services to be provided by the proposed project on the intended recipients of those services; (10 points)

(c) The extent to which the services to be provided by the proposed project

involve the collaboration of appropriate partners for maximizing the effectiveness of project services. (15 points)

**Note:** Under this criterion we will look for evidence that the applicant is likely to achieve success with respect to performance measures for this program.

(4) *Quality of the Management Plan.* (5 points)

In determining the quality of the management plan, the following factor is considered:

(a) How the applicant will ensure that a diversity of perspectives are brought to bear in the operation of the proposed project, including those of parents, teachers, the business community, a variety of disciplinary and professional fields, recipients or beneficiaries of services, or others, as appropriate. (5 points)

**Note:** Under this criterion we will look at the applicant's ability to coordinate existing similar services.

(5) *Quality of the project evaluation.* (15 points)

In determining the quality of the evaluation, the following factors are considered:

(a) The extent to which the methods of evaluation are thorough, feasible, and appropriate to the goals, objectives, and outcomes of the proposed project; (5 points)

(b) The extent to which the methods of evaluation include the use of objective performance measures that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data to the extent possible. (10 points)

**Note:** Under this criterion we will look at the quality of the applicant's plan to provide (a) reliable data that accurately measures changes in emotional, behavioral, and social development, and (b) individualized services.

**Waiver of proposed rulemaking:** Under the Administrative Procedure Act (5 U.S.C. 553), the Secretary generally offers interested parties the opportunity to comment on proposed rules. 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 Foundations for Learning Grants Program. These rules will apply to this FY 2003 competition only.

**For applications and other information contact:** Copies of the application package for this competition are available from EDPubs at 1-877-4EDPubs, and on the Internet at—<http://www.ed.gov/offices/OSDFS>. For all