

**DEPARTMENT OF EDUCATION****[CFDA No.: 84.215Q]****Fund for the Improvement of Education; Elementary School Mathematics and Science Equipment Program; Notice Inviting Applications For New Awards for Fiscal Years 1996 and 1997**

**Purpose of Program:** The purpose of the Fund for the Improvement of Education (FIE) is to support nationally significant programs to improve the quality of education, assist all students to meet challenging State content and student performance standards, and contribute to the achievement of the National Education Goals. The purpose of this competition is to raise the quality of instruction in mathematics and science in the Nation's elementary schools by providing equipment and materials necessary for hands-on instruction.

**Eligible Applicants:** Only local education agencies located within Empowerment Zones or Enterprise Communities may apply for awards under this competition. A list of Empowerment Zones and Enterprise Communities is included at the end of the Notice of Final Priorities published in this edition of the Federal Register.

**Deadline for Transmittal of Applications:** August 2, 1996.

**Deadline for Intergovernmental Review:** October 1, 1996.

**Applications Available:** June 24, 1996  
**Available Funds:** \$3,000,000.

**Estimated Range of Awards:** \$35,000–\$350,000.

**Estimated Average Size of Awards:** \$192,500.

**Estimated Number of Awards:** 16.

Note: The Department is not bound by any estimates in this notice.

**Maximum Award:** The Secretary does not consider an application that proposes a budget exceeding \$350,000 for a single budget period of 12 months.

**Project Period:** Up to 12 months.

**SUPPLEMENTARY INFORMATION:** Awards will be made from fiscal year 1996 funds. If Congress requires the Department to use fiscal year 1997 funds to make additional awards under the elementary school mathematics and science equipment program, the Secretary intends to elect applications of sufficiently high quality that remain unfunded under this competition.

**Applicable Regulations:** (a) The Education Department General Administrative Regulations (EDGAR) 34 CFR Parts 75, 77, 79, 80, 81, 82, and 85; and (b) the final regulations for Standards for the Conduct and

Evaluation of Activities Carried Out by the Office of Educational Research and Improvement (OERI)—Evaluation of Applications for Grants and Cooperative Agreements and Proposals for Contracts, published on September 14, 1995, in the Federal Register (60 FR 47808), and to be codified at 34 CFR Part 700.

**Priority:** The notice of final priorities as published in this issue of the Federal Register applies to this competition.

**Limitations on Use of Funds:** Limitations on the use of funds are defined in the notice of final priorities as published in this issue of the Federal Register.

Note: Through the Notice of Final Priority, the Secretary makes sections 14503 - 14506 of the ESEA (20 U.S.C. 8893–8896) applicable to awards made to LEAs under this program. Section 14503 requires an LEA receiving grant funds under this program to provide private school children and teachers, on an equitable basis, special educational services or other program benefits under this program. The section further requires LEAs to consult with private school officials during the design and development of the proposed project. Each application should describe the ways in which the proposed project will address the needs of private school children and teachers.

**For Applications or Information Contact:** We encourage you to request an application by *facsimile machine*: Jennifer Ryan, (202) 219–2053, or by *mail*: Math and Science Equipment Application, U.S. Department of Education, 555 New Jersey Avenue, NW, Room 502K, Washington, DC 20208–5645. However, if that is not convenient, you may use *voicemail*: Jennifer Ryan, (202) 219–2274.

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.

Information about the Department's funding opportunities, including copies of application notices for discretionary grant competitions, can be viewed on the Department's electronic bulletin board (ED Board), telephone (202) 260–9950; on the Internet Gopher Server at GOPHER.ED.GOV (under Announcements, Bulletins, and Press Releases); or on the World Wide Web at (<http://www.ed.gov/money.html>). However, the official application notice for a discretionary grant competition is the notice published in the Federal Register.

Program Authority: 20 U.S.C. 8001.

Dated: June 18, 1996.

Sharon P. Robinson,

*Assistant Secretary for Research and Improvement.*

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**DEPARTMENT OF EDUCATION****Fund for the Improvement of Education (FIE)**

**AGENCY:** Department of Education.

**ACTION:** Notice of Final Priority and Limitation on Use of Funds for Fiscal Years 1996 and 1997; Elementary School Mathematics and Science Equipment Program.

