

DEPARTMENT OF EDUCATION

RIN 1840-ZA03

Upward Bound Program Participant Expansion Initiative

AGENCY: Office of Postsecondary Education, Department of Education.

ACTION: Notice of final priority.

SUMMARY: The Secretary of Education announces an absolute priority to provide supplemental funds of up to \$100,000 in fiscal year (FY) 2003 to currently funded Upward Bound projects that (1) serve at least one target high school in which at least 50 percent of the students were eligible for free lunch under the National School Lunch Act (Free Lunch program) during the 2001–2002 or 2002–2003 school year, and (2) received supplemental funds in FY 2000 under the Upward Bound Program Participant Expansion Initiative (UBP–PEI).

The Secretary further requires that projects that receive supplemental funds under this priority will use those funds to select and serve students eligible to participate in Upward Bound who (1) attend a target high school in which at least 50 percent of the students were eligible for free lunch under the National School Lunch Act during the 2001–2002 or 2002–2003 school year, and (2) have the greatest need for Upward Bound services. Eligible students having the greatest need for Upward Bound services are those who:

1. Have not met the state academic achievement standard for grade eight in reading/language arts; or
2. Have not met the state academic achievement standard for grade eight in math; or
3. Have a grade point average of 2.5 or less (on a 4.0 scale) for the most recent school year for which grade point averages are available.

By using state academic achievement assessments to determine student eligibility for services, schools can align this initiative with the requirements and activities supported by the No Child Left Behind Act of 2001, Pub. L. 107–110.

Applicants not eligible for the absolute priority are invited to apply and will be funded, subject to the availability of funds, as described in the funding order below. The selected projects must use the supplemental funds to provide services to eligible project participants with the greatest need for those services.

EFFECTIVE DATE: This priority is effective 30 days after the date of publication in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Dr. Margarita Benitez, Sheryl Wilson, or Gaby Watts, U.S. Department of Education, 1990 K Street, NW., Room 7020, Washington, DC 20006–8510. Telephone (202) 502–7600. The e-mail address for the Federal TRIO Programs is: *Trio@ed.gov*. The e-mail address for Dr. Margarita Benitez is: *margarita.benitez@ed.gov*.

If you use a telecommunications device for the deaf (TDD), you may call the Federal Information Relay Service (FIRS) at 1–800–877–8339.

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotope, or computer diskette) on request to the contact persons listed in the preceding paragraph.

SUPPLEMENTARY INFORMATION: The Secretary of Education published a notice of proposed priority in the **Federal Register** on June 24, 2003 (68 FR 37469–37470). This notice of final priority contains several changes from the notice of proposed priority, which are explained fully in the Analysis of Comments and Changes section in this notice.

Background

In FY 2003, the Congress appropriated funds for the Federal TRIO Programs. In examining the options available to the Secretary for allocating these funds, the Secretary determined that a portion of the funds should be used to increase support to the Upward Bound Program. The Upward Bound Program, authorized under section 402C of the Higher Education Act of 1965, as amended (HEA), 20 U.S.C. 1070a–13, helps low-income, potential first-generation college students acquire the skills and motivation necessary for success in education beyond secondary school.

The purpose of this supplement is to help the Upward Bound Program achieve one of its key performance goals: increasing the college enrollment rate of low-income, first generation college students. A recent evaluation of the Upward Bound Program found that the program has significant effects on higher risk students, but that the program was inadequately targeting these students.

We intend that, under the absolute priority, there will be an increase in the number of eligible students with the greatest need who are served by the Upward Bound Program. The students with the greatest need are generally those from the lowest income levels who have potential for college but are not performing successfully in high school. The Secretary believes that

limiting supplemental funds to projects that serve the above described target schools is a good way to ensure that projects serve the lowest income students because the Free Lunch program is limited to students from families with the lowest family income. An estimated 180 current Upward Bound projects could receive supplemental funds to serve additional students.

The effectiveness of UBP–PEI will be ultimately measured by the college enrollment rate of these higher-risk, low-income, first generation college students who participate in this initiative. However, in addition to the ultimate measure of college enrollment, the Secretary will also look at “what works” in preparing these students for college, in order to inform program improvements in Upward Bound. Each grantee will be required to work with an independent evaluator retained by the Secretary to measure the expansion initiative’s effectiveness.

The Secretary will consider requests for \$100,000, \$75,000, and \$50,000 under this initiative. An institution that requests \$100,000 must serve at least 20 students, an institution that requests \$75,000 must serve at least 15 students, and an institution that requests \$50,000 must serve at least 10 students.

Note: This notice does *not* solicit applications. In any year in which we choose to use this priority, we invite applications through a notice in the **Federal Register**. When inviting applications we designate the priority as absolute, competitive preference, or invitational. The effect of each type of priority follows:

Absolute priority: Under an absolute priority we consider only applications that meet the priority (34 CFR 75.105(c)(3)).

Competitive preference priority: Under a competitive preference priority we give competitive preference to an application by either (1) awarding additional points, depending on how well or the extent to which the application meets the competitive priority (34 CFR 75.105(c)(2)(i)); or (2) selecting an application that meets the competitive priority over an application of comparable merit that does not meet the priority (34 CFR 75.105(c)(2)(ii)).

Invitational priority: Under an invitational priority we are particularly interested in applications that meet the invitational priority. However, we do not give an application that meets the invitational priority a competitive or absolute preference over other applications (34 CFR 75.105(c)(1)).

Absolute Priority

Under 34 CFR 75.105(c)(3), the Secretary will give an absolute preference to applications that meet the following absolute priority.

The Secretary will provide supplemental funds of up to 100,000 to