DEPARTMENT OF EDUCATION

[Docket ID ED–2009–OESE–0006]

RIN 1810–AB07

Race to the Top Fund

AGENCY: Department of Education.

ACTION: Notice inviting applications for new awards for fiscal year (FY) 2010; correction.

SUMMARY: On November 18, 2009, the Department of Education published a notice in the **Federal Register** (74 FR 59836) inviting applications for new awards for FY 2010 for the Race to the Top Fund (NIA). Included as Appendix B to the November 18 NIA was the Scoring Rubric that the Department developed for the scoring of State applications submitted under this program. This notice makes several corrections to Appendix B to the November 18 NIA.

FOR FURTHER INFORMATION CONTACT: James Butler, U.S. Department of Education, 400 Maryland Avenue, SW., room 3E108, Washington, DC 20202–

6400. Telephone: (202) 205–37705 or by e-mail: *racetothetop@ed.gov.*

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SUPPLEMENTARY INFORMATION:

Correction

Appendix B to the November 18 NIA provided a scoring rubric containing a rubric and allocation of point values that peer reviewers will use to score applications from States under the Race to the Top Fund. Appendix B contained several errors that we are correcting in this notice.

First, the chart on pages 59852 and 59853 omitted certain maximum point values for the selection criteria. The corrected chart provided in this notice includes new rows for point values 6, 8,

and 28. It does not change any of the previously published rows.

Second, in several instances throughout Appendix B, in providing General Reviewer Guidance for certain of the selection criteria, we refer reviewers to application requirement (d) (Current Status and Evidence) when the reference should not have been included or the reference should have been to application requirement (e) (Plan for Use of Funds).

Finally, there was an error in the *Reviewer Guidance Specific to Criterion (F)(2)(iii)* on page 59863. We incorrectly stated both that "low" points would be awarded if a State does not have a charter school law and that no points are earned if the State has no charter school law. The reference to "low" points being awarded if a State does not have a charter school law was incorrect.

To correct these errors, the Department makes the following corrections to the November 12 NIA:

1. On pages 59852 and 59853, the chart is removed and replaced with the following chart:

Maximum point value	Quality of applicant's response		
	Low	Medium	High
45	0–12	13–33	34–45
40	0–10	11–29	30–40
35	0–9	10–25	26–35
30	0–8	9–21	22–30
28	0–8	9–20	21–28
25	0–7	8–18	19–25
21	0–5	6–15	16–21
20	0–5	6–14	15–20
15	0–4	5–10	11–15
14	0–4	5–9	10–14
10	0–2	3–7	8–10
8	0–2	3–5	6–8
7	0–2	3–4	5–7
6	0–1	2–3	4–6
5	0–1	2–3	4–5

2. On page 59853, under the heading *General Reviewer Guidance for (A)(1),* ", and to the elements of a high-quality plan as set forth in application requirement (d)" is removed.

3. On page 59854, under the heading *General Reviewer Guidance for (A)(2),* "application requirement (d)" is replaced with "application requirement (e)".

4. On page 59857, under the heading *General Reviewer Guidance for (B)(3),* "application requirement (d)" is replaced with "application requirement (e)".

5. On page 59857, under the heading *General Reviewer Guidance for (C)(2),* "application requirement (d)" is replaced with "application requirement (e)".

6. On page 59858, under the heading *General Reviewer Guidance for (C)(3),* "application requirement (d)" is replaced with "application requirement (e)".

7. On page 59859, under the heading *General Reviewer Guidance for (D)(2),* "application requirement (d)" is replaced with "application requirement (e)".

8. On page 59860, under the heading *General Reviewer Guidance for (D)(3),* "application requirement (d)" is replaced with "application requirement (e)".

9. On page 59860, under the heading *General Reviewer Guidance for (D)(4),* "application requirement (d)" is replaced with "application requirement (e)".

10. On page 59860, under the heading *General Reviewer Guidance for (D)(5),* "application requirement (d)" is replaced with "application requirement (e)".

11. On page 59861, under the heading *General Reviewer Guidance for (E)(2),* "application requirement (d)" is replaced with "application requirement (e)".

12. On page 59863, under the heading *Reviewer Guidance Specific to (F)(2)(iii),* the third bulleted sentence that reads " 'Low' points are earned if the per-pupil funding to charter school students is ≤79% of that which is provided to traditional public school students, or the State does not have a charter school law." is removed and replaced with the following:

"Low" points are earned if the per-pupil funding to charter school students is ≤79% of that which is provided to traditional public school students.

Program Authority: The American Recovery and Reinvestment Act of 2009, Division A, Section 14006, Pub. L. 111–5.

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Dated: January 20, 2010.

Thelma Meléndez de Santa Ana,

Assistant Secretary for Elementary and Secondary Education.

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