

**Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP)
Summary of Public Comments on
Applications for Partnership and State Grants
Following 30 Day Comment Review Period**

On May 2, 2019, the U.S. Department of Education (Department or ED) published a Notice of Proposed Information Collection Request (Notice) in the Federal Register inviting comments by June 3, 2019, on the applications for the Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP) Partnership and State Grants ([84 FR 18829](#)). The Department received comments from fourteen respondents. One of the respondents addressed one area of concern; with the other 13 commenting on one specific topical area or indicating support for the multiple comments received from the National Council for Community and Education Partnerships (NCCEP), the umbrella organization for the grantees funded under the GEAR UP programs. NCCEP comments addressed overarching general concerns as well as 10 topical areas addressed in the Notice Inviting Applications that is included in the application clearance package. The topical areas addressed included, for example, recommendations for changes in the formatting of applications and abstract, competitive preference priority (CPP), specific selection criteria, and performance measures as well as recommendations on program forms and changes made to the Annual Performance Report (APR) that was placed in OMB clearance as a separate document. The Department reviewed each of these concerns and where necessary, made changes based on the comments. A summary and analysis of the comments on the GEAR UP State application in response to these comments follows.

General Comments

Comments: A respondent expressed his opposition to the use of taxpayers' dollars to support GEAR UP programs based on his belief of their misuse.

Discussion: The Congress authorized fiscal year (FY) 2019 funding for the program and the Department has the responsibility of ensuring funds are used for grantmaking responsibilities and activities.

Action Taken by ED: No change.

Comments: Each of the 13 respondents submitted a specific comment or supported comments by NCCEP regarding concern that the Department did not announce a new competition under the GEAR UP Partnership program based on congressional intent as included in the conference report for fiscal year 2019 GEAR UP funding. One commenter asserted that not conducting a Partnership competition runs counter to the funding rule in the program authority.

Discussion: As communicated to Congress in the FY 2020 President's Budget, the Department has elected not to conduct a Partnership competition in FY 2019 due to a few key considerations. First, as the vast majority of FY 2019 GEAR UP funding is needed to support continuation awards, the Department has a limited amount of funding available for new GEAR UP awards in FY 2019. In recognition of the substantial resources required from applicants to compete for

these awards, the Department determined that the amount of funding available did not justify conducting both competitions. In addition, the Department made a substantial investment in new GEAR UP Partnership awards in FY 2018, while making only a small number of new State awards. Conducting a GEAR UP State competition only in FY 2019 will rebalance the overall GEAR UP award portfolio consistent with the statutory language of the GEAR UP statute.

The Department disagrees with the commenter's contention that conducting only a State competition runs counter to the funding rule in the program authority. Consistent with practices in other Department discretionary grant programs, since the creation of the GEAR UP program the Department has interpreted and operationalized the funding statutory language in section 404B(a) (20 USC §1070a-22) of the Higher Education Act of 1965, as amended (HEA) as applying to the total appropriation in a fiscal year, not the amount available for new awards.

Consistent with this legal interpretation, the Department has described this requirement as applying to the total appropriation in the "Program Description" section of the congressional justification for GEAR UP for several years. The interpretation is based on two key elements of the stem of HEA section 404B(a), which states: "In awarding grants from the amount appropriated under section 404H for a fiscal year, the Secretary shall make available..." First, consistent with all Department discretionary grant programs, the Department considers *all grant awards*, whether new awards or non-competitive continuation awards, to be "awards" and, therefore included in this language. Second, "the amount appropriated under section 404H" is, in fact, the total appropriation Congress provides for GEAR UP in a particular fiscal year, not the portion of the funding remaining after the Department decides which grantees will receive non-competitive continuation awards. Taken together, this requires the Department to allocate at least 33 percent of the total appropriation for each of State and Partnership awards.

Action Taken by ED: No change.

Comments: One respondent suggested revising the language on formatting the application to include a non-binding page limit of 50 pages, which the commenter believes along with other formatting guidance will provide context to applicants.

Discussion: The Department understands the recommendation. Department policy is to not establish mandatory page limit or formatting requirements; however, the Department may include voluntary standards and agrees that doing so may be helpful for applicants.

Action Taken by ED: We have revised the application to include a recommended 50-page limit.

