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ABSTRACT

This planning guide is intended to provide all eligible education agencies in New York State with the information necessary to compete for federal grants under the Elementary and Secondary Education Act, Title IV, part C. Under Title IV, part C, federal funds will be granted to certain local education agencies for the development, validation, demonstration, and replication of various innovative school programs. The guide is organized in four major sections. Chapter 1 provides an overview of Title IV, part C and its role in meeting the educational needs and goals of New York State. Chapter 2 examines grant criteria and evaluation procedure under Title IV, part C. Chapter 3 discusses general application information and procedures. Chapter 4 provides detailed information on the format and procedures to be used in applying for Title IV, part C funds; a sample of the official application form for New York education agencies is included as well. (JG)

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PLANNING GUIDE ESEA IV

PART



EDUCATION INNOVATION AND SUPPORT

1975-76

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The University of the State of New York
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PREFACE

This planning guide for ESEA IV, Part C provides eligible education agencies with the necessary information and instructions for competition in Title IV, Part C in New York State.

P.L. 93-380, the Education Amendments of 1974, created Title IV of the Elementary and Secondary Education Act. The amendments extend and amend the Elementary and Secondary Education Act of 1965.

Title IV consolidates seven categorical programs into two authorizations:

- Part B: Library and Learning Resources
 - Part C: Educational Innovation and Support
- (Part A of the title includes the authorizations, allotments, and common program requirements for the two program purposes.)

It is the purpose of Title IV, Part C to combine within a single authorization, programs formally carried out under the provisions of law governing Title III, Title V and Sections 807 and 808 of Title VIII of the Elementary and Secondary Education Act but not including that part of Title III of the Elementary and Secondary Education Act that is related to testing, guidance, counseling which is provided for under Part B.

Under Part C, grants will be made to local education agencies on a competitive basis for the development, validation, demonstration and replication of programs designed to:

1. Provide vitally needed programs not available in sufficient quantity or quality aimed at local needs which reflect State program priorities.
2. Establish exemplary elementary and secondary school programs to serve as models for regular school programs.
3. Improve nutrition and health services in schools serving areas with high concentrations of children with low income families.
4. Reduce the number of children who do not complete their secondary education in schools which are located in urban or rural areas having a high percentage of children with low income families.

Information on all aspects of ESEA IV, Part C, including guidance in the development of proposals, may be obtained from the Division of

ESC General Program Planning, Room 860, Tel. 518: 474-2380, New York State Education Department, Albany, New York 12234. The following staff members are available to help you: Taylor Hall, Robert Kelly, Muhammad Khan, Bingham Parkin, Vincent Quackenbush, Shirley Sargent, Mark Scurrah, Benita Stambler, Linda Stehr.

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Chapter I Program Overview

It is of utmost importance that applicants understand the mission of Title IV, Part C before applying for a grant. This chapter provides such information by describing the State's mission and needs, the role of Part C as a mechanism for meeting these needs, the State program priorities, the Request for Proposals, the four grant types, and the planning process.

The Mission

In its mission to improve the quality of education, the State has pursued many approaches to stimulate the adoption of programs and practices that hold promise for improving learning. ESEA Title III, the forerunner of Title IV, Part C, was one promising approach to improving educational quality by introducing competitive funding to stimulate the development of innovative programs and practices. Though much stimulation took place, the report card rating for local program continuation after Federal funds ceased was less than satisfactory. Also, the number of successful projects which have been adopted by other districts for their own use has been less than was hoped. Part C has been administratively designed to break through this dilemma by introducing a process known as "Transferring Success." The mission is the same; the goal is greater impact on all schools, not just the grantees.

Transferring Success

Very simply stated, to improve quality and widespread adoption, Part C funds will be used to identify quality programs already in existence, to develop quality programs which should be in existence, to affirm that they are quality programs through the application of rigorous validation standards and measures, and to demonstrate these programs to others for purposes of encouraging their adoption or adaptation.

There are several qualifiers for "Transferring Success" which permeate its intent. One is cost, and the other, program. These are two critical areas that surfaced when permanency received its low score on the Title III report card.

In terms of cost, rarely, if ever, will a Part C grant be awarded to a district that would be unable to continue the program with other sources of funds after Part C monies expire. This general rule is not based on that reason alone,

but, on the likelihood no similar district could afford to adopt a high cost program using its own funds.

In terms of program, rarely, if ever, will a Part C grant be awarded to a district seeking an "add-on" program. By "add-on" it is meant, "adding to the existing program or adding extensively to the local school budget after Part C funds end." Therefore, Part C funds will be awarded on a competitive basis to districts which are seeking to replace less effective programs and practices in their regular school programs with more effective programs and practices. (See application instructions p. 24, Item 2; Planning Process).

State Program Priorities

Programs acceptable for Part C funds must clearly reflect the State's program priorities for Part C as announced annually, usually in the fall, or, at the beginning of a competitive funding cycle. The program priorities are determined in a variety of ways, ultimately approved by the Commissioner and the Board of Regents and sanctioned by the Federal Government upon the U. S. Office of Education's approval of the State's Annual Program Plan for Title IV.

Through a process known as the "State needs assessment for Part C," program priorities are determined after information is systematically gathered and analyzed from the field, chief school administrators, superintendents, Optional Educational Representative-Facilitators (See p.18), State Education Department officials and specialists, and other leaders in the fields of education, administration, research, planning and evaluation. Information is factored in annually to update these priorities in light of new data on program needs.

The R.F.P.'s

The program priorities are announced in a form known as RFP's (Request for Proposals). At the beginning of an announced "Open Round," all public and non-public school districts will receive copies of RFP summaries which briefly describe the general characteristics of the program priority, the types of grants available, the funding level and budget range, the target population and any special comments to be mentioned to the applicant. From this information, it is up to the applicant to select the program priority which can be justified as the priority need of the district. The applicant's next step is to obtain the full RFP description by requesting it from the Division of ESC.

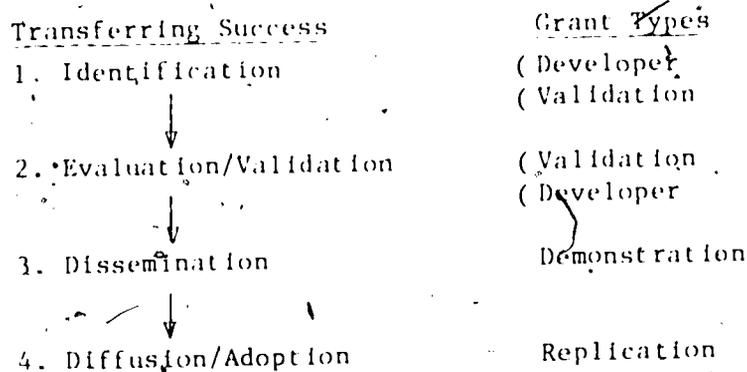
General Program Planning, the office at the State level which administers Part C.

Both the RFP summaries and the full RFP statements are prepared and updated annually by the State Education Department's program area specialists and Part C administrative staff. The program criteria to be followed by applicants as contained in the full RFP's also serve as the criteria used by reviewers to rate proposals in addition to other criteria required by the regulations and grant types described later.

Proposals are reviewed, rated and ranked for funding decisions on a competitive basis within the program area. Thus, decisions to fund programs in the health and nutrition area, for example, will be made from among those submitted for that area and against the approximate amount of funds set aside for that area. Final decisions on the number and total allocations to grants will depend on the quality of the proposal submitted as well as their equitable distribution as described on p.18. Applicants are discouraged from requesting more than one RFP or from submitting more than one application. There are two reasons for this discouragement: 1) the availability of funds is limited and 2) the law requires the State to provide for "equitable distribution" of funds and programs.

