

**U.S. Department of Education
Office of Elementary and Secondary
Education Charter Schools Program
Washington, D.C. 20202-5970**

Fiscal Year 2019

**Application for New Grants Under
the Expanding Opportunity Through Quality
Charter Schools Program -- Credit Enhancement for
Charter School Facilities Grants Program**

CFDA 84.354A

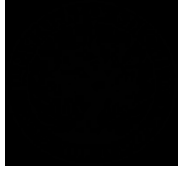


Dated Material - Open Immediately

Closing Date: July 19, 2019

Approved OMB Number: 1855-0007

Expiration Date: 02/29/2020



**UNITED STATES DEPARTMENT OF
EDUCATION**
Office of Elementary and Secondary Education

Dear Applicant:

Thank you for your interest in the Expanding Opportunity through Quality Charter Schools Program--Credit Enhancement for Charter School Facilities Program (Credit Enhancement). Included in this application package are the instructions and forms needed to submit an application to the U.S. Department of Education. A copy of the Notice Inviting Applications for New Awards for Fiscal Year (FY) 2019, the authorizing statute, and program regulations are provided in the application package. Please take the time to review these documents thoroughly.

Please read the document within this application package titled *Grants.gov Submission Procedures and Tips for Applicants* which describes the submission procedures to ensure your application is received in a timely and acceptable manner. The applications for the Credit Enhancement for Charter School Facilities Program (CFDA 84.354A) for FY 2019 must be submitted electronically using the governmentwide Grants.gov Apply site at www.Grants.gov on or before the deadline date.

Please note that U.S. Department of Education grant application deadlines are 11:59.59 Eastern time. **Applications submitted late will not be accepted.** The Department is required to enforce the established deadline to ensure fairness to all applicants. We suggest that you submit your application several days before the deadline, and we strongly recommend that you do not wait until the last day to submit your application.

An OESE Program Officer is available to provide technical assistance to applicants. If you have any questions about the program after reviewing the application package, please call or e-mail Clifton Jones at (202) 205-2204 or clifton.jones@ed.gov. For questions or problems in navigating the Grants.gov system, please call Grants.gov helpdesk at **1-800-518-4726**.

We look forward to receiving your application and appreciate your efforts in assisting and expanding the number of high-quality charter schools across the Nation.

Sincerely,

Ellen Safranek
Charter Schools Program Director
Office of Elementary and Secondary
Education

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**APPLICATION NOTICE,
PROGRAM STATUTE,
AND PROGRAM
REGULATIONS**

4000-01-U

DEPARTMENT OF EDUCATION

Applications for New Awards; Expanding Opportunity Through
Quality Charter Schools Program (CSP)--Grants for Credit
Enhancement for Charter School Facilities

AGENCY: Office of Elementary and Secondary Education, Department
of Education.

ACTION: Notice.

SUMMARY: The Department of Education (Department) is issuing a
notice inviting applications for fiscal year (FY) 2019 for CSP--
Grants for Credit Enhancement for Charter School Facilities
(Credit Enhancement), Catalog of Federal Domestic Assistance
(CFDA) number 84.354A. This notice relates to the approved
information collection under OMB control number 1855-0007.

DATES:

Applications Available: June 5, 2019.

Deadline for Transmittal of Applications: July 19, 2019.

Deadline for Intergovernmental Review: September 18, 2019.

Pre-Application Webinar Information: The Credit Enhancement
program intends to hold a webinar designed to provide technical
assistance to interested applicants. Detailed information
regarding this webinar will be provided on the Credit Enhancement
webpage at

<https://innovation.ed.gov/what-we-do/charter-schools/credit-enhancement-for-charter-school-facilities-program/applicant-info-and-eligibility/>.

ADDRESSES: For the addresses for obtaining and submitting an application, please refer to our Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the *Federal Register* on February 13, 2019 (84 FR 3768), and available at www.govinfo.gov/content/pkg/FR-2019-02-13/pdf/2019-02206.pdf.

FOR FURTHER INFORMATION CONTACT: Clifton Jones, U.S. Department of Education, 400 Maryland Avenue, SW, room 3E211, Washington, DC 20202-5970. Telephone: (202) 205-2204. Email: Clifton.Jones@ed.gov.

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

SUPPLEMENTARY INFORMATION:

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: The Credit Enhancement program provides grants to eligible entities to demonstrate innovative methods of helping *charter schools* to address the cost of acquiring, constructing, and renovating facilities by enhancing the availability of loans and bond financing.

Priorities: This competition includes one competitive preference priority and two invitational priorities. In accordance with 34 CFR 75.105(b)(2)(ii), the competitive preference priority is from 34 CFR 225.12.

Competitive Preference Priority: For FY 2019 and any subsequent year in which we make awards from the list of unfunded applications from this competition, this priority is a competitive preference priority. Under 34 CFR 75.105(c)(2)(i), we award up to an additional 15 points to an application, depending on how well the application addresses the priority.

This priority is:

The capacity of *charter schools* to offer public school choice in those communities with the greatest need for this choice based on--

(1) The extent to which the applicant would target services to geographic areas in which a large proportion or number of public schools have been identified for comprehensive support and improvement or targeted support and improvement under the ESEA, as amended by the Every Student Succeeds Act (up to 5 points);

(2) The extent to which the applicant would target services to geographic areas in which a large proportion of students perform below proficient on State academic assessments (up to 5 points); and

(3) The extent to which the applicant would target services to communities with large proportions of students from low-income families (up to 5 points).

Invitational Priorities: For FY 2019 and any subsequent year in which we make awards from the list of unfunded applications from this competition, these priorities are invitational priorities. Under 34 CFR 75.105(c)(1) we do not give an application that meets these invitational priorities a competitive or absolute preference over other applications.

These priorities are:

Invitational Priority 1.

Applicants proposing to--

(1) Target services in one or more qualified opportunity zones as designated by the Secretary of the Treasury under section 1400Z-1 of the Internal Revenue Code, as amended by the Tax Cuts and Jobs Act (Pub. L. 115-97); or

(2) Partner with one or more qualified opportunity funds under section 1400Z-2 of the Internal Revenue Code, as amended by the Tax Cuts and Jobs Act, in financing charter school facilities.

In addressing this priority, an applicant is encouraged to provide the census tract number(s) of the qualified opportunity zone(s) in which it proposes to target services and identify the qualified opportunity fund(s) with which it proposes to partner, as applicable. A list of qualified opportunity zones, with

census tract numbers, is available at
www.cdfifund.gov/Pages/Opportunity-Zones.aspx.

Note: The Department is also interested in applications that leverage newly created or previously untapped sources of capital or other assistance, which may include non-Federal programs, in financing *charter school* facilities.

Invitational Priority 2.

Projects proposing to target services in geographic areas and communities for which limited or no services have been provided under this program. Detailed information regarding the geographic areas and communities for which services have been provided under this program is available on the National Charter School Resource Center webpage at <https://charterschoolcenter.ed.gov/facilities/facilities-transactions-data>.

Definitions:

The following definition is from section 4310 of the ESEA (20 U.S.C. 7221i(2)).

Charter school means a public school that--

(a) In accordance with a specific State statute authorizing the granting of charters to schools, is exempt from significant State or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the other requirements in section 4310 of the ESEA;

(b) Is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;

(c) Operates in pursuit of a specific set of educational objectives determined by the school's developer and agreed to by the authorized public chartering agency;

(d) Provides a program of elementary or secondary education, or both;

(e) Is nonsectarian in its programs, admissions policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution;

(f) Does not charge tuition;

(g) Complies with the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the "Family Educational Rights and Privacy Act of 1974"), and part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.);

(h) Is a school to which parents choose to send their children, and that--

(i) Admits students on the basis of a lottery, consistent with section 4303(c)(3)(A) of the ESEA (20 U.S.C. 7221b(c)(3)(A)), if more students apply for admission than can be accommodated; or

(ii) In the case of a school that has an affiliated *charter school* (such as a school that is part of the same network of schools), automatically enrolls students who are enrolled in the immediate prior grade level of the affiliated *charter school* and, for any additional student openings or student openings created through regular attrition in student enrollment in the affiliated *charter school* and the enrolling school, admits students on the basis of a lottery as described in paragraph (h)(i);

(i) Agrees to comply with the same Federal and State audit requirements as do other elementary schools and secondary schools in the State, unless such State audit requirements are waived by the State;

(j) Meets all applicable Federal, State, and local health and safety requirements;

(k) Operates in accordance with State law;

(l) Has a written performance contract with the authorized public chartering agency in the State that includes a description of how student performance will be measured in *charter schools* pursuant to State assessments that are required of other schools and pursuant to any other assessments mutually agreeable to the authorized public chartering agency and the *charter school*; and

(m) May serve students in early childhood education programs or postsecondary students.

Program Authority: 20 U.S.C. 7221c.

Applicable Regulations: (a) The Education Department General Administrative Regulations in 34 CFR parts 75, 77, 79, 81, 82, 84, 86, 97, 98, and 99. (b) The Office of Management and Budget Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485. (c) The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR part 200, as adopted and amended as regulations of the Department in 2 CFR part 3474. (d) The regulations for this program in 34 CFR part 225. (e) The notice of final regulations published elsewhere in this issue of the *Federal Register*.

II. Award Information

Type of Award: Discretionary grants.

Estimated Available Funds: \$45,000,000.

Contingent upon the availability of funds and the quality of applications, we may make additional awards in subsequent years from the list of unfunded applications from this competition.

Estimated Range of Awards: \$4,000,000 to \$20,000,000.

Estimated Average Size of Awards: \$12,000,000.

Estimated Number of Awards: 4.

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

Project Period: From the start date indicated on the grant award document until the Federal funds and earnings on those funds have been expended for the grant purposes or until financing facilitated by the grant has been retired, whichever is later.

III. Eligibility Information

1. Eligible Applicants:

(a) A public entity, such as a State or local governmental entity;

(b) A private, nonprofit entity; or

(c) A consortium of entities described in (a) and (b).

2. Cost Sharing or Matching: This program does not require cost sharing or matching.

3. Subgrantees: A grantee under this competition may not award subgrants to entities to directly carry out project activities described in its application.

4. Other: The *charter schools* that a grantee selects to benefit from this program must meet the definition of *charter school* in section 4310 of the ESEA (20 U.S.C. 7221i)).

IV. Application and Submission Information

1. Application Submission Instructions: Applicants are required to follow the Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the

Federal Register on February 13, 2019 (84 FR 3768), and available at www.govinfo.gov/content/pkg/FR-2019-02-13/pdf/2019-02206.pdf, which contain requirements and information on how to submit an application.

2. Content and Form of Application Submission: Program statute, and applicable regulations require that eligible Credit Enhancement program applications must include the following specific elements:

(a) A statement identifying the activities that the eligible entity proposes to carry out with funds received under the program, including how the eligible entity will determine which *charter schools* will receive assistance, and how much and what types of assistance *charter schools* will receive. (ESEA section 4304(d)(2)(A)).

(b) A description of the involvement of *charter schools* in the application's development and the design of the proposed activities. (ESEA section 4304(d)(2)(B)).

(c) A description of the eligible entity's expertise in capital market financing. (ESEA section 4304(d)(2)(C)). (Consortium applicants must provide this information for each of the participating organizations.)

(d) A description of how the proposed activities will leverage the maximum amount of private-sector financing capital relative to the amount of government funding used and otherwise enhance credit available to *charter schools*, including how the

eligible entity will offer a combination of rates and terms more favorable than the rates and terms that a *charter school* could receive without assistance from the eligible entity under this section. (ESEA section 4304(d)(2)(D)).

