

**DEPARTMENT OF EDUCATION****National Institute on Disability and Rehabilitation Research**

**AGENCY:** Department of Education.

**ACTION:** Notice of proposed funding priority for fiscal years 1996–1997 for the Knowledge Dissemination and Utilization Program.

**SUMMARY:** The Secretary proposes a funding priority for the Knowledge Dissemination and Utilization (D&U) Program under the National Institute on Disability and Rehabilitation Research (NIDRR) for fiscal years 1996–1997. The Secretary takes this action to ensure that rehabilitation knowledge generated from projects and centers funded by NIDRR and others is utilized fully to improve the lives of individuals with disabilities and their families.

**DATES:** Comments must be received on or before August 23, 1995.

**ADDRESSES:** All comments concerning this proposed priority should be addressed to David Esquith, U.S. Department of Education, 600 Independence Avenue SW., Switzer Building, Room 3424, Washington, D.C. 20202–2601. (Internet address Know—ADA@ed.gov.

**FOR FURTHER INFORMATION CONTACT:** David Esquith. Telephone: (202) 205–8801. Individuals who use a telecommunications device for the deaf (TDD) may call the TDD number at (202) 205–8133.

**SUPPLEMENTARY INFORMATION:** This notice contains a proposed priority to establish ten regional Disability and Business Technical Assistance Centers. Authority for the D&U program of NIDRR is contained in sections 202 and 204(a) of the Rehabilitation Act of 1973, as amended (29 U.S.C. 760–762). Under this program the Secretary makes awards to public and private organizations, including institutions of higher education and Indian tribes or tribal organizations. Under the regulations for this program (see 34 CFR 355.32), the Secretary may establish research priorities by reserving funds to support particular research activities.

This proposed priority supports the National Education Goal calling for all Americans to possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship.

The Secretary will announce the final funding priority in a notice in the **Federal Register**. The final priority will be determined by responses to this notice, available funds, and other considerations of the Department.

Funding of particular projects depends on the final priority, the availability of funds, and the quality of the applications received. The publication of this proposed priority does not preclude the Secretary from proposing additional priorities, nor does it limit the Secretary to funding only this priority, subject to meeting applicable rulemaking requirements.

**Note:** This notice of a proposed priority does *not* solicit applications. A notice inviting applications under this competition will be published in the **Federal Register** concurrent with or following publication of the notice of the final priority.

**Priority**

Under 34 CFR 75.105(c)(3) the Secretary proposes to give an absolute preference to applications that meet the following priority. The Secretary proposes to fund under this program only applications that meet this absolute priority:

*Proposed Priority: Regional Disability and Business Technical Assistance Centers*

**Background**

Public Law 101–336, the Americans with Disabilities Act (ADA), enacted on July 26, 1990, prohibits discrimination against individuals with disabilities in employment, public accommodations, transportation, State and local government, and telecommunications. Because of NIDRR's experience and support of information dissemination and technical assistance, and its support of research and demonstration efforts to promote employment and independence for individuals with disabilities, Congress directed NIDRR to use FY 1991 funds to establish a technical assistance program to further the successful implementation of the ADA. In October of 1991, NIDRR awarded grants to establish ten regional Disability and Business Technical Assistance Centers (DBTACs) previously referred to as Regional Disability and Business Accommodation Centers) for five years. There is one DBTAC in each of the ten Department of Education regions. The final funding priority for the original DBTACs is contained in the **Federal Register** of August 13, 1991, 56 FR 40168.

Covered entities and individuals with responsibilities and rights under the ADA continue to need technical assistance on the ADA. The ADA is a complex and relatively new civil rights statute. Many covered entities may be unaware of the basic requirements of the law or unfamiliar with legal precedents or policy guidance being issued by Federal agencies. According to a recent

General Accounting Office (GAO) Report, “[GAO] observed steady improvement in both accessibility and awareness during the initial 15 months that the ADA was in effect. However, enough areas of concern remain to suggest a need for continuing educational outreach and technical assistance to business and government agencies \* \* \*” (U.S. General Accounting Office, *Americans with Disabilities Act: Effects of the Law on Access to Goods and Services* (GAO/PEMD–94–14; June 21, 1994).

