U.S. Department of Education
Office of Elementary & Secondary Education
Charter School Programs
Session Transcript
FY 2023 Pre-Application Webinar: Office Hours – State Entities Grant
Competition

Pre-recorded on May 4, 2023

- [Adrienne] Good afternoon, and welcome, everyone, to the Pre-Award Office Hours webinar for the FY2023 State Entities Grant Competition. As Courtney has stated, my name is Adrienne Hawkins, and I am the supervisor for the SE program. We have a lot of content to discuss over the next 90 minutes, so let's get started. Next slide, please.

Here is our agenda for the day. As you can see, we have a lot of content to discuss in a limited amount of time. Our goals with today's webinar are, one, to reiterate key overview points of the FY2023 State Entity Grant Competition from last month's webinar, two, review competition eligibility, and three, to walk through some important frequently asked questions that came out of last month's webinar, and from our competition email since that webinar.

We will also highlight some resources for applicants, and ensure that you are aware of key requirements for submitting your application. Please advance to the next slide. Thank you. And so, here we have our SE team. The director is Dr.

Anna Hinton. Again, I'm Adrienne Hawkins, the supervisor. And we have four program officers, Jill Gatens, Nora Kern, Samantha Lyon, and Sareeta Schmitt. Today you will hear from Jill, Nora, and Sareeta, as well as myself. Next slide, please.

Today's webinar will be in listen-only format, so we ask that you stay muted while in the webinar. We will respond to all questions received on or before April 30th. If you have questions, please send your questions to the email address on this screen.

The email address can also be found on the SE competition page. This session will be recorded and posted to the webpage so that you can refer to it later, or share it with your colleagues who were not able to make it to today's webinar. If you have follow-up questions, please reach out to our competition email address. You can find our competition email address here on this screen, as well as our SE competition page.

Next slide, please. Thank you. Please be sure to check the CSP SE competition website frequently for the most current information about the competition.

A complete listing of the eligibility and application requirements, priorities, definitions, and selection criteria can be found in the notice inviting applications, or NIA. The NIA is posted in the Federal Register, and it is also on our website. Please do not rely solely on the information in this webinar for information pertaining to this year's competition.

As previously stated, you really should review the NIA, as well as our website. Next slide, please. As a final reminder, before we jump into today's presentation, the SE grant competition application deadline is Monday, June 5th, at 11:59pm Eastern Time.

So we have, I guess, a month and one day before the deadline. Please note that the Grants.gov help desk is not open on the weekends. Also, the program office is not able to provide G5 technical assistance, or Grants.gov technical assistance.

We ask that you contact Grants.gov if you need assistance. If you send an inquiry to the email address regarding Grants.gov, we simply do not funnel or respond to questions regarding Grants.gov.

So please be sure, if you're having technical assistance issues, that you reach out to the Grants.gov support desk. The email and telephone number are in the chat, for your convenience. Submitted applications can be resubmitted as long as you do so prior to the application's closing deadline on June 5th.

So there, if you wanted to update your application, feel free to do so. We will accept the last application that you submitted. So for instance if you decide, you know what, I think we're all set, we're going to go ahead and submit on May 5th, but then on May 15th you're like, we need to tweak some things, you can do so.

You can go ahead, make those adjustments or edits, and then resubmit your application. Let's advance to the next slide, please. Overview of the State Entity competition. Next slide. Thank you. The purpose of the SE competition grant program is to enable state entities to award subgrants to eligible applicants in their states to open and prepare for the operation of new charter schools, and to replicate and expand high-quality charter schools.

Charter schools receiving funds under the SE program may also serve students in early childhood education programs, or post-secondary students. The NIA mentions that the department may make additional awards in subsequent years from the list of unfunded applications in this competition.

Unfunded applications are those applications that are not funded in a given competition year, but score high enough, based on the peer review process, to be considered for the future. So you'll note on this slide that we have an estimated funds available in the amount of $173 million. The estimated range of awards is anywhere between $2 million to $20 million per year.

The average size of the award, or the estimated average size of the award is about $8 million per year. Certainly, applicants can ask for more than that. We do estimate about eight to ten grant awards.