(e) A description of how the eligible entity possesses sufficient expertise in education to evaluate the likelihood of success of a *charter school* program for which facilities financing is sought. (ESEA section 4304(d)(2)(E)).

(f) In the case of an application submitted by a State governmental entity, a description of the actions that the eligible entity has taken, or will take, to ensure that *charter schools* within the State receive the funding that *charter schools* need to have adequate facilities. (ESEA section 4304(d)(2)(F)).

(g) In the case of applicants applying as a consortium, applicants must also submit consortium agreements as part of their application package. These applicants must either designate one member of the group to apply for the grant or establish a separate legal entity to apply for the grant. All members of the consortium must then enter into an agreement that details the activities that each member of the group plans to perform and that binds each member to the application statements and assurances. This consortium agreement must be submitted as part of the consortium's application. The Department's administrative regulations at 34 CFR 75.127-129 provide more

details about the requirements that govern group/consortium applications.

3. Submission of Proprietary Information: Given the types of projects that may be proposed in applications for the Credit Enhancement program, your application may include business information that you consider proprietary. In 34 CFR 5.11, we define "business information" and describe the process we use in determining whether any of that information is proprietary and, thus, protected from disclosure under Exemption 4 of the Freedom of Information Act (5 U.S.C. 552, as amended).

Because we plan to make successful applications available to the public, you may wish to request confidentiality of business information.

Consistent with Executive Order 12600, please designate in your application any information that you feel is exempt from disclosure under Exemption 4. In the appropriate Appendix section of your application, under "Other Attachments Form," please list the page number or numbers on which we can find this information. For additional information please see 34 CFR 5.11(c).

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

5. Funding Restrictions:

(a) Reserve accounts. An eligible entity receiving a grant must, in accordance with State and local law, directly or indirectly, alone or in collaboration with others, deposit the funds received, other than funds used for administrative costs, in a reserve account established and maintained by the eligible entity. Amounts deposited in such account must be used by the eligible entity for one or more of the following purposes:

(1) Guaranteeing, insuring, and reinsuring bonds, notes, evidences of debt, loans, and interests therein.

(2) Guaranteeing and insuring leases of personal and real property.

(3) Facilitating financing by identifying potential lending sources, encouraging private lending, and other similar activities that directly promote lending to, or for the benefit of, *charter schools*.

(4) Facilitating the issuance of bonds by *charter schools*, or by other public entities for the benefit of *charter schools*, by providing technical, administrative, and other appropriate assistance (including the recruitment of bond counsel, underwriters, and potential investors and the consolidation of multiple *charter school* projects within a single bond issue).

Funds received and deposited in the reserve account must be invested in obligations issued or guaranteed by the United States or a State, or in other similarly low-risk securities. Any

earnings on funds received must be deposited in the reserve account and used in accordance with this program. ESEA Section 4304(f)

(b) Charter school objectives. An eligible entity receiving a grant must use the funds deposited in the reserve account to assist one or more *charter schools* to access private-sector capital to accomplish one or more of the following objectives:

(1) The acquisition (by purchase, lease, donation, or otherwise) of an interest (including an interest held by a third party for the benefit of a *charter school*) in improved or unimproved real property that is necessary to commence or continue the operation of a *charter school*.

(2) The construction of new facilities, or the renovation, repair, or alteration of existing facilities, necessary to commence or continue the operation of a *charter school*.

(3) The predevelopment costs required to assess sites for purposes of paragraph (1) or (2) and that are necessary to commence or continue the operation of a *charter school*. ESEA Section 4304(e)

(c) Other. Grantees must ensure that all costs incurred using funds from the reserve account are reasonable. Under 20 U.S.C. 7221c(g), an eligible entity may use not more than 2.5 percent of the funds received under this grant for the

administrative costs of carrying out its project responsibilities.

We specify unallowable costs in 34 CFR 225.21.

The full faith and credit of the United States are not pledged to the payment of funds under such obligation. In the event of a default on any debt or other obligation, the United States has no liability to cover the cost of the default.

Applicants that are selected to receive an award must enter into a written Performance Agreement with the Department prior to drawing down funds, unless the grantee receives written permission from the Department in the interim to draw down a specific limited amount of funds. Grantees must maintain and enforce standards of conduct governing the performance of their employees, officers, directors, trustees, and agents engaged in the selection, award, and administration of contracts or agreements related to this grant. The standards of conduct must mandate disinterested decision-making. The Secretary, in accordance with chapter 37 of title 31 of the United States Code, will collect all or a portion of the funds in the reserve account established with grant funds (including any earnings on those funds) if the Secretary determines that: (1) the grantee has permanently ceased to use such funds to accomplish the purposes described in the authorizing statute and the Performance Agreement; or (2) not earlier than two years after the date on

which it first receives these funds, the grantee has failed to make substantial progress in undertaking the grant project.

6. Recommended Page Limit: The application narrative is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. We recommend that you (1) limit the application narrative to 40 pages and (2) use the following standards:

- A "page" is 8.5" x 11", on one side only, with 1" margins at the top, bottom, and both sides.

- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.

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

- Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial.

Furthermore, applicants are strongly encouraged to include a table of contents that specifies where each required part of the application is located.

V. Application Review Information

1. Selection Criteria: The selection criteria for this competition are from 34 CFR 225.11. The Secretary awards up to 100 points for addressing these criteria. The maximum possible score for addressing each criterion is indicated in parentheses.

We encourage applicants to make explicit connections to the selection criteria and factors in their applications.

The Secretary uses the following criteria to evaluate an application for a Credit Enhancement grant:

(a) Quality of project design and significance (35 points):

In determining the quality of project design and significance, the Secretary considers--

(1) The extent to which the grant proposal would provide financing to *charter schools* at better rates and terms than they can receive absent assistance through the program;

(2) The extent to which the project goals, objectives, and timeline are clearly specified, measurable, and appropriate for the purpose of the program;

(3) The extent to which the project implementation plan and activities, including the partnerships established, are likely to achieve measurable objectives that further the purposes of the program;

(4) The extent to which the project is likely to produce results that are replicable;

(5) The extent to which the project will use appropriate criteria for selecting *charter schools* for assistance and for determining the type and amount of assistance to be given;

(6) The extent to which the proposed activities will leverage private or public-sector funding and increase the number and variety of *charter schools* assisted in meeting their

facilities needs more than would be accomplished absent the program;

(7) The extent to which the project will serve *charter schools* in States with strong charter laws, consistent with the criteria for such laws in section 4303(g)(2) of the ESEA; and

(8) The extent to which the requested grant amount and the project costs are reasonable in relation to the objectives, design, and potential significance of the project.

(b) Quality of project services (15 points):

In determining the quality of the project services, the Secretary considers--

(1) The extent to which the services to be provided by the project reflect the identified needs of the *charter schools* to be served;

(2) The extent to which *charter schools* and chartering agencies were involved in the design of, and demonstrate support for, the project;

(3) The extent to which the technical assistance and other services to be provided by the proposed grant project involve the use of cost-effective strategies for increasing *charter schools'* access to facilities financing, including the reasonableness of fees and lending terms; and

(4) The extent to which the services to be provided by the proposed grant project are focused on assisting *charter schools*

with a likelihood of success and the greatest demonstrated need for assistance under the program.

(c) Capacity (35 points):

In determining an applicant's business and organizational capacity to carry out the project, the Secretary considers--

(1) The amount and quality of experience of the applicant in carrying out the activities it proposes to undertake in its application, such as enhancing the credit on debt issuances, guaranteeing leases, and facilitating financing;

(2) The applicant's financial stability;

(3) The ability of the applicant to protect against unwarranted risk in its loan underwriting, portfolio monitoring, and financial management;

(4) The applicant's expertise in education to evaluate the likelihood of success of a *charter school*;

(5) The ability of the applicant to prevent conflicts of interest, including conflicts of interest by employees and members of the board of directors in a decision-making role;

(6) If the applicant has co-applicants (consortium members), partners, or other grant project participants, the specific resources to be contributed by each co-applicant (consortium member), partner, or other grant project participant to the implementation and success of the grant project;

(7) For State governmental entities, the extent to which steps have been or will be taken to ensure that *charter schools*

within the State receive the funding needed to obtain adequate facilities; and

(8) For previous grantees under the *charter school* facilities programs, their performance in implementing these grants.

(d) Quality of project personnel (15 points):

In determining the quality of project personnel, the Secretary considers--

(1) The qualifications of project personnel, including relevant training and experience, of the project manager and other members of the project team, including consultants or subcontractors; and

(2) The staffing plan for the grant project.

2. Review and Selection Process: We remind potential applicants that in reviewing applications in any discretionary grant competition, the Secretary may consider, under 34 CFR 75.217(d)(3), the past performance of the applicant in carrying out a previous award, such as the applicant's use of funds, achievement of project objectives, and compliance with grant conditions. The Secretary may also consider whether the applicant failed to submit a timely performance report or submitted a report of unacceptable quality.

In addition, in making a competitive grant award, the Secretary requires various assurances, including those applicable to Federal civil rights laws that prohibit discrimination in

programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

3. Risk Assessment and Specific Conditions: Consistent with 2 CFR 200.205, before awarding grants under this competition the Department conducts a review of the risks posed by applicants. Under 2 CFR 3474.10, the Secretary may impose specific conditions and, in appropriate circumstances, high-risk conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a financial or other management system that does not meet the standards in 2 CFR part 200, subpart D; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

4. Integrity and Performance System: If you are selected under this competition to receive an award that over the course of the project period may exceed the simplified acquisition threshold (currently \$250,000), under 2 CFR 200.205(a)(2) we must make a judgment about your integrity, business ethics, and record of performance under Federal awards--that is, the risk posed by you as an applicant--before we make an award. In doing so, we must consider any information about you that is in the integrity and performance system (currently referred to as the Federal Awardee Performance and Integrity Information System (FAPIIS)), accessible through the System for Award Management. You may review and comment on any information about yourself that a

Federal agency previously entered and that is currently in FAPIIS.

Please note that, if the total value of your currently active grants, cooperative agreements, and procurement contracts from the Federal Government exceeds \$10,000,000, the reporting requirements in 2 CFR part 200, Appendix XII, require you to report certain integrity information to FAPIIS semiannually. Please review the requirements in 2 CFR part 200, Appendix XII, if this grant plus all the other Federal funds you receive exceed \$10,000,000.

VI. Award Administration Information

1. Award Notices: If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN); or we may send you an email containing a link to access an electronic version of your GAN. We may notify you informally, also.

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

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

We reference the regulations outlining the terms and conditions of an award in the Applicable Regulations section of this notice and include these and other specific conditions in

the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. Open Licensing Requirements: Unless an exception applies, if you are awarded a grant under this competition, you will be required to openly license to the public grant deliverables created in whole, or in part, with Department grant funds. When the deliverable consists of modifications to pre-existing works, the license extends only to those modifications that can be separately identified and only to the extent that open licensing is permitted under the terms of any licenses or other legal restrictions on the use of pre-existing works. Additionally, a grantee or subgrantee that is awarded competitive grant funds must have a plan to disseminate these public grant deliverables. This dissemination plan can be developed and submitted after your application has been reviewed and selected for funding. For additional information on the open licensing requirements please refer to 2 CFR 3474.20(c).

4. Reporting: (a) If you apply for a grant under this competition, you must ensure that you have in place the necessary processes and systems to comply with the reporting requirements in 2 CFR part 170 should you receive funding under the competition. This does not apply if you have an exception under 2 CFR 170.110(b).