**SUMMARY:** The Secretary announces an absolute priority under the Fund for the Improvement of Education (FIE): Elementary School Mathematics and Science Equipment Program. The Secretary takes this action to focus Federal financial assistance on raising the quality of instruction in mathematics and science in the Nation's elementary schools by providing equipment and materials necessary for hands-on instruction.

**EFFECTIVE DATE:** This priority takes effect July 22, 1996.

**FOR FURTHER INFORMATION CONTACT:** Lois N. Weinberg, U.S. Department of Education, 555 New Jersey Avenue, N.W., Room 502H, Washington, D.C. 20208–5645; (202) 219–2147.

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**SUPPLEMENTARY INFORMATION:** The purpose of the Fund for the Improvement of Education is to support nationally significant programs to improve the quality of education, assist all students to meet challenging State content and student performance standards, and contribute to the achievement of the National Education Goals.

The Omnibus Consolidated Rescissions and Appropriations Act of 1996 ("Act"), Pub. L. 104–134, requires the Secretary to use \$3,000,000 of FIE funds for mathematics and science equipment projects. The report language accompanying the Act directs the Secretary to provide assistance, through State and local educational agencies, to carry out programs such as those authorized under Title III, Part E of the Elementary and Secondary Education Act of 1965, as amended (20 U.S.C.

6971). Title III, Part E authorizes grant awards to local educational agencies (LEA) for the purpose of providing equipment and materials to public and private elementary schools to improve hands-on instruction in mathematics and science.

To carry out this Congressional directive, the Secretary establishes an absolute priority limiting the use of funds under this FIE competition to projects that provide equipment and materials to elementary schools for the purpose of improving mathematics and science education through hands-on instruction. In accordance with Title III, Part E, the Secretary gives priority to projects that assist schools which are seriously underequipped or serve large numbers or percentages of economically disadvantaged students. Furthermore, in accordance with the provisions of Title III, Part E, the Secretary limits the definition of "equipment" to prohibit the use of grant funds for the purchase of computers, computer peripherals, software, textbooks, staff development costs, or for capital improvements.

Eligibility for awards under this competition is limited to LEAs since LEAs have primary responsibility for purchasing equipment and supplies for elementary schools. However, to ensure that children in private schools have an equitable opportunity to benefit from projects funded under this competition, the Secretary makes sections 14503–14506 of the ESEA (20 U.S.C. 8893–8896) applicable to awards made to LEAs under this program. Section 14503 requires an LEA receiving grant funds under this program to provide private school children and teachers, on an equitable basis, special educational services or other program benefits under this program. The section further requires LEAs to consult with private school officials during the design and development of the proposed project. Each application should describe the ways in which the proposed project will address the needs of private school children and teachers.

Furthermore, the Secretary directs financial assistance under this competition to projects that benefit elementary schools located in areas that have been designated as Empowerment Zones or Enterprise Communities in accordance with Section 1391 of the Internal Revenue Code (IRC), as amended by Title XIII of the Omnibus Budget Reconciliation Act (OBRA) of 1993.

#### Background on Empowerment Zone and Enterprise Community Program—(EZ/EC)

The Empowerment Zone and Enterprise Community program is a critical element of the Administration's community revitalization strategy. The program is the first step in rebuilding communities in America's poverty-stricken inner cities and rural heartlands. It is designed to empower people and communities by inspiring Americans to work together to create jobs and opportunity.

The Departments of Agriculture (USDA) and Housing and Urban Development (HUD) have designated empowerment zones and enterprise communities, which are communities located within the cities and counties listed in the appendix.

The Empowerment Zones and Enterprise Communities were designated based on locally-developed strategic plans that comprehensively address how the community will link economic development with education and training, as well as how community development, public safety, human services, and environmental initiatives together will support sustainable communities. Designated areas will receive Federal grant funds and substantial tax benefits and will have access to other Federal programs. (For additional information on the Urban EZ/EC program contact HUD at 1–800–998–9999 and for the rural EZ/EC program contact USDA at 1–800–645–4712.)