The 4 Grant Types

The four grant types are Developer, Validation, Demonstration, and Replication. They are designed to implement the "Transferring Success" process as described on page 1. The following diagram helps to illustrate the relationship between the two.



Identification in the "Transferring Success" mode above means either the identification of a promising program or practice already in existence in a school which desires to submit a Validation Grant, or, the identification of a

program that is needed by a school and, therefore, desires to submit a Developer Grant.

Developer Grants are those grants which develop new programs aimed at common needs. These are similar to current ESEA Title III Grants. The applicant would have to make a case that the program to be developed is based on the best known research, would be cost-effective, and could be adopted by others, if successful. There will be increased emphasis on evaluation and increased supervision to assure that developers are producing usable products. The applicant of a Developer Grant would be expected to serve as a demonstrator, if validated. In a change from past Title III practices, those having Developer Grants will not have an obligation to disseminate. This will take place in separate grants after validation. The applicant would be expected to meet certain general criteria which are explained in Chapter II.

Validation Grants are small grants to cover evaluation costs for the purpose of validating an already existing program where there is not enough hard data for validation, and where it is believed the program might meet a priority need as well as validation standards. If appropriate, the applicant also agrees to serve as a demonstrator if successfully validated. The criteria for these grants are found in Chapter II.

Demonstration Grants are given to districts with validated grants to enable them to inform, assist, and train potential adoptors who may sometimes have Replication Grants (described next) but more often do not. In general, any validated program is eligible for a Demonstration Grant. Which ones are funded will depend on State needs and priorities. Except in a few high priority areas, Demonstration Grants will usually be small. The criteria for these grants may be found in Chapter II.

Replication Grants are small grants to aid a district to adopt/adapt a program or practice developed in a Developer Grant or through any other means and formally validated. These grants pay start-up costs and validation costs--not operating costs. They test whether validated projects are actually transferrable. Only a few of these are funded in relation to any validated projects and should be scattered among the various regions and types of districts in the State. The criteria for these grants may be found in Chapter II.

The Planning Process

There is more to planning for innovation than dreaming up and trying out a new idea in a special "one-shot" project.

Planning is a systematic process that should be followed in the preparation of any one of the four grant types. Planning begins with board members, administrators, teachers, students, parents, and the community generally working together to analyze their educational needs and to set their educational goals. Applicants are required by law to provide for this participation. (See Item 3 of Assurances.) The Planning process continues through the identification or invention of ways to meet the needs and includes the installation of the new program or practice and its evaluation which, if positive, should result in the transformation of a special project into a regular program, and generally results in the cessation of an old program or practice. Although there are many ways of analyzing and describing this process, the following is a summary of one useful way to view the planning for a Title IV, Part C Grant.

Determine the Need

This is required for applicants who file for Developer, Validation and Replication Grants, not for Demonstration Grants.

Basically, a "need" is a gap between a desired goal and the present state-of-affairs. The RFP summaries and the full RFP statements generally specify the goals to be met. The applicant must substantiate through objective evidence, if possible, the current level of achievement and/or the current situation in the district as related to the RFP goals.

Examples of need statements are:

- Twice as many students should earn academic high school diplomas as do now.
- Reading scores in the third grade should be raised so the distribution of scores approximates that in other communities similar to ours.
- The proportion of students who start to smoke in our high schools should be reduced from the present 50 percent to 10 percent.

Note that the need statements do not mention such commonly indicated "needs" as more money, better teachers, or improved facilities. These are not stated in terms of results with students as they should be.

Determine the Objective

This is the next critical point at which the foundation of the grant is constructed. Obviously, the objective should relate directly to the need statements. How these are to be stated in performance terms is described in Chapter IV, page 25. Once these are framed, a series of activities are to be identified.

Determine the Activities

Selecting the right activities is another critical point for program success. Incorrect selection of activities at this point will only lead to failure, no matter how brilliantly the objectives are stated. One way to look at this task is to first identify the problems that prevent the needs or objectives from being met. In the case of the example need statement above, "What are the 'things' preventing students from earning an academic high school program now?" List the problems and assign some order of importance to them.

Often, innovations fail to meet the need because the real problem was not accurately and precisely defined. Once the problem is so defined, the solution may be more readily perceived and implemented. The next and final step on the road to writing activities is identifying the solution(s) to be applied.

A solution is a series of activities which eliminate the problem and, thereby, meet the need and achieve the desired objectives. The more precisely the problem is defined, the more readily it can be determined whether there are available solutions. All of the growing resources for educational information retrieval should be used in this search.

Several possible solutions to a given problem are often found. Validated programs already in existence may be the answer. If not, the next step is to determine for each possible alternative such factors as:

- The specific nature of the required activities.
- The requirements in terms of skills, time, materials, facilities, money, and other resources.
- The evidence from research and evaluated experience as to the effectiveness of the solution in situations similar to the one in which it is to be applied.

- The probable short and long-term impact of the solution on other parts of the educational system..

Note that the application form does not ask for a listing of problems and solutions. It is suggested that reference be made to them by the applicant when preparing Item 1: Overview of Project in the application. (See Chapter IV, page 23.)

Decision Making

At this point a critical step must be taken by those in authority. On the basis of the information developed in the preceding steps, they must decide whether they agree with the planned program and will support whatever commitment of resources and changes in policies and practices are called for in the plans. Failure to make key decision-makers explicitly aware of what is involved in the decision to proceed with an innovative program has been one of the major causes of failure in past change efforts. Involvement throughout the planning process is the best way to insure that they will understand the proposed program and be committed to it.

Evaluation

Evaluation is the process for determining to what extent any activity is achieving the objectives toward which it is directed. Defined in this way, evaluation should occur at every step in the innovative process. Further, it should be keyed to the nature of the grant type being sought. For example, a Demonstration Grant should evaluate the effectiveness of transferring the program to consumer districts in terms of training, implementation, costs, etc. More will be said on these matters in Chapter II dealing with grant criteria and evaluation. Evaluation is mentioned here for its importance in the planning process and to emphasize that implemented programs must be evaluated.

Chapter II Grant Criteria and Evaluation

The first part of this chapter describes the criteria to be applied, particularly among the four grant types, i.e., Developer, Validation, Demonstration and Replication. The second part describes more fully the evaluation aspects referred to briefly in Chapters I and IV.

Grant Criteria

Criteria are established for three purposes: 1) to provide applicants with information on the conditions to be met in preparing a grant; 2) to assure that the law, regulations, guidelines and program priority standards are being met; and 3) to provide proposal reviewers with standards to base their ratings.

The criteria are described here under four categories:

1. Criteria for screening
2. General criteria for all projects and grant types
3. Specific criteria for each grant type
4. Program priority criteria

1. Criteria for Screening

- A. Projects will be generally disqualified (not reviewed) if they are received in the State Education Department after the due date, or are missing any of the following: original copy, original signature of authorized official, signed assurances and approval of the Board of Education. A sign-off per instructions given in the application must be provided by non-public school officials or if they decide not to participate.
- B. Projects will be delayed in review, should information be missing on any other parts of the application.

2. General Criteria for All Projects and Grant Types

- A. Appropriate groups and individuals involved in developing proposals are represented. Among those to be involved are students, parents, school personnel, non-profit private school representatives, including those with low incomes and others, where appropriate, who broadly represent the cultural and educational resources of the area to be served. Of particular importance is the involvement of

those who will directly participate in program implementation; namely, teachers, and the primary beneficiaries, students, and also representatives of non-profit private schools.

