



DEPARTMENT OF EDUCATION

Applications for Selection as a Performance Partnership Pilot; Performance Partnership Pilots for Disconnected Youth

AGENCY: Office of Career, Technical, and Adult Education, Department of Education.

ACTION: Notice.

SUMMARY: The Department of Education (ED or Department) is issuing a notice inviting applications for selection as a performance partnership pilot for fiscal year (FY) 2021 under the Performance Partnership Pilots for Disconnected Youth (P3) authority. This notice relates to the approved information collection under OMB control number 1830-0575.

DATES:

Deadline for Transmittal of Applications: **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

Deadline for Intergovernmental Review: **[INSERT DATE 120 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

Deadline for Requests for Technical Assistance (optional): **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

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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. Pilot Opportunity Description

Purpose of Program: P3 was first authorized by Congress in
FY 2014 by the Consolidated Appropriations Act, 2014 (2014
Act), and the authority has been included by Congress in
appropriations acts each year since FY 2014, most recently
in the Consolidated Appropriations Act, 2021 (Pub. L. 116-
260) (2021 Act). The FY 2021 P3 authority enables pilot
sites to blend FY 2021 Federal funds and obtain waivers of
program requirements, including statutory, regulatory, and
administrative requirements that are barriers to achieving

improved outcomes for youth-serving programs included in the authority. Under P3, pilots can test innovative strategies to achieve significant improvements in educational, employment, and other key outcomes for disconnected youth using the flexibility provided by P3.

Background:

The economic crisis that has resulted from the coronavirus disease 2019 (COVID-19) pandemic threatens to erase nearly a decade of progress in reducing the percentage of young people ages 16 to 24 in the United States who are neither employed nor enrolled in school, also known as disconnected youth. Between 2010 and 2018, the most recent year for which complete data are available, the percentage of youth who were disconnected dropped from 14.7 percent to 11.2 percent.¹ However, the COVID-19 recession has had a severe impact on the employment of young adults ages 16 to 24, with one-quarter of them losing their jobs from February to May 2020.² While the youth unemployment rate has declined somewhat since that time, it remains high. In April 2021, the unemployment rate for 16-

¹ Lewis, Kristen (2020), A Decade Undone: Youth Disconnection in the Age of Coronavirus. New York: Measure of America, Social Science Research Council. Retrieved from: <https://ssrc-static.s3.amazonaws.com/moa/ADecadeUndone.pdf>.

² Kochhar, Rakesh (June 9, 2020), Fact Tank News in Numbers: Hispanic women, immigrants, young adults, those with less education hit hardest by COVID-19 job losses. Washington, DC: Pew Research Center. Retrieved from: <https://www.pewresearch.org/fact-tank/2020/06/09/hispanic-women-immigrants-young-adults-those-with-less-education-hit-hardest-by-covid-19-job-losses/www.pewresearch.org/fact-tank/2020/06/09/hispanic-women-immigrants-young-adults-those-with-less-education-hit-hardest-by-covid-19-job-losses/>.

to 19-year-olds was 12.3 percent, while the unemployment rate for 20- to 24-year-olds was 10.5 percent.³

Even prior to the current recession, however, large gaps in the percentage of young people ages 16 to 24 who were neither working nor enrolled in school persisted among young people of different racial and ethnic groups. In 2018, the disconnection rate for white youth was 9.2 percent, while the disconnection rates for Black, Hispanic, and Native American youth were 17.4 percent, 12.8 percent, and 23.4 percent, respectively. While the overall disconnection rate was lowest for Asian youth, 6.2 percent, there were high rates of disconnection among some Asian subgroups, with 13.8 percent of Cambodian youth and 10.2 percent of Hmong youth disconnected in 2018.⁴

President Biden has committed the full resources of the Federal government to reversing the economic crisis caused by the pandemic. In Executive Order 14002, Economic Relief Related to the COVID-19 Pandemic, he directed Federal agencies to consider actions that improve access to, reduce unnecessary barriers to, and improve coordination among programs funded in whole or in part by the Federal Government.⁵ In Executive Order 13985,

³ Bureau of Labor Statistics, U.S. Department of Labor (May 7, 2021), Labor Force Statistics from the Current Population Survey. Retrieved from: <https://www.bls.gov/web/empsit/cpseea10.htm>www.bls.gov/web/empsit/cpseea10.htm.