Comments: One commenter recommended the inclusion of specific language on the information that should be included in the Project Abstract. The commenter noted concern about generic abstracts that do not provide enough detail for the public to obtain a clear understanding of an applicant's performance targets related to the project's goals and objectives, number of target schools, and specific demographics as well as information on core services and project activities.

Discussion: In the section on “instructions for Completing the Application Package,” most of the recommendations made by the respondents on completing the abstract are already included. Applicants have the flexibility to provide additional information to further define their projects.

Action Taken by ED: No change.

Comments: In relation to the Priority Student Model, one commenter expressed concern about not requiring applicants for State GEAR UP grants to include the number of students they plan to serve by grade level. The respondent recommended that the Department reinsert the prior table on the Program Profile Sheet adding that completion by applicants would result in minimal increase in burden and would be useful information for peer reviewers to have for evaluating applications. Concern was also expressed on the impact on the Department’s monitoring process.

Discussion: We agree with the commenter’s suggestion. We note that we do ask for this detail in the Annual Performance Reports to support our monitoring, but we agree that this information is useful for peer reviewers in evaluating applications.

Action Taken by ED: We have re-inserted the prior table on the Program Profile Sheet.

Comments: One respondent recommended the removal of the stipulation relating to State Funding Allocation noting not only an increase in burden to applicants but questioning its value with regards to Congressional reporting, monitoring purposes or public disclosure.

Discussion: The respondent included the same recommendation in comments on the information collection for the Annual Performance Report form for the GEAR UP Programs. As noted in that response, the Department does not agree that it is in the public interest to avoid monitoring how States that are granted the exception from the Secretary are providing the required financial assistance to participants through other means. However, we agree with the commenter that “reserving” funds is not the only means by which States can administer their non-Federal scholarship programs to support GEAR UP participants and made corresponding changes to the APR.

Action Taken by ED: No change.

Competitive Preference Priority

Comments: One respondent recommended expanding activities under Competitive Preference Priority 1 to include various mechanisms that increase access to STEM coursework. The respondent noted potential challenges for geographic areas that lack STEM industry to effectively respond to the priority, which is focused on expanding partnerships that give students access to work-based learning experiences.

Discussion: The competitive preference priority was taken from the Secretary’s Final Supplemental Priorities published March 2, 2018 and seeks to improve student achievement in science, technology, engineering, and math (STEM), with a focus on computer science. The

priority contemplates partnerships between schools, local educational agencies, state educational agencies, businesses, not-for-profit organizations, or institutions of higher education that will provide students with internships, apprenticeships, and other work-based learning opportunities in the STEM fields. The Department notes its intent to use all funds available for this competition for new GEAR UP State awards and believes it is reasonable to expect students to have access to STEM work-based learning experiences in all States without regard to their geographic location. As an example, some GEAR UP target schools are not in close proximity to institutions of higher education and provide dual enrollment opportunities.

Action Taken by ED: No change.

Performance Measures

Comments: One commenter raised concerns about requiring applicants to address performance measures in their applications and asserted that establishing program-wide measures inhibits innovation.

Discussion: The measures identified in the Notice are the indicators that help determine the success of the program. For these measures to be useful to the Department and the grantees, it is essential for all grantees to report data for these measures.

Action Taken by ED: No change.

Comments: One commenter suggested that the Department delete the performance measure that reads “the percentage of GEAR UP students who pass Pre-Algebra by the end of 8th grade,” asserting that this indicator “is duplicative of the Algebra I indicator, is not reported to Congress, and middle school math courses have largely focused on integrated mathematics and are therefore less relevant than when this indicator was created.”

Discussion: The Pre-Algebra measure is, in fact, reported annually to Congress and we disagree that it is duplicative of the Algebra I indicator.

Action Taken by ED: No change.

Comments: Revise the performance measure addressing Algebra I indicator to read, “The percentage of GEAR UP students who pass Algebra 1 or its equivalent by the end of 9th grade” to account for variation in course titles and to align to the GEAR UP Annual Performance Report.

Discussion: We appreciate this comment and agree that it is a useful clarification for applicants that aligns with the Annual Performance Report.

Action Taken by ED: We have added “or its equivalent” after “Algebra I” throughout the application.