(b) If you receive a grant under this competition, you must submit an annual report that complies with the reporting

requirements for Credit Enhancement grantees in section 4304(h) (2) of the ESEA and the performance and financial expenditure reporting requirements in 34 CFR 75.720. At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary.

The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to www.ed.gov/fund/grant/apply/appforms/appforms.html.

5. Performance Measures:

(a) Program Performance Measures. The performance measures for this program are: (1) the amount of funding grantees leverage for *charter schools* to acquire, construct, and renovate school facilities; and (2) the number of *charter schools* served. Grantees must provide information that is responsive to these measures as part of their annual performance reports.

(b) Project-Specific Performance Measures. Applicants must propose project-specific performance measures and performance targets consistent with the objectives of the project and program. Applicants must provide the following information as directed under 34 CFR 75.110(b):

(1) Project Performance Measures. How each proposed project-specific performance measure would accurately measure the performance of the project and how the proposed project-specific

performance measure would be consistent with the performance measures established for the program funding the competition.

(2) Project Performance Targets. Why each proposed performance target is ambitious yet achievable compared to the baseline for the performance measure and when, during the project period, the applicant would meet the performance target(s).

Note: The Secretary encourages applicants to consider measures and targets tied to their grant activities during the grant period. For instance, if an applicant is using eligibility for free and reduced-price lunch to measure the number of low-income families served by the project, the applicant could provide a percentage for students qualifying for free and reduced-price lunch. If an applicant is targeting services to a Qualified Opportunity Zone, the applicant could provide the census tract number of the Qualified Opportunity Zone(s) in which it proposes to provide services. The measures should be sufficient to gauge the progress throughout the grant period, and show results by the end of the grant period.

(3) Data Collection and Reporting. (i) The data collection and reporting methods the applicant would use and why those methods are likely to yield reliable, valid, and meaningful performance data; and

(ii) The applicant's capacity to collect and report reliable, valid, and meaningful performance data, as evidenced by

high-quality data collection, analysis, and reporting in other projects or research.

Note: If applicants do not have experience with collection and reporting of performance data through other projects or research, they should provide other evidence of their capacity to successfully carry out data collection and reporting for their proposed project.

VII. Other Information

Accessible Format: Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (e.g., braille, large print, audiotape, or compact disc) on request to the program contact person listed under FOR FURTHER INFORMATION CONTACT.

Electronic Access to This Document: The official version of this document is the document published in the *Federal Register*. You may access the official edition of the *Federal Register* and the Code of Federal Regulations at www.govinfo.gov. At this site you can view this document, as well as all other documents of this Department published in the *Federal Register*, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the *Federal Register* by using the article

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Dated:

Frank T. Brogan,
*Assistant Secretary for Elementary
and Secondary Education.*

Program Statute

ESEA Section 4304

(a) GRANTS TO ELIGIBLE ENTITIES.—

(1) IN GENERAL.—From the amount reserved under section 4302(b)(1), the Secretary shall use not less than 50 percent to award, on a Competitive Preference Priority basis, not less than 3 grants to eligible entities that have the highest-quality applications approved under subsection (d), after considering the diversity of such applications, to demonstrate innovative methods of helping charter schools to address the cost of acquiring, constructing, and renovating facilities by enhancing the availability of loans or bond financing.

(2) ELIGIBLE ENTITY DEFINED.—For the purposes of this section, the term “eligible entity” means—

(A) a public entity, such as a State or local governmental entity;

(B) a private nonprofit entity; or

(C) a consortium of entities described in subparagraphs (A) and (B).

(b) GRANTEE SELECTION.—The Secretary shall evaluate each application submitted under subsection (d), and shall determine whether the application is sufficient to merit approval.

(c) GRANT CHARACTERISTICS.—Grants under subsection (a) shall be of sufficient size, scope, and quality so as to ensure an effective demonstration of an innovative means of enhancing credit for the financing of charter school acquisition, construction, or renovation.

(d) APPLICATIONS.—

(1) IN GENERAL.—An eligible entity desiring to receive a grant under this section shall submit an application to the Secretary in such form as the Secretary may reasonably require.

(2) CONTENTS.—An application submitted under paragraph

(1) shall contain—

(A) a statement identifying the activities that the eligible entity proposes to carry out with funds received under subsection (a), including how the eligible entity will determine which charter schools will receive

assistance, and how much and what types of assistance charter schools will receive;

(B) a description of the involvement of charter schools in the application's development and the design of the proposed activities;

(C) a description of the eligible entity's expertise in capital market financing;

(D) a description of how the proposed activities will leverage the maximum amount of private-sector financing capital relative to the amount of government funding used and otherwise enhance credit available to charter schools, including how the eligible entity will offer a combination of rates and terms more favorable than the rates and terms that a charter school could receive without assistance from the eligible entity under this section;

(E) a description of how the eligible entity possesses sufficient expertise in education to evaluate the likelihood of success of a charter school program for which facilities financing is sought; and

(F) in the case of an application submitted by a State governmental entity, a description of the actions that the eligible entity has taken, or will take, to ensure that charter schools within the State receive the funding that charter schools need to have adequate facilities.

(e) CHARTER SCHOOL OBJECTIVES.—An eligible entity receiving a grant under subsection (a) shall use the funds deposited in the reserve account established under subsection (f) to assist one or more charter schools to access private-sector capital to accomplish one or more of the following objectives:

(1) The acquisition (by purchase, lease, donation, or otherwise) of an interest (including an interest held by a third party for the benefit of a charter school) in improved or unimproved real property that is necessary to commence or continue the operation of a charter school.

(2) The construction of new facilities, or the renovation, repair, or alteration of existing facilities, necessary to commence or continue the operation of a charter school.

(3) The predevelopment costs required to assess sites for purposes of paragraph (1) or (2) and that are necessary to commence or continue the operation of a charter school.

(f) RESERVE ACCOUNT.—

- (1) USE OF FUNDS.—To assist charter schools in accomplishing the objectives described in subsection (e), an eligible entity receiving a grant under subsection (a) shall, in accordance with State and local law, directly or indirectly, alone or in collaboration with others, deposit the funds received under subsection (a) (other than funds used for administrative costs in accordance with subsection (g)) in a reserve account established and maintained by the eligible entity for this purpose. Amounts deposited in such account shall be used by the eligible entity for one or more of the following purposes:
 - (A) Guaranteeing, insuring, and reinsuring bonds, notes, evidences of debt, loans, and interests therein, the proceeds of which are used for an objective described in subsection (e).
 - (B) Guaranteeing and insuring leases of personal and real property for an objective described in subsection (e).
 - (C) Facilitating financing by identifying potential lending sources, encouraging private lending, and other similar activities that directly promote lending to, or for the benefit of, charter schools.
 - (D) Facilitating the issuance of bonds by charter schools, or by other public entities for the benefit of charter schools, by providing technical, administrative, and other appropriate assistance (including the recruitment of bond counsel, underwriters, and potential investors and the consolidation of multiple charter school projects within a single bond issue).
- (2) INVESTMENT.—Funds received under subsection (a) and deposited in the reserve account established under paragraph (1) shall be invested in obligations issued or guaranteed by the United States or a State, or in other similarly low-risk securities.
- (3) REINVESTMENT OF EARNINGS.—Any earnings on funds received under subsection (a) shall be deposited in the reserve account established under paragraph (1) and used in accordance with this subsection.
- (g) LIMITATION ON ADMINISTRATIVE COSTS.—An eligible entity may use not more than 2.5 percent of the funds received under subsection (a) for

the administrative costs of carrying out its responsibilities under this section (excluding subsection (k)).

(h) AUDITS AND REPORTS.—

(1) FINANCIAL RECORD MAINTENANCE AND AUDIT.—The financial records of each eligible entity receiving a grant under subsection

(a) shall be maintained in accordance with generally accepted accounting principles and shall be subject to an annual audit by an independent public accountant.

(2) REPORTS.—

(A) GRANTEE ANNUAL REPORTS.—Each eligible entity receiving a grant under subsection (a) shall submit to the Secretary an annual report of the entity's operations and activities under this section (excluding subsection (k)).

(B) CONTENTS.—Each annual report submitted under subparagraph (A) shall include—

(i) a copy of the most recent financial statements, and any accompanying opinion on such statements, prepared by the independent public accountant reviewing the financial records of the eligible entity;

(ii) a copy of any report made on an audit of the financial records of the eligible entity that was conducted under paragraph (1) during the reporting period;

(iii) an evaluation by the eligible entity of the effectiveness of its use of the Federal funds provided under subsection (a) in leveraging private funds;

(iv) a listing and description of the charter schools served during the reporting period, including the amount of funds used by each school, the type of project facilitated by the grant, and the type of assistance provided to the charter schools;

(v) a description of the activities carried out by the eligible entity to assist charter schools in meeting the objectives set forth in subsection (e); and

(vi) a description of the characteristics of lenders and other financial institutions participating in the activities carried out by

the eligible entity under this section (excluding subsection (k)) during the reporting period.

- (C) SECRETARIAL REPORT.—The Secretary shall review the reports submitted under subparagraph (A) and shall provide a comprehensive annual report to Congress on the activities conducted under this section (excluding subsection (k)).
- (i) NO FULL FAITH AND CREDIT FOR GRANTEE OBLIGATION.—No financial obligation of an eligible entity entered into pursuant to this section (such as an obligation under a guarantee, bond, note, evidence of debt, or loan) shall be an obligation of, or guaranteed in any respect by, the United States. The full faith and credit of the United States is not pledged to the payment of funds that may be required to be paid under any obligation made by an eligible entity pursuant to any provision of this section.
- (j) RECOVERY OF FUNDS.—
 - (1) IN GENERAL.—The Secretary, in accordance with chapter 37 of title 31, United States Code, shall collect—
 - (A) all of the funds in a reserve account established by an eligible entity under subsection (f)(1) if the Secretary determines, not earlier than 2 years after the date on which the eligible entity first received funds under subsection (a), that the eligible entity has failed to make substantial progress in carrying out the purposes described in subsection (f)(1); or
 - (B) all or a portion of the funds in a reserve account established by an eligible entity under subsection (f)(1) if the Secretary determines that the eligible entity has permanently ceased to use all or a portion of the funds in such account to accomplish any purpose described in subsection (f)(1).
 - (2) EXERCISE OF AUTHORITY.—The Secretary shall not exercise the authority provided in paragraph (1) to collect from any eligible entity any funds that are being properly used to achieve one or more of the purposes described in subsection (f)(1).
 - (3) PROCEDURES.—The provisions of sections 451, 452, and 458 of the General Education Provisions Act shall apply to the recovery of funds under paragraph (1).

(4) CONSTRUCTION.—This subsection shall not be construed to impair or affect the authority of the Secretary to recover funds under part D of the General Education Provisions Act (20 U.S.C. 1234 et seq.).

Credit Enhancement for Charter School Facilities Program Regulations

Subpart A--General Elementary and Secondary Education Act of 1965, as amended and Code of Federal Regulations, Title 34.

- 225.1 What is the Credit Enhancement for Charter School Facilities Program?
- 225.2 Who is eligible to receive a grant?
- 225.3 What regulations apply to the Credit Enhancement for Charter School Facilities Program?
- 225.4 What definitions apply to the Credit Enhancement for Charter School Facilities Program?

Subpart B--How Does the Secretary Award a Grant?