The DBTACs provide a wide range of technical assistance services such as referrals, consultation, and facility surveys. The DBTACs disseminate information on the ADA through such methods as distributing materials that have been created or reviewed and approved by Federal agencies, issuing newsletters and information briefs, and participating in discussion groups on the INTERNET. In addition, the DBTACs carry out public awareness activities on the ADA and the services provided by the DBTACs and other NIDRR ADA grantees through a variety of means including, but not limited to, the use of public service announcements, radio and television appearances, presentations at conferences, and the publication of newspaper and magazine articles.

The DBTACs' resources and financial support of State-based activities are, to the maximum extent feasible, distributed equitably among the States in the region. In order to tailor their efforts to State and local needs and maximize their resources, DBTACs increase the capacity of State and local organizations to provide technical assistance, disseminate information, provide training, and promote awareness of the ADA. The DBTACs have established at least one affiliate in every State. The State affiliates carry out their activities in collaboration with coalitions of organizations interested in promoting the implementation of the ADA. In addition, the DBTACs provide support to and collaborate with Centers for Independent Living (CILs) in each region to increase the capacity of CILs to promote the successful implementation of the ADA through the provision of technical assistance and training.

In FY 1994 the DBTACs fielded over 75,700 ADA-related telephone inquiries, made 13,764 referrals, distributed almost 700,000 publications, engaged in over 4,600 different types of public awareness and outreach activities such as public speeches, TV and radio appearances, newspaper interviews, and public workshops, and trained

approximately 54,000 individuals with responsibilities and rights under the ADA.

The DBTACs rely to the maximum extent possible on existing Federally-approved materials, and, through a systematic process of quality control, ensure the legal sufficiency and accuracy of the information disseminated by the Centers and their affiliates. All of the materials that the DBTACs distribute are available in alternate formats and DBTAC services and activities are accessible to all individuals with disabilities. The DBTACs share a national 800 telephone number that automatically connects the caller with the DBTAC serving the caller's area code and participate in a discussion group on an electronic bulletin board operated by Project Enable at the University of West Virginia to share information and discuss answers to technical questions.

#### **Proposed Priority**

The Secretary proposes to establish a Regional Disability and Business Technical Assistance Center in each Department of Education region to facilitate implementation of the ADA by:

(1) Providing technical assistance, disseminating information, and providing training to individuals or

entities with responsibilities and rights under the Act on the requirements of the ADA and developments in ADA case law, policy and implementation; (2) increasing the capacity of organizations at the State and local level to provide technical assistance, disseminate information, provide training, and promote awareness of the ADA; and (3) promoting awareness of the ADA and the availability of services provided by the DBTACs, and other NIDRR ADA grantees, and other Federal information sources on the ADA.

In addition to activities proposed by the applicant to carry out these purposes, each DBTAC shall carry out the following activities:

- Involve individuals with disabilities, parents or other family members of individuals with disabilities, in all phases of the design and operation of the DBTAC to the maximum extent possible;
- Cooperate and coordinate its activities with other NIDRR ADA technical assistance projects as well as Federal agencies including, but not limited to, the Department of Justice, the Equal Employment Opportunity Commission, the Department of Transportation, the Federal Communications Commission, the Access Board, the Department of Education's Office for Civil Rights, the

Rehabilitation Services Administration, and the President's Committee on Employment of Persons with Disabilities; and

- Provide performance accountability data on a monthly basis as requested by NIDRR.

#### **Invitation to Comment**

Interested persons are invited to submit comments and recommendations regarding this proposed priority.

All comments submitted in response to this proposed priority will be available for public inspection, during and after the comment period, in Room 3423, Switzer Building, 330 C Street SW., Washington, DC between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday of each week except Federal holidays.

#### **Applicable Program Regulations**

34 CFR Parts 350 and 355.

**Program Authority:** 29 U.S.C. 760-762.

(Catalog of Federal Domestic Assistance Number 84.133D, Knowledge Dissemination and Utilization Program)

Dated: June 16, 1995.

**Judith E. Heumann,**

*Assistant Secretary for Special Education and Rehabilitative Services.*

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