

DEPARTMENT OF EDUCATION**Safe and Drug-Free Schools and Communities Federal Activities Grants Program (Hate Crimes Prevention)****AGENCY:** Department of Education.**ACTION:** Notice of Final Priority for Fiscal Year 1996.

SUMMARY: The Secretary announces a final priority for fiscal year (FY) 1996 under the Safe and Drug-Free Schools and Communities Federal Activities Grants Program. The Secretary takes this action to focus Federal financial assistance on unmet national needs. Under this priority, the Department will fund the development and implementation of innovative, effective strategies for preventing and reducing the incidence of crimes and conflicts motivated by hate in localities directly affected by hate crimes. Strategies may include, but need not be limited to: (1) Developing and disseminating curricula or other instructional materials on the causes and consequences of hate-motivated behavior and effective measures of intervening with youth to prevent such behaviors; (2) school-community partnerships that provide opportunities for youth to engage in service learning activities designed to reduce the incidence of crimes and conflicts motivated by hate; and (3) training of school personnel, parents, and community members on issues related to crimes and conflicts motivated by hate.

EFFECTIVE DATE: This priority takes effect August 1, 1996.

FOR FURTHER INFORMATION CONTACT: Charlotte Gillespie, U.S. Department of Education, 600 Independence Ave., SW., Room 604 Portals, Washington, DC 20202-6123. Telephone: (202) 260-3954. 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.

SUPPLEMENTARY INFORMATION: The seventh National Education Goal provides that, by the year 2000, all schools in America will be free of drugs and violence and the unauthorized presence of firearms and alcohol and will offer a disciplined environment that is conducive to learning. The State grant portion of the Safe and Drug-Free Schools and Communities Act (SDFSCA) provides funding to 97 percent of school districts in the Nation to assist them in preventing violence in and around schools, promoting safety and discipline for students, and preventing the illegal use of alcohol,

tobacco, and other drugs. The SDFSCA Federal Activities Grants Program reinforces that effort by supporting the development of innovative programs that (1) Demonstrate effective new methods of ensuring safe and drug-free schools and communities, and (2) ultimately will provide models of proven effective practice that will assist schools and communities around the Nation to improve their programs under the SDFSCA.

This notice contains one absolute priority to be applied to this competition under the Safe and Drug-Free Schools and Communities Federal Activities Grants Program.

The Secretary will award approximately 10 grants in fiscal year 1996 to public and private nonprofit organizations and individuals, including local educational agencies, for applications that address the absolute priority in a particularly innovative and effective manner. Grants will be for a period of one year; however, because of the urgent national need for effective programs to address violent behavior motivated by hate, applications must clearly demonstrate an ability to begin service delivery to the target audience within four months of the grant award.

In making awards under this grant program, the Secretary may take into consideration the geographic distribution and diversity of activities addressed by the projects, in addition to the rank order of applicants.

Contingent upon the availability of funds, the Secretary may make additional awards in fiscal year 1997 from the rank-ordered list of unfunded applicants from this competition.

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

Applications for this competition must be received at the address specified in the notice inviting applications for this competition no later than 4:30 p.m. on August 2, 1996. Applications received after that time will not be eligible for funding. Postmarked dates will not be accepted.

Priorities

Under 34 CFR 75.105(c)(3) and the Safe and Drug-Free Schools and Communities Act, the Secretary gives an absolute preference to applications that meet the following priority. The Secretary funds under this competition only applications that meet this absolute priority:

Absolute Priority—Developing and implementing innovative, effective

strategies for preventing and reducing the incidence of crimes and conflicts motivated by hate in localities directly affected by hate crimes.

Applicants proposing a project under this priority must—

(1) Describe the problem that will be addressed, including an assessment of the number of persons who will benefit from the project;

(2) Demonstrate that the community to be served by the project has a significant level of crime or conflict motivated by hate;

(3) Describe the activities to be implemented and explain how they are based on research and best practices, how they will lead to sustained improvements in the school and community environment, and how they will be cost-effective and replicable;

(4) Provide evidence of collaboration with the following groups in the planning and implementation of the program—

- (i) Students and families,
- (ii) Local school officials and teachers,
- (iii) Community leaders and representatives from groups such as religious, business, and civic organizations, and
- (iv) Juvenile justice, law enforcement, and community policing representatives;

(5) Identify the roles and responsibilities of each participating group;

(6) Describe the behavioral, developmental, or theoretical basis for the proposed project and provide evidence for its effectiveness in preventing and reducing the incidence of crimes and conflicts motivated by hate;

(7) Identify the intended audience to be served and describe how the proposed activities are appropriate for the target population;

(8) Provide a detailed plan of implementation, including evidence of ability to begin service delivery within four months of the grant award;

(9) Identify performance goals for the project and provide a description of how progress toward achieving goals will be measured; and

(10) Provide evidence of the proposed strategy's potential to provide a replicable model of effective practice for other schools and communities facing similar problems.