⁴ Lewis, *op cit.*, p. 22.

⁵ <https://www.federalregister.gov/documents/2021/01/27/2021-01923/economic-relief-related-to-the-covid-19->

Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, the President committed the Administration to a whole-of-government equity agenda to address inequities and systemic racism. Federal agencies were challenged to take a comprehensive approach to advancing equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality.⁶ P3 may be a useful tool for advancing policy objectives in both Executive orders.

P3 gives ED; the Departments of Labor (DOL), Health and Human Services (HHS), and Justice (DOJ);⁷ the Corporation for National and Community Service (CNCS); and the Institute of Museum and Library Services (collectively, the Agencies) authority, provided certain conditions and requirements are met, to waive Federal statutory and regulatory requirements that inhibit access to assistance and effective service delivery for disconnected youth.

www.federalregister.gov/documents/2021/01/27/2021-01923/economic-relief-related-to-the-covid-19-pandemic
www.federalregister.gov/documents/2021/01/27/2021-01923/economic-relief-related-to-the-covid-19-pandemic
www.federalregister.gov/documents/2021/01/27/2021-01923/economic-relief-related-to-the-covid-19-pandemic

⁶ <https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government>
www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government

⁷ DOJ's Office of Justice Programs was first authorized to enter into performance agreements by the Consolidated and Further Continuing Appropriations Act, 2015.

P3 authorizes the Agencies to enter into Performance Partnership Agreements (performance agreements) with State, local, or Tribal governments. The performance agreements provide pilots with additional flexibility in the use of certain of the Agencies' discretionary funds,⁸ including competitive and formula grant funds. Pilots must include two or more Federal programs (at least one of which is administered in whole or in part by a State, local, or Tribal government) that are targeted on disconnected youth, or designed to prevent youth from disconnecting from school or work, and that provide education, training, employment, and other related social services. Entities that seek to participate in these pilots should commit to achieving significant improvements in outcomes for disconnected youth in exchange for flexibility permitted under P3. The authorizing statute states that improving outcomes for disconnected youth means increasing the rate at which individuals between the ages of 14 and 24 (who are low-income and either homeless, in foster care, involved in the juvenile justice system, unemployed, or not enrolled in or at risk of dropping out of an educational institution) achieve success in meeting educational, employment, or

⁸ For the purposes of P3, discretionary funds are funds that Congress appropriates on an annual basis, rather than through a standing authorization. They exclude "entitlement" (or mandatory) programs, such as Social Security, Medicare, Medicaid, most Foster Care IV-E programs, Vocational Rehabilitation State Grants, and Temporary Assistance to Needy Families. Discretionary programs administered by the Agencies support a broad set of public services, including education, workforce development, health and mental health, and other low-income assistance programs.

other key goals (Consolidated Appropriations Act, 2014, Division H, Section 526(a)(2)).

This notice invites applications for selection as FY 2021 pilots and offers opportunities for prospective applicants to obtain optional technical assistance from the Agencies prior to applying. The purpose of the pre-application technical assistance is to help prospective applicants identify and propose to address, through waivers, blending of funds, or other flexibilities, Federal barriers to effective and integrated service delivery that will improve the educational and employment outcomes of disconnected youth.

If interest in technical assistance exceeds the Agencies' capacity to provide it, the Agencies will give first priority to assisting eligible entities that intend to serve communities that have experienced civil unrest because the statutory authority for FY 2021 directs the Agencies to include such communities among the designated pilots. Second priority will be given to requests for technical assistance from applicants that propose to serve the highest numbers of disconnected youth.