- 225.10 How does the Secretary evaluate an application?
- 225.11 What selection criteria does the Secretary use in evaluating an application for a Credit Enhancement for Charter Schools Facilities grant?
- 225.12 What funding priority may the Secretary use in making a grant award?

Subpart C--What Conditions Must Be Met by a Grantee?

- 225.20 When may a grantee draw down funds?
- 225.21 What are some examples of impermissible uses of reserve account funds?

AUTHORITY: AUTHORITY: 20 U.S.C. 1221e-3, 1232, and 7221c.

Subpart A - General

§225.1 What is the Credit Enhancement for Charter School Facilities Program?

(a) The Credit Enhancement for Charter School Facilities Program provides grants to eligible entities to assist charter schools in obtaining facilities.

(b) Grantees use these grants to do the following:

(1) The acquisition (by purchase, lease, donation, or otherwise) of an interest (including an interest held by a third party for the benefit of a charter school) in improved or unimproved real property that is necessary to commence or continue the operation of a charter school.

(2) The construction of new facilities, or the renovation, repair, or alteration of existing facilities, necessary to commence or continue the operation of a charter school.

(3) Assist charter schools with the predevelopment costs required to assess sites for the purpose of acquiring (by purchase, lease, donation, or otherwise) an interest (including an interest held by a third party for the benefit of a charter school) in improved or unimproved real property or constructing new facilities, or renovating, repairing, or altering existing facilities, and that are necessary to commence or continue the operation of a charter school

(c) Grantees may demonstrate innovative credit enhancement initiatives while meeting the program purposes under paragraph (b) of this section.

(d) For the purposes of these regulations, the Credit Enhancement for Charter School Facilities Program includes grants made under the Charter School Facilities Financing Demonstration Grant Program.

§225.2 Who is eligible to receive a grant?

The following are eligible to receive a grant under this part:

(a) A public entity, such as a State or local governmental entity;

(b) A private nonprofit entity; or

(c) A consortium of entities described in paragraphs (a) and (b) of this section.

§225.3 What regulations apply to the Credit Enhancement for Charter School Facilities Program?

The following regulations apply to the Credit Enhancement for Charter

School Facilities Program:

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

- (1) [Reserved]
 - (2) 34 CFR part 75 (Direct Grant Programs).
 - (3) 34 CFR part 77 (Definitions that Apply to Department Regulations).
 - (4) 34 CFR part 79 (Intergovernmental Review of Department of Education Programs and Activities).
 - (5) [Reserved]
 - (6) (6) 34 CFR part 81 (General Educational Provisions Act-- Enforcement).
 - (7) 34 CFR part 82 (New Restrictions on Lobbying).
 - (8) 34 CFR part 84 (Governmentwide Requirements for Drug-Free Workplace (Grants)).
 - (9) [Reserved]
 - (10) 34 CFR part 97 (Protection of Human Subjects).
 - (11) 34 CFR part 98 (Student Rights in Research, Experimental Programs, and Testing).
 - (12) 34 CFR part 99 (Family Educational Rights and Privacy).
- (b) The regulations in this part 225.
- (c) The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR part 200, as adopted in 2 CFR part 3474 and OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted in 2 CFR part 3485.

§225.4 What definitions apply to the Credit Enhancement for Charter School Facilities Program?

(a) Definitions in the Act. The following term used in this part is defined in section 4310(2) of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act:

Charter school

(b) Definitions in EDGAR. The following terms used in this part are defined in 34 CFR 77.1:

Acquisition

Grantee
Nonprofit
Private
Project
Public
Secretary

Subpart B -- How Does the Secretary Award a Grant?

§225.10 How does the Secretary evaluate an application?

- (a) The Secretary evaluates an application on the basis of the criteria in §225.11.
- (b) The Secretary awards up to 100 points for these criteria.
- (c) The maximum possible score for each criterion is indicated in parentheses.

§225.11 What selection criteria does the Secretary use in evaluating an application for a Credit Enhancement for Charter School Facilities grant?

The Secretary uses the following criteria to evaluate an application for a Credit Enhancement for Charter School Facilities grant:

- (a) Quality of project design and significance. (35 points) In determining the quality of project design and significance, the Secretary considers--
 - (1) The extent to which the grant proposal would provide financing to charter schools at better rates and terms than they can receive absent assistance through the program;
 - (2) The extent to which the project goals, objectives, and timeline are clearly specified, measurable, and appropriate for the purpose of the program;
 - (3) The extent to which the project implementation plan and activities, including the partnerships established, are likely to achieve measurable objectives that further the purposes of the program;
 - (4) The extent to which the project is likely to produce results that are replicable;
 - (5) The extent to which the project will use appropriate criteria for selecting charter schools for assistance and for determining the type and amount of assistance to be given;
 - (6) The extent to which the proposed activities will leverage private or public- sector

funding and increase the number and variety of charter schools assisted in meeting their facilities needs more than would be accomplished absent the program;

(7) The extent to which the project will serve charter schools in States with strong charter laws, consistent with the criteria for such laws in section 4304(g)(2) of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act of 2015; and

(8) The extent to which the requested grant amount and the project costs are reasonable in relation to the objectives, design, and potential significance of the project.

(b) Quality of project services. (15 points) In determining the quality of the project services, the Secretary considers--

(1) The extent to which the services to be provided by the project reflect the identified needs of the charter schools to be served;

(2) The extent to which charter schools and chartering agencies were involved in the design of, and demonstrate support for, the project;

(3) The extent to which the technical assistance and other services to be provided by the proposed grant project involve the use of cost-effective strategies for increasing charter schools' access to facilities financing, including the reasonableness of fees and lending terms; and

(4) The extent to which the services to be provided by the proposed grant project are focused on assisting charter schools with a likelihood of success and the greatest demonstrated need for assistance under the program.

(c) Capacity. (35 points) In determining an applicant's business and organizational capacity to carry out the project, the Secretary considers--

(1) The amount and quality of experience of the applicant in carrying out the activities it proposes to undertake in its application, such as enhancing the credit on debt issuances, guaranteeing leases, and facilitating financing;

(2) The applicant's financial stability;

(3) The ability of the applicant to protect against unwarranted risk in its loan underwriting, portfolio monitoring, and financial management;

(4) The applicant's expertise in education to evaluate the likelihood of success of a charter school;

(5) The ability of the applicant to prevent conflicts of interest, including conflicts of interest by employees and members of the board of directors in a decision-making role;

(6) If the applicant has co-applicants (consortium members), partners, or other grant project participants, the specific resources to be contributed by each co-applicant (consortium

member), partner, or other grant project participant to the implementation and success of the grant project;

(7) For State governmental entities, the extent to which steps have been or will be taken to ensure that charter schools within the State receive the funding needed to obtain adequate facilities; and

(8) For previous grantees under the charter school facilities programs, their performance in implementing these grants.

(d) Quality of project personnel. (15 points) In determining the quality of project personnel, the Secretary considers--

(1) The qualifications of project personnel, including relevant training and experience, of the project manager and other members of the project team, including consultants or subcontractors; and

(2) The staffing plan for the grant project.

§225.12 What funding priority may the Secretary use in making a grant award?

(a) The Secretary may award up to 15 additional points under a competitive priority related to the capacity of charter schools to offer public school choice in those communities with the greatest need for this choice based on--

(1) The extent to which the applicant would target services to geographic areas in which a large proportion or number of public schools have been identified for comprehensive support and improvement or targeted support and improvement under the ESEA, as amended by the Every Student Succeeds Act;

(2) The extent to which the applicant would target services to geographic areas in which a large proportion of students perform below proficient on State academic assessments; and

(3) The extent to which the applicant would target services to communities with large proportions of students from low-income families.

(b) The Secretary may elect to--

(1) Use this competitive priority only in certain years; and

(2) Consider the points awarded under this priority only for proposals that exhibit sufficient quality to warrant funding under the selection criteria in §225.11.

Subpart C--What Conditions Must Be Met by a Grantee?

§225.20 When may a grantee draw down funds?

(a) A grantee may draw down funds after it has signed a performance agreement acceptable to the Department of Education and the grantee.

(b) A grantee may draw down and spend a limited amount of funds prior to reaching an acceptable performance agreement provided that the grantee requests to draw down and spend a specific amount of funds and the Department of Education approves the request in writing.

§225.21 What are some examples of impermissible uses of reserve account funds?

(a) Grantees must not use reserve account funds to--

(1) Directly pay for a charter school's construction, renovation, repair, or acquisition;

or

(2) Provide a down payment on facilities in order to secure loans for charter schools. A grantee may, however, use funds to guarantee a loan for the portion of the loan that would otherwise have to be funded with a down payment.

(b) In the event of a default of payment to lenders or contractors by a charter school whose loan or lease is guaranteed by reserve account funds, a grantee may use these funds to cover defaulted payments that are referenced under paragraph (a)(1) of this section.

GENERAL APPLICATION INSTRUCTIONS AND INFORMATION

Instructions for ED Abstract Narrative

The abstract is to be attached to the “ED Abstract Attachment Form” in the application package in Grants.gov.

The abstract narrative must include the name and address of your organization and the name, phone number, and e-mail address of the contact person for the project.

The abstract narrative must not exceed one page and should use language that will be understood by a range of audiences. For all projects, include the project title (if applicable), goals, expected outcomes and contributions for research, policy, practice, etc. In addition, address how your application meets the purpose of the Credit Enhancement for Charter School Facilities program as stated in the Notice Inviting Applications for New Awards.

Instructions for Project Narrative

Before preparing the project narrative, applicants should review the Federal Register Notice, the Dear Applicant Letter, and the program statute, and regulations for specific guidance and requirements. Note that applications will be evaluated according to the specific selection criteria specified in the Federal Register Notice.

Please limit the project narrative to 40 pages, double-spaced, and number the pages consecutively. Refer to the Federal Register Notice for additional application submission requirements.

This part of your application contains information responsive to the Project Selection Criteria and the Application Content Requirements. Make sure your narrative addresses all of the elements. We strongly recommend that the information be organized around and appear in the same sequence as the Project Selection Criteria. Please upload the program narrative as one document.

Instructions for Budget Form and Related Information

This part of the application contains information about the Federal funding you are requesting. You must fill in the ED-524 budget form. For the ED-524, applicants only need to fill out Row 8 (titled "Other") in Project Year 1. The amount listed in row 12. Total Costs should reflect the total amount of grant funds requested.

Applicants are also required to fill out Table 3 and provide explanations and comments necessary to interpret the information you provide on this form.

Both of these forms (the ED-524 and Table 3) will be uploaded in the Budget Form Section.

Instructions for Other Attachments Form

Applicants should attach additional documents to the “Other Attachments Form” in the application package in Grants.gov. These documents would be supplementary statements and other requested information.

In addition to the program narrative, applications should include resumes for key personnel. Before preparing additional documentation, **applicants should review the Federal Register Notice**, the Dear Applicant Letter, and the program statute, and regulations for specific guidance and requirements. Note that applications will be evaluated according to the specific selection criteria specified in the Federal Register Notice.

To facilitate the review of the application, please organize your attachments in the following order:

1. Table 1 - Non-Grant Funds Projected to be Generated
2. Table 2 - Applicant Activity Table for the Most Recently Completed Fiscal Year
3. Table 4 - Risk Level of Charter Schools Served (required of past grantees only)
4. Consortium agreements
5. Resumes/Curriculum Vitae
6. Appendices (example: logic model)

Consortium Agreements:

Consortium applicants must also submit consortium agreements as part of their application package. These applicants must either designate one member of the group to apply for the grant or establish a separate legal entity to apply for the grant. All members of the consortium must then enter into an agreement that details the activities that each member of the group plans to perform and that binds each member to the application statements and assurances. This consortium agreement must be submitted as part of the consortium’s application. The Department’s administrative regulations at 34 CFR sections 75.127--129 provide more details about the requirements that govern group/consortium applications.