- B. Specific planning events that reflected adequate planning for the proposed project were documented.
- C. The needs(s) of the district are based on the gap between the desired goal as described in the State's program priority area (the RFP) and the state-of-affairs in the district's regular school program. (See Chapter I, page 5.)
- D. The need for the program at the local level is documented.
- E. Where it is possible to indicate, the target population is clearly identified and the program offered is appropriate to participants.
- F. The project is designed to demonstrate solutions to identified educational needs in the RFP program area to which it is addressed and will, if appropriate, substantially increase the educational opportunities of children in the area to be served.
- G. A well developed operational plan sets forth objectives in performance terms and has activities which are appropriate to achieve objectives.
- H. The staff and facilities of an approved project are adequate and appropriate in terms of stated project objectives. The equipment and materials which will facilitate achieving the stated objectives will show a direct relationship to the final approved budget.*
- I. The proposal contains appropriate and technically sound evaluation strategies which will provide evidence to determine the extent to which the behavior of the participants has been improved.*
- J. Provisions for budget and expenditures are reasonable and appropriate. The budget should not generally exceed the capacity of the district to continue support of the program after Federal funds are discontinued.

*These criteria are applied only to approved projects and before a final grant award is made.

3. Specific Criteria for Each Grant Type

A. Developer Grants

1. There is evidence that the project is designed to demonstrate solutions to identified educational needs and will substantially increase the educational opportunities of children in the area to be served.
2. The proposed solution is capable of solving the problem described and is cost-effective in terms of the district's ability to continue said program after initial costs are reduced or eliminated. The cost per pupil should be reasonable when compared to programs of a similar nature.
3. There is an awareness of information concerning similar programs, relevant research findings, and views of recognized experts. The solution offers potential for improving existing programs and practices and is not merely an "add-on" to the program. The programs and practices to be changed or replaced are clearly identified.
4. The project is innovative, i.e., new to the district.
5. There is a relationship of the proposed program to the educational thrusts of the State as previously established in RFP's.
6. The program has potential for receiving wide acceptance in similar educational settings.
7. The evidence presented that the cost of adopting the program in other districts, after development in the developer district, is a reasonable one.
8. The agreement of the Developer to serve as a Demonstration district if the project is validated.

B. Validation Grants

1. The effectiveness/success of the program in operation is determined and documented.
2. Adequate information on the resource specifications of the ongoing program in such program areas as start-up costs, management costs, and operational costs per learner and per total program is provided.

3. Evidence of the ongoing program's exportability, i.e., evidence that the ongoing program or practice is feasible to communicate to other school districts and can be adopted/adapted by other school districts with similar needs and environments, is provided.
4. The program to be validated reflects a State priority program need.
5. The applicant agrees to serve as demonstrator if successfully validated.

C. Demonstration Grants

The validated program or practice to be demonstrated will be judged whether it is exemplary, as characterized by:

1. The extent the proposed demonstration program constitutes a comprehensive means of meeting a critical local and statewide educational need that is common to all or several school districts.
2. The extent of the availability of those components required to implement the approach, including material products, training, detailed documentation regarding needs addressed, target population characteristics, staffing, institutional setting, parent and community involvement, objectives, activities, evaluation design and costs.
3. The extent to which a wide range of school districts would find the approach practicable for adoption/adaptation relative to instructional methodology, materials, equipment, facilities, management scheduling, and assessment.
4. The availability of statistically significant evidence that in any previous implementation of the approach with comparable groups, the approach demonstrated a high degree of success in the achievement of its major objectives and has been formally validated.

D. Replication Grants

1. There is evidence given that the program to be adapted or adopted from another district was formally validated by the State.
2. The funds requested are for start-up costs and evaluation costs--not operating costs.

3. The applicant agency provides evidence that it has a high concentration of students with severe deficiencies in the area of the educational practice to be adopted/adapted.
4. The district can provide the necessary human and material resources using local (or State) funds to implement the exemplary program.
5. The application describes a workable plan for adopting/adapting the exemplary program.
6. The application presents a cohesive plan to initiate evaluation on the effect, implementation and design of the exemplary program, meeting the standards for a Validation Grant.

4. Program Priority Criteria

Specific funding criteria have been developed to assure the selection of the highest quality projects through competition while assuring an equitable distribution of funds among local educational agencies. Beginning in the school year 1974-75, and for each year following, while the Title IV, Part C program is in effect, the State will publish during September of each year a statement of program priorities based on a State needs assessment (See Chapter I, page 2).

For the beginning year (1975) of Part C, these needs have already been stated in a formal announcement that was sent to chief school administrators in September from the New York State Education Department. Applicants filing for funds are directed to identify the program priority area in which they are interested and to request specific funding criteria from the Division of ESC General Program Planning. Proposals will be expressly solicited and funded from urban, suburban and rural areas in the State to assure equitable distribution among the various program priority categories.

Each program priority is identified by year and number on the front of the RFP. Applicants are to place this number on the first page of the application form where designated.

Evaluation

Since the purpose of Title IV, Part C funds is to develop, test and market successful practices that can be adopted

or adapted by other school districts with similar needs, the necessity for documentation of success through adequate records of the implementation process and the measurement of results is essential for all grant types. The applicant will find that an evaluation methodology is required in the application.

The purpose of evaluation is to assess the degree of change or lack of change that has taken place as a result of project operation. It is necessary to know throughout the life of the project whether or not the activities undertaken are indeed bringing about the desired change as stated in the objectives. In this respect, the criteria for judging success stated in the objectives become basic to the formulation of the evaluation design.

The selection of evaluation instruments is guided by the criteria, and these instruments must relate to assessment of the objective in terms of the degree to which the criteria are met. Instruments must be selected or developed prior to project implementation. This is of primary importance since reliable assessment of change cannot be made after-the-fact. It is necessary to measure the status of the subjects to be changed before project activities start. Adequate baseline data is essential to the measurement process.

The measurement process is a comparison of "what was" with "what is" after project activities have taken place and also measurement of the degree to which "what is" compares with "what was" expected in terms of the criteria for success stated in the objectives. In addition, interim assessment is necessary as project activities are underway to ensure that these activities are meeting the objectives or, if they are not, to provide reliable information for changing the activities in some manner to increase the possibility of success. The role of the evaluator and the evaluation design in respect to providing information to project administration for decision making is an important element in the success of a project.

An evaluation timeline should be developed to coordinate the various elements of the evaluation design and ensure that all aspects of the project are being assessed at the proper times for decision making and obtaining measurement necessary to the assessment of final results. The timeline alerts project personnel and participants concerning evaluation activities and the necessity of those record-keeping and data collection functions which are their

responsibility. It also provides the project director with a control mechanism to keep project activities on schedule.

Definitive evaluation information is a valuable resource with which a chief school administrator can convince the community and the school board that a new method is better than the old and should be adopted by the school system.

In summary, the evaluation strategy and implementation must:

1. Address itself to the objectives, based on need and the criteria for grants and program priorities described in this Chapter and in the "Request for Proposal" statements which define the program priority parameters.
2. Select or develop evaluation instruments prior to project implementation.
3. Provide for the collection of baseline data.
4. Compare the status of project participants prior to project activities with status during and at the close of activities in light of the objectives specifications.
5. Provide feedback to project managers.
6. Provide a timeline of evaluation activities.
7. Ensure that necessary data and records are available.

Chapter III General Application Information and Procedures

This chapter provides information on participation requirements and grant processing. Specific quotes from the statute (P.L. 93-380) regarding Section 431, "Programs Authorized Under the Law" and Section 406, "Participation of Children Enrolled in Private Schools" may be found in the appendices.

Participants

The Legal Applicants

A project proposal may be submitted only through a local public Board of Education, a Board of Cooperative Educational Services, or certain campus schools in public universities. A combination of two or more legal applicants may cooperate on a project; in such cases one district must be responsible as a legal and fiscal agent for the group and submit the proposal.