For this project period, please keep in mind that it is up to five years. You cannot ask for additional years in your proposal. If an applicant recommended for funding submits a grant proposal with a project period that exceeds the five-year limit, the department will remove the final approved budget for all costs and activities associated with any budget periods that exceed the five-year limit.

So for instance if you decide, you know what, we don't want a five-year budget, we want a seven-year budget, the department will only look at the budgets from years one through five.

Years six and seven will simply be omitted from the budget because, again, this is a five-year grant. The maximum amount of subgrant funds a state entity may award to a subgrantee over a five-year subgrantee period is $2 million.

Please note that this is an increase from previous grant competitions. And so, we can advance to the next slide, and at this time, I am going to turn the presentation over to Jill Gatens. Jill...

- [Jill] Thank you, Adrienne, and to everyone joining us today. I will now clarify eligibility, prior to our team addressing questions that have been submitted regarding the fiscal year '23 SE competition. Only state entities with a state statute specifically authorizing the establishment of charter schools may apply for the CSP SE grant program. Under section 4303(e)(1) of ESEA, no state entity may receive a grant under this program for use in a state in which a state entity is currently using a grant received under this program.

Entities that can receive grants include a state education agency, a state charter school board, a governor of a state, or a state charter school support organization. No applicant may receive a new award to conduct the same activities that are approved under an existing active grant.

Please note that charter school developers, individual charter schools, and charter school management organizations are not eligible applicants for the CSP State Entity grant. This grant program makes awards to state entities who will then hold subgrant competitions for charter school developers and charter schools in their individual states. Next slide.

As stated in the previous slide, under Section 4303(e)(1) of ESEA, no state entity may receive a grant under this competition for use in a state in which a state entity is currently using a CSP Entity grant. Accordingly, state entities, and states in which a state entity has a current CSP State Entity grant that is not in this final budget period, nor operating under a no-cost extension in accordance with 34 CFR 75.2613, are ineligible to apply for a CSP State Entity grant under this competition.

State entities located in states in which a state entity has a current CSP State Entity grant that is not in its final budget period, or is in its final budget period but the grantee plans to request a one-time no-cost extension in accordance with 34 CFR 75.261 and 2 CFR 200.308(e)(2) are ineligible to apply.

These states are Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Massachusetts, Michigan, Mississippi, Nevada, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, Texas, and Washington.

Under 34 CFR 75.261, a grantee may extend a project period of an award for a one-time no cost of extension up to 12 months without prior approval of the department if the grantee meets the requirements for extension in 2 CFR 200 to 308.D2, and department statutes, regulations, and the terms of the award do not prohibit the extension.

State entities in states where a state entity has a current CSP grant that is currently operating under a no-cost extension expiring September 30th, 2023, or that is not operating under a no-cost extension but is in its final budget period, and has notified the department

that it does not intend to request a no-cost extension are eligible to apply for a CSP State Entity grant under this competition.

These states are Idaho, Indiana, Maryland, Minnesota, New Mexico, Oklahoma, Rhode Island, and Wisconsin. As stated earlier, state entities with a state statute specifically authorizing the establishment of charter schools that do not have current CSP grants in their final budget year, or operating under an NCE, are eligible to apply for a CSP grant.

If multiple state entities in a state submit applications that receive high scores, or scores high enough to be recommended for funding under this competition, only the highest scoring applications in each state would be considered for funding. Next slide.

Thank you. We are grateful for your interest in this SE grant competition. We have gathered the questions that we did not get to in the pre-application webinar, and those that have been submitted since, to put together responses to better help you to understand this competition. These questions are bucketed into topics, eligibility, use of funds, priorities, application requirements, and other.

Following this presentation, particularly for those questions that are very specific to your state or situation, please submit your questions to our competition email account. Who is eligible to apply for a State Entity grant? Only state entities may apply under this competition.

As addressed earlier, a state entity may consist of a state education agency, a state charter school board, governors, or charter school support organizations. Note that consortias may also apply, so long as the state entity responsible for the application and the grant, if awarded, is one of those eligible entities. We want to acknowledge that representatives from a number of charter school developers registered for this webinar, and submitted questions.