Resumes/Curriculum Vitae:

Provide resumes/curriculum vitae for the project director as well as any key personnel identified in the application.

Responding to the Invitational Priority, Competitive Preference Priority, and Project Selection Criteria

The Secretary will select for funding under the Credit Enhancement for Charter School Facilities Program those applications that are deemed of highest overall quality. Experts in finance, including school facilities finance and credit enhancement, will review the applications and assign to each application up to 115 points using the Project Selection Criteria and the Competitive Preference Priority. Each criterion includes factors the reviewers will consider in determining how well an application meets the criterion.

Reviewers will use their own professional judgment to assess the quality of each application against these criteria. To be Competitive Preference Priority, applicants must address each of the selection criteria fully and clearly. The kind of information needed to accomplish this for each criterion is discussed below. We recommend that applicants organize their application narrative around the Competitive Preference Priority and the Project Selection Criteria. While the application reviewers will score the Competitive Preference Priority, they will not score the Invitational Priority.

The Competitive Preference Priority is for applicants that propose a grant project that increases the capacity of charter schools to offer public school choice in those communities with the greatest need for school choice. The Invitational Priority is for applicants that propose the development of one or more partnerships that will enable the applicant to leverage newly created or previously untapped sources of capital or other assistance, which may include non-Federal programs, in financing charter school facilities in geographic areas and communities described in the Competitive Preference Priority. We will not score applicants based on the Invitational Priority.

The Competitive Preference Priority related to the applicant increasing the capacity of charter schools to offer public school choice in those communities with the greatest need for school choice (15 points):

The capacity of charter schools to offer public school choice in those communities with the greatest need for this choice based on—

- (1) The extent to which the applicant would target services to geographic areas in which a large proportion or number of public schools have been identified for improvement, corrective action, or restructuring under Title I of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001 (NCLB);
- (2) The extent to which the applicant would target services to geographic areas in which a large proportion of students perform below proficient on State academic assessments; and

- (3) The extent to which the applicant would target services to communities with large proportions of students from low-income families.

Note: With regard to paragraph (1), consistent with the ESSA, if applicants will be operating in States that have identified schools for comprehensive support and improvement or targeted support and improvement under the ESEA, as amended by the ESSA, “improvement, corrective action, or restructuring” refers to schools identified for “comprehensive support and improvement or targeted support and improvement” under the ESEA, as amended by the ESSA. If applicants will be operating in States that are delaying, as permitted by the Department, the identification of schools for comprehensive support and improvement or targeted support and improvement until school year 2018- 2019, the Department will award competitive preference points under paragraph (1) to allow those applicants to target services to geographic areas in which a large proportion of public schools are, at the time of submission of an application under this competition:

(i) elementary and secondary schools identified as in need of improvement, corrective action, or restructuring under the ESEA, as amended by NCLB; or (ii) elementary and secondary schools identified as a priority or focus school by the State prior to August 1, 2016 under ESEA flexibility. After school year 2018-2019, the Department will require a grantee that is operating in States that are delaying identification of schools, and that receives points under this priority, to amend its approved application, as needed, to describe how it will target services to geographic areas in which a large proportion of public schools are elementary and secondary schools identified for comprehensive or targeted support and improvement under the ESEA, as amended by the ESSA.

Application reviewers will use two important questions to address the Project Selection Criteria.

- A. Has the applicant proposed a grant project that will make a significant contribution toward meeting the purpose of the Credit Enhancement for Charter School Facilities Program and thereby increase charter schools’ access to facilities financing?
- B. Does the applicant have the ability to carry out the proposed grant project?

A. The selection criteria related to the potential contribution of the proposed grant project to achieving the purpose of the Credit Enhancement for Charter School Facilities Program include:

- 1) The quality of the design and potential significance of the proposed grant project (35 points).

This criterion addresses the goals, objectives, and activities of the grant project, how the applicant will determine the viability of an individual school as an educational enterprise and therefore as a target for investment, the number and type of charter schools that the applicant anticipates will obtain facilities as a result of the grant project, the amount and type of assistance they will receive, and

the degree to which projects would serve charter schools in States with strong charter school laws. This criterion also addresses the grant project's potential impact on the national need for charter school facilities and, in that regard; it's potential as a model for others.

The most successful applicants are likely to provide services to a number of charter schools, including start-ups. They will accomplish this, in part, by leveraging a significant amount of capital for investment in charter school facilities. They will clearly document their activities and the resulting outcomes for the different types of schools served, and will demonstrate that their grant projects are likely to help other charter schools acquire appropriate facilities in the future.

In addition, successful applicants will provide comprehensive plans with clear goals, objectives, and activities that have specific timelines and that are aligned with the four statutory purposes for which reserve account funds may be used. They will describe the partnerships they plan to develop to help further the purposes of the program and how they will leverage private-sector and other non-Federal capital for financing charter school facilities. They will give their projections for the amounts to be leveraged relative to the amount of government funding used. They also will discuss how they will invest funds from the reserve account, and provide an estimate of the earnings they expect from these investments, and from fees, interest, or other sources.

The materials reviewers will take into account when rating against this selection criterion include:

- The budget form and other budget information (including the consistency of numbers, the accuracy of any mathematical functions, and the clarity of any explanations);
- Information on fees and lending terms, including how they might vary with interest rate fluctuations;
- The cash flow pro forma; and
- The logic model.

Factors used to assess the project's quality of design and significance include:

- The extent to which the grant proposal would provide financing to charter schools at better rates and terms than they can receive absent assistance through the program;
- The extent to which the grant project goals, objectives, and timeline are clearly specified, measurable, and appropriate for the purpose of the program;

- The extent to which the grant project implementation plan and activities, including the partnerships established, are likely to achieve measurable objectives that further the purposes of the program;
- The extent to which the proposed grant project is likely to produce results that are replicable;
- The extent to which the grant project will use appropriate criteria for selecting charter schools for assistance and for determining the type and amount of assistance to be given;
- The extent to which the proposed activities will leverage the private or public sector funding and increase the number and variety of charter schools assisted in meeting their facilities needs absent the program;
- The extent to which the project will serve charter schools in States with strong charter laws, consistent with the criteria for such laws in Section 4303(g)(2) of the Elementary and Secondary Education Act of 1965, as amended;
- The extent to which the requested grant amount and project costs are reasonable in relation to the objectives, design, and potential significance of the project; and
- The extent to which the proposed project is supported by strong theory (as defined in 34 CFR 77.1(c)).

Note: The applicant should review the Performance Measures section of the notice for information on the requirements for developing project-specific performance measures and targets consistent with the objectives of the program.

2) The quality of the services (15 points).

This criterion is concerned with the immediate benefits to be provided to charter schools as a result of the grant project. In this regard, this criterion addresses questions about the fit between the assistance to be provided and the needs of the recipients of the services. This criterion also considers the cost-effectiveness of the services to be provided.

Successful applicants will demonstrate that charter schools participated in the development of the grant project and in the identification of the specific needs to be addressed by the grant project. These applicants may have letters of endorsement from charter schools or otherwise document charter school support. In addition, these applicants will focus on quality charter schools with the greatest need for facilities and an inability to access private-sector capital. They are likely

to succeed in meeting the needs of charter schools that are just starting up as well as more established charter schools. Applicants should describe how their services would affect the charter schools in terms of burdens (such as fees and paperwork) and benefits -- financial and otherwise.

The materials reviewers will take into account when rating against this selection criterion include:

- Support letters from charter schools; and
- Information on fees and lending terms, including how they might vary with interest rate fluctuations.

Factors used to assess the quality of the services include:

- The extent to which the services to be provided by the project reflect the identified needs of the charter schools to be served;
- The extent to which charter schools and chartering agencies were involved in the design of, and demonstrate support for, the grant project;
- The extent to which the technical assistance and other services to be provided by the proposed grant project involve the use of cost-effective strategies for increasing charter schools' access to facilities financing, including the reasonableness of fees and lending terms; and
- The extent to which the services to be provided by the proposed grant project are focused on assisting charter schools that have the greatest needs for assistance under the program.

B. The selection criteria related to the applicant's capacity to carry out the proposed grant project include:

- 1) The business and organizational capacity of the applicant to carry out the grant project (35 points).

This criterion focuses on the applicant's expertise in capital market financing and its organizational capacity to implement the proposed project. The applicant will need to document its financial track record and strength, ability to protect against unwarranted financial risk, expertise in assessing credit and evaluating the success of charter schools, and ability to prevent conflicts of interest. The Application Content Requirements section of this package describes some of the specific data and documents the applicant needs to provide regarding business and organizational capacity.

The materials that reviewers will take into account when rating against this selection criterion include:

- Table 1 – Non-Grant Funds Projected to be Generated
- Table 2 – Applicant Activity Table for the Most Recently Completed Fiscal Year
- Table 4 – Risk Level of Charter Schools Served
- Audited Financial Statements
- Credit Rating Reports
- Standards of Conduct
- Non-profits: Articles of Incorporation and By-Laws
- Non-profits: IRS Form 990
- Public entities: Enabling Statutes and Other Relevant Legislation
- Letters of commitment from financial partners
- Previous grantees (both Credit Enhancement for Charter School Facilities Program and Charter School Facility Financing Demonstration Grant Program Grantees): the most recent annual performance report (if the grant has not been in place long enough to have an annual performance report, the most recent half-year report)
- Applicable experience financing charter schools (if any), including the number of schools served, the total amount of financing provided, the total amount of financing credit enhanced
- A description of how the applicant intends to meet any administrative costs in excess of one-quarter of one percent

Factors that will be considered in assessing the applicant’s business and organizational capacity include:

- The amount and quality of experience of the applicant in carrying out the activities it proposes to undertake in its application, such as enhancing the credit on debt issuances, guaranteeing leases, and facilitating financing;
- The applicant’s financial stability;
- The ability of the applicant to protect against unwarranted risk in its loan underwriting, portfolio monitoring, and financial management;
- The applicant’s expertise in education to evaluate the likelihood of success of a charter school;
- The ability of the applicant to prevent conflicts of interest, including conflicts of interest by employees and members of the board of directors in a decision-making role;
- If the applicant has co-applicants (consortium members), partners or other grant project participants, the specific resources to be contributed by each co-applicant (consortium member), partner, or other grant project participant to the implementation and success of the grant project;

- For State governmental entities, the extent to which steps have been or will be taken to ensure charter schools within the State receive the funding needed to obtain adequate facilities; and
- For previous grantees under the charter school facilities programs, their performance in implementing these grants.

2) The grant project team (15 points).

This criterion focuses on the relevant training and experience of key grant project personnel, consultants, subcontractors, and, for nonprofits, members of the board of directors holding key positions.

Successful applicants will plan to use the services of individuals with substantial experience and expertise in facilities financing, charter schools, and other appropriate areas. They will provide the information requested in the Application Content Requirements section of this package. This information will include, among other things, a description of current job responsibilities, the educational background, and the experience and skills of each member of the grant project team as described in current resumes or detailed biographical statements. The applicant should describe its staffing plan for the project, including a description of the assignments by activity or service and the match between the proposed staff and the skills necessary to execute the specific proposal.