Nonpublic School Participation

Local educational agencies must assure that private school children receive the Title IV benefits to which they are entitled. The number of private school children and staff to be served must be given in the application. If there are no nonpublic schools in the area served by the public school, the applicant must so indicate in Section III, Item #1 of the application form located in Chapter IV, attaching a statement to that effect. If there are nonpublic schools in the area to be served by the public school applicant and the nonpublic school officials desire not to participate, a "sign-off" letter to that effect from a nonpublic school official(s) must accompany the local educational agency (LEA) application for a Part C grant.

Information on the manner and extent to which private school officials were consulted with respect to all matters including planning relating to the project, must be included in the application. The differences, if any, in the kind and extent of services to private school children and the reasons for such differences must be described.

The state educational agency will not approve an application under Title IV of the Act which does not meet the requirements of Section 406 of the Act and sub-part F of the regulations. See Appendix B.

Before attempting to arrange for the participation of children enrolled in private nonprofit elementary and secondary schools, the local educational agency must establish working relationships with private school officials. Whenever private school children are eligible, the local educational agency should ask the representatives of the eligible private school children whether they desire to participate in the planning of the project. The local public agency should assign liaison personnel to work with private school personnel in a variety of matters.

It may be practical, as well, to set up joint committees of public and private school officials and other personnel. These committees could deal separately with a variety of problems, such as collection of the data, needs assessment, overall long-range planning, determination of the priorities in both public and private schools, development of projects, proposal writing, standards and selection of equipment and materials, inservice activities, procedures for monitoring and evaluating projects, accessibility of services, materials and equipment, and any other problems that may need special study or a solution.

It is possible that the needs of local private school children may not coincide exactly with those of the public schools. If Title IV funds are to be used efficiently, they should provide benefits to private school children, as well as public school children, according to their needs. In both public and private schools, the needs may dictate concentration of projects and funds in one or a few schools in a district. Although public school and private school projects need not be identical, there should be comparability of expenditures and benefits in the concentration of programs to assure equitable participation of children in private schools.

The local educational agency is responsible for making accessible to children in private, as well as public schools, all benefits authorized under Title IV of the Act.

Arrangements may include joint participation of children from both private and public schools in projects conducted in public school laboratories, auditoriums and media centers. Dual enrollment programs, mobile units and after-school activities could provide educational opportunities to children in nonprofit private schools. Other shared activities may be field excursions to study science out-of-doors or view historical sites or enrich and continue projects by visits to museums, art galleries, factories, government buildings, etc.

Equal Expenditures

The average expenditure for benefits to private school children under Title IV of this Act must be equal to the average expenditure per public school child who receives such benefits, except when the needs of private school children differ from the needs of children enrolled in public schools. In this case, the actual cost per child to meet the needs of private school children may be more or less than the actual cost per child of projects meeting the needs of public school children. An adjustment of the average cost per private school child, whether more or less than average public school child, is allowable, provided private school children still have equitable participation in the programs and projects. "Equal" benefits are of greater importance than "equal" expenditures, and in some cases, unequal expenditures may result in equal benefits. For example, a school with limited media resources for a project in reading designed to raise their reading level, will need considerably greater expenditures than a school that has almost enough resources to achieve the desired reading level.

Limitations

The control of funds under Title IV of the Act and title to materials and equipment must remain in a public agency and be administered by a public agency. Property/repairs, remodeled or constructed for Title IV purposes, are restricted to the public agency. Any project involving shared participation of private and public school children in public facilities shall contain provision to avoid the separation of participants by school enrollment or religious affiliation.

The use of Title IV funds shall not be for the fiscal benefit of private schools, nor for acquisition of permanently installed equipment. Personnel who provide services under Title IV must be employees of a public agency or corporation which is independent of the private school to be served and of any religious organization. Employees and contracted services personnel must be supervised by a public agency. Funds for Title IV may not be commingled with state or local funds.

Sequence of Steps in Proposal Submission, Review and Funding

1. Announcement on availability of funds by the State Education Department (SED).
2. Request for application forms by LEA to SED.
3. Submission of proposal of LEA to SED.

4. Announcement of approval (or disapproval) of proposal by SED.
5. Individual negotiation sessions for proposal scheduled by SED. (Technical assistance offered by SED.)
6. Revisions (if needed) submitted by LEA to SED.
7. Approval and awarding of funds to LEA by SED.

Equitable Distribution of Assistance

Taking into consideration the criteria given in Chapter II, if two or more proposals are judged to be of substantially the same high quality, the decision of which to fund will depend on the following:

1. The geographical distribution and density of the population within the State.
2. The relative needs of persons in the different geographical areas for the types of programs provided under Title IV, Part C.
3. The financial ability of the local educational agency serving such persons.
4. The fact that a project has not previously been awarded to a geographical area.

Provisions for Technical Assistance

Section 134.14 (a) (2) of the Regulations for this Act states: "Funds such agency receives from appropriations made under Section 401 (b) of the Act will be distributed among local educational agencies on an equitable basis recognizing the competitive nature of grant making, except that the State educational agencies shall provide assistance in formulating proposals and in operating programs to local educational agencies which are less able to compete due to small size or lack of local financial resources."

The criteria to qualify for this aid are that such districts must have either 1974-75 enrollment less than 1500 pupils and full valuation for 1974-75 aid less than \$20,000 per pupil; or any enrollment and full valuation less than \$15,000 per pupil; and received no Title III grant previously.

Any applicant needing assistance in proposal development may contact the Optional Education Program (OEP) Representative nearest their school district. (See Appendix C for names

addresses and phone numbers.) Questions on the program priority area and the RFP's may be asked of Department personnel. (See Appendix D for offices, names and phone numbers.) For any question pertaining to Title IV, Part C, contact any of the persons given in the Preface of these guidelines.

Processing the Proposal

The Division of ESC General Program Planning will make final recommendations to the State Commissioner of Education who approves projects for funding. Funds for approved projects will be disbursed through the Division of Educational Finance. Successful applicants will be furnished additional manuals dealing with the fiscal requirements (Fiscal Guidelines for Federally Funded Projects) and others.

Negotiation of Grant

The negotiation process represents more than a final examination of estimated costs. It includes a careful determination of the educational improvement anticipated from the investment. The resulting grant states the conditions under which the grant is made by the New York State Education Department.

Applicants who receive official notice of proposal approval may expect to undergo further program and budget negotiation. Budgets will be transposed by function/object on an FA-10 form to be provided to the applicant at the appropriate time.

The grantee is cautioned not to encumber funds prior to the effective date of an approved project. An effective date of an approved project is the date specified in the official grant award document sent to the district.

As soon as possible after approval of a project by the Commissioner, a grant will be negotiated for the first budget period. The grant award document will make available the Part C funds needed to support the project.

Hearings for Unsuccessful Application

If a proposal is ~~not~~ approved by the Commissioner of Education based on the review and recommendation procedures, the applicant agency may request a hearing. This hearing will afford an opportunity for the applicant to substantiate any complaint concerning the processing of the grant and/or the significance of the proposal. (See Appendix E for procedure.)

Termination of Unsuccessful Projects

* A project, in whole or in part, may be terminated by action of the State Commissioner of Education at any time if the project fails to meet the conditions set forth in the final grant proposal. Districts will be notified of the proposed termination and its effective date, and no disbursements will be permitted thereafter. The local educational agency so affected will be given 30 days' notice prior to the termination date; a hearing concerning the termination may be requested by the local educational agency within this 30-day period.

Chapter IV
Instructions for Completing the ESEA
Title IV-C Proposal Application

This chapter contains instructions and the format to be used in applying for ESEA Title IV-C funds. Send ten (10) copies of your application to:

Coordinator of Innovative Education Planning
New York State Education Department
Division of ESC General Program Planning
Room 860 EBA
Albany, NY 12234

Every completed application should include Sections I, II, III and IV listed below in the order indicated.