Flexibilities Available Under P3

P3 provides important opportunities to improve access to Federal programs and their effectiveness in addressing the needs of disconnected youth. The Agencies have published on Youth.gov a list of the waivers previously

granted to pilots under the prior rounds of P3 in which pilots were designated.⁹ These waivers were helpful to the pilots that received them, and, in this latest round, the Agencies hope that applicants propose even more ambitious and bold efforts to remove Federal constraints on effective and innovative service delivery for disconnected youth. We provide several examples below.

These examples are provided for illustrative purposes only, and the allowability of specific proposals will depend on the unique circumstances of individual applicants. Any waivers must be consistent with the statutory safeguards that apply to P3, discussed below, and the Agencies will consider whether the inclusion of a program in a specific pilot is consistent with, or conflicts with, other significant legal or policy considerations. Also, the Agencies will review the blending of competitive grants on a case-by-case basis to consider how the scope, objectives, and target populations of the existing award align with the proposed pilot. Any changes in terms and conditions of the existing competitive grant awards required for pilot purposes must be justified by the applicant. In addition, the Agencies can only waive Federal statutory or regulatory requirements. The Agencies encourage applicants to analyze whether their request also

⁹ The list of previously granted waivers is available at https://youth.gov/sites/default/files/P3-Waiver-List-FINAL_2018-12-10.pdf.

requires State or local rule changes to implement, as those rules are not under the jurisdiction of the Agencies to waive for P3.

Example A: P3 enables State, local, and Tribal governments to blend dollars from multiple Federal funding streams to provide more comprehensive, holistic services for youth without having to allocate costs among the contributing programs and separately track and report on each source of funding. For example, a State could propose to use P3 to support a comprehensive education, training, and reentry services program for youthful offenders before, during, and after their confinement. Funding for the project could be contributed from the Governor's reserve of the State's Workforce Innovation and Opportunity Act (WIOA) Title I Youth program grant, the State's Juvenile Justice and Delinquency Prevention Act Title II State grant, and the State educational agency's Elementary and Secondary Education Act of 1965 (ESEA) Title I, Part D grant for Prevention and Intervention Programs for Children and Youth Who are Neglected, Delinquent, or At-Risk of Dropping Out. The State also could propose to use P3 to waive the statutory performance indicators and reporting requirements under the three programs, replacing them with one set of indicators tailored to match the objectives of the project that the State reports on annually. Funds available to the

State for evaluation under section 116(e)(1) of WIOA could be used to evaluate the program.

Example B: A number of Federal grant programs that award funds by formula to States, such as the Carl D. Perkins Career and Technical Education Act of 2006, as amended by the Strengthening Career and Technical Education for the 21st Century Act (Perkins V), require or allow States to set aside funds for State-level activities. In most cases, program statutes specify through a list of authorized or required activities how States may or must use funds reserved for State-level activities. A State could request a waiver that would allow it to use State-level funds to support an activity that goes beyond the required and permissive activities set out in the relevant program statute. More specifically, a State might propose to use funds for an activity that, while not clearly included as an allowable use of funds under the relevant statutory list of authorized activities, is designed to improve outcomes for disconnected youth and is consistent with the statutory purposes of the program. For example, section 124 of Perkins V contains a list of allowable activities that States may use State-level set-aside funds to support. Through P3, a State might seek a waiver to allow it to use State-level Perkins V set-aside funds to support an activity that is designed to improve career and technical education, even though that activity is not

specifically included as an authorized activity under section 124 of Perkins V. A State could propose to blend State leadership funds available under section 124 of Perkins V with funds available to the State from its Student Support and Academic Enrichment Grant under Title IV, Part A of the ESEA to support career and technical education instruction for disconnected youth who are working in transitional¹⁰ jobs that are part of a construction project that aims to bring high-speed internet connectivity to six rural counties in a remote area of the State. The local workforce development boards that serve the six counties under WIOA could contribute funds for the project from their WIOA Title I Adult program grants, obtaining a waiver to increase the share of local WIOA Title I Adult funds that can be spent on transitional jobs from 10 to 15 percent.