Charter school developers do not qualify to receive direct funding through the CPS State Entities grant. If a state entity is awarded a fiscal year '23 grant, or currently operates a state entity's grant, then a charter school developer may apply for a Charter School Program State Entity subgrant from a state entity.

What constitutes a charter school support agency? Does the agency have to have a statewide footprint? A charter school support organization is a nonprofit, non-governmental entity that is not an authorized public chartering agency, and provides statewide charter support basis.

A charter school support organization should be prepared to provide, one, assistance to developers during the planning, program design, and initial implementation of a charter school, and two, technical assistance to operate charter schools. What are the states in which state entities are ineligible to receive new awards this year?

Under ESEA, there cannot be two active state entity grants in the same state, at the same time. This means that state entities in states with current CSP SE grants that are not operating under no-cost extensions are ineligible to apply.

This exception to that is that the current state entity is in its final budget period, and has notified the department that it does not intend to request a no-cost extension. The states

listed in the slides are those with active CSP grants, and that slide was listed previously. If two eligible state entities apply for this grant, can they both be funded?

Should entities within the same state coordinate? Multiple state entities from the same state may apply for the grant. However, because of the prohibition on more than one active CSP SE grant in a state, the grant can only be awarded to one state entity from a particular state.

If multiple state entities in a state submit applications that receive high enough scores to be recommended for funding under this competition, only the highest scoring applications among such states would be funded. Are state entities with grants in a no-cost extension period eligible to apply?

Yes. However, if there is a new state entity awarded for use in a state in which a state entity has a current CSP grant that is operated under a no-cost extension consistent with ESEA, the current state entity must obligate all grant funds prior to the end of the budget period. That is to say, the current state entity grant must complete all grant activities and begin the grant closeout process, i.e., liquidating the grant, not incurring new costs prior to the expiration date of the no-cost extension.

If a current state entity grantee is operating under a no-cost extension, and another state entity is awarded a grant, what happens to schools that have not concluded their CSP subgrant activities? Will the new entity be able to serve them?

If this were to happen, the charter schools would have to apply to the new state entity grantee for a subgrant to enable the charter school to complete the subgrant activities under its previously approved subgrant. If the subgrant application is approved, the new state entity grantee would have to request a waiver from the department to enable it to award a second subgrant to the charter school, to enable it to complete its subgrant activities.

I will now transition to Sareeta, to discuss use of funds.

- [Sareeta] Thank you, Jill. Is it correct that at least 90% of CSP SE program funds must be used to award subgrants to charter school developers and charter schools? What about the set-asides for technical assistance and administrative costs? So, yes, that is correct.

A state entity receiving a grant under this program must use no less than 90% of the grant funds to award subgrants to eligible applicants for activities related to opening and preparing for the operation of new charter schools, or to replicate or expand high-quality charter schools. Additionally, they must reserve not less than 7% of funds to provide technical assistance to eligible applicants and authorized public chartering agencies.

And lastly, reserve not more than 3% of funds for administrative costs. These set-aside percentages must be achieved by the end of the grant. As we noted in the pre-application webinar last month, there are some flexibilities for grantees around these set-aside percentages. CSP understands that the context in which a grantee is operating may change, such as a change in state law, or a charter moratorium.

At the beginning of the grant, the best information a grantee has is the obligation from the department, so it's reasonable for a grantee to start by calculating TA costs based on the total grant award amount obligated by the department at the beginning of the grant period. The grantee must be able to demonstrate that the technical assistance costs claimed are

necessary, reasonable, and allocable to the grant in accordance with the cost principles in the uniform guidance, or 2 CFR 200.

If things change, and we recognize that sometimes they do, grantees can provide a justification to the department on why the set aside percentages were off, and it will be evaluated on a case-by-case basis. Having a strong understanding of the charter school landscape in your state is foundational to being able to appropriately plan the budget.

It's very helpful to begin with an understanding of the number of subgrants you plan to award, and build out the technical assistance budget and activities from there to ensure that these set-aside percentages are met by the end of the grant project. Next slide. Can grant funds be used to support charter schools that are not new, but have been in operation for several years?