The Department of Education is supporting the Empowerment Zone and Enterprise Community initiative in a variety of ways. It is encouraging zones to use funds they already receive from Department of Education programs (including Title I of the Elementary and Secondary Education Act, the Safe and Drug-Free Schools and Communities Act, the Adult Education Act, and the Carl D. Perkins Vocational and Applied Technology Act) to support the comprehensive vision of their strategic plans. In addition, the Department of Education is giving preference to EZ/ECs in a number of discretionary programs that are well suited for inclusion in a comprehensive approach to economic and community development.

The Empowerment Zone initiative and the Elementary School Mathematics and Science Equipment Program share some common features. Both programs address the educational needs of students in communities and schools with limited resources. The Elementary School Mathematics and Science Equipment Program is specifically

designed to assist schools which are most seriously lacking mathematics and science equipment, and which serve large numbers or percentages of economically disadvantaged students.

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

**Absolute Priority:** Under 34 CFR 75.105(c)(3) the Secretary gives an absolute preference to applicants that meet the following priority. The Secretary funds under this competition only applications that meet this absolute priority:

Projects that serve schools in an Empowerment Zone or Enterprise Community and are designed to—

(1) Purchase and provide equipment for hands-on instruction in mathematics and science for elementary schools which—

(A) Are most seriously underequipped; or

(B) Serve large numbers or percentages of economically disadvantaged students, or underrepresented groups in mathematics and science, or both; and

(2) Demonstrate how instructional strategies that use hands-on mathematics and science equipment will assist students to work toward the achievement of challenging student performance standards.

**Limitations on Use of Funds:** Funds provided through grants under this competition shall be used to purchase science equipment, science materials, or mathematical manipulative materials for elementary schools and shall not be used for computers, computer peripherals, software, textbooks, staff development costs, or for capital improvements.

For the purpose of this competition, the word "equipment" includes supplies and materials that would not be considered equipment under the definitions in the Education Department General Administrative Regulations (EDGAR) at 34 CFR Sections 74.2, 74.34, 80.3, and 80.32. For example, equipment purchased under this competition could include low-cost manipulatives that students and teachers would use for hands-on instruction in mathematics and science.

However, if a grantee uses some of the funds received under this competition to purchase equipment as defined at 34 CFR Sections 74.2 or 80.3, that is, tangible, nonexpendable, personal property with a useful life of more than one year, and a cost of \$5,000 or more per unit, the EDGAR regulations

regarding equipment apply. Thus, the grantee would have to manage and dispose of the equipment consistent with the requirements at § 74.34 or § 80.32.

**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 that are not taken directly from statute. Ordinarily, this practice would have applied to the priorities for this program. However, the Secretary waives rulemaking on these rules under section 553(b)(B) of the Administrative Procedure Act. This section provides that rulemaking is not required when the agency for good cause finds that notice and public procedure are impracticable, unnecessary, or contrary to the public interest. Final Congressional action, directing the Secretary to use FY 1996 funds to carry out the activities specified in these rules, did not occur until April 26, 1996. The Secretary believes that, in order to make timely grant awards using Fiscal Year (FY) 1996 funds, public comment on these rules is impracticable.

Furthermore, these priorities, as well as the restrictions on the use of funds, are drawn in large part from the statute authorizing the Elementary Mathematics and Science Equipment Program (20 U.S.C. 6971). Congress, in its report accompanying the appropriation of funds for Fiscal Year 1996, directed the Department to use the appropriated funds for activities similar to those authorized under the Elementary Mathematics and Science Equipment Program.

#### Intergovernmental Review

This program is subject to the requirements of Executive Order 12372 and the regulations in 34 CFR Part 79. The objective of the Executive order is to foster an intergovernmental partnership and a strengthened federalism by relying on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

In accordance with the order, this document is intended to provide early

notification of the Department's specific plans and actions for this program.

Program Authority: 20 U.S.C. 8001.

Dated: June 18, 1996.