Factors used to assess the grant project team include:

- The qualifications, including relevant training and experience, of the project manager and other members of the grant project team, including consultants or subcontractors; and
- The staffing plan for the grant project.

Application Content Requirements

Each Credit Enhancement for Charter School Facilities Program application must include the following specific program elements:

- (1) A statement identifying the activities proposed to be undertaken with grant funds (the “grant project”) and the timeline for the activities, including how the applicant will determine which charter schools will receive assistance, how much and what types of assistance these schools will receive, the type of schools to be served, and what procedures the applicant will use for documenting grant project procedures and results.**
- (2) A description of the involvement of charter schools in the application's development and design of the proposed grant project.**
- (3) A description of the applicant’s expertise in capital markets financing and organizational capacity to implement the proposed grant project successfully. (Consortium applicants must list information for each of the participating organizations.)**

This description must include the applicant’s:

A. Operational Capacity and Risk Mitigation Strategies as evidenced by:

1. Age of Organization

Identify how long the organization has been in existence. (Consortia should identify the ages of each of the participating organizations.)

2. Policies and Procedures

Provide a brief summary of the following applicant policies and procedures, indicating whether they are approved by the applicant’s governing board and when they were implemented. If they are not currently in place, describe what steps the organization will take to develop and implement such policies and procedures. If the practices differ from the policies and procedures, explain.

- a. Underwriting Standards for Participants: Process for evaluating the creditworthiness of charter school participants, including criteria for providing guarantees or other credit enhancement.

- b. Portfolio Monitoring: Monitoring process, risk rating methodologies, and debt restructuring, collections, and write-off policies.
- c. Financial Management/Risk Mitigation: Internal controls and operating policies for safeguarding assets, including cash management; maintaining liquidity and operating reserves; likely reserve account investments; and risk mitigation strategies (e.g. portfolio diversification, adopting internal lending limits, establishing and adjusting debt loss reserves, and seeking third-party insurance against default by the applicant).

3. Standards of Conduct

Provide a copy of the **standards of conduct** for your organization, if they exist. The standards of conduct must, at a minimum, require disclosure of direct and indirect financial or other interests, mandate disinterested decision-making, and indicate corrective actions to be taken in the event of violation.

B. Financial Track Record and Strength as evidenced by:

1. Credit Rating

Submit the most recent **credit rating and report** prepared for the organization by a major bond rating agency, such as Standard and Poor's, Moody's Investors Service, or Fitch IBCA. If the organization does not have a credit rating, please indicate.

2. Financial Statements

Submit **audited financial statements** for the applicant's three most recently completed fiscal years. If audited statements are not available, please provide **financial statements** for the applicant's three most recently completed fiscal years that have been reviewed by an independent Certified Public Accountant (C.P.A.).

Such documents must include:

- a. Balance sheets or statements of financial position;

- b. Income statements or statements of activities;
- c. Statements of cash flows; and
- d. Notes to the financial statements and, if applicable, the auditor's opinion letter and any reports of findings.

If neither audited nor C.P.A.-reviewed financial statements are available, submit internal financial statements and explain why audited or C.P.A.-reviewed financial statements are not available. If the audited financial statements of the applicant are consolidated with those of its affiliates and do not include separate schedules on the applicant's financial position and separate income statements for the applicant, also submit a separate set of internal financial statements that clearly distinguish the applicant's financial information from that of the affiliates.

3. Non-profits: IRS Form 990

Provide a copy of the most recently filed IRS Form 990.

4. Portfolio Quality

Provide a narrative explanation of portfolio performance, particularly explaining the circumstances of any unusually high levels of delinquencies and losses, or loss reserves that appear inconsistent with actual losses. Such explanations should include any steps the organization is taking to remedy identified problems.

Also include an explanation of any debt-loss experience with high-risk borrowers.

5. Financial Track Record

Complete the ***Applicant Activity Table for the Most Recently Completed Fiscal Year.***

6. Financial Projections

Applicants must submit a ***cash flow pro forma*** for the grant project. The pro forma should include both a statement of sources and uses of funds and a projection of annual cash flows during the Project Period. All amounts should be

expressed on a cash (year-of-expenditure) basis and should include a narrative describing key assumptions in the business model used to arrive at such estimates. The pro forma should include:

- Projected cash flows (receipts and disbursements) through the Project Period, including separate line items for each category of allowable uses of reserve account funds (such as facilitating financing or guaranteeing leases). The cash flow must indicate the projected reserve account balance at the end of each year;
- Administrative cost charges covered by the Federal funds (a maximum of 2.5%) and non-grant sources such as donations;
- An explanation of the amount and nature of all fees and expenses (including interest on loans) payable by the charter school participants associated with the grant project; and
- Anticipated interest and other earnings expected to be gained on grant funds.

If applicable, the applicant also should calculate the estimated effective financing rate (true interest cost) for charter schools participating in the grant project, and compare such percentage rate to other available financing sources.

In the event that the applicant proposes to charge fees (including interest on loans) to charter schools, the applicant must:

- Indicate whether the fees and interest are in excess of the direct cost to the applicant,
- Identify the size of this excess amount, and
- Describe how this excess amount will be used.

Furthermore, the applicant must explain how these fees and interest rates are reasonable.

7. Financial Stability

Discuss the applicant's strategy for sustaining its projected operations through earned income, grants, contributions, or other resources. Discuss the applicant's strategy for capitalizing its loan, guarantee, or investment fund through debt, equity, secondary markets, or other resources. Discuss the extent to which funding sources are diversified and any plans to maintain or increase the diversification of funding sources.

Complete the ***Non-Grant Funds Projected to be Generated Table***.

8. Legal Background

Non-profit entities: Submit a copy of ***articles of incorporation and by-laws***.

Public entities: Submit a copy of ***enabling statute and other relevant legislation***.

9. Previous grantees (both Credit Enhancement for Charter School Facilities Program and Charter School Facility Financing Demonstration Grant Program Grantees): the most recent annual performance report (if the grant has not been in place long enough to have an annual performance report, the most recent half-year report).

10. Applicable experience financing charter schools (if any), including the number of schools served, the total amount of financing provided, the total amount of financing credit enhanced.

C. Skills and Experience of the Grant Project Management Team as evidenced by:

1. Management and Staff Experience

For each member of the management team and other key staff, submit:

- a. A description of current and past job responsibilities, and education, experience, and skills, with particular attention to experiences in the fields of finance and education. The description of the individuals' experience in education must

include a discussion of their expertise in assessing the programs of charter schools. This information may be provided in the form of current resumes or detailed biographical statements. Position qualification statements should be included for staff the applicant plans to hire for the project.

- b. A description of the duties of the management team and key staff working on the project. Include any staff the applicant anticipates hiring, including through contracts, to work on the project.

2. Board of Directors:

Non-profit applicants only: Submit a current list of the governing board members that indicates their tenure and organizational affiliations. Discuss the role(s) of the board of directors with respect to the grant project and their qualifications in that regard. Disclose any business and personal relationships between board members and personnel working for the applicant's organization.

(4) A description of how the proposed grant project will leverage the maximum amount of private-sector and other non-Federal capital relative to the amount of Credit Enhancement for Charter School Facilities Program funding used, the definition of "leverage" the applicant has used in developing that description, the type of assistance to be provided, how the assistance would sufficiently reduce the costs that charter schools face so that it would enable them to obtain or improve school facilities that they would not be able to obtain or improve absent the assistance, and how the proposed activities will otherwise enhance credit available to charter schools. Also:

Provide a ratio of Federal funds to the anticipated amount of capital leveraged. For instance, if the size of the reserve account is \$1 million and \$5 million in bonds would be guaranteed using funds in the reserve account, the ratio is 5:1. Describe how the leveraging ratio is calculated and how the assistance provided to charters schools will be sufficient to assist them in meeting their school facility needs that could not have been met absent this assistance.

Provide an explanation of the number and characteristics of charter schools to be served by the Project (e.g. size, demographics, and age of school -- start-up or experienced, etc.) Include an explanation of the types of services they will receive.

- (5) A description of how the applicant possesses sufficient expertise in education to evaluate the likelihood of success of a charter school for which facilities financing is sought.**
- (6) In the case of an application submitted by a State governmental entity, a description of current and planned State funding policy and other forms of financial assistance that will help charter schools meet their facility needs.**

Grantee Reporting and Performance Measures

Reporting:

At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary.

Also, each year, a grantee must submit an annual performance report that provides the most current performance and financial expenditure information as specified by the Secretary in 34 CFR 75.118.

Program Performance Measures:

The performance measures for this program are: (1) The amount of funding grantees leverage for charter schools to acquire, construct, and renovate school facilities and (2) the number of charter schools served. Grantees must provide this information as part of their annual performance reports.

Project-Specific Performance Measures:

Applicants must propose project-specific performance measures and performance targets consistent with the objectives of the project and program. Applications must provide the following information as directed under 34 CFR 75.110(b):

- 1) Project Performance Measures: How each proposed project-specific performance measure would accurately measure the performance of the project and how the proposed project-specific performance measure would be consistent with the performance measures established for the program funding the competition.
- 2) Project Performance Targets: Why each proposed performance target is ambitious yet achievable compared to the baseline for the performance measure and when, during the project period, the applicant would meet the performance target(s).

Note: The Secretary encourages the applicant to consider measures and targets tied to their grant activities (for instance, if applicants are using eligibility for free and reduced price lunch to measure the number of low-income families served by the project, the applicant could provide a percentage for students qualifying for free and reduce lunch), during the grant period. The measures should be sufficient to gauge the progress throughout the grant period, and show results by the end of the grant period.

- 3) The applicant must also describe in the application:
 - (i) The data collection and reporting methods the applicant would use and why those methods are likely to yield reliable, valid, and meaningful performance data, and
 - (ii) The applicant's capacity to collect and report reliable, valid, and meaningful performance data, as evidenced by high-quality data collection, analysis, and reporting in other projects or research.

Note: If the applicant does not have experience with collection and reporting of performance data through other projects or research, they should provide other evidence of their capacity to successfully carry out data collection and reporting for their proposed project.

Table 1 – Non-Grant Funds Projected to be Generated

Source	Project year 1	Project year 2	Project year 3	Project year 4	Project year 5	Remaining years	Total
1. Donations							
2. Fees not associated with grant							
3. Interest not associated with grant							
4. Borrowed funds (including lines of credit to be used)							
5. Appropriated funds							
6. Other							
Total							

The purpose of this table is to determine amount and expected source of revenues for the applicant.

Table 2 – Applicant Activity Table for the Most Recently Completed Fiscal Year

Outstanding credit enhanced debt	Total activity
Number of debt issues with credit enhancement	
Dollar amount of debt issues with credit enhancement (includes debt structured using a senior/subordinate debt structure)	\$
Outstanding leases guaranteed	
Number of leases guaranteed or insured	
Dollar amount of leases guaranteed or insured	\$
Other means of facilitating financing (including both lending and the issuance of bonds) for the most recently completed fiscal year	
Number of clients assisted by facilitating financing ¹	
Amount of funds spent on facilitating financing (including both lending and the issuance of bonds)	\$

Please provide a narrative associated with this table that briefly describes the types of assistance provided and the types of clients served, paying particular attention to any clients related to education, including charter schools. Each member of a consortium should complete this table separately.

¹ Includes activities in Section 4304(f)(1)(C) and (D).