Comments: One commenter suggested reinserting and modifying the performance indicator that tracks ACT/SAT completion rates across grantees to count as successes those students who take such exams by the end of 12th grade.

Discussion: In an effort to pare down the long list of performance measures for this program and refocus on the most essential indicators, we have decided to remove the ACT/SAT indicator as a performance measure in this NIA.

Action Taken by ED: No change.

Comments: One commenter suggested removing the performance measure that tracks the percentage of GEAR UP participants who enroll in college without need for remediation. This commenter noted that there are data and other issues that make it difficult to track GEAR UP participants once they enroll in college.

Discussion: The Department believes that this measure is central to the GEAR UP program as authorized by Congress. Specifically, Section 404(a)(1)(B) of the HEA articulates that the purpose of the program is, in part, “to reduce...the need for remedial education for such students at the postsecondary level.” However, as reflected in our response to the comments we received on the Annual Performance Report, we have made revisions to the methodology used for calculating this measure that we believe accommodates the commenter’s concerns.

Action Taken by ED: No change.

Comments: One commenter suggested revising the current measure that tracks the percentage of current and former GEAR UP participants who are on track to graduate from college.

Discussion: We appreciate the comment and agree that the revision proposed by the commenter is more precise.

Action Taken by ED: We have replaced “The percentage of current GEAR UP students and former GEAR UP students who are on track to graduate from an IHE one year after enrolling in an IHE” with “The percentage of current GEAR UP students and former GEAR UP students who enrolled at an IHE and persisted to the second year of postsecondary education at the initial or a subsequent IHE.”

Selection Criteria

Comments: One commenter opposed the decision to increase the maximum point allocation for the Quality of Project Design criterion from 15 points in the FY 2018 competition to 25 points in the FY 2019 competition by decreasing the point value for the Quality of Evaluation section. The commenter also suggested adding specific additional criteria and modifying the language in other selection criteria.

Discussion: In deciding how to weight the selection criteria, the Department carefully evaluated the design and focus of the FY 2019 State Grant competition informed by the experience of prior

competitions and grantee performance. For this competition, the Department is especially interested in State Grant applicants demonstrating a robust project design. Additionally, the Department cannot alter or modify the language of the selection criteria in 34 CFR §75.210 as the commenter suggests without first going through rulemaking.

Action Taken by ED: No change.

State Applicant Eligibility Form

Comments: One commenter suggested we remove the term “agency” from the affirmation in the State Applicant Eligibility Form as the Governor of a State could certify a different type of entity than an agency, including an institution for higher education, to apply for a State GEAR UP grant.

Discussion: The Department agrees the term “agency” is unnecessarily restrictive for the types of entities that the governor may appropriately designate as the entity eligible to apply for a State GEAR UP grant.

Action Taken by ED: We have replaced the term “agency” with the term “entity” so the affirmation reads “I authorize the entity above to submit an application for the GEAR UP State Grant competition on behalf of the State.”

Comments: One commenter suggested we remove a sentence requiring the Governor to affirm that to the best of their knowledge and belief all the information provided by the applicant is true and correct as redundant with assurances and certifications made elsewhere in the application package.

Discussion: The Department agrees that this certification is redundant with other assurances required in the application package, including the assurances and certifications required on the governmentwide SF424 Form used for all Federal financial assistance. For example, in Box 21 of the SF424, applicants are required to certify that all statements in the application are true, complete and accurate to the best of the authorized representative’s knowledge.

Action Taken by ED: We have removed the sentence in the certification that read “To the best of my knowledge and belief, all data provided by the applicant is true and correct.”

Partner Organization Table/Form

Comments: One commenter suggested the Department clarify if a Partner Identification Form will be required to be signed and certified by the grant partners during the post-award period. The commenter recommended additional clarifying instructions.

Discussion: The Department agrees this instruction should be clarified and will change the header on the partner identification table on page 96 of the application from “Name of Organization” to “Name of Certified Partner.” Applicants must certify their partners and contributions with the submission of their GEAR UP applications. In that way, the Department,

as well as the peer reviewers, can see the commitment of the applicant's partners in implementing the proposed project.

Action Taken by ED: The Department agrees this instruction should be clarified and will add instructions indicating that applications should include signed and certified Partner Identification Forms with the submission of their GEAR UP application.

End