

to provide an opportunity for interested individuals and organizations to submit comments on the revised "Principles and Standards". Using these comments and those from the National Academy of Sciences, CEQ will lead an interagency effort to finalize the Principles and Standards and draft the Procedures sections of the Principles and Guidelines.

*Draft Document For Review:* The draft "Principles and Standards" for review can be accessed on the Internet at <http://www.whitehouse.gov/administration/eop/ceq/initiatives/PandG/> or, upon request, will be provided by mail or e-mail.

**DATES:** CEQ is extending the written comments period, they will be accepted through April 5, 2010.

**ADDRESSES:** Comments may be submitted in writing to the Council on Environmental Quality, Attn: Terry Breyman, 722 Jackson Place, NW., Washington, DC 20503, via e-mail to [P&G@ceq.eop.gov](mailto:P&G@ceq.eop.gov), FAX 202-456-6546, or submitted via the CEQ Web page at <http://www.whitehouse.gov/administration/eop/ceq/initiatives/PandG/>.

**FOR FURTHER INFORMATION CONTACT:** Terry Breyman, Deputy Associate Director for Natural Resources, at 202-456-9721.

**SUPPLEMENTARY INFORMATION:** The Council on Environmental Quality in conjunction with the Office of Management and Budget is seeking comments on the revised draft of the "Principles and Standards" (Chapter I of the 1983 P&G) which is the first phase. Revision of Chapters II through IV of the Procedures will be initiated at a later date. Written comments should be submitted to Terry Breyman, 722 Jackson Place, NW., Washington, DC 20503 or via e-mail to [P&G@ceq.eop.gov](mailto:P&G@ceq.eop.gov) or FAX 202-456-6546. Comments may also be submitted directly to the Council of Environmental Quality Web page at <http://www.whitehouse.gov/administration/eop/ceq/initiatives/PandG/>. To help understand the changes, the following background documents will be made available by mail or e-mail or they may be accessed at the Internet addresses indicated: "Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies dated March 10, 1983 ([http://www.usace.army.mil/CECW/PlanningCOP/Documents/library/Principles\\_Guidelines.pdf](http://www.usace.army.mil/CECW/PlanningCOP/Documents/library/Principles_Guidelines.pdf)) Water Resources Development Act of 2007 (Pub. L. 110-114) at [\*PlanningCOP/Documents/library/hr1495\\_pl110-114.pdf.\*](http://www.usace.army.mil/CECW/</a></p>
</div>
<div data-bbox=)

Dated: February 26, 2010.

**Nancy H. Sutley,**

*Chair, Council on Environmental Quality.*

[FR Doc. 2010-4501 Filed 3-3-10; 8:45 am]

**BILLING CODE 3125-W0-P**

## DEPARTMENT OF EDUCATION

### Office of Innovation and Improvement; Overview Information Magnet Schools Assistance Program; Notice Inviting Applications for New Awards for Fiscal Year (FY) 2010

*Catalog of Federal Domestic Assistance (CFDA) Number: 84.165A.*

*Dates:*

*Applications Available:* March 8, 2010.

*Deadline for Notice of Intent to Apply:* April 5, 2010.

*Date of Pre-Application Meeting:* March 26, 2010.

*Deadline for Transmittal of Applications:* May 3, 2010.

*Deadline for Intergovernmental Review:* July 2, 2010.

#### Full Text of Announcement

##### I. Funding Opportunity Description

*Purpose of Program:* The Magnet Schools Assistance Program (MSAP) provides grants to eligible local educational agencies (LEAs) and consortia of LEAs to support magnet schools that are part of an approved desegregation plan. Through the implementation of magnet schools, these program resources can be used in pursuit of the objectives of the Elementary and Secondary Education Act (ESEA), which supports State and local efforts to enable all elementary and secondary students to achieve to high standards and holds schools, LEAs, and States accountable for ensuring that their students do so. In particular, the MSAP provides an opportunity for eligible entities to focus on expanding their capacity to provide public school choice to students who attend schools identified for improvement, corrective action, or restructuring under Title I, Part A of the ESEA.

*Priorities:* This competition includes four competitive preference priorities which are explained in the following paragraphs.

*Competitive Preference Priorities:* In accordance with 34 CFR 75.105(b)(2)(ii), Priorities 1, 2, and 3 are from the regulations for this program (34 CFR 280.32). Priority 4 is from the notice of final priority for this program, published in the **Federal Register** on March 9, 2007 (72 FR 10729).

For FY 2010, these priorities are competitive preference priorities. Under 34 CFR 75.105(c)(2)(i) we award up to an additional 40 points to an application, depending on how well the application meets these priorities. The maximum possible points for each priority are indicated in parentheses following the title of the competitive preference priority. These points are in addition to any points the application earns under the selection criteria.