Section I - General Information

Section II - Program Information

1. Overview of Proposed Project
2. Planning Process
3. Needs
4. Objectives and Subobjectives
5. Activities
 - 5.1 Dates
 - 5.2 Costs
6. Evaluation Methodology

Section III - Non-Public Participation

Section IV - Assurances

The instructions and application form which follow have been designed to be used for each of the four types of grants which will be awarded under Title IV-C (Developer, Validation, Demonstration, Replication). Before completing this application, you should review carefully pages 8 to 12 of this Planning Guide which describe the four types of grants and the specific criteria associated with each. Note that the instructions for various components of the application form vary slightly for each of the grant types.

While this application form encompasses core information common to each of the Requests for Proposals (RFP's), some of those RFP's require information in addition to that included on this standard application form. Carefully review the RFP to which you are responding to insure that you provide all the information required.

The information which is provided by the applicants on the form which follows will be reviewed by personnel of the Department for the purpose of selecting specific projects for funding. If your project is selected for funding, you

will be asked to provide additional information about your project's management and budget prior to the start of the funded period.

The cover letter accompanying this Planning Guide specifies a deadline date for the submission of this application. Ten copies of the application must be received in the Division of ESC General Program Planning on or before that deadline date. Use the forms included in this application to describe your project. One copy of the application must contain original signatures and must clearly be identified as the original copy. Original signatures are needed on the following sections of the original copy: In Section I - General Information and at the conclusion of Section IV - Assurances.

Section I - General Information

Directions on how to complete Section I - General Information are recorded below. They are keyed to item numbers on the application form.

Item #1 -- Check only one type of grant, a, b, c, or d.

Item #2 -- In the space provided write the number of the RFP to which you are responding. The RFP number was included in the general announcement which was mailed to your district.

Item #3 -- Give a concise project title.

Item #4 -- Give the legal name of the local educational agency, followed by its popular name.

Item #5 -- Indicate the total Title IV-C funds requested for one year of project operation. (Where applicable, indicate the total Title IV-C funds requested for the second and third years of project operation. Each RFP includes specifications regarding the number of years projects are eligible for Title IV-C funds.)

Item #6 -- Complete as indicated.

Item #7 -- Indicate the congressional district(s) of the district applying.

Item #8 -- Complete as indicated.

Item #9 -- Complete as indicated.

Item #10 -- Indicate the numbers of public and non-public school students and staff who will be participating directly and indirectly in the proposed project.

Item #10.1 -- Direct participation means participation in activities involving face-to-face interaction of pupils and teachers, or in the case of in-service staff development projects, interaction of staff and trainers. Use the "Other" column where a project incorporates learning experiences for people in addition to those in elementary or secondary school--for example, parents of participating pupils.

Item #10.2 -- Indirect participation means persons using materials or equipment developed or purchased by the project; visiting exhibits, demonstrations, museum displays; viewing television instruction in a school, a center, or home; or participating in other similar activities. List teachers, counsellors and staff according to grade level; use the "Other" column to report people with K-12 or district-wide responsibility.

Item #10.3 -- Indicate the numbers of staff, among the staff enumerated in Item #10.1, who are giving or receiving in-service training. If none, write "0" in each box.

Section II - Program Information

This section of the application for ESEA Title IV-C funds includes a series of items related to the program you are proposing. This program section will be used for each of the four types of grants: Developer, Validation, Demonstration, Replication. However, because the information required for each of these grants may differ somewhat you are urged to read the directions carefully. Also, the information you are requested to provide will vary with the specific RFP to which you are responding; therefore, you should review carefully the specifications of that RFP. Be certain that you attach to this application form any additional information required in the specific RFP.

Items 3 through 5 of this Section require, in order: needs, objectives and subobjectives, activities, dates, and costs. You should develop a separate sequence of activities through costs (Items 5.0 through 5.2) for each objective and set of subobjectives of your project. To do this you will have to reproduce a copy of page 6 of the application form for each objective and set of subobjectives. The result will be that each subobjective will be followed by a list of related activities, and a schedule and costs for the activities. (If a proposal includes an objective with no related subobjective, adjust the preceding directions accordingly.)

The directions which follow are keyed to items on Section II of the application form.

Item #1: Overview of Project

Provide an overview of your proposed project. The overview should be clear, concise, and complete. It should summarize needs, objectives, subobjectives, and activities, and should include a brief statement on the significance to your district of the proposed project. BE SURE TO LIMIT YOUR STATEMENT TO THE SPACE PROVIDED.

Item #2: Planning Process

Briefly describe what agencies, groups, and/or individuals participated in the development of this proposal. Indicate the contribution each made and the approximate dates of their contributions.

For DEVELOPER projects describe the efforts which were undertaken to review programs of a similar nature and to review related research. Also, briefly identify the program of your district which will be changed or deleted if the Developer project is successful (see page 10 of this Planning Guide for an elaboration of this requirement.)

Item #3: Needs

Describe the educational need(s) to which the project will be addressed, providing evidence that the need is indeed a critical one. Generally, the most reliable statements of needs are those which are determined from data that are collected and reviewed in a planned, systematic way. Avoid stating needs in a general, vague way; and avoid making statements that rely heavily or exclusively on purely subjective assessments of conditions.

For VALIDATION projects state the need that has been met by the activities to be validated.

Applicants for DEMONSTRATION projects are not required to complete Item #3.

For REPLICATION projects the statement of need must demonstrate that your district does in fact have a need for the project which you are proposing to replicate. This statement should be similar to that provided by the district which originally developed the project.

Item #4: Objectives and Subobjectives

Report your proposed project's terminal objectives and its subobjectives in Item #4. A terminal objective is defined as one which indicates what the change in student performance or the product of a project will be at the project's conclusion. Each terminal objective should be related to a statement(s) of need(s) reported in Item #3. Subobjectives indicate changes for people other than those in the terminal target group that are essential for the terminal objective to be met.

Objectives and subobjectives should be stated in performance (or behavioral) terms. Objectives that relate to changes in student behavior should be stated in

such a way as to provide answers to the following four questions:

- a. Is the student described as being the learner?
- b. Is the terminal performance stated?
- c. Are the conditions imposed on the learner when performing the activity specified?
- d. Is there a base level of performance against which the achievement of the terminal outcome can be compared?

Properly stated objectives contain the following elements:

- a. a subject variable which identifies who will be the subject of the objective statement;
- b. an action verb which describes what the subject variable will be expected to do;
- c. a program variable which denotes the proposed cause of the expected change;
- d. a time variable which denotes when the expected change will be accomplished; and
- e. a criterion of success which predetermines the acceptable level of accomplishment.

The terminal objectives for projects which are not expected directly to affect student learning should also be stated in performance terms. These objectives should provide the reader with a clear indication of the nature of the product to be developed, when it will be developed, and standards against which the quality of the product will be compared.

For DEMONSTRATION projects the objective must clearly identify the target populations of the demonstration activities. For example, will the materials developed for demonstration purposes be aimed at teachers, administrators, students, or lay persons? Will they be limited to certain grades, types of students, kinds of communities? Additional separate objectives should be developed for stages of the demonstration process. For example, one objective may be to make large numbers of persons aware of the project which is being demonstrated. Another objective may relate to in-depth orientation or training of a sub-group of those who become aware.

Item #5: Activities

Each subobjective should be followed by a list of the activities which will be undertaken to achieve it. List those activities which in your judgement are most important to the success of the project. This will keep the list from becoming exhaustive.