Table 3 -Budget Form: Grant Funds Expenditures

Budget categories	Project year 1	Project year 2	Project year 3	Project year 4	Project year 5	Remaining years	Total
A. Administrative funds (2.5%)							
A.1. Indirect costs							
A.2. Administrative costs other than indirect costs							
A. Total administrative costs							
B. Reserve account earnings							
C. Reserve account (97.5%)							
C.1. Grant funds spent on guaranteeing and insuring debt and leases ¹							
C.1.a. Personnel and fringe benefits							
C.1.b. Payments to third parties to guarantee or insure debt							
C.1.c. Other payments associated with guaranteeing and insuring debt and leases							
C.1. Total Guaranteeing and insuring debt and leases payments							
C.2. Grant funds spent on <u>facilitating</u> financing (including facilitating lending and the issuance of bonds) ²							
C.2.a. Personnel and fringe benefits							
C.2.b. Contractual							
C.2.c. Other payments associated with facilitating financing							
C.2. Total grant funds spent on <u>facilitating</u> financing (including facilitating lending and the issuance of bonds)							
C.3. Total reserve account costs (lines C.1. and C.2.)							

The purpose of this table is to determine the amount of Federal grant funds that the applicant intends to spend on activities to cover costs associated with the Credit Enhancement for Charter School Facilities Grant. The table should include funds from the reserve account only in the year they are spent. The table should not include funds that remain in the reserve account and are used to directly guarantee or insure debt or leases.

¹ Includes activities in Section 4304(f)(1)(A) and (B).

² Includes activities in Section 4304(f)(1)(C) and (D).

Instructions for Table 3 -- Budget Form: Grant Funds Expenditures

A. Administrative funds:

Indirect costs: Many organizations have indirect cost rates established with the U.S. Department of Education which allow those organizations to spend a portion of their grant funds on a share of the total organization costs such as rent and utilities. For this grant you may choose to claim indirect costs, but the total amount may not exceed the 2.5% allowed by statute. Also, if you choose to claim indirect costs, the sum of your indirect costs and your other administrative costs (line A.2.) combined may not exceed the allowable 2.5%.

Administrative costs other than indirect costs: Administrative costs include such items as preparing reports. Administrative cost funds are capped by the program's authorizing statute at 2.5% of the award amount. Administrative costs may be spread out over the project period, but the total amount may not exceed 2.5% in total. Also, if you choose to claim indirect costs, the sum of your indirect costs and your other administrative costs (line A.2.) combined may not exceed the allowable 2.5%.

A. Total administrative costs: The total for this line should include the sum of lines A, A.1. and A.2. This line cannot exceed 2.5% of the award amount for the entire project period.

B. Reserve account earnings: Earnings include the total interest earned per year on reserve account funds as well as all fees charged in association with the project, because fees must also be added to the reserve account and used for the four allowable purposes of the grant.

C. Reserve account expenditures

C.1. Grant funds spent on guaranteeing and insuring debt and leases

C.1.a. Personnel and fringe benefits: All costs associated with paying personnel who will receive reserve account funds for their direct involvement with guaranteeing and insuring debt and leases. (We expect that this will not be a significant portion of the total request.)

C.1.b. Payments to third parties to guarantee or insure debt: All payments made with reserve account funds to third parties such as fees for guaranteeing or insuring debt.

C.1.c. Other payments associated with guaranteeing and insuring debt and leases: Any other costs paid for with reserve account funds that are not covered in C.1. a-b that can be directly attributed to guaranteeing and insuring debt and leases.

C.1. Total Guaranteeing and insuring debt and leases payments: The sum of lines C.1.a., C.1.b., and C.1.c.

C.2. Grant funds spent on facilitating financing (including facilitating lending and the issuance of bonds)

C.2.a. Personnel and fringe benefits: All costs associated with paying personnel who will receive reserve account funds for their direct involvement with facilitating financing. (We expect that this will not be a significant portion of the total request.)

C.2.b. Contractual: All costs associated with paying contractors that will receive reserve account funds for their work facilitating financing.

C.2.c. Other payments associated with facilitating financing: Any other costs paid for with reserve account funds that are not covered in lines C.2. a-b that can be directly attributed to facilitating financing.

C.2. Total grant funds spent on facilitating financing (including facilitating lending and the issuance of bonds): The sum of lines C.2.a., C.2.b., and C.2.c.

C.3. Total reserve account costs (lines C.1. and C.2.): The sum of lines C.1. and C.2. The amount in the total column for this row cannot exceed the sum of the request on Form ED 424 (the Application for Federal Education Assistance) plus reserve account earnings, and would likely be less.

Table 4 – Risk Level of Charter Schools Served – (required of past grantees only)

Type of charter schools served through previous Credit Enhancement grants from the US Department of Education as of September 30 of the most recent year	Number of charter schools
Number of charter schools served through all Credit Enhancement grants	
Number of charter schools served through Credit Enhancement grants that have educated students for three years or less	
Number of charter schools served through Credit Enhancement grants receiving credit enhancements of leasehold improvement loans	
Number of charter schools served through Credit Enhancement grants that are independent of Charter Management Organizations, networks, or “chains” of charter schools	
Number of charter schools served through Credit Enhancement grants providing personal guarantees	
Number of charter schools served through Credit Enhancement grants in connection with other grantees under the program	
Number of charter schools served through Credit Enhancement grants receiving guarantees through other Federal programs	

Application Checklist for Applicants

As discussed on the following pages, a complete application must include all of the documents listed below.

- Cover page (SF 424 Form)
- ED Abstract Narrative Attachment
- Form Project Narrative Attachment
- Form Including responses to the selection criteria
- Budget Narrative Attachment
 - Form ED 524
 - Table 3 -Budget Form: Grant Funds Expenditures
 - Other budget information
- Other Attachments Form
 - Table 1- Non-Grant Funds Projected to be Generated
 - Table 2 - Applicant Activity Table for the Most Recently Completed Fiscal Year
 - Table 4 - Risk Level of Charter Schools Served - (required of past grantees only)
 - Consortium Applicants must attach a copy of consortium agreement
 - Resumes/Curriculum Vitae
 - Logic Model
 - Standards of Conduct
 - Credit Rating Reports
 - Audited Financial Statements
 - Cash Flow Pro Forma
 - Non-profits: Articles of Incorporation and By-laws
 - Non-profits: IRS Form 990
 - Public entities: Enabling Statutes and Other Relevant Legislation
 - Previous grantees (both Credit Enhancement for Charter School Facilities Program and Charter School Facility Financing Demonstration Grant Program Grantees): Table 4 and the most recent annual performance report (if the grant has not been in place long enough to have an annual performance report, the most recent half-year report)
- Assurances and Certifications
 - Assurances—Non-Construction Programs
 - Certifications Regarding Lobbying
 - SF-LLL Disclosure of Lobbying Activity
 - Response to Section 427 of GEPA Guidance
- Did you submit a copy of the application to the State Single Point of Contact (if applicable)?

**INSTRUCTIONS
FOR STANDARD
FORMS AND
GRANT
APPLICATION
REQUIREMENTS**

Forms, Assurances, and Certifications

Applicants must complete all forms included in the application package. Instructions for the following forms are included in this document:

- Application for Federal Assistance (SF- 424)
- Instructions for the SF-424
- Disclosure of Lobbying Activities (SF- LLL)
- Certification Regarding Lobbying (Grants.gov Lobbying Form - formerly ED 80-0013 form)
- Supplemental Information, Instructions, and Definitions for the U.S. Department of Education Supplemental Information for the SF-424
- Budget ED 524 and Instructions for ED 524
- GEPA Statement
- Assurances--Non-Construction Programs (SF-424B)

**OTHER
IMPORTANT
INFORMATION
AND NOTICES**

Executive Order 12372

Executive Order 12372 (Intergovernmental Review of Federal Programs)

This program falls under the rubric of Executive Order 12372 (Intergovernmental Review of Federal Programs) and the regulations in 34 CFR Part 79. One of the objectives of the Executive order is to strengthen federalism--or the distribution of responsibility between localities, States, and the Federal government--by fostering intergovernmental partnerships. This idea includes supporting processes that State or local governments have devised for coordinating and reviewing proposed Federal financial grant applications.

The process for doing this requires grant applicants to contact State Single Points of Contact for information on how this works. Multi-state applicants should follow procedures specific to each state.

Further information about the State Single Point of Contact process and a list of names by State can be found at:

https://obamawhitehouse.archives.gov/omb/grants_spoc

Absent specific State review programs, applicants may submit comments directly to the Department. All recommendations and comments must be mailed or hand-delivered by the date indicated in the actual application notice to the following address: The Secretary, EO 12372--CFDA# [commenter must insert number--including suffix letter, if any], U.S. Department of Education, room 7E200. 400 Maryland Avenue, SW., Washington, DC 20202.

Proof of mailing will be determined on the same basis as applications (see 34 CFR §75.102).

Recommendations or comments may be hand-delivered until the closing date indicated in this notice.

Important note: The above address is not the same address as the one to which the applicant submits its completed applications. **Do not send applications to the above address.**

Estimated Public Reporting Burden

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a currently valid OMB control number. The valid OMB control number for this collection is 1855-0007. Public reporting burden for this collection of information is estimated to average 80 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain a benefit under 20 U.S.C. 7221c and EDGAR. If you have comments or concerns regarding the status of your individual submission of this form, please contact the program office address, Credit Enhancement for Charter School Facilities Program, Clifton Jones, (202)205-2204 U.S. Department of Education, 400 Maryland Avenue, S.W., Room 3E211, Washington D.C. 20202-4651.

Grants.gov Submission Procedures and Tips for Applicants

IMPORTANT – PLEASE READ FIRST

U.S. Department of Education

Grants.gov Submission Procedures and Tips for Applicants

To facilitate your use of Grants.gov, this document includes important submission procedures you need to be aware of to ensure your application is received in a timely manner and accepted by the Department of Education.

Browser Support

The latest versions of Microsoft Internet Explorer (IE), Mozilla Firefox, Google Chrome, and Apple Safari are supported for use with Grants.gov. However, these web browsers undergo frequent changes and updates, so we recommend you have the latest version when using Grants.gov. Legacy versions of these web browsers may be functional, but you may experience issues.

For additional information or updates, please see the Grants.gov Browser information in the Applicant FAQs: <http://www.grants.gov/web/grants/applicants/applicant-faqs.html#browser>

ATTENTION – Workspace, Adobe Forms and PDF Files Required

Grants.gov applicants can apply online using Workspace. Workspace is a shared, online environment where members of a grant team may simultaneously access and edit different web forms within an application. For each funding opportunity announcement (FOA), you can create individual instances of a workspace.

Below is an overview of applying on Grants.gov. For access to complete instructions on how to apply for opportunities, refer to: <https://www.grants.gov/web/grants/applicants/workspace-overview.html>

- 1) Create a Workspace: Creating a workspace allows you to complete it online and route it through your organization for review before submitting.
- 2) Complete a Workspace: Add participants to the workspace to work on the application together, complete all the required forms online or by downloading PDF versions, and check for errors before submission. The Workspace progress bar will display the state of your application process as you apply. As you apply using Workspace, you may click the blue question mark icon near the upper-right corner of each page to access context-sensitive help.
 - a. Adobe Reader: If you decide not to apply by filling out web forms you can download individual PDF forms in Workspace. The individual PDF forms can be downloaded and saved to your local device storage, network drive(s), or external drives, then accessed through Adobe Reader.
NOTE: Visit the Adobe Software Compatibility page on Grants.gov to download the appropriate version of the software at: <https://www.grants.gov/web/grants/applicants/adobe-software-compatibility.html>
 - b. Mandatory Fields in Forms: In the forms, you will note fields marked with an asterisk and a different background color. These fields are mandatory fields that must be completed to successfully submit your application.
 - c. Complete SF-424 Fields First: The forms are designed to fill in common required fields across other forms, such as the applicant name, address, and DUNS Number. Once it is completed, the information will

transfer to the other forms.