Example C: Some Federal programs contain statutory or regulatory requirements that limit the duration of an individual's participation in a program. Due to service interruptions and disruptions caused by the pandemic, participants may not have been able to take full advantage of the opportunities provided by a program over the last year. A P3 applicant could seek flexibility to waive

¹⁰ Transitional jobs are time-limited, subsidized paid work experiences that are provided in combination with education and training services for individuals who are chronically unemployed or have an inconsistent work history to establish a work history, demonstrate success in the workplace, and develop the skills that lead to entry into and retention in unsubsidized employment. See section 134(d)(5) of WIOA.

eligibility requirements to extend the duration of an individual's participation in the program as part of a larger strategy to compensate for the time and learning that youth lost to the pandemic. For example, a State, local, or Tribal governmental unit administering a YouthBuild grant¹¹ could seek to extend program services to individuals beyond 24 months; a State recipient of a 7-year Gaining Early Awareness and Readiness for Undergraduate Programs grant¹² could seek to extend services through a participant's second year of enrollment in an institution of higher education; and a private nonprofit organization managing a Transitional Living program grant¹³ for homeless youth could apply in partnership with a State, local, or Tribal government to extend the duration of its services beyond 540 days or to serve youth older than age 21.

Example D: P3 authority can also be used by applicants to propose changes to projects funded under multiple Federal grants that are each, separately, intended to support programs designed to help disconnected youth achieve greater success in meeting their educational and employment goals. A public college or university that is

¹¹ The YouthBuild grant program is authorized by section 171 of WIOA (29 U.S.C. 3226).

¹² The Gaining Early Awareness and Readiness for Undergraduate Programs grant program is authorized by section 404A of the Higher Education Act of 1965 (20 U.S.C. 1070a-21).

¹³ The Transitional Living grant program is authorized by section 321 of the Juvenile Justice and Delinquency Prevention Act (34 U.S.C. 11221). For this program, the term "homeless youth" is defined in 45 CFR 1351.1(f) as "a person under 18 years of age who is in need of services and without a place of shelter where he or she receives supervision and care."

considered a unit of State or local government could request waivers to blend discretionary, non-entitlement student aid funds under Title IV of the Higher Education Act of 1965 (HEA), dollars received through various Federal formula programs, and competitive grant funds in ways that would achieve better outcomes for disconnected youth. For example, a public college or university might propose to increase the share of the Federal Work Study (FWS) program funds available for Job Location and Development programs and waive the 25 percent cap on the amount of the school's allocation that may be used to pay wages to students employed with private, for-profit organizations so that it could use all or more than 25 percent of its FWS funds to provide students who are at risk of dropping out with subsidized career internships in the private sector that are aligned with students' educational and career goals. To help students identify their career goals, the college or university could partner with a local American Job Center, which uses funds from the WIOA Title I Adult program, to provide students with intensive career counseling and information relating to local occupations in demand and their earnings and skill requirements. Similarly, a community college could request waivers to blend and use a portion of a TRIO Educational Opportunity Center grant and its WIOA Title II Adult Education and Family Literacy Act program subgrant to implement an

intensive integrated education and training program for young adults who lack a high school credential.

Example E: P3 waivers can help a State, local, or Tribal government and its partners use funds from multiple competitive and formula grants more cohesively and effectively and relieve some of the paperwork or reporting requirements associated with these grants. For example, a State or local government could establish a pilot in partnership with a community-based organization that serves Native Hawaiians that is the recipient of a Social and Economic Development Strategies grant from the Administration for Native Americans in HHS, a Native Hawaiian Education program grant under the ESEA and a Native Hawaiian Career and Technical Education grant from ED, and an Indian and Native American Program Employment and Training Grant from DOL. Under the pilot, this organization could work with its governmental partner to obtain P3 waivers and other flexibilities that would enable it to blend these funds to carry out a pre-apprenticeship program for Native Hawaiian youth that prepares them for a Registered Apprenticeship. Through P3, it also could request to replace the reporting requirements associated with each of these grants with a single set of outcome goals that the governmental partner and the organization deem most critical for Native Hawaiian youth.