These priorities are:

*Priority 1—Need for assistance* (up to 10 additional points). The Secretary evaluates the applicant's needs for assistance under the MSAP regulations in 34 CFR part 280, by considering—

(a) The costs of fully implementing the magnet schools project as proposed;

(b) The resources available to the applicant to carry out the project if funds under the program were not provided;

(c) The extent to which the costs of the project exceed the applicant's resources; and

(d) The difficulty of effectively carrying out the approved plan and the project for which assistance is sought, including consideration of how the design of the magnet schools project—*e.g.*, the type of program proposed, the location of the magnet school within the LEA—impacts on the applicant's ability to carry out the approved plan successfully.

*Priority 2—New or revised magnet school projects* (up to 10 additional points). The Secretary determines the extent to which the applicant proposes to carry out new magnet schools projects or significantly revise existing magnet schools projects.

*Priority 3—Selection of students* (up to 10 additional points). The Secretary determines the extent to which the applicant proposes to select students to attend magnet schools by methods such as lottery, rather than through academic examination.

*Priority 4—Expanding Capacity to Provide Choice* (up to 10 additional points). This priority supports projects that will—

(1) Help parents whose children attend low-performing schools (that is, schools that have been identified for school improvement, corrective action, or restructuring under Title I of the Elementary and Secondary Education Act of 1965, as amended) by—

(a) Selecting schools identified for school improvement, corrective action, or restructuring under Title I as magnet schools to be funded under this project and improving the quality of teaching and instruction in these schools; or

(b) Maximizing the opportunity for students in low-performing schools to attend higher-performing magnet schools funded under the project and thereby reduce minority group isolation in the low-performing sending schools; and

(2) Effectively inform parents whose children attend low-performing schools about choices that are available to them in the magnet schools funded under the project.

**Note 1:** For the purpose of this priority, *school improvement* has the meaning given in 34 CFR 200.32(a)(1), *corrective action* has the meaning given in 34 CFR 200.33(a), and *restructuring* has the meaning given in 34 CFR 200.34(a).

**Note 2:** Priority 4 provides for an applicant to earn up to 10 priority points. To earn a maximum of 10 points an applicant must meet both paragraph (1)(a) and (1)(b) and paragraph (2) of the priority. An applicant proposing only to use the approach in paragraph 1(a) in one or more schools in the district and that meets paragraph (2) would earn up to 5 points. Similarly, an applicant proposing only to use the approach in paragraph 1(b) in one or more other schools in the district and that meets paragraph (2) would earn up to 5 additional points. Applicants proposing to use one or both approaches must also meet paragraph (2) in order to receive points under this priority.

**Background for Priority 4:** Paragraph 1(a) supports eligible applicants that propose to convert one or more schools identified for improvement, corrective action, or restructuring under Title I into magnet schools. Paragraph 1(b) supports eligible applicants that would use higher-performing schools as magnet schools and, by doing so, significantly increase the opportunity for students attending schools identified for school improvement, corrective action, or restructuring to participate in public school choice by attending a higher-performing school. Under paragraph 1(b), an eligible applicant would need to ensure that the magnet school would have sufficient space available to accommodate students who would likely be interested in transferring from schools identified for school improvement, corrective action, or restructuring. Additionally, the applicant would need to show how the enrollment of the magnet and/or sending schools (*i.e.*, the schools identified for school improvement, corrective action, or restructuring from which students would transfer) would change in a manner that resulted in the elimination, reduction, or prevention of minority group isolation in those sending schools.

**Program Authority:** 20 U.S.C. 7231–7231j.

**Applicable Regulations:** (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 75, 77, 79, 80, 81, 82, 84, 85, 97, 98, and 99. (b) The regulations for this program in 34 CFR part 280 as amended by the interim final regulations published elsewhere in this issue of the **Federal Register**. (c) The notice of final priority for the MSAP, published in the **Federal Register** on March 9, 2007 (72 FR 10729).

## II. Award Information

**Type of Award:** Discretionary grants.  
**Estimated Available Funds:** \$100,000,000.

**Estimated Range of Awards:** \$350,000–\$4,000,000 per year.

**Estimated Average Size of Awards:** \$2,500,000 per year.

**Maximum Award:** We will not fund any application at an amount exceeding the maximum amount of \$4,000,000 per year specified in section 5309(c) of the Elementary and Secondary Education Act of 1965, as amended (ESEA), for a single fiscal year. We may choose not to further consider or review applications with budget requests for any 12-month budget period that exceed this amount, if we conclude, during our initial review of the application, that the proposed goals and objectives cannot be obtained with the specified maximum amount.