- 3) **Submit a Workspace:** An application may be submitted through workspace by clicking the Sign and Submit button on the Manage Workspace page, under the Forms tab. Grants.gov recommends submitting your application package at least 24-48 hours prior to the close date to provide you with time to correct any potential technical issues that may disrupt the application submission.
- 4) **Track a Workspace Submission:** After successfully submitting a workspace application, a Grants.gov Tracking Number (GRANTXXXXXXXX) is automatically assigned to the application. The number will be listed on the Confirmation page that is generated after submission. Using the tracking number, access the Track My Application page under the Applicants tab or the Details tab in the submitted workspace.

For additional training resources, including video tutorials, refer to <https://www.grants.gov/web/grants/applicants/applicant-training.html>

Helpful Reminders

- 1) **REGISTER EARLY** – Grants.gov registration involves many steps including registration on SAM (www.sam.gov) which may take approximately one week to complete, but could take upwards of several weeks to complete, depending upon the completeness and accuracy of the data entered into the SAM database by an applicant. You may begin working on your application while completing the registration process, but you cannot submit an application until all of the Registration steps are complete. Please note that once your SAM registration is active, it will take 24-48 hours for the information to be available in Grants.gov, and before you can submit an application through Grants.gov. For detailed information on the Registration Steps, please go to: <http://www.grants.gov/web/grants/register.html> [Note: Your organization will need to update its SAM registration annually.]

Primary information about SAM is available at www.sam.gov. However, to further assist you with obtaining and registering your DUNS number and TIN in SAM or updating your existing SAM account the Department of Education has prepared a SAM.gov Tip Sheet which you can find at: <http://www2.ed.gov/fund/grant/apply/sam-faqs.html>

- 2) **SUBMIT EARLY** – **We strongly recommend that you do not wait until the last day to submit your application. Grants.gov will put a date/time stamp on your application and then process it after it is fully uploaded.** The time it takes to upload an application will vary depending on a number of factors including the size of the application and the speed of your Internet connection, and the time it takes Grants.gov to process the application will vary as well. If Grants.gov rejects your application (see step three below), you will need to resubmit successfully to Grants.gov before 4:30:00 p.m. Washington, DC time on the deadline date.

Note: To submit successfully, you must provide the DUNS number on your application that was used when you registered as an Authorized Organization Representative (AOR) on Grants.gov. This DUNS number is typically the same number used when your organization registered with the SAM. If you do not enter the same DUNS number on your application as the DUNS you registered with, Grants.gov will reject your application.

- 3) **VERIFY SUBMISSION IS OK** – You will want to verify that Grants.gov received your application submission on time and that it was validated successfully. To see the date/time your application was received, login to Grants.gov and click on the Track My Application link. For a successful submission, the date/time received should be earlier than 4:30:00 p.m. Washington, DC time, on the deadline date, AND the application status should be: Validated,

Received by

Agency, or Agency Tracking Number Assigned. Once the Department of Education receives your application from Grants.gov, an Agency Tracking Number (PR/award number) will be assigned to your application and will be available for viewing on Grants.gov's Track My Application link.

If the date/time received is later than 4:30:00 p.m. Washington, D.C. time, on the deadline date, your application is late. If your application has a status of "Received" it is still awaiting validation by Grants.gov. Once validation is complete, the status will either change to "Validated" or "Rejected with Errors." If the status is "Rejected with Errors," your application has not been received successfully. Some of the reasons Grants.gov may reject an application can be found on the Grants.gov site: <http://www.grants.gov/web/grants/applicants/encountering-error-messages.html>. For more detailed information on troubleshooting Adobe errors, you can review the Adobe Reader Software Tip Sheet at: <http://www.grants.gov/web/grants/applicants/adobe-software-compatibility.html>. If you discover your application is late or has been rejected, please see the instructions below. Note: You will receive a series of confirmations both online and via e-mail about the status of your application. Please do not rely solely on e-mail to confirm whether your application has been received timely and validated successfully.

Submission Problems – What should you do?

If you have problems submitting to Grants.gov before the closing date, please contact Grants.gov Customer Support at 1-800-518-4726 or email at: <mailto:support@grants.gov> or access the Grants.gov Self-Service Knowledge Base web portal at: <https://grants-portal.psc.gov/Welcome.aspx?pt=Grants>

If electronic submission is required, you must submit an electronic application before 4:30:00 p.m. Washington, DC time, unless you follow the procedures in the Federal Register notice and qualify for one of the exceptions to the electronic submission requirement and submit, no later than two weeks before the application deadline date, a written statement to the Department that you qualify for one of these exceptions. If electronic submission is optional and you have problems that you are unable to resolve before the deadline date and time for electronic applications, please follow the transmittal instructions for hard copy applications in the Federal Register notice and get a hard copy application postmarked by midnight on the deadline date. (See the Federal Register notice for detailed instructions.)

Helpful Hints When Working with Grants.gov

Please go to <http://www.grants.gov/web/grants/support.html> for help with Grants.gov. For additional tips related to submitting grant applications, please refer to the Grants.gov Applicant FAQs found at this Grants.gov link: <http://www.grants.gov/web/grants/applicants/applicant-faqs.html> as well as additional information on Workspace at <https://www.grants.gov/web/grants/applicants/applicant-faqs.html#workspace>.

Dial-Up Internet Connections

When using a dial up connection to upload and submit your application, it can take significantly longer than when you are connected to the Internet with a high-speed connection, e.g. cable modem/DSL/T1. While times will vary depending upon the size of your application, it can take a few minutes to a few hours to complete your grant submission using a dial up connection. **If you do not have access to a high-speed connection and electronic submission is required, you may want to consider following the instructions in the Federal Register notice to obtain an exception to the electronic submission requirement no later than two weeks before the application deadline date.** (See the Federal Register notice for detailed instructions.)

Attaching Files – Additional Tips

Please note the following tips related to attaching files to your application:

- When you submit your application electronically, you must upload any narrative sections and all other attachments to your application as files in either Portable Document Format (PDF) or Microsoft Word. Although applicants have the option of uploading any narrative sections and all other attachments to their application in either PDF or Microsoft Word, we recommend applicants submit all documents as read-only flattened PDFs, meaning any fillable PDF files must be saved and submitted as non-fillable PDF files and not as interactive or fillable PDF files, to better ensure applications are processed in a more timely, accurate, and efficient manner. If you choose to submit your application in Microsoft Word, you may do so using any version of Microsoft Word (i.e., a document ending in a .doc or .docx extension). If you upload a file type other than PDF or Microsoft Word or if you submit a password-protected file, we will be unable to review that material. Please note that this will likely result in your application not being considered for funding. The Department will not convert material from other formats to PDF or Microsoft Word.
- After you electronically submit your application, you will receive from Grants.gov an automatic notification of receipt that contains a Grants.gov tracking number. Grants.gov also will notify you automatically by email if your application met all of the Grants.gov validation requirements or if there were any errors (such as submission of your application by someone other than a registered AOR, issues with your DUNS number, or inclusion of an attachment with a file name that contains special characters). You will be given an opportunity to correct any errors and resubmit, but you must still meet the deadline for submission of your application.
- Grants.gov cannot process an application that includes two or more files that have the same name within a grant submission. Therefore, each file uploaded to your application package should have a unique file name.
- When attaching files, applicants should follow the guidelines established by Grants.gov on the size and content of file names. Uploaded file names must be fewer than 50 characters, and, in general, applicants should not use any special characters. However, Grants.gov does allow for the following UTF-8 characters when naming your attachments: A-Z, a-z, 0-9, underscore, hyphen, space, period, parenthesis, curly braces, square brackets, ampersand, tilde, exclamation point, comma, semi colon, apostrophe, at sign, number sign, dollar sign, percent sign, plus sign, and equal sign. Applications submitted that do not comply with the Grants.gov guidelines will be rejected at Grants.gov and not forwarded to the Department.
- Applicants should limit the size of their file attachments. Documents submitted that contain graphics and/or scanned material often greatly increase the size of the file attachments and can result in difficulties opening the files. For reference, the average discretionary grant application package with all attachments is less than 5 MB. Therefore, you may want to check the total size of your package before submission.

Application Transmittal Instructions

Please Note – Electronic Submission Policy

Electronic Submission is Required – As outlined in the Federal Register notice for this grant competition, applications must be submitted electronically. You must submit your application using the electronic application system designated in the Federal Register notice. (The notice will designate whether you will use e-Application or Grants.gov). You may not e-mail an electronic copy to us. We will reject your application if you submit it in paper format unless you qualify for one of the exceptions to the electronic submission requirement described below and submit, no later than two weeks before the application deadline date, a written statement to the Department that you qualify for one of these exceptions.

Under mandatory submission, electronic applications must be received by 4:30:00 pm Washington, DC time on the application deadline date. **Under this new policy, Education does not allow for any last minute waiver requests from applications, which is a change from the previous policy for mandatory electronic submission. Consequently, we strongly encourage you to review the registration and submission procedures for the designated electronic application system right away. In addition, we strongly suggest that you do not wait until the deadline date to submit your application.**

Exception to Electronic Submission Requirement: You qualify for an exception to the electronic submission requirement, and may submit your application in paper format, by mail or hand delivery, if you are unable to submit an application through the electronic application system designated in the Federal Register notice because –

- You do not have access to the Internet; or
 - You do not have the capacity to upload large documents to the system;
- and
- No later than two weeks before the application deadline date (14 calendar days or, if the fourteenth calendar day before the application deadline date falls on a Federal holiday, the next business day following the Federal holiday), you mail or fax a written statement to the Department, explaining which of the two grounds for an exception prevent you from using the Internet to submit your application. If you mail your written statement to the Department, it must be postmarked no later than two weeks before the application deadline date. If you fax your written statement to the Department, we must receive the faxed statement no later than two weeks before the application deadline date. (Please follow the fax instructions found in the Federal Register notice for this competition. Also, your paper application must be submitted in accordance with the mail or hand delivery instructions also described in the Federal Register notice for this grant competition.)

For detailed information on the electronic submission requirement for this competition, please refer to the Federal Register notice.

Instructions for D-U-N-S Number

All applicants must have a D-U-N-S number in order to apply for federal funds.

NOTE: Check with your fiscal office to see if your institution has an assigned D-U-N-S before contacting Dun & Bradstreet.

Please provide the applicant's D-U-N-S Number. You can obtain your D-U-N-S Number at no charge by calling **1-800-333-0505** or by completing a D-U-N-S Number Request Form. The form can be obtained via the Internet at the following URL:

http://www.dnb.com/US/duns_update/index.html

The D-U-N-S Number is a unique nine digit number that does not convey any information about the recipient. A built-in check digit helps assure the accuracy of the D-U-N-S Number. The ninth digit of each number is the check digit, which is mathematically related to the other digits. It lets computer systems determine if a D-U-N-S Number has been entered correctly.

*Dun & Bradstreet, a global information services provider, has assigned D-U-N-S numbers to over 43 million companies worldwide. **Live help Monday-Friday 8am-6pm (EST) Dial 1-888-814-1435.***

Note: Electronic submission via Grants.gov must use the D-U-N-S number your organization used when it registered in the System for Award Management.