Example F: P3 waivers can help programs reach currently unserved disconnected youth. Current ED regulations for the TRIO programs limit participation in these programs to citizens or permanent residents of the United States, or individuals who are in the United States for other than a temporary purpose who provide evidence from the Immigration and Naturalization Service of their intent to become a permanent resident.¹⁴ Applying in partnership with affiliated local public institutions of higher education that administer TRIO grants, a multi-State consortium of public college or university systems that are considered units of State government could seek a waiver of this requirement so that their affiliated schools could use TRIO funds to serve disconnected youth who qualify for the Deferred Action for Childhood Arrivals (DACA) program¹⁵ or who have Temporary Protected Status.¹⁶

¹⁴ See 34 CFR 643.3 (Talent Search), 34 CFR 644.3 (Educational Opportunity Centers), 34 CFR 645.3 (Upward Bound), 34 CFR 646.3 (Student Support Services), and 34 CFR 647.3 (Ronald E. McNair Postbaccalaureate Achievement Program).

¹⁵ In 2012, the Department of Homeland Security (DHS) began implementing the DACA policy, which allows youth who were brought to the United States as children and who meet certain criteria to request consideration for deferred action, involving a case-by-case determination by DHS not to pursue an individual's removal from the United States for an initial two-year period as a matter of prosecutorial discretion. DACA recipients can live and go to school in the United States and may be eligible to obtain work authorization while their deferred action remains in effect. For more information, see <https://www.uscis.gov/humanitarian/consideration-of-deferred-action-for-childhood-arrivals-daca>

¹⁶ The Secretary of Homeland Security may designate a foreign country for Temporary Protected Status (TPS) due to conditions in the country

Example G: P3 waivers can make childcare more accessible for youth who are parents and pursuing a postsecondary degree or credential but at risk of leaving without a degree or credential or employment due to the lack of childcare. A public college or university that receives funds under the Strengthening Institutions program authorized by Title III, Part A of the HEA could obtain a waiver of the regulatory prohibition against using a portion of these funds for childcare services in order to augment the childcare services it provides with its Child Care Access Means Parents in School Program grant. Although the P3 authority provides broad waiver authority to increase flexibility and relieve burden in order to improve the effectiveness of Federal funding for disconnected youth, it is important to note that there are some limitations on the waivers. In particular, as stated in the original statutory authority for P3, the P3 waivers-

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that temporarily prevent the country's nationals from returning safely, or in certain circumstances, where the country is unable to handle the return of its nationals adequately. United States Citizenship and Immigration Services may grant TPS to eligible nationals of certain countries (or parts of countries), who are already in the United States. During a designated period, individuals who are TPS beneficiaries are not removable from the United States and can obtain work authorization. For more information, see <https://www.uscis.gov/humanitarian/temporary-protected-status>
[www.uscis.gov/humanitarian/temporary-protected-](https://www.uscis.gov/humanitarian/temporary-protected-status)
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- May not involve any requirement related to nondiscrimination, wage and labor standards, or the allocation of funds to State and sub-State levels;
- Must be consistent with the statutory purposes of the Federal program for which such discretionary funds were appropriated;
- May not result in denying or restricting the eligibility of any individual for any of the services that (in whole or in part) are funded by the agency's programs and Federal discretionary funds that are involved in the pilot;
- Based on the best available information, may not otherwise adversely affect vulnerable populations that are the recipients of such services;
- Must be necessary to achieve the outcomes of the pilot as specified in the performance agreement, and no broader in scope than is necessary to achieve such outcomes; and
- Must result in either: (a) realizing efficiencies by simplifying reporting burdens or reducing administrative barriers with respect to such discretionary funds; or (b) increasing the ability of individuals to obtain access to services that are provided by the discretionary funds.

P3 was reauthorized for FY 2021 for programs administered by all of the six Agencies, and the Agencies may select up to 10 pilots.

An applicant must propose to include FY 2021 funds from at least one of the six Agencies.