**Estimated Number of Awards:** 40.

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

**Project Period:** Up to 36 months.

## III. Eligibility Information

- Eligible Applicants:** LEAs or consortia of LEAs.
- Cost Sharing or Matching:** This program does not require cost sharing or matching.
- Other:** Applicants must submit with their applications one of the following types of desegregation plans to establish eligibility to receive MSAP assistance: (a) A desegregation plan required by a court order; (b) a desegregation plan required by a State agency or an official of competent jurisdiction; (c) a desegregation plan required by the Office for Civil Rights (OCR), United States Department of Education (Department), under Title VI of the Civil Rights Act of 1964 (Title VI plan); or (d) a voluntary desegregation plan adopted by the applicant and submitted to us for approval as part of the application. Under the MSAP regulations, applicants are required to provide all of the information required in 34 CFR 280.20(a) through (g), as amended by the interim final regulations published elsewhere in this

issue of the **Federal Register**, in order to satisfy the civil rights eligibility requirements found in 34 CFR 280.2(a)(2) and (b).

In addition to the particular data and other items for required and voluntary desegregation plans described in the application package, an application must include—

Signed civil rights assurances (included in the application package);  
A copy of the applicant's desegregation plan; and

An assurance that the desegregation plan is being implemented or will be implemented if the application is funded.

### Required Desegregation Plans

1. **Desegregation plans required by a court order.** An applicant that submits a desegregation plan required by a court order must submit complete and signed copies of all court or State documents demonstrating that the magnet schools are a part of the approved desegregation plan. Examples of the types of documents that would meet this requirement include—

A Federal or State court order that establishes or amends a previous order or orders by establishing additional or different specific magnet schools;

A Federal or State court order that requires or approves the establishment of one or more unspecified magnet schools or that authorizes the inclusion of magnet schools at the discretion of the applicant.

2. **Desegregation plans required by a State agency or official of competent jurisdiction.** An applicant submitting a desegregation plan ordered by a State agency or official of competent jurisdiction must provide documentation that shows that the desegregation plan was ordered based upon a determination that State law was violated. In the absence of this documentation, the applicant should consider its desegregation plan to be a voluntary plan and submit the data and information necessary for voluntary plans.

3. **Title VI required desegregation plans.** An applicant that submits a desegregation plan required by OCR under Title VI must submit a complete copy of the desegregation plan demonstrating that magnet schools are part of the approved plan.

4. **Modifications to required desegregation plans.** A previously approved desegregation plan that does not include the magnet school or program for which the applicant is now seeking assistance must be modified to include the magnet school component. The modification to the desegregation

plan must be approved by the court, agency, or official that originally approved the plan. An applicant that wishes to modify a previously approved OCR Title VI desegregation plan to include different or additional magnet schools must submit the proposed modification for review and approval to the OCR regional office that approved its original plan.

An applicant should indicate in its application if it is seeking to modify its previously approved plan. However, all applicants must submit proof of approval of all modifications to their desegregation plans to the Department by June 2, 2010. Proof of plan modifications should be mailed to the person and address identified under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice.

#### *Voluntary Desegregation Plans*

A voluntary desegregation plan must be approved by ED each time an application is submitted for funding. Even if ED has approved a voluntary desegregation plan in an LEA in the past, the plan must be resubmitted for approval as part of the application.

The enrollment and other information as required by the regulations in 34 CFR 280.20(f) and (g) for applicants with voluntary desegregation plans (specific requirements are detailed in the application package) are critical to our determination of an applicant's eligibility under a voluntary desegregation plan.

The purposes of the MSAP include the reduction, elimination, or prevention of minority group isolation. All voluntary desegregation plans proposed in an LEA's application must be adequate under Title VI.

#### **IV. Application and Submission Information**

**1. Address To Request Application Package:** You can obtain an application package via the Internet, from the Education Publications Center (ED Pubs), or from the program office.

To obtain a copy via the Internet, use the following address: <http://www.ed.gov/fund/grant/apply/grantapps/index.html>.

To obtain a copy from ED Pubs, write, fax, or call the following: U.S. Department of Education—ED Pubs—NTIS, P.O. Box 22207, Alexandria, VA 22304. Telephone, toll free: 1-877-433-7827. FAX: (703) 605-6791. If you use a telecommunications device for the deaf (TDD), call, toll free: 1-877-576-7734.

You can contact ED Pubs at its Web site, also: <http://www.ed.gov/pubs/>

[edpubs.html](http://edpubs.html) or at its e-mail address: [edpubs@inet.ed.gov](mailto:edpubs@inet.ed.gov).

If you request an application from ED Pubs, be sure to identify this program as follows: CFDA number 84.165A.

To obtain a copy from the program office, contact: Rosie Kelley, U.S. Department of Education, 400 Maryland Avenue, SW., Room 4W221, Washington, DC 20202-6450. Telephone: (202) 260-1108 or by e-mail: [FY10MSAPCOMP@ed.gov](mailto:FY10MSAPCOMP@ed.gov). If you use a TDD, call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

Individuals with disabilities can obtain a copy of the application package in an accessible format (e.g., Braille, large print, audiotape, or computer diskette) by contacting the person listed in this section.

