

## Attachment 5A

### Explanatory Note for Department of Education (Education) Report May 2, 2011

Key components of the Department of Education's report for status of NEPA compliance for projects and activities funded under Division A of the American Recovery and Reinvestment Act of 2009 (ARRA), for the period ending March 31, 2011, are explained below.

#### **NEPA Applicability:**

The vast majority of Department of Education ARRA funds are formula grants to States for programs, many of which are primarily related to teaching. Headcount is the primary component of many of these grants. Accordingly, most ED programs are listed as NEPA Not Applicable for this report.

CEQ and the Department of Education have completed their review of the Recovery Act requirements associated with the Department's Impact Aid ARRA construction grants that were awarded to certain Impact Aid school districts in accordance with the specific statutory eligibility and award requirements established by the Congress. The Department does not have a decision-making role in planning the specific projects, or direct management in the implementation or the procurement for the selected projects. In addition, the Department does not control the use of the funds for an individual project, as long as the project continues to meet all statutory and other applicable requirements (such as the OMB cost principles and the Department's administrative regulations.) Therefore, we have determined that the ARRA-funded Impact Aid construction projects will be reported as NEPA Not Applicable. Nonetheless, as a matter of policy, the Department still requires its grantees to complete an environmental assessment and ensure that the grantees in consultation with the Department have fully considered any potential environmental ramifications from these projects.

#### **Basis for Total Projects/Activities Calculation for Titles/Programs:**

##### Impact Aid, TAFS #91-0103

The total number of grantees is 203; 24 discretionary awards and 179 formula awards. All grantees are local educational agencies (LEAs).

Formula Grants to States: Projects/activities are identified as individual grant awards. These programs include:

- Education for the Disadvantaged (Title I), TAFS #91-0901 – 57 awards including all States, Territories, District of Columbia, Indian Set-Aside
- School Improvement Grants, TAFS #91-0901 – 52 awards to all states plus DC and Puerto Rico

- School Improvement Programs (Homeless Youth, Education Technology), TAFS #91-1001 – 57 awards for each of these two programs including all States, Territories, District of Columbia, Indian Set-Aside

Student Financial Assistance, TAFS #91-0199

Approximately 6,000 schools and 8 million students receive student financial assistance under ARRA. We have chosen to aggregate these awards at the state level to provide a definition of projects/activities comparable to other ED programs. Accordingly, we are defining a Student Financial Assistance project/activity by the number of states/ territories receiving this funding (57).

Student Aid Administration, TAFS #91-0198: 5 representing each contract awarded

Special Education, TAFS #91-0299: The number of formula awards (164) reflects the total of awards covered by three different CFDA numbers. Awards are made to States and territories.

- 56 Grants to States, with a total ARRA appropriation of 11.3 billion
- 52 Preschool Grants, with a total ARRA appropriation of 400 million
- 56 Grants for Infants and Toddlers with Disabilities and their Families, with a total ARRA appropriation of 500 million.

Rehabilitation Services & Disability Research, TAFS #91-0302: The number of awards (449) listed under Rehabilitation Services & Disability Research (Vocational Rehab, Independent Living Centers) reflects both formula and discretionary awards covered by multiple CFDA numbers as follows:

- 80 Vocational Rehabilitation State Grants formula awards to 57 States and territories
- 78 Independent Living (IL) Grants formula awards to States and territories
- 56 IL Services for Older Individuals Who Are Blind Program Grants formula awards to State and territories Centers for Independent Living Program discretionary awards
- One award for the American Indian Vocational Rehabilitation Training and Technical Assistance Center

State Fiscal Stabilization Fund, TAFS #91-1909

- For the State Fiscal Stabilization Fund formula awards, each State/Territory will be counted as 1 project. All 50 states plus Puerto Rico, DC, Guam, Northern Marianas Islands, USVI, and American Samoa have received funding for a total of 56.
- For the Race to the Top discretionary grant program, each award will be counted as one project. 14 awards have been made in all: 2 Phase 1 state awards, 10 Phase 2 state awards, and 2 Race to the Top Assessments Competition awards to state consortia. There was one minor de-obligation in this program during the period ending March 31, 2011.

- For the Investing in Innovation Fund discretionary grant program, each award will be counted as one project. 49 awards have been made in total to school districts or non-profit organizations, including institutions of higher education.

Higher Education/Institute of Education Sciences/Innovation and Improvement: each grantee for these discretionary grants will be counted as 1 project upon award. Discretionary grants have been awarded as follows:

- For TAFS #91-0207 (Teacher Incentive Fund), 27 ARRA awards have been made in total; 15 continuation awards and 12 new awards. In addition, expenses incurred for pre-award administrative expenses are considered 1 activity.
- 20 Statewide Longitudinal Data Systems awards, TAFS #91-0197, have been granted.

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