Sharon P. Robinson,  
*Assistant Secretary for Research and Improvement.*

Appendix—Empowerment Zones and Enterprise Communities

#### *Empowerment Zones (EZ)*

Georgia: Atlanta  
Illinois: Chicago  
Kentucky: Kentucky Highlands\*  
Maryland: Baltimore  
Michigan: Detroit  
Mississippi: Mid Delta\*  
New York: Harlem, Bronx  
Pennsylvania/New Jersey: Philadelphia, Camden  
Texas: Rio Grande Valley\*

#### *Supplemental Empowerment Zones (SEZ)*

California: Los Angeles  
Ohio: Cleveland

#### *Enterprise Communities (EC)*

Alabama: Birmingham  
Alabama: Chambers County\*  
Alabama: Greene, Sumter Counties\*  
Arizona: Phoenix  
Arizona: Arizona Border\*  
Arkansas: East Central\*  
Arkansas: Mississippi County\*  
Arkansas: Pulaski County  
California: Imperial County\*  
California: Los Angeles, Huntington Park  
California: San Diego  
California: San Francisco, Bayview, Hunter's Point  
California: Watsonville\*  
Colorado: Denver  
Connecticut: Bridgeport  
Connecticut: New Haven  
Delaware: Wilmington  
District of Columbia: Washington  
Florida: Jackson County\*  
Florida: Tampa  
Florida: Miami, Dade County  
Georgia: Albany  
Georgia: Central Savannah\*  
Georgia: Crisp, Dooley Counties\*  
Illinois: East St. Louis  
Illinois: Springfield  
Indiana: Indianapolis  
Iowa: Des Moines  
Kentucky: Louisville  
Louisiana: Northeast Delta\*  
Louisiana: Macon Ridge\*  
Louisiana: New Orleans  
Louisiana: Ouachita Parish  
Massachusetts: Lowell  
Massachusetts: Springfield  
Michigan: Five Cap\*  
Michigan: Flint

Michigan: Muskegon  
Minnesota: Minneapolis  
Minnesota: St. Paul  
Mississippi: Jackson  
Mississippi: North Delta\*  
Missouri: East Prairie\*  
Missouri: St. Louis  
Nebraska: Omaha  
Nevada: Clarke County, Las Vegas  
New Hampshire: Manchester  
New Jersey: Newark  
New Mexico: Albuquerque  
New Mexico: Moro, Rico Arriba, Taos Counties\*  
New York: Albany, Schenectady, Troy  
New York: Buffalo  
New York: Newburgh, Kingston  
New York: Rochester  
North Carolina: Charlotte  
North Carolina: Halifax, Edgecombe, Wilson Counties\*  
North Carolina: Robeson County\*  
Ohio: Akron  
Ohio: Columbus  
Ohio: Greater Portsmouth\*  
Oklahoma: Choctaw, McCurtain Counties\*  
Oklahoma: Oklahoma City  
Oregon: Josephine\*  
Oregon: Portland  
Pennsylvania: Harrisburg  
Pennsylvania: Lock Haven\*  
Pennsylvania: Pittsburg  
Rhode Island: Providence  
South Carolina: Charleston  
South Carolina: Williamsburg County\*  
South Dakota: Beadle, Spink Counties\*  
Tennessee: Fayette, Haywood Counties\*  
Tennessee: Memphis  
Tennessee: Nashville  
Tennessee/Kentucky: Scott, McCreary Counties\*  
Texas: Dallas  
Texas: El Paso  
Texas: San Antonio  
Texas: Waco  
Utah: Ogden  
Vermont: Burlington  
Virginia: Accomack\*  
Virginia: Norfolk  
Washington: Lower Yakima\*  
Washington: Seattle  
Washington: Tacoma  
West Virginia: West Central\*  
West Virginia: Huntington  
West Virginia: McDowell\*  
Wisconsin: Milwaukee  
\* denotes rural designee.

#### *Enhanced Enterprise Communities (EEC)*

California: Oakland  
Massachusetts: Boston  
Missouri/Kansas: Kansas City, Kansas City  
Texas: Houston

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