**2. Content and Form of Application Submission:** Requirements concerning the content of an application, together with the forms you must submit, are in the application package for this competition.

**Notice of Intent To Apply:** The Department will be able to develop a more efficient process for reviewing grant applications if it has a better understanding of the number of entities that intend to apply for funding under this competition. Therefore, the Secretary strongly encourages each potential applicant to notify the Department by sending a short e-mail message indicating the applicant's intent to submit an application for funding. The e-mail need not include information regarding the content of the proposed application, only the applicant's intent to submit it. This e-mail notification should be sent to [FY10MSAPCOMP@ed.gov](mailto:FY10MSAPCOMP@ed.gov). Applicants that do not provide this e-mail notification may still apply for funding.

**Page Limit:** The application narrative is where you, the applicant, address the selection criteria and two of the competitive preference priorities that reviewers use to evaluate your application. The two competitive preference priorities that must be addressed in the application narrative are Competitive Preference Priority 1—Need for Assistance; and Competitive Preference Priority 4—Expanding Capacity to Provide Choice. You must limit the application narrative to the equivalent of no more than 100 pages, using the following standards:

- A "page" is 8.5" x 11", on one side only, with 1" margins at the top, bottom, and both sides.
- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all

text in charts, tables, figures, and graphs.

- Use a font that is either 12 point or larger or no smaller than 10 pitch (characters per inch).

- Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial. An application submitted in any other font (including Times Roman or Arial Narrow) will be not accepted.

The page limit does not apply to the cover sheet; the budget section, including the narrative budget justification; the assurances, certifications, the desegregation plan and related information; the forms used to respond to Competitive Preference Priority 2—New or revised magnet schools projects and Competitive Preference Priority 3—Selection of students; or the one-page abstract, the resumes, or letters of support. However, the page limit does apply to all of the application narrative.

Our reviewers will not read any pages of your application that—

- Exceed the page limit; or
- Exceed the equivalent of the page limit if you apply other standards.

**3. Submission Dates and Times:**  
*Applications Available:* March 8, 2010.

**Date of Pre-Application Meeting:** The Department will hold a pre-application meeting for prospective applicants on Friday, March 26, 2010, from 1:30 p.m. to 3:30 p.m. at the U.S. Department of Education, Barnard Auditorium, 400 Maryland Avenue, SW., Washington, DC. Interested parties are invited to participate in this meeting to discuss the purpose of the MSAP, competitive preference priorities, selection criteria, application content, submission requirements, and reporting requirements. Interested parties may participate in this meeting either by conference call or in person. This site is accessible by Metro on the Blue, Orange, Green, and Yellow lines at the Seventh Street and Maryland Avenue exit of the L'Enfant Plaza station. After the meeting, MSAP staff also will be available from 3:30 p.m. to 4:30 p.m. on that same day to provide information and technical assistance through individual consultation.

Individuals interested in attending this meeting are encouraged to pre-register by e-mailing their name, organization, and contact information with the subject heading PRE-APPLICATION MEETING to [FY10MSAPCOMP@ed.gov](mailto:FY10MSAPCOMP@ed.gov). There is no registration fee for attending this meeting. For further information contact Rosie Kelley, U.S. Department of Education, Office of Innovation and

Improvement, room 4W221, 400 Maryland Avenue, SW., Washington, DC 20202. Telephone: (202) 260-0911 or by e-mail: [FY10MSAPCOMP@ed.gov](mailto:FY10MSAPCOMP@ed.gov).

*Assistance to Individuals With Disabilities at the Pre-Application Meeting*

The meeting site is accessible to individuals with disabilities. If you will need an auxiliary aid or service to participate in the meeting (e.g., interpreting service, assistive listening device, or materials in an accessible format), notify the contact person listed in this notice at least two weeks before the scheduled meeting date. Although we will attempt to meet a request we receive after that date, we may not be able to make available the requested auxiliary aid or service because of insufficient time to arrange it.

*Deadline for Transmittal of Applications: May 3, 2010.*

Applications for grants under this competition must be submitted electronically using the Electronic Grant Application System (e-Application) accessible through the Department's e-Grants site. For information (including dates and times) about how to submit your application electronically, or in paper format by mail or hand delivery if you qualify for an exception to the electronic submission requirement, please refer to section IV. 6. *Other Submission Requirements* of this notice.

We do not consider an application that does not comply with the deadline requirements.

Individuals with disabilities who need an accommodation or auxiliary aid in connection with the application process should contact the person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice. If the Department provides an accommodation or auxiliary aid to an individual with a disability in connection with the application process, the individual's application remains subject to all other requirements and limitations in this notice.