If Congress extends the P3 authority in future years, pilots may propose to amend the number of Federal programs supporting pilot activities using future funding appropriated. However, authority for pilots to expand in future years is subject to congressional action as well as agency discretion.

Application Requirements:

The application requirements for this opportunity are from the notice of final priorities, requirements, definitions, and selection criteria for this program published on April 28, 2016, in the *Federal Register* (81 FR 25339) (P3 NFP) and are as follows:

(a) Executive summary. The applicant must provide an executive summary that briefly describes the proposed pilot, the flexibilities being sought, and the interventions or systems changes that would be implemented by the applicant and its partners to improve outcomes for disconnected youth.

(b) Flexibility, including waivers:

Federal requests for flexibility, including waivers.

For each program to be included in a pilot, the applicant

must complete Table 1, Requested Flexibility. The applicant must identify two or more discretionary Federal programs that will be included in the pilot,¹⁷ at least one of which must be administered (in whole or in part) by a State, local, or Tribal government.¹⁸ In Table 1, the applicant must identify one or more program requirements that would inhibit implementation of the pilot and request that the requirement(s) be waived in whole or in part. Examples of potential waiver requests and other requests for flexibility include, but are not limited to, blending of funds and changes to align eligibility requirements, allowable uses of funds, and performance reporting.

Table 1: Requested Flexibility

Program Name	Federal Agency	Program Requirements to be Waived in Whole or in Part	Statutory or Regulatory Citation	Name of Program Grantee	Blending Funds? (Yes/No)

Note: Please note in "Name of Program Grantee" if the grantee is a State, local, or Tribal government, or nongovernmental entity.

¹⁷ Applicants are encouraged to consult the list of examples of programs that are potentially eligible for inclusion in pilots at <https://youth.gov/youth-topics/reconnecting-youth/performance-partnership-pilots>.

¹⁸ Local governments that are requesting waivers of requirements in State-administered programs are strongly encouraged to consult with the State agencies that administer the programs in preparing their applications.

Program Requirements:

The program requirement for this opportunity is from the P3 NFP.

Performance Agreement. Each P3 pilot, along with other non-Federal government entities involved in the partnership, must enter into a performance agreement that will include, at a minimum, the following (as required by section 526(c)(2) of Division H of the 2014 Act):

- (a) The length of the agreement;
- (b) The Federal programs and federally funded services that are involved in the pilot;
- (c) The Federal discretionary funds that are being used in the pilot;
- (d) The non-Federal funds that are involved in the pilot, by source (which may include private funds as well as governmental funds) and by amount;
- (e) The State, local, or Tribal programs that are involved in the pilot;
- (f) The populations to be served by the pilot;
- (g) The cost-effective Federal oversight procedures that will be used for the purpose of maintaining the necessary level of accountability for the use of the Federal discretionary funds;
- (h) The cost-effective State, local, or Tribal oversight procedures that will be used for the purpose of

maintaining the necessary level of accountability for the use of the Federal discretionary funds;

(i) The outcome (or outcomes) that the pilot is designed to achieve;

(j) The appropriate, reliable, and objective outcome measurement methodology that will be used to determine whether the pilot is achieving, and has achieved, specified outcomes;

(k) The statutory, regulatory, or administrative requirements related to Federal mandatory programs that are barriers to achieving improved outcomes of the pilot; and

(l) Criteria for determining when a pilot is not achieving the specified outcomes that it is designed to achieve and subsequent steps, including:

(1) The consequences that will result; and

(2) The corrective actions that will be taken in order to increase the likelihood that the pilot will achieve such specified outcomes.

Definitions: The following definitions are from the P3 NFP.

Blended funding is a funding and resource allocation strategy that uses multiple existing funding streams to support a single initiative or strategy. Blended funding merges two or more funding streams, or portions of multiple funding streams, to produce greater efficiency and/or effectiveness. Funds from each individual stream lose

their award-specific identity, and the blended funds together become subject to a single set of reporting and other requirements, consistent with the underlying purposes of the programs for which the funds were appropriated.

An interim indicator is a marker of achievement that demonstrates progress toward an outcome and is measured at least annually.

