

minor impacts at the Oppossumtown Gate will be minimized by adopting traffic study recommendations. Visual impacts will be avoided by grading and landscaping construction that may be visible from the Nallin Farm complex. Therefore, based on the analysis found in the EA, which is hereby incorporated into the Finding of No Significant Impact (FNSI), it is determined the implementation of the proposed action will not have significant individual or cumulative impacts on the quality of the natural or the human environment. Because no significant environmental impacts would result from implementation of the proposed action, an Environmental Impact Statement is not required and will not be prepared.

**DATES:** Public comments will be accepted on or before July 15, 1996.

**ADDRESSES:** Copies of the EA/FNSI may be obtained by writing to, and any inquires concerning the same should be addressed to, the Commander, U.S. Army Corps of Engineers, Baltimore District, ATTN: CENAB-PL-EM (Mr. Larry Eastman), P.O. Box 1715, Baltimore, Maryland 21203-1715, or by calling (410) 962-3208, or by sending a telefax to 410-962-2948. Copies of the EA will also be available at the Fort Detrick Post Library (Building 501) and the Fort Detrick U.S. Army Garrison Headquarters Public Affairs Office (Building 810). There will be a 15-day comment period on the EA/FNSI before the Army proceeds with the proposed action.

**FOR FURTHER INFORMATION CONTACT:** Mr. Larry Eastman, 410-962-3208.

Raymond J. Fatz,

*Acting Deputy Assistant Secretary of the Army (Environment, Safety and Occupational Health), OASA (I,L&E).*

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## DEPARTMENT OF EDUCATION

[CDFA No.: 84.165B]

### Magnet Schools Assistance— Innovative Programs; Notice Inviting Applications for New Awards for Fiscal Year (FY) 1996

#### Purpose of Innovative Programs

To award grants to local educational agencies (LEAs) or consortia of LEAs to enable them to conduct innovative programs that will assist in the desegregation of schools served by the LEA or LEAs.

#### Eligible Applicants

An LEA or consortium of LEAs that (1) is implementing a plan undertaken

pursuant to a final order issued by a court of the United States, a court of any State, or any other State agency or official of competent jurisdiction that requires the desegregation of minority-group-segregated children or faculty in elementary and secondary schools of that agency; or (2) has voluntarily adopted and is implementing, or, if assistance is made available under the Innovative Programs section of the Magnet Schools Assistance statute, will voluntarily implement such a plan that has been approved by the Secretary of Education as adequate under Title VI of the Civil Rights Act of 1964.

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

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

*Applications Available:* July 2, 1996.

*Available Funds:* \$3 million.

*Estimated Range of Awards:* \$300,000–\$500,000.

*Estimated Average Size of Awards:* \$400,000.

*Estimated Number of Awards:* 6–9.

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

*Project Period:* Up to 36 months.

*Applicable Regulations:* The Education Department General Administrative Regulations (EDGAR) in 34 CFR Parts 75, 77, 79, 80, 81, 82, 85, and 86.

#### General Requirements

Innovative Programs are authorized under the Magnet Schools Assistance (MSA) statute. However, while these programs must carry out the purpose of the MSA statute, (i.e., assist in the desegregation of schools served by an eligible LEA or consortium of LEAs), they must involve strategies other than magnet schools, such as neighborhood or community model schools. In addition, they must be organized around a special emphasis, theme, or concept and involve extensive parent and community involvement.

In order to be eligible for an Innovative Programs grant, an LEA or consortium of LEAs must be implementing a required desegregation plan or have adopted and implemented, or will implement if assistance is made available under the MSA statute, a voluntary desegregation plan. Accordingly, an applicant that is eligible due to a required desegregation plan shall submit a copy of its plan including, if the applicant is submitting a desegregation plan ordered by a State agency or official, documentation showing that the plan was ordered based on a determination that State law was violated. An applicant that is

eligible due to a voluntary desegregation plan also shall submit a copy of its plan. In addition, the applicant shall submit evidence of final official action adopting and implementing the desegregation plan or agreeing to adopt and implement the desegregation plan upon award of assistance.

Innovative Programs are exempt from certain provisions of the MSA statute, including section 5106 (Applications and Requirements), section 5107 (Priority), and section 5108 (Use of Funds). Other MSA statute requirements apply to applications submitted under Innovative Programs. Under section 5109, grants may not be used for transportation or any activity that does not augment academic improvement. In addition, an LEA or consortium may not expend funds for planning activities associated with its Innovative Programs grant after the third year of Federal funding. Under section 5110, a grantee may expend for planning not more than 50 percent of the funds received for the first year of the project, 15 percent of the grant funds for the second year, and 10 percent of the grant funds for the third year.

#### Selection Criteria

The selection criteria are included in full in the application package for this competition. These selection criteria were established based on the regulations for evaluating discretionary grants found in 34 CFR 75.200 through 75.210 (as amended December 12, 1995).