*Deadline for Intergovernmental Review: July 2, 2010.*

4. *Intergovernmental Review:* This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. Information about Intergovernmental Review of Federal Programs under Executive Order 12372 is in the application package for this competition.

5. *Funding Restrictions:* We specify unallowable costs in 34 CFR 280.41. We reference additional regulations outlining funding restrictions in the

*Applicable Regulations* section of this notice.

6. *Other Submission Requirements:* Applications for grants under this competition must be submitted electronically unless you qualify for an exception to this requirement in accordance with the instructions in this section.

a. *Electronic Submission of Applications.*

Applications for grants under the Magnet Schools Assistance Program—CFDA Number 84.165A must be submitted electronically using e-Application, accessible through the Department's e-Grants Web site at: <http://e-grants.ed.gov>.

We will reject your application if you submit it in paper format unless, as described elsewhere in this section, you qualify for one of the exceptions to the electronic submission requirement and submit, no later than two weeks before the application deadline date, a written statement to the Department that you qualify for one of these exceptions. Further information regarding calculation of the date that is two weeks before the application deadline date is provided later in this section under *Exception to Electronic Submission Requirement*.

While completing your electronic application, you will be entering data online that will be saved into a database. You may not e-mail an electronic copy of a grant application to us.

Please note the following:

- You must complete the electronic submission of your grant application by 4:30:00 p.m., Washington, DC time, on the application deadline date. E-Application will not accept an application for this competition after 4:30:00 p.m., Washington, DC time, on the application deadline date. Therefore, we strongly recommend that you do not wait until the application deadline date to begin the application process.

- The hours of operation of the e-Grants Web site are 6:00 a.m. Monday until 7:00 p.m. Wednesday; and 6:00 a.m. Thursday until 8:00 p.m. Sunday, Washington, DC time. Please note that, because of maintenance, the system is unavailable between 8:00 p.m. on Sundays and 6:00 a.m. on Mondays, and between 7:00 p.m. on Wednesdays and 6:00 a.m. on Thursdays, Washington, DC time. Any modifications to these hours are posted on the e-Grants Web site.

- You will not receive additional point value because you submit your application in electronic format, nor will we penalize you if you qualify for

an exception to the electronic submission requirement, as described elsewhere in this section, and submit your application in paper format.

- You must submit all documents electronically, including all information you typically provide on the following forms: the Application for Federal Assistance (SF 424), the Department of Education Supplemental Information for SF 424, Budget Information—Non-Construction Programs (ED 524), and all necessary assurances and certifications. You must attach any narrative sections of your application as files in a .DOC (document), .RTF (rich text), or .PDF (Portable Document) format. If you upload a file type other than the three file types specified in this paragraph or submit a password protected file, we will not review that material.

- Your electronic application must comply with any page limit requirements described in this notice.

- Prior to submitting your electronic application, you may wish to print a copy of it for your records.

- After you electronically submit your application, you will receive an automatic acknowledgment that will include a PR/Award number (an identifying number unique to your application).

- Within three working days after submitting your electronic application, fax a signed copy of the SF 424 to the Application Control Center after following these steps:

(1) Print SF 424 from e-Application.

(2) The applicant's Authorizing Representative must sign this form.

(3) Place the PR/Award number in the upper right hand corner of the hard-copy signature page of the SF 424.

(4) Fax the signed SF 424 to the Application Control Center at (202) 245-6272.

- We may request that you provide us original signatures on other forms at a later date.

*Application Deadline Date Extension in Case of e-Application Unavailability:*

If you are prevented from electronically submitting your application on the application deadline date because e-Application is unavailable, we will grant you an extension of one business day to enable you to transmit your application electronically, by mail, or by hand delivery. We will grant this extension if—

(1) You are a registered user of e-Application and you have initiated an electronic application for this competition; and

(2) (a) E-Application is unavailable for 60 minutes or more between the hours of 8:30 a.m. and 3:30 p.m., Washington,

DC time, on the application deadline date; or

(b) E-Application is unavailable for any period of time between 3:30 p.m. and 4:30:00 p.m., Washington, DC time, on the application deadline date.

We must acknowledge and confirm these periods of unavailability before granting you an extension. To request this extension or to confirm our acknowledgment of any system unavailability, you may contact either (1) the person listed elsewhere in this notice under **FOR FURTHER INFORMATION CONTACT** (see VII. Agency Contact) or (2) the e-Grants help desk at 1-888-336-8930. If e-Application is unavailable due to technical problems with the system and, therefore, the application deadline is extended, an e-mail will be sent to all registered users who have initiated an e-Application. Extensions referred to in this section apply only to the unavailability of e-Application.