Yes. This grant opportunity allows state entities to award competitive grants to eligible applicants to expand high-quality charter schools. As noted on this slide, the ESEA defines "expand" as significantly increasing enrollment, or adding one or more grades to the high-quality charter school.

As always, we encourage you to review the NIA for the full requirements of this grant program. Next slide, please. Can state entities prohibit virtual charter schools and for-profit schools from applying for CSP funds under the State Entity grant program?

Only charter schools that meet each element of the CSP definition of a charter school are eligible to receive CSP funds. The CSP authorizing statute defines a charter school as a public school that, among other things, does not charge tuition, admits students on the basis of a lottery if more students apply for admission than can be accommodated, and operates in accordance with state law.

So, for-profit entities are not ineligible to receive CSP funds. While the CSP statute does not specifically prohibit virtual charter schools from receiving CSP funds, a state entity must specify in its grant application any intent to support virtual charter schools, and must implement appropriate safeguards to mitigate the risk of funds being misspent.

Next slide, please. Can a state entity propose to make new five-year subgrant awards in years three through five of the SE grant, knowing the SE grant will likely end before the subgrant awards? Yes.

A state entity grantee may award subgrants to eligible entities in years three through five of a State Entity grant. Under the department's regulations, grantees that are in the final budget period of the grant may request a one-time no-cost extension of the budget for up to 12 months. A grantee may also request additional no-cost extensions, or if the state entity is approved for...excuse me, if another state entity is approved for an award in the state, it can request a waiver to allow the subgrantees to complete their activities, either of which the department would review on a case-by-case basis.

Now I'll pass it to my colleague, Nora, who will begin with questions relating to competition priorities.

- [Nora] Thank you, Sareeta. So, our first question about priorities is, How should charter schools support organizations, or CSSOs, to address the absolute priority? Do they describe

how they will ensure best practices once they have the grant? Additionally, how does application requirement A112(b) in the NIA, which requires CSSO applicants to discuss how they will work with the state to support the state's system of technical assistance and oversight of authorizing activity, interact with the absolute priority?

This question is really helpful to ensure that we are providing clarity for the variety of organizations that meet the definition of a state entity. A CSSO should describe any steps it has taken to ensure that all authorized public chartering agencies implement best practices for charter school authorizing. These steps may have included working with a state educational agency, or SEA in the state to promote best practices in charter school authorizing.

The application requirement referred to in this question requires the state entity to describe how it will work with the state to support the state system of TA oversight of the authorizing activity. This means that the absolute priority focuses on what the state entity has already done to ensure that authorizers implement best practices for charter school authorizing, whereas the application requirement focuses on technical assistance and monitoring with respect to how the state entity will work with the state in the future.

Next slide, please. What is an invitational priority, and how does it work? Invitational priorities are an opportunity for the department to learn more about the field's capacity to address the priority. Applicants are encouraged to address an invitational priority because it is of particular interest to the department.

However, it is not required, and no additional points are awarded in the competition for addressing it. Now we'll turn to questions about application requirements. Some of the application requirements and assurances address the same issues. What is the difference between an application requirement and an assurance?

Do peer reviewers evaluate both applicant response...excuse me, do peer reviewers evaluate applicant responses to both? An application requirement requests specific information or documents from applicants that must be included in the application in order for the application to be approved for funding. An assurance is a promise or certification that the applicant will take specific actions, or meet a specific requirement if it receives federal funding.

Peer reviewers do not evaluate the quality of an applicant's responses to application requirements, or whether an applicant provides the required assurances. However, CSP staff review applications to ensure that all requirements have been met, and that all assurances have been provided prior to an application being approved for funding.

While the application requirements and assurances are not scored, what are scored by peer reviewers are the applicant's responses to the selection criteria and competitive preference priorities. The application review information section of the NIA outlines the selection criteria for the grant competition, along with the maximum point values for each criterion that the peer reviewers will score.

Applicants must provide an assurance that they will not hamper existing desegregation efforts. How will applicants know if valid desegregation efforts are happening, and more importantly, if their proposal will hamper any existing desegregation efforts?