The activities listed should:

1. Be specific enough to serve as a guide for executing the proposed program and/or explaining how the subobjectives are to be achieved;
2. Be listed in sequence or ordered in accordance with the date of accomplishment; and
3. Include reference to "key actors" to be involved in the project ("key actors" are defined as those whose involvement and/or support are essential to the success of the project).

Circle numbers of those activities whose timely completion are critical to the success of the project.

For VALIDATION projects the activities should give evidence that the following will be documented: data on the success of the project being validated; start-up costs for the project; management costs; and operational costs reported on a per learner basis and for total program operation. Also, Validation projects should generate some evidence of the extent to which the project is exportable.

For REPLICATION projects Title IV-C monies are available to cover only start-up costs. Any operating costs should be charged in Item #5.2 to local sources.

Item #5.1: Dates

Indicate in the appropriate space the start and finish date of each reported activity. A separate list of activities and start and finish dates should be developed for each terminal objective.

Item #5.2: Cost

This item is largely self explanatory. However, you should note that if your project is selected for funding, the figures reported under the Title IV-C column will need to be re-calculated to be reported by function-object in an FA-10 Form which will be provided at the appropriate time.

Item #6: Evaluation Methodology

Indicate in the space provided how you will determine the extent of the achievement of each subobjective. It is not necessary to write out each subobjective. Identify each subobjective by the number corresponding to the number assigned to it in Item #4.

The statement of evaluation methodology can be brief. In fact, you need only report the evaluation methodology if you are using one of the following standard designs.

1. Experimental vs. control group
2. Pretest/posttest gain vs. expected gain without this program (historical growth)
3. Pretest/posttest gain vs. local, state or national norms
4. Pretest/posttest gain vs. pre/posttest gain from last year's class
5. Case study
6. Professional team observation rating
7. National Assessment item sampling procedure
8. Pre/posttest criterion referenced

A brief description of "other" evaluation methodologies will suffice. If your evaluation design includes testing, indicate the name and form number of the test and planned dates of administration. Specify if the tests will be locally developed.

Section III - Non-Public Participation

Federal statutes and regulations governing the operation of projects funded under ESEA Title IV-C have very stringent provisions regarding the involvement of representatives of non-public schools in the planning and operation of projects. You are urged to read carefully pages 15 to 17 in this Planning Guide. They include a narrative description of the nature of that participation. The information presented in Section III will be reviewed to determine if that participation meets Federal requirements. Proposals from districts which fail to involve representatives of non-public schools in the planning of the projects or which have not made adequate provision for the involvement of non-public representatives in the project's operation will be disqualified.

The directions which follow are keyed to specific item numbers in Section III.

Item #1 -- In reference to Item #10 in Section I, if no private school children will be involved in your project, a separate page must be attached explaining why they will not be. If your district has non-public schools within its boundaries and there will be no non-public school participation, your proposal must include a letter from officials of those schools certifying that they do not wish to be involved.

Item #2 -- Check yes or no for this item. If no, report in Item #2.1 the manner in which the number of non-public school children to be involved was determined.

Item #3 -- Check yes or no for this item. If no, report in Item #3.1 the basis for the difference.

Item #4 -- You are required by statute to contact representatives of every non-public school within your district to ascertain the degree to which they wish to be involved in the development and operation of a proposed Title IV-C project. If you failed to contact any such representatives, the space in #5.1 can be used to explain why they were not contacted. If necessary, attach an additional sheet for that explanation.

If your district has arranged to communicate to all non-public schools through an agency which they indicate represents them all, your response to items need only include contacts with that agency. However, you should provide an explanation of this arrangement indicating that non-public school representatives prefer this mode of interaction for the purposes of Part C of Title IV.

Item #5 -- Representatives of public schools are required by law to consult private school officials in matters pertaining to the development and operation of Title IV-C projects. The table in Item #4 is provided for you to report those contacts with private school officials which you made in the development of this application. Under the fourth column, labeled "Nature of Contact," use the following code to describe those contacts: (1) if the contact involved a meeting between representatives of your district and representatives of non-public schools; (2) if the contact consisted of a phone call; and (3) if the contact consisted of an exchange of letters and/or documents.

Item #6 -- Item #6 is provided for you to record the frequency with which non-public school pupils and/or staff will be served by the proposed project. Indicate the location and frequency of the service which will be provided to non-public school pupils and/or staff if the project is funded.

Section IV - Assurances

Responsible officials of the district should review very carefully the statements included in the assurances for this application. Following that review, the district's authorized representative should sign in the appropriate space on page 14. The original of the application must include an original signature on the last page of the assurances.

"Before Filing" Checklist

This is prepared for applicant use. Please review carefully to avoid disqualification on the * starred items or delay in review on the unstarred items.

- ___ 1. 10 copies prepared including 1 original with original signature on front page and on last page (after assurances) of application.*
- ___ 2. Attach "sign-off" letter from nonpublic official if they decide not to participate.* If nonpublic schools are participating, fully explain under Section III of application as instructed.*
- ___ 3. All parts completed as instructed. All copies are readable.
- ___ 4. Budget columns under 5.2 of application are totaled and a final total given for each column.
- ___ 5. Program overview describes needs, gaps, problems and the solution(s) if Developer, Validation or Replication Grant.
- ___ 6. Applicant information on front page of application is completed.
- ___ 7. R.F.P. number is indicated on front page of application.
- ___ 8. Attached Board Resolution indicating authorization (See #12 of Assurances in application).

The University of the State of New York
 THE STATE EDUCATION DEPARTMENT
 Office of ESC Program Planning and
 Communication's
 Albany, New York 12234

ESEA TITLE IV-C APPLICATION

Section I--General Information

Office use only

1. Type of ESEA Title IV-C Grant:

- a) Developer c) Replication
 b) Validation d) Demonstration

2. This application is being submitted in response to Request for Proposal (RFP) Number.

3. Proposed Project Title: _____

Applicant Information

4. School District: _____
 Legal Name

Popular Name

5. Title IV-C Funds Requested
 Year 2 Year 3

6. Beginning and Ending Dates of Project / / to / /
 Mo. Day Yr. Mo. Day Yr.

7. Congressional District(s)

8. Person Authorized to Receive the Grant: _____

Title or Position: _____ Business Phone: () _____
 Area Code Number

Address: _____
 Street City Zip Code County

9. Project Director: _____ Business Phone: () _____
 Area Code Number

Address: _____
 Street City Zip Code County

I hereby certify that the information contained in this application is to the best of my knowledge correct, and the Local Education Agency named above has authorized me as its representative to file this application:

(date)

Signature of Person Authorized to Receive this Grant

10.

INFORMATION ON PROJECT PARTICIPATION

PARTICIPANTS		Pre-kindergarten	Kindergarten	Grades 1-6	Grades 7-12	Other	Total
10.1	Pupils Participating Directly in Project	Public					
		Non-Public					
10.1	Pupils Participating Indirectly in Project	Public					
		Non-Public					
10.2	Teachers and Counselors Participating Directly in Project	Public					
		Non-Public					
10.2	Teachers and Counselors Participating Indirectly in Project	Public					
		Non-Public					

PROFESSIONAL STAFF INVOLVED IN IN-SERVICE TRAINING

PARTICIPANTS		Teachers	Counselors	Other Staff	Total
10.3	Staff Giving In-Service Training	Public			
		Non-Public			
10.3	Staff Receiving In-Service Training	Public			
		Non-Public			

Section II--Program Information

1. OVERVIEW OF PROPOSED PROJECT: (Limit to one Page)

2. PLANNING PROCESS:

3. NEEDS

4. OBJECTIVES AND SUBOBJECTIVES: The method of identification of objectives and subobjectives to be used is as follows; the first objective is labeled 1.0, the second objective 2.0 etc.; the subobjectives of 1.0 are 1.1, 1.2 etc.