**Exception to Electronic Submission Requirement:** You qualify for an exception to the electronic submission requirement, and may submit your application in paper format, if you are unable to submit an application through e-Application because—

- You do not have access to the Internet; or
- You do not have the capacity to upload large documents to e-Application; *and*
- No later than two weeks before the application deadline date (14 calendar days or, if the fourteenth calendar day before the application deadline date falls on a Federal holiday, the next business day following the Federal holiday), you mail or fax a written statement to the Department, explaining which of the two grounds for an exception prevents you from using the Internet to submit your application. If you mail your written statement to the Department, it must be postmarked no later than two weeks before the application deadline date. If you fax your written statement to the Department, we must receive the faxed statement no later than two weeks before the application deadline date.

Address and mail or fax your statement to: Rosie Kelley, U.S. Department of Education, 400 Maryland Avenue, SW., room 4W221, Washington, DC 20202. FAX: (202) 260-1108.

Your paper application must be submitted in accordance with the mail or hand delivery instructions described in this notice.

#### b. *Submission of Paper Applications by Mail.*

If you qualify for an exception to the electronic submission requirement, you

may mail (through the U.S. Postal Service or a commercial carrier) your application to the Department. You must mail the original and two copies of your application, on or before the application deadline date, to the Department at the following address: U.S. Department of Education, Application Control Center, Attention: (CFDA Number 84.165A), LBJ Basement Level 1, 400 Maryland Avenue, SW., Washington, DC 20202-4260.

You must show proof of mailing consisting of one of the following:

- (1) A legibly dated U.S. Postal Service postmark.
- (2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.
- (3) A dated shipping label, invoice, or receipt from a commercial carrier.
- (4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of Education.

If you mail your application through the U.S. Postal Service, we do not accept either of the following as proof of mailing:

- (1) A private metered postmark.
- (2) A mail receipt that is not dated by the U.S. Postal Service.

If your application is postmarked after the application deadline date, we will not consider your application.

**Note:** The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, you should check with your local post office.

#### c. *Submission of Paper Applications by Hand Delivery.*

If you qualify for an exception to the electronic submission requirement, you (or a courier service) may deliver your paper application to the Department by hand. You must deliver the original and two copies of your application, by hand, on or before the application deadline date, to the Department at the following address: U.S. Department of Education, Application Control Center, Attention: (CFDA Number 84.165A), 550 12th Street, SW., Room 7041, Potomac Center Plaza, Washington, DC 20202-4260.

The Application Control Center accepts hand deliveries daily between 8:00 a.m. and 4:30:00 p.m., Washington, DC time, except Saturdays, Sundays, and Federal holidays.

**Note for Mail or Hand Delivery of Paper Applications:** If you mail or hand deliver your application to the Department—

- (1) You must indicate on the envelope and—if not provided by the Department—in Item 11 of the SF 424 the CFDA number, including suffix letter, if any, of the competition under which you are submitting your application; and
- (2) The Application Control Center will mail to you a notification of receipt of your

grant application. If you do not receive this grant notification within 15 business days from the application deadline date, you should call the U.S. Department of Education Application Control Center at (202) 245-6288.

## V. Application Review Information

**Selection Criteria:** The selection criteria for this program are from 34 CFR 75.210 (Quality of Project Services) and 34 CFR 280.31 (Quality of personnel, Quality of project design, Budget and resources, Evaluation plan, Commitment and capacity). The quality of project design criterion is based on sections 5305(b)(1)(A), 5305(b)(1)(B), 5305(b)(1)(D)(i), 5305(b)(2)(D) and 5307(b) of the ESEA, in accordance with 34 CFR 75.209 and 280.30. All of the selection criteria are listed in this section and in the application package.

The maximum score for all the selection criteria is 100 points. The maximum score for each criterion is included in parentheses. Each criterion also includes the factors that reviewers will consider in determining whether an application meets the criterion.

Points awarded under these selection criteria are in addition to any points an applicant earns under the competitive preference priorities in this notice. The maximum score an application may receive based on the priority points and the selection criteria is 140 points.

The selection criteria are as follows:

(a) *Quality of project services.* (25 points)

(1) The Secretary considers the quality of the services to be provided by the proposed project.

(2) In determining the quality of the services to be provided by the proposed project, the Secretary considers 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.

(3) In addition, the Secretary considers one or more of the following factors:

(i) The extent to which the services to be provided by the proposed project are appropriate to the needs of the intended recipients or beneficiaries of those services.

(iii) The extent to which the services to be provided by the proposed project reflect up-to-date knowledge from research and effective practice.

(iv) The likely impact of the services to be provided by the proposed project on the intended recipients of those services.

(v) The extent to which the training or professional development services to be

provided by the proposed project are of sufficient quality, intensity, and duration to lead to improvements in practice among the recipients of those services.

(vii) The likelihood that the services to be provided by the proposed project will lead to improvements in the achievement of students as measured against rigorous academic standards.

(ix) 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.

(b) *Quality of personnel.* (15 points)

(1) The Secretary reviews each application to determine the qualifications of the personnel the applicant plans to use on the project.