This slide, and the next two slides provide guidance on how applicants can address this experience in their proposal. Applicants should detail in their applications that subgrant applicants will use the best available information to determine if the surrounding school district or districts from which a proposed charter school is likely to draw students are under an existing court order.

Some school districts have desegregation obligations under plans or court orders that could affect or be affected by the establishment of a charter school, even if the charter school is its own local education agency, or LEA. Typically, desegregation plans and court orders are the resolutions of past segregative discrimination by school districts determined by the U.S.

Department of Education's Office for Civil Rights, or by the courts, in some instances with participation of the U.S. Department of Justice Civil Rights Division, CRD. If the jurisdiction in which the proposed charter school is located is under a desegregation plan or order, there are steps you can take to ensure compliance.

Next slide, please. Continuing the response to this question, if a subgrant applicant isn't certain whether the proposed charter school is in a jurisdiction that is covered by an existing desegregation plan or court order, the subgrant applicant may conduct several entities for assistance, including the appropriate LEA, SEA, or CRD.

To assist with this process, the CRD has provided each chief state school officer a list of the LEAs in their state that are subject to such a court order. To determine if there is an applicable Office for Civil Rights, OCR, Title VI desegregation plan, the subgrant applicant may contact the appropriate LEA, or the OCR office that serves its state. Please note, there are other desegregation plans and orders that do not involve CRD or OCR.

Next slide, please. This is the continued response to the question. In some states and school districts, there may also be other obligations under state or local laws and policies, such as those to promote integration or diversity, that could affect or be affected by the proposed charter school.

In these cases, the subgrant applicant should consult the SEA, or the appropriate LEA to determine whether the jurisdiction has any desegregation obligation. Ultimately, applicants and subgrant applicants should give their best assessment of the impact of the proposed charter school on any existing desegregation efforts, assuming this assessment is based on the best available and reasonable information obtainable by the applicant and subgrant applicant.

Our next question is, For the public hearing requirement, is each charter school required to have a public hearing, or can the authorizer have a hearing for all schools?

A public hearing is required for each charter school. As an option, the authorizer may hold public hearings for the charter schools that it authorizes, provided that the public hearing meets the CSP SE program requirements. We were also asked a related question. For situations where state policy does not require a public hearing, should the SE still require it? As we know, state policies vary.

However, regardless of state policy, applicants must meet all CSP SE program requirements in order to qualify for funds. Next slide. Thank you. Will the technical assistance be provided

in Washington, D.C.? Will there be webinars, calls, communities of practice, etc., in addition to the Project Directors meeting, which will be in Washington, D.C?

Applicants who are awarded CSP SE funds must attend the annual Project Directors Meeting held in Washington, D.C. Awarded applicants will also be required to participate in all technical assistance offerings, including all other on-site gatherings sponsored by the department, and its contracted technical assistance providers and partners throughout the life of the grant.

Technical assistance opportunities may be conducted virtually and/or on-site. On-site technical assistance may be located in Washington, D.C., or another city. Applicants may consider the cost of attending required meetings as administrative costs in their budget proposals.

Can you share examples of waivers that were approved in the past? Examples of waivers the department has approved in the past include waivers to extend the project period from three to five years, enable the state entity to award a second subgrant to a charter school that was unable to complete activities under the first subgrant, and enable state entity to award subgrants to charter schools in the state that did not have current subgrants to enable them to implement remote learning programs during the COVID-19 pandemic.

Can a state entity partner with a third party to implement proposed activities, or specific aspects of the grant proposal? As an example, the provision of technical assistance.

We received a question that specifically asked, Can we write a specific program into our grant, or do we need to leave it general in our application, and go through an RFP process once the grant starts? We interpreted this question to be asking if there are any scenarios for agreements with third-party providers that do not require the procurement process.

The answer to that is that applicants must follow the procurement requirements in the uniform guidance when seeking assistance from a third-party as a contractor. Under 2 CFR 200.317, when procuring property or services under a federal award, a state must follow the same policies and procedures it uses for procurements from its non-federal awards.

Therefore, applicants must use appropriate procurement procedures to select contractors. Our general advice is that applicants should not include information in their grant applications about specific contractors that may be used to provide goods or services for their proposed project. Instead, we suggest that applicants describe the qualities and requirements needed from a service provider to carry out activities as proposed in the grant, but not name a specific contractor or vendor.