Outcomes are the intended results of a program or intervention. They are what applicants expect their projects to achieve. An outcome can be measured at the participant level (for example, changes in employment retention or earnings of disconnected youth) or at the system level (for example, improved efficiency in program operations or administration).

A waiver provides flexibility in the form of relief, in whole or in part, from specific statutory, regulatory, or administrative requirements that have hindered the ability of a State, locality, or Tribe to organize its programs and systems or provide services in ways that best meet the needs of its target populations. Under P3, waivers provide flexibility in exchange for a pilot's commitment to improve programmatic outcomes for disconnected youth consistent with underlying statutory authorities and purposes.

Program Authority: Section 524 of Title III, Division H of the Consolidated Appropriations Act, 2021 (Pub. L. 116-260).

Note: Projects will be awarded and must be operated in a manner consistent with the nondiscrimination requirements contained in Federal civil rights laws.

Applicable Regulations: (a) The Education Department General Administrative Regulations in 34 CFR parts 75, 77, 79, 81, 82, 86, 97, 98, and 99, and such other regulations as the Agencies may apply based on the programs included in a particular pilot. (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 P3 NFP.

Note: The regulations in 34 CFR part 86 apply to institutions of higher education only.

II. Performance Pilot Designation Information

Type of Award: Flexibility.

Estimated Available Funds: None.

Estimated Number of Designations: 10 pilots.

Project Period: FY 2021 pilots may operate for as long as FY 2021 appropriated funds remain available to pilots to obligate to support project activities, but not past September 30, 2025.

III. Eligibility Information

1. Eligible Applicants: The lead applicant must be a State, local, or Tribal government entity, represented by a chief executive, such as a governor, mayor, or other elected leader, or the head of a State, local, or Tribal agency.

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

IV. Application and Submission Information

1. Application Submission Instructions: Applicants must submit completed applications to DisconnectedYouth@ed.gov unless electronic submission is not possible. Where electronic submission is not possible (e.g., you do not have access to the internet), you must provide a written statement that you intend to submit a paper application. Send this written statement no later than two weeks before the application deadline date (14 calendar days or, if the 14th calendar day before the application deadline date falls on a Federal holiday, the next business day following the Federal holiday). If you mail your written statement to the Department, it must be postmarked no later than two weeks before the application

deadline date. Please send this statement to the person listed in the FOR FURTHER INFORMATION CONTACT section of this notice. If you submit a paper application, you must mail the original and two copies of your application, on or before the application deadline date, to the Department at the following address: U.S. Department of Education, Application Control Center, LBJ Basement Level 1, 400 Maryland Avenue, SW, Washington, DC 20202-4260. You must show proof of mailing consisting of one of the following: (1) A legibly dated U.S. Postal Service postmark. (2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service. (3) A dated shipping label, invoice, or receipt from a commercial carrier. (4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of Education. If you mail your application through the U.S. Postal Service, we do not accept either of the following as proof of mailing: (1) A private metered postmark. (2) A mail receipt that is not dated by the U.S. Postal Service.

Note: The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, you should check with your local post office.

We will not consider applications postmarked after the application deadline date.

2. Submission of Proprietary Information: Given the types of projects that may be proposed in applications for

the P3 opportunity, 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, including performance agreements, and may make all applications available, you may wish to request confidentiality of business information.

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

3. Intergovernmental Review: This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79.

4. Recommended Page Limit: The application narrative is where you, the applicant, provide the information specified in the application requirements and address the selection criteria that reviewers use to evaluate your application. We recommend that you (1) limit the

application narrative to no more than five 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.
- Use a font that is either 12 point or larger.
- Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial.