Waiver of Proposed Rulemaking

In accordance with the Administrative Procedure Act (5 U.S.C. 553), it is the practice of the Department to offer interested parties the opportunity to comment on proposed rules. Ordinarily, this practice would

have applied to the rules in this notice. However, the Secretary waives rulemaking under section 553(b)(B) of the Administrative Procedures 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. The Secretary believes that, in order to make timely grant awards using Fiscal Year (FY) 1996 funds, public comment on those rules is impracticable. Congress did not appropriate FY 1996 funds for this program until April 26, 1996. The Secretary must make new awards no later than September 30, 1996. Moreover, the Safe and Drug-Free Schools and Communities National Programs statute is designed to address emergency needs in drug and violence prevention. Programs need to be implemented as early as possible in the 1996-97 school year. Due to the delay in the appropriation of FY 1996 funds, it is now impracticable to receive public comments and still allow FY 1996 awards to be made by September 30, 1996.

Intergovernmental Review

This program is subject to the requirements of Executive Order 12372 (Intergovernmental Review of Federal Programs) and the regulations in 34 CFR Part 79.

The objective of the Executive order is to foster an intergovernmental partnership and to strengthen 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. 7131. (Catalog of Federal Domestic Assistance Program Number 84.184E Safe and Drug-Free Schools and Communities Act Federal Activities Grants Program)

Dated: June 26, 1996.

Gerald N. Tirozzi,

Assistant Secretary for Elementary and Secondary Education.

[FR Doc. 96-16835 Filed 6-28-96; 9:01 am]

BILLING CODE 4000-01-P

DEPARTMENT OF EDUCATION

[CFDA No.: 84.184E]

Safe and Drug-Free Schools and Communities Federal Activities Grants Program (Hate Crimes Prevention)

Notice inviting applications for new awards for fiscal year (FY) 1996.

Note to Applicants: This notice is a complete application package. Together with the statute authorizing the program and applicable regulations governing the program, including the Education Department General Administrative Regulations (EDGAR), the notice contains all of the information, application forms, and instructions needed to apply for a grant under this competition.

Purpose of Program: To fund the development and implementation of innovative, effective strategies for preventing and reducing the incidence of crimes and conflicts motivated by hate in localities directly affected by hate crimes.

Eligible Applicants: Public and private nonprofit organizations and individuals, including local educational agencies.

Deadline for Receipt of Applications: August 2, 1996.

Deadline for Intergovernmental Review: September 2, 1996.

Available Funds: \$2,000,000.

Estimated Range of Awards: \$100,000-\$300,000.

Estimated Average Size of Awards: \$200,000.

Estimate Number of Awards: 10.

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

Project Period: Up to 12 months.

Applicable Regulations:

(a) The Education Department General Administrative Regulations (EDGAR) as follows:

(1) 34 CFR Part 74 (Administration of Grants to Institutions of Higher Education, Hospitals, and Nonprofit Organizations).

(2) 34 CFR Part 75 (Direct Grant Programs).

(3) 34 CFR Part 77 (Definitions that Apply to Department Regulations).

(4) 34 CFR Part 79 (Intergovernmental Review of Department of Education Programs and Activities).

(5) 34 CFR Part 80 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments).

(6) 34 CFR Part 81 (General Education Provisions Act—Enforcement).

(7) 34 CFR Part 82 (New Restrictions on Lobbying).

(8) 34 CFR Part 85 (Governmentwide Debarment and Suspension

(Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)).

(9) 34 CFR Part 86 (Drug-Free Schools and Campuses).

Note: As of July 1, 1995, Part 86 of EDGAR no longer applies to SEAs and LEAs. It continues to apply to IHEs. This change results from the Improving America's Schools Act of 1994, Pub.L. 103-382.

Description of Program: The seventh National Education Goal provides that, by the year 2000, all schools in America will be free of drugs and violence and the unauthorized presence of firearms and alcohol and offer a disciplined environment that is conducive to learning. The State grant portion of the Safe and Drug-Free Schools and Communities Act (SDFSCA) provides funding to 97 percent of school districts in the nation to assist them in preventing violence in and around schools, promoting safety and discipline for students, and preventing the illegal use of alcohol, tobacco, and other drugs. The Safe and Drug-Free Schools Federal Activities Grants Program reinforces that effort by supporting the development of innovative programs that (1) demonstrate effective new methods of ensuring safe and drug-free schools and communities, and (2) ultimately will provide models of proven effective practice that will assist schools and communities around the nation to improve their programs under the SDFSCA.

Public and private nonprofit organizations and individuals receiving funds under this program may not use funds for construction (except for minor remodeling needed to carry out the activities described in the application) and medical services, drug treatment or rehabilitation, except for pupil services or referral to treatment for students who are victims of or witnesses to crime or who use alcohol, tobacco, or drugs.

The term 'nonprofit', as applied to a school, agency, organization, or institution means a school, agency, organization, or institution owned and operated by one or more nonprofit corporations or associations, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

In making awards under this grant program, the Secretary may take into consideration the geographic distribution and diversity of activities addressed by the projects, in addition to the rank order of applications.

Background

Consistent with the definition used by the Department of Justice, a hate crime