Regarding the use of MOUs, and other agreements with another third-party to carry out proposed grant activities, applicants should consult with their state's procurement office to determine the extent to which those activities qualify as legally binding procurement transactions.

Can you provide context for the application package instructions, and how to use it. In particular, the application requirement crosswalk table on pages 66 to 81, some sections seem duplicative. The application package is designed to provide instructions on the procedures and program requirements for submitting an application.

So, let me break that down a little in terms of the program requirements. As you may recall from an earlier slide, peer reviewers score the applicant's responses to the selection criteria and competitive preference priorities. Additionally, CSP staff review applications to ensure that all requirements have been met, and that all assurances have been provided, prior to an application being approved for funding.

Starting on page 45, the application package instructions begin to detail the requirements for the project narrative. This includes the priorities, which consist of the absolute priority which must be met to be awarded funding, the competitive preference priorities, which are optional, and the invitational priority, which does not convey any preference over other applications.

Next, starting on page 51, a rubric is provided that details how peer reviewers will evaluate and score the selection criteria. Pages 66 through 81 detail the application requirements that must be included in the application in order for the application to be approved for funding. The application requirements crosswalk table that starts on page 66 provides a frame for how you might want to respond to the priority selection criteria and application requirements.

To address the observation that there are sections that seem duplicative, the crosswalk table provides a visual of the alignment between the selection criteria and application requirements. A lot of applicants have used the crosswalk as a way to structure their project narrative. It is not mandatory for you to use the application crosswalk table.

How to address the required application elements is up to the applicant, the crosswalk table is simply a tool that an applicant can choose to use. The most important thing is that an applicant responds to all required priority selection criteria and application requirements.

And with that, I will turn it over to the SE program supervisor, Adrienne, to close us out.

- Thank you, Nora. And we have some additional resources to assist you in the application process. Let's advance to the next slide. Thank you. Full information on the SE grant competition requirements can be found in the NIA published in the Federal Register, and on the CSP SE competition webpage.

Should you have questions related to the C-...I'm sorry, to the SE competition, please submit your questions to the FY2023 SE competition email address. The email dress is on this slide, and you may also find it on the SE competition webpage.

Next slide. Here are some important reminders, as you plan your application process. Please check the State Entities grant competition webpage often. Supporting materials, including the recording of this webinar and slides will be on that webpage.

The federal government has transitioned away from DUNS numbers, to registering via SAM.gov. There is no cost associated with applying for or maintaining a unique entity identifier, or a UEI. The process for receiving a UEI is intended to be completed by the entity itself, and does not require an outside vendor for this process.

As a reminder, the application deadline is June 5th. If you have not done so already, please, please, please secure your UEI as soon as possible. Next slide, please. Thank you.

As you work on your project proposals for this competition, you may want to refer to your state's previously funded CSP State Entities grant application, or just review the submissions of applications that received awards in previous years. You can find the applications from previous competitions for all funded awards on our website, under Awards, and the links are provided here.

Please note that the awards prior to 2017 fell under the previous No Child Left Behind law, so those applications are on our SEA grants page, rather than the current State Entities grants page. So, let me just go over that one more time.

If you are looking for applications from before 2017, in 2017 we were still under the No Child Left Behind law, and so if you are looking for grant applications that fell under SEA, instead of that information being found on the current State Entities grants page, you can find that information on the SEA grants page.

And of course, that information is linked to our current webpage, so you should be able to find it. Next slide, please. Thank you. As a reminder, please send your questions to the State Entities competition inbox. The State Entities competition inbox email is on this slide.

Also, if you need assistance, any type of technical assistance pertaining to Grants.gov, you may also contact Grants.gov. That information is here. You see the email address, as well as the telephone number. As a reminder, the program office cannot provide any type of support or assistance regarding Grants.gov.

You must reach out to the Grants.gov help desk team via email or telephone. Next slide, please. Thank you.

And thank you for attending today's webinar. We hope that you found this information to be informative and helpful, and we look forward to receiving your applications next month. Have a wonderful afternoon. Take care.