6. EVALUATION METHODOLOGY:

Objective	Evaluation Strategy

Section III--Non-Public School Participation

1. In reference to Item 10, Section I of this application, if there are no nonpublic school pupils involved, check the box to the right and attach a separate sheet to explain why there is no such participation . . . No Nonpublic Participation

2. The number of nonpublic school pupils to be involved was determined on the same basis as was the number of public school pupils . . . Yes No

2.1 If no, describe in the space below how the number of non-public school pupils to be involved was determined. (Attach additional sheets if necessary)

3. The average per pupil expenditure of Title IV-C funds will be the same for nonpublic and public school pupils Yes No

3.1 If no, explain in the space below the basis for the difference (Attach additional sheets if necessary)

4. Was a representative of each nonpublic school in your District contacted and given an opportunity to be involved in the development of the ESEA Title IV-C Project? Yes No

4.1 If no, explain in the space below why they were not contacted (attach additional sheets if necessary)



6. Indicate below, information concerning the location and frequency of services to be provided for nonpublic school pupils and/or staff.

Location	Frequency of Service	
	Average Number of Days Per Week	Average Duration of Each Service Occasion

ASSURANCES

THE APPLICANT HEREBY ASSURES THE COMMISSIONER OF EDUCATION OF THE STATE OF NEW YORK THAT:

1. The applicant is a "local educational agency" and has the necessary legal authority to apply for and receive the proposed grant.
2. The activities and services for which assistance is sought under this grant will be administered by or under the supervision of the applicant;
3. In planning the program proposed in the application, there has been, and in establishing and carrying out that program, there will be participation of persons broadly representative of the cultural and educational resource(s) of the area to be served;
4. Any funds received under this grant will be used to supplement and not to supplant funds normally budgeted for the planning of services of the same type;
5. The applicant will make provisions for the participation of children enrolled in nonprofit private schools in the area to be served as prescribed in Section 406 of P.L. 93-380.
6. The Applicant will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by or pursuant to the Regulations of the Department of Health, Education, and Welfare (45 CFR Part 80) issued pursuant to the title, to the end that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance from the Department. (The assurance of compliance (HEW 441), or court order, or desegregation plan previously filed with the U.S. Office of Education in accordance with the Department of Health, Education, and Welfare Regulations applies to this application);
7. The applicant will make provisions: (1) consistent with the other use of the facilities, for areas adaptable for artistic and cultural activities; (2) for, upon completion of the construction, title to the facilities to be in a State or local agency; and (3) that, in developing the plans for the facilities, consideration has been given to the plan for excellence of architecture and design, to include works of the arts (not to exceed 1 percent of the cost of the project) and, to the extent appropriate in view of the uses

of the facilities, to insure that the facilities are accessible to and usable by handicapped children;

8. All equipment acquired with funds under Title IV, Part C will be used for purposes specified in the approved project proposal, will be under administrative control of the applicant throughout its expected useful life so long as the equipment is used for its original purpose, and will be in accordance with the Commissioner of Education regulations;
9. The project will be operated in compliance with Public Law 93-380, as amended, and with Regulations and other policies and administrative issuances by the U.S. Commissioner of Education including submission of such reports as may be required;
10. The project will be operated in compliance with the New York State Education Law, the Regulations of the New York State Commissioner of Education, the Rules of the Board of Regents of the University of the State of New York, and the provisions of the State Plan for the administration of Title IV, Part C;
11. The applicant will make an annual report and such other reports to the State Education Department, in such form and containing such information, as may be reasonably necessary to enable the State Education Department to perform its duties under Title IV, Part C, including information relating to the educational achievement of students participating in programs carried out under Title IV, Part C, and will keep such records and afford such access thereto as the State Education Department may find necessary to assure the correctness and verification of such reports;
12. The filing of this application has been authorized by the governing body of the applicant, and the undersigned representative has been duly authorized to file this application for an behalf of said applicant and otherwise to act as the authorized representative of the applicant in connection with this application. (Attach copy of authorizing document, i.e., Board Resolution);
13. The applicant gives assurance that every reasonable effort will be made to obtain the local funds required for continuation of the project as indicated in the budget request;
14. The applicant gives assurance that, if the project achieves the specified objectives, every reasonable effort will be made to continue it after the termination of Federal funding.

15. Compliance has been made with Sections 438-440 of the General Education Provisions Act relating to "Protection of the Rights and Privacy of Parents and Students."

I, _____, do hereby certify that all of the facts, figures, and representations made in this application, including all exhibits and attachments hereto and hereby made a part of this application, are true and correct to the best of my knowledge and belief.

(Date)

(Legal Name of Applicant)

Signature of Authorized Representative)

(Representative's Title)

APPENDIX A

"PART C -- EDUCATIONAL INNOVATION AND SUPPORT"

PUBLIC LAW 93-380

"PROGRAMS AUTHORIZED"

"SEC. 431. (a) The Commissioner shall carry out a program for making grants to the States (pursuant to State plans approved under section 403) --

"(1) for supplementary educational centers and services to stimulate and assist in the provision of vitally needed educational services (including preschool education, special education, compensatory education, vocational education, education of gifted and talented children, and dual enrollment programs) not available in sufficient quantity or quality, and to stimulate and assist in the development and establishment of exemplary elementary and secondary school programs (including the remodeling, lease, or construction of necessary facilities) to serve as models for regular school programs;

"(2) for the support of demonstration projects by local educational agencies or private educational organizations designed to improve nutrition and health services in public and private elementary and secondary schools serving areas with high concentrations of children from low-income families and such projects may include payment of the cost of (A) coordinating nutrition and health service resources in the areas to be served by a project, (B) providing supplemental health, mental health, nutritional, and food services to children from low-income families when the resources for such services available to the applicant from other sources are inadequate to meet the needs of such children, (C) nutrition and health programs designed to train professional and other school personnel to provide nutrition and health services in a manner which meets the needs of children from low-income families for such services, and (D) the evaluation of projects assisted with respect to their effectiveness in improving school nutrition and health services for such children;

"(3) for strengthening the leadership resources of State and local educational agencies, and for assisting those agencies in the establishment and improvement of programs to identify and meet educational needs of States and of local school districts; and

"(4) for making arrangements with local educational agencies for the carrying out by such agencies in schools which (A) are located in urban or rural areas, (B) have a high percentage of children from low-income families, and (C) have a high percentage of such children who do not complete their secondary school education, of demonstration projects involving the use of innovative methods,

systems, materials, or programs which show promise of reducing the number of such children who do not complete their secondary school education.

"(b) It is the purpose of this part to combine within a single authorization, subject to the modifications imposed by the provisions and requirements of this title, the programs authorized by title III (except for programs of testing, counseling, and guidance) and title V, and sections 807 and 808 of this Act, and funds appropriated to carry out this part must be used only for the same purposes and for the funding of the same types of programs authorized under those provisions."

APPENDIX B

"PARTICIPATION OF CHILDREN ENROLLED IN PRIVATE SCHOOLS"

"SEC. 406. (a) To the extent consistent with the number of children in the school district of a local educational agency (which is a recipient of funds under this title or which serves the area in which a program or project assisted under this title is located) who are enrolled in private nonprofit elementary and secondary schools, such agency, after consultation with the appropriate private school officials, shall provide for the benefit of such children in such schools secular, neutral, and nonideological services, materials, and equipment including the repair, minor remodeling, or construction of public school facilities as may be necessary for their provision (consistent with subsection (c) of this section), or, if such services, materials, and equipment are not feasible or necessary in one or more such private schools as determined by the local educational agency after consultation with the appropriate private school officials, shall provide such other arrangements as will assure equitable participation of such children in the purposes and benefits of this title.

