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[FR Doc. 98-21532 Filed 8-10-98; 8:45 am]

BILLING CODE 3910-01-P

DEPARTMENT OF EDUCATION

Notice Establishing Deadlines for Submission of Requests for Waivers and Waiver Extensions That Would Directly Affect School-Level Activities

ACTION: Notice establishing deadlines for the submission of requests for waivers and waiver extensions that would directly affect school-level activities.

SUMMARY: In this notice, the Acting Deputy Secretary establishes deadlines for the submission of previously granted waivers and for the submission of new waiver requests under sections 14401 and 1113(a)(7) of the Elementary and Secondary Education Act of 1965 (ESEA), section 311(a) of the Goals 2000: Educate America Act, and section 502 of the School-to-Work Opportunities Act of 1994.

DATES: Except in extraordinary circumstances, the following deadlines apply to requests for waivers or waiver extensions affecting school-level activities:

Requests for waivers that would be implemented in the semester immediately following January 1, 1999 must be submitted no later than October 1, 1998.

Requests for waivers that would be implemented in the beginning of the 1999-2000 school year must be submitted no later than April 1, 1999.

These deadlines apply only to waivers that would directly affect school-level activities. For example, the deadlines would apply to requests for waivers of the Title I targeting provisions or of the minimum poverty threshold required for implementation of a schoolwide program. However, the deadlines would not apply to waivers of requirements relating to the consolidation of administrative funds.

SUPPLEMENTARY INFORMATION: Waiver applicants are encouraged to submit their requests as early as possible and not wait until the deadlines to seek

waivers. The requests will be reviewed upon receipt.

For purposes of this notice, the submission date is the date that the waiver request is received by the U.S. Department of Education (Department) in substantially approvable form. A waiver request is considered to be in substantially approvable form when it has adequately addressed the applicable statutory criteria governing waivers.

During the period of time new waiver requests are under review by the Department, a waiver applicant must continue to comply with the requirement that is the subject of the waiver request.

ADDRESS FOR SUBMISSION OF REQUESTS:

All requests for waivers or waiver extensions should be submitted to the following address: Assistant Secretary for Elementary and Secondary Education, Attention: Waiver Staff, U.S. Department of Education 400 Maryland Avenue, SW, Washington, D.C. 20202.

FOR FURTHER INFORMATION CONTACT:

Information on waivers may be obtained from the Department's Waiver Assistance Line, (202) 401-7801. Copies of the Department's updated waiver guidance, which provide examples of waivers and describe how to apply for a waiver, are available at this number. The guidance, along with other information on flexibility, is also available at the Department's World Wide Web site at <http://www.ed.gov/flexibility>.

Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

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Note: The official version of a document is the document published in the **Federal Register**.

Dated: August 4, 1998.

Marshall S. Smith,

Acting Deputy Secretary.

[FR Doc. 98-21402 Filed 8-10-98; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF EDUCATION

Arbitration Panel Decision Under the Randolph-Sheppard Act

AGENCY: Department of Education.

ACTION: Notice of arbitration panel decision under the Randolph-Sheppard Act.

SUMMARY: Notice is hereby given that on March 31, 1998, an arbitration panel rendered a decision in the matter of *Herbert E. Brown v. Ohio Rehabilitation Services Commission, Bureau of Services for the Visually Impaired (Docket No. R-S-/97-6)*. This panel was convened by the U.S. Department of Education pursuant to 20 U.S.C. 107d-1(a), upon receipt of a complaint filed by petitioner, Herbert E. Brown.

FOR FURTHER INFORMATION CONTACT: A copy of the full text of the arbitration panel decision may be obtained from George F. Arsnow, U.S. Department of Education, 600 Independence Avenue, S.W., Room 3230, Mary E. Switzer Building, Washington, DC 20202-2738. Telephone: (202) 205-9317. Individuals who use a telecommunications device for the deaf (TDD) may call the TDD number at (202) 205-8298.

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