5. Requests for Technical Assistance: For interested eligible entities, the Agencies are offering technical assistance over the next several months that will help prospective applicants to identify Federal impediments to effective and integrated service delivery for disconnected youth and flexibilities that can be removed under P3 and to develop an application submission for a P3 pilot. The Agencies want to engage with as many eligible entities as possible and will accept technical assistance requests on a rolling basis until **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**. If interest in technical assistance exceeds the Agencies' capacity to provide it, the Agencies will give first priority to assisting eligible entities that intend to serve communities that have experienced civil unrest, because the

statutory authority for FY 2021 directs the Agencies to include such communities among the designated pilots.¹⁹ Second priority will be given to requests for technical assistance from applicants that propose to serve the highest numbers of disconnected youth. To request technical assistance, please email DisconnectedYouth@ed.gov with the subject line "Request for Technical Assistance," and include the prospective applicant's name, a contact person's name and email address, and the names of the Federal programs that the prospective applicant is interested in including in a P3 pilot. Applicants that do not request technical assistance may still apply for designation as a pilot; applicants that do request technical assistance are not bound to apply or bound by the information provided in their initial request for technical assistance.

6. Other Submission Requirements: Applications under this opportunity must be submitted electronically unless electronic submission is not possible.

Please note the following:

- The Department is not publishing an application package for this program. To submit an application, provide all of the information specified in the application requirements. Additionally, complete and submit Standard Form 424B, Assurances for Non-Construction Programs

¹⁹ Section 524(a), Title III, Division H, Consolidated Appropriations Act, 2021, Pub. L. 116-260.

(available at www2.ed.gov/fund/grant/apply/appforms/appforms.html) with your application.

- The Department must receive your application by 11:59 p.m. Eastern Standard Time on [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]. We will notify you if we are rejecting your application because it was received after the application deadline date.

- We may request that you provide us original signatures on forms at a later date.

V. Application Review Information

1. Review and Selection Process: The Department will screen applications that are submitted in accordance with the requirements in this notice and will determine which applications are eligible to be read based on whether they have met the eligibility and application requirements.

The Secretary of Education (Secretary) will also consider compliance with assurances, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance (such as, for ED programs, 34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

2. Review of Requests for Flexibility, Including Blending of Funds and Other Waivers: Representatives of the Agencies that administer programs under which

flexibility in Federal requirements is sought will evaluate whether the flexibility, including blending of funds and other waivers, requested by applicants meets the statutory requirements for P3 and is otherwise appropriate. For example, if an applicant is seeking flexibility under programs administered by HHS and DOL, its requests for flexibility will be reviewed by HHS and DOL officials. Applicants may be asked to participate in telephone calls at this point in the process in order to clarify requests for flexibility and other aspects of their proposals.

3. Selecting Finalists: Agency officials may recommend projects for selection by the Secretary. In consultation with the other Agencies, the Secretary will select up to 10 finalists after considering the recommendations of the Agencies that administer the programs for which the applicants are seeking flexibility, and other information, including an applicant's performance and use of funds and compliance history under a previous award under any agency program. In selecting pilots, the Secretary will first give priority to applicants that will serve communities that have experienced civil unrest, to address the statutory requirement that designated pilots include communities that have experienced civil unrest, and will then select those applications that will serve the highest numbers of disconnected youth.

For each finalist, ED and any other Agencies implicated in the pilot will negotiate the performance agreement. If a performance agreement cannot be finalized for an applicant, an alternative applicant may be selected as a finalist instead. The recommended projects will be considered finalists until performance agreements are signed by all parties, and pilot designation will be awarded only after finalization and approval of each finalist's performance agreement.

VI. Designation Administration Information

1. Designation Notices: If your application is successful, we notify your U.S. Representative(s) and U.S. Senators and send you a letter notification of your selection as a pilot. We may notify you informally, also.

If your application is not evaluated or not selected as a pilot, we will notify you.

2. Performance Measures: The performance agreement for each pilot will include outcome measures, interim indicators, and targets.

VII. Other Information

Accessible Format: On request to the program contact person listed under FOR FURTHER INFORMATION CONTACT, individuals with disabilities can obtain this document in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an

MP3 file, braille, large print, audiotape, or compact disc, or other accessible format.

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 search feature at www.federalregister.gov. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: June 21, 2021.

Amy Loyd,

Acting Assistant Secretary for

Career, Technical, and Adult Education.

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