"(b) Expenditures for programs pursuant to subsection (a) shall be equal (consistent with the number of children to be served) to expenditures for programs for children enrolled in the public schools of the local educational agency, taking into account the needs of the individual children and other factors (pursuant to criteria supplied by the Commissioner) which relate to such expenditures, and when funds available to a local educational agency under this title are used to concentrate programs or projects on a particular group, attendance area, or grade or age level, children enrolled in private schools who are included within the group, attendance areas, or grade or age level selected for such concentration shall, after consultation with the appropriate private school officials, be assured equitable participation in the purposes and benefits of such programs or projects.

"(c) (1) The control of funds provided under this title and title to materials, equipment, and property repaired, remodeled, or constructed there-with shall be in a public agency for the uses and purposes provided in this title, and a public agency shall administer such funds and property.

"(2) The provision of services pursuant to this section shall be provided by employees of a public agency or through contract by such public agency with a person, an association, agency, or corporation who or which in the provision of such services is independent of such private school and of any religious organization, and such employment or contract shall be under the control and supervision of such public agency, and the funds provided under this title shall not be commingled with State or local funds.

"(d) If a State is prohibited by law from providing for the participation in programs of children enrolled in private elementary and secondary schools, as required by this section, the Commissioner may waive such requirement and shall arrange for the provision of services to such children through arrangements which shall be subject to the requirements of this section.

"(e) If the Commissioner determines that a State or a local educational agency has substantially failed to provide for the participation on an equitable basis of children enrolled in private elementary and secondary schools as required by this section, he shall arrange for the provision of services to such children through arrangements which shall be subject to the requirements of this section.

"(f) When the Commissioner arranges for services pursuant to this section, he shall, after consultation with the appropriate public and private school officials, pay the cost of such services from the appropriate allotment of the State under this title.

"(g) (1) The Commissioner shall not take any final action under this section until he has afforded the State educational agency and local educational agency affected by such action at least sixty days notice of his proposed action and an opportunity for a hearing with respect thereto on the record.

"(2) If a State or local educational agency is dissatisfied with the Commissioner's final action after a hearing under subparagraph (A) of this paragraph, it may within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

"(3) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

"(4) Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code."

APPENDIX C

REGIONAL OEP REPRESENTATIVES

CAPITAL DISTRICT:

Mr. Jerry Graniero
Regional Planning Center
1015 Watervliet-Shaker Road
Albany, New York 12205
(518) 456-9281

NASSAU BOCES:

Mr. Daniel Domenech
Nassau Co. BOCES
Salisbury Center
Valentines Road & Plain Road
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CENTRAL:

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WESTERN:

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CENTRAL WESTERN:

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LIVINGSTON STEUBEN BOCES:

Mr. Bruno Rodgers
Coordinator of Special Projects
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Mr. Walter Goodman
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NORTHWEST:

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Mr. Alan Osterhoudt
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NORTHEAST:

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John Harrold Educational
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ONEIDA 1:

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MID-HUDSON

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CHENANGO
BOCES:

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GREENE 2-
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BOCES:

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BROOME-
TIOGA
BOCES:

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CITY:

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Board of Education
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ROCHESTER:

Mrs. Eleanor Peck
Communications Assistant
City School District
Office of Urban Funded Programs
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Rochester, New York 14607
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SYRACUSE:

Mr. John Donovan
Education Assistant, for
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BUFFALO:

Mrs. Grace Fairlie
Supervisor of Curriculum
712 City Hall
Buffalo, New York 14202
(716) 842-3161 (169)

APPENDIX D

SED LIAISON STAFF.

Program Priority Area	State Education Department Office	Person Responsible	Phone No.
Articulation	Office of Optional Education Programs	Robert King	(518) 484-1280
Basic Skills: -Bilingual -Mathematics -Reading	Division of Urban Education	Richard Weiner	(518) 474-1321
	Bilingual Education Unit	Maria Ramirez	(518) 474-8076
	Bureau of Mathematics Educ.	Aaron Buchman	(518) 474-5931
	Bureau of Reading Education	Jane Algozzine	(518) 474-2885
Civics and Law Education	Bureau of Social Studies Education	Donald Bragaw	(518) 474-5978
		Kenneth Wade	(518) 474-5978
Computer Services	New York State School Computer Services System	Richard Lesser	(518) 474-8798
Consumer Education	Bureau of Home Economics Education	Elizabeth Brown	(518) 474-3954
Dropout Prevention	Bureau of Guidance	Edward Strack	(518) 474-6943
Economy and Efficiency	Division of ESC Planning Field Services	Michael Moss	(518) 474-2380
Education of the Gifted	Education for the Gifted Unit	Roger Ming	(518) 474-4973
Education for the Handicapped Children	Bureau for Special Programs for the Handicapped	Zelda Kaye	(518) 474-1672
Follow-up of Title III Validated Programs	Title IV-C Administration	Muhammad Khan	(518) 474-2380
Health and Nutrition Services	Health Services Unit	Katherine Kruckel	(518) 474-6850
Metric Education	Bureau of Mathematics Education	Leroy Negus	(518) 474-5931
Planning and Management	Division of ESC Planning Field Services	John Murphy	(518) 474-2380
Values Education	Humanities and Performing Arts Unit	William Clauss	(518) 474-8779

RULES OF PRACTICE FOR APPEALS TO THE NEW YORK STATE
COMMISSIONER OF EDUCATION

Pursuant to the authority conferred by Education Law, Section 206, the State Education Department has established the following rules regulating the procedure in connection with hearings conducted pursuant to the provisions of Section 431 of Title IV, P.L. 93-380.

1. Request for hearing, by or on behalf of any applicant adversely affected by a determination of the State Education Department shall be addressed to the Commissioner of Education, the University of the State of New York, State Education Department, Albany, New York 12234 and mailed within 30 days after notification by mail to such applicant of the determination which is being appealed.
2. Within 30 days after the closing date for requesting a hearing, the State Education Department shall designate a Committee to include in its membership at least one member of the State Education Department to hear and report, and specify the time and place where said hearing is to be conducted.
3. An applicant requesting a hearing shall serve upon the Office of ESC Program Planning, State Education Department, a copy of all papers, data, exhibits, and information which support its position. Copies thereof shall be submitted in triplicate to the Committee at least 10 days prior to the date for which the hearing has been scheduled.
4. An applicant may be represented before the Committee by its Chief Executive Officer or other employee duly authorized to appear or by an attorney; when represented by an attorney, his name and post office address must be endorsed upon each paper submitted by the applicant.
5. An applicant may waive oral presentation before the Committee and submit on the papers served and filed with the Committee. Where oral presentation is had, the Committee may regulate the time allotted.
6. The jurisdiction of the Committee is appellate in nature and its review of the determination of the State Education Department is limited to the papers, data, exhibits, and information submitted in conjunction with the application or in support of matters asserted in the application, except that the Committee, in its discretion, may consider any official records or reports on file in the State Education Department relating to the issues involved in such hearing.
7. A hearing stenographer will be provided by the State Education Department. Orders for copies of the transcript of the oral presentation must be placed with the hearing stenographer not later than the close of the hearing. Copies so ordered will be furnished by the hearing stenographer upon payment of the costs thereof.

8. The Committee after due deliberation shall report its findings and recommendations to the State Education Department.
9. The State Education Department on the basis of the hearing transcript and the findings, recommendations, and initial decision, if any, of the Committee shall render a decision and notify the applicant accordingly.
10. The State Education Department will promptly notify the Commissioner of Education, U.S. Office of Education, of the nature of the complaint whenever an applicant requests a hearing, and of the results of the hearing upon completion.