(2) The Secretary determines the extent to which—

(i) The project director (if one is used) is qualified to manage the project;

(ii) Other key personnel are qualified to manage the project;

(iii) Teachers who will provide instruction in participating magnet schools are qualified to implement the special curriculum of the magnet schools; and

(iv) The applicant, as part of its nondiscriminatory employment practices will ensure that its personnel are selected for employment without regard to race, religion, color, national origin, sex, age, or disability.

(3) To determine personnel qualifications, the Secretary considers experience and training in fields related to the objectives of the project, including the key personnel's knowledge of and experience in curriculum development and desegregation strategies.

(c) *Quality of project design.* (25 points)

(1) The Secretary reviews each application to determine the quality of the project design based on sections 5305(b)(1)(A), 5305(b)(1)(B), 5305(b)(1)(D)(i), 5305(b)(2)(D) and 5307(b) of the ESEA.

(2) The Secretary determines the extent to which each magnet school for which funding is sought will—

(i) Promote desegregation, including how each proposed magnet school program will increase interaction among students of different social, economic, ethnic and racial backgrounds.

(ii) Improve student academic achievement for all students attending each magnet school program, including the manner and extent to which each magnet school program will increase student academic achievement in the instructional area or areas offered by the school;

(iii) Implement high-quality activities that are directly related to improving student academic achievement based on the State's challenging academic content standards and student academic achievement standards or directly related to improving students' reading skills or knowledge of mathematics, science, history, geography, English, foreign languages, art, or music, or to improving vocational, technological, and professional skills; and

(iv) Carry out a high-quality education program that will encourage greater parental decision-making and involvement.

(d) *Budget and resources.* (10 points)

The Secretary reviews each application to determine the adequacy of the resources and the cost-effectiveness of the budget for the project, including—

(1) The adequacy of the facilities that the applicant plans to use;

(2) The adequacy of the equipment and supplies that the applicant plans to use; and

(3) The adequacy and reasonableness of the budget for the project in relation to the objectives of the project.

(e) *Evaluation plan.* (10 points)

The Secretary determines the extent to which the evaluation plan for the project—

(1) Includes methods that are appropriate to the project;

(2) Will determine how successful the project is in meeting its intended outcomes, including its goals for desegregating its students and increasing student achievement; and

(3) Includes methods that are objective and that will produce data that are quantifiable.

(f) *Commitment and capacity.* (15 points)

(1) The Secretary reviews each application to determine whether the applicant is likely to continue the magnet school activities after assistance under the regulations is no longer available.

(2) The Secretary determines the extent to which the applicant—

(i) Is committed to the magnet schools project; and

(ii) Has identified other resources to continue support for the magnet school activities when assistance under this program is no longer available.

## VI. Award Administration Information

1. *Award Notices:* If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN). We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

2. *Administrative and National Policy Requirements:* We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Reporting:* At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multi-year award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to <http://www.ed.gov/fund/grant/apply/appforms/appforms.html>.

4. *Performance Measures:* We have established five performance measures for the MSAP, four annual measures and two long-term measures:

(a) The percentage of magnet schools whose student applicant pool reduces, eliminates or prevents minority group isolation.

(b) Percentage of magnet schools whose students from major racial and ethnic groups meet or exceed State annual progress standards in reading/language arts.

(c) Percentage of magnet schools whose students from major racial and ethnic groups meet or exceed State annual progress standards in mathematics.

(d) The cost per Student in a Magnet School.

(e) Percentage of magnet schools that received assistance that are still operating magnet school programs 3 years after Federal funding ends.

(f) Percentage of magnet schools that received assistance that meet State standards at least 3 years after Federal funding ends.

## VII. Agency Contact

*For Further Information Contact:* Anna Hinton, U.S. Department of Education, 400 Maryland Avenue, SW., Room 4W229, Washington, DC 20202-5970. Telephone: (202) 260-1108 or by e-mail: [FY10MSAPCOMP@ed.gov](mailto:FY10MSAPCOMP@ed.gov). If you use a TDD, call the FRS, at 1-800-877-8339.

**VIII. Other Information**

*Accessible Format:* Individuals with disabilities can obtain this document in an accessible format (e.g., Braille, large print, audiotape, or computer diskette) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice.

*Electronic Access to This Document:* You can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/news/fedregister>. To use PDF you must have Adobe Acrobat Reader, which is available free at this site.

**Note:** The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.gpoaccess.gov/nara/index.html>.

Dated: February 25, 2010.