*For Applications or Information Contact:* Carolyn N. Andrews, U.S. Department of Education, 600 Independence Avenue, S.W., Portals 4500, Washington, D.C. 20202-6140. Telephone (202) 260-2670. 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. 7211.

Dated: June 24, 1996.

Gerald N. Tirozzi,

*Assistant Secretary for Elementary and Secondary Education.*

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**Public Charter Schools Program;  
Notice Inviting Applications for New  
Awards for Fiscal Year (FY) 1996**

**Purpose of Program**

A major purpose of the Public Charter Schools grant program is to increase understanding of the charter schools model by providing financial assistance for the design and initial implementation of charter schools.

**Who May Apply**

(a) State educational agencies (SEAs) in States with laws authorizing the establishment of charter schools. The Secretary awards grants to SEAs to enable them to conduct charter schools programs in their States. SEAs use their Public Charter Schools funds to award subgrants to "eligible applicants," as defined in this notice, for planning, program design, and initial implementation of a charter school.

(b) Under certain circumstances, an authorized public chartering agency participating in a partnership with a charter school developer. Such a partnership is eligible to receive funding directly from the U.S. Department of Education if—

(1) Its SEA elects not to participate in this competition; or

(2) Its SEA does not have an application approved under this program.

If an SEA's application is approved in this competition, applications received from non-SEA eligible applicants in that State will be returned to the applicants. In such a case, the eligible applicant should contact the SEA for information related to its subgrant competition.

Note: The following States currently have approved applications under this program: Arizona, California, Colorado, Georgia, Louisiana, Massachusetts, Michigan, Minnesota, Oregon, and Texas. In these States, only the SEA is eligible to receive an award under this competition. Eligible applicants in these States should contact their respective SEAs for information about participation in the State's charter school program.

*Deadline for Transmittal of Applications:* August 16, 1996.

*Deadline for Intergovernmental Review:* October 15, 1996.

*Applications Available:* July 2, 1996.

*Available Funds:* \$11,500,000.

*Estimated Range of Awards:* State educational agencies: \$250,000–\$1,000,000 per year; other eligible applicants: \$25,000–\$200,000 per year.

*Estimated Average Size of Awards:* State educational agencies: \$750,000 per year; other eligible applicants: \$50,000 per year.

*Estimated Number of Awards:* State educational agencies: 10–20; other eligible applicants: 3–20.

Note: These estimates are projections for the guidance of potential applicants. The Department is not bound by any estimates in this notice.

**Project Period**

State educational agencies: Up to 36 months. Eligible applicants: Grants awarded by the Secretary directly to eligible applicants or subgrants awarded by SEAs to eligible applicants will be awarded for a period of up to 36 months, of which the eligible applicant may use—

(a) Not more than 18 months for planning and program design; and

(b) Not more than two years for the initial implementation of a charter school.

**Applicable Regulations**

The Education Department General Administrative Regulations (EDGAR) in 34 CFR Parts 75 (except 75.210), 77, 79, 80, 81, 82, 85, and 86.

**Priority**

Under 34 CFR 75.105(c)(1) the Secretary is particularly interested in applications that meet the following invitational priority. However, an application that meets this invitational priority does not receive absolute or competitive preference over other applications:

**Invitational Priority—Empowerment Zones and Enterprise Communities**

Projects that address linkages between charter school initiatives and comprehensive educational improvement strategies undertaken in Empowerment Zones and Enterprise Communities designated by the Departments of Agriculture or Housing and Urban Development.

**Supplementary Information**

As part of wider education reform efforts to strengthen teaching and learning, charter schools can be an innovative approach to improving public education and expanding public school choice. While there is no one model, public charter schools are freed from most statutory and regulatory requirements in exchange for better

student academic achievement. They replace rules-based governance with performance-based accountability, thereby stimulating the creativity and commitment of teachers, parents, students, and citizens.

The following definitions, required contents of applications, selection criteria, diversity of projects requirements, waivers, and allowable activities are taken directly from the public charter schools statute, in title X, part C, of the Elementary and Secondary Education Act. They are being repeated in this application notice for the convenience of the applicant.

**Definitions**

The following definitions apply to this program:

(a) *Charter school* means a public school that—

(1) In accordance with an enabling State statute, is exempted from significant State or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the other requirements of this definition;

(2) Is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;

(3) Operates in pursuit of a specific set of educational objectives determined by the school's developer and agreed to by the authorized public chartering agency;

(4) Provides a program of elementary or secondary education, or both;

(5) Is nonsectarian in its programs, admissions policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution;

(6) Does not charge tuition;

(7) Complies with the Age Discrimination Act of 1975, title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, and part B of the Individuals With Disabilities Education Act;

(8) Admits students on the basis of a lottery, if more students apply for admission than can be accommodated;

(9) Agrees to comply with the same Federal and State audit requirements as do other elementary and secondary schools in the State, unless the requirements are specifically waived for the purposes of this program;

(10) Meets all applicable Federal, State, and local health and safety requirements; and

(11) Operates in accordance with State law.

(b) *Developer* means an individual or group of individuals (including a public