**James H. Shelton III,**

*Assistant Deputy Secretary for Innovation and Improvement.*

[FR Doc. 2010-4416 Filed 3-3-10; 8:45 am]

**BILLING CODE 4000-01-P**

**DEPARTMENT OF ENERGY****Environmental Management Site-Specific Advisory Board, Savannah River Site**

**AGENCY:** Department of Energy.

**ACTION:** Notice of open meeting.

**SUMMARY:** This notice announces a meeting of the Environmental Management Site-Specific Advisory Board (EM SSAB), Savannah River Site. The Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770) requires that public notice of this meeting be announced in the **Federal Register**.

**DATES:** Monday, March 22, 2010 1 p.m.–5 p.m. Tuesday, March 23, 2010 8:30 a.m.–4 p.m.

**ADDRESSES:** Embassy Suites, 200 Stoneridge Drive, Columbia, SC 29210.

**FOR FURTHER INFORMATION CONTACT:** Sheron Smith, Office of External Affairs, Department of Energy, Savannah River Operations Office, P.O. Box A, Aiken, SC 29802; Phone: (803) 952-9480.

**SUPPLEMENTARY INFORMATION:**

*Purpose of the Board:* The purpose of the Board is to make recommendations to DOE-EM and site management in the areas of environmental restoration, waste management, and related activities.

**Tentative Agenda**

*Monday, March 22, 2010*

1 p.m. Combined Committee Session  
5 p.m. Adjourn

*Tuesday, March 23, 2010*

8:30 a.m. Approval of Minutes, Agency Updates  
Public Comment Session  
Chair and Facilitator Updates  
Waste Management Committee Report  
Public Comment Session  
12 p.m. Lunch Break  
1 p.m. Strategic and Legacy Management Committee Report  
Facility Disposition and Site Remediation Committee Report  
Nuclear Materials Committee Report  
Administrative Committee Report  
Public Comment Session  
4 p.m. Adjourn

If needed, time will be allotted after public comments for items added to the agenda and administrative details. A final agenda will be available at the meeting on Monday, March 22, 2010.

*Public Participation:* The EM SSAB, Savannah River Site, welcomes the attendance of the public at its advisory committee meetings and will make every effort to accommodate persons with physical disabilities or special needs. If you require special accommodations due to a disability, please contact Sheron Smith at least seven days in advance of the meeting at the phone number listed above. Written statements may be filed with the Board either before or after the meeting. Individuals who wish to make oral statements pertaining to agenda items should contact Sheron Smith's office at the address or telephone listed above. Requests must be received five days prior to the meeting and reasonable provision will be made to include the presentation in the agenda. The Deputy Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Individuals wishing to make public comments will be provided a maximum of five minutes to present their comments.

*Minutes:* Minutes will be available by writing or calling Sheron Smith at the address or phone number listed above. Minutes will also be available at the following website: <http://www.srs.gov/general/outreach/srs-cab/srs-cab.html>.

Issued at Washington, DC on March 1, 2010.

**Rachel Samuel,**

*Deputy Committee Management Officer.*

[FR Doc. 2010-4515 Filed 3-3-10; 8:45 am]

**BILLING CODE 6450-01-P**

**DEPARTMENT OF ENERGY****Environmental Management Advisory Board Meeting**

**AGENCY:** Department of Energy.

**ACTION:** Notice of open meeting.

**SUMMARY:** This notice announces a meeting of the Environmental Management Advisory Board (EMAB). The Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770) requires that public notice of this meeting be announced in the **Federal Register**.

**DATES:** Wednesday, March 31, 2010 9 a.m.–5 p.m.

**ADDRESSES:** Crystal Gateway Marriott, 1700 Jefferson Davis Highway, Arlington, Virginia 22202.

**FOR FURTHER INFORMATION CONTACT:** Terri Lamb, Designated Federal Officer, EMAB (EM-42), U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585. Phone (202) 586-9007; fax (202) 586-0293 or e-mail: [terri.lamb@em.doe.gov](mailto:terri.lamb@em.doe.gov).

**SUPPLEMENTARY INFORMATION:**

*Purpose of the Board:* The purpose of EMAB is to provide the Assistant Secretary for Environmental Management (EM) with advice and recommendations on corporate issues confronting the EM program. EMAB will contribute to the effective operation of the program by providing individual citizens and representatives of interested groups an opportunity to present their views on issues facing EM and by helping to secure consensus recommendations on those issues.

**Tentative Agenda Topics**

- EM Program Update
- Energy Park Initiative
- Acquisition, Project Management and Quality Assurance
- American Recovery and Reinvestment Act and Strategic Planning
- EM Human Capital
- Board Business and Subcommittee Updates

*Public Participation:* EMAB welcomes the attendance of the public at its advisory committee meetings and will make every effort to accommodate persons with physical disabilities or special needs. If you require special accommodations due to a disability, please contact Terri Lamb at least seven days in advance of the meeting at the phone number listed above. Written statements may be filed with the Board either before or after the meeting. Individuals who wish to make oral statements pertaining to the agenda should contact Terri Lamb at the address or telephone number listed