

of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology.

Dated: July 11, 2002.

John Tressler,

Leader, Regulatory Information Management, Office of the Chief Information Officer.

Office of Special Education and Rehabilitative Services

Type of Review: Extension of a currently approved collection.

Title: Annual Report on Appeals Process (SC).

Frequency: Annually.

Affected Public: State, Local, or Tribal Gov't, SEAS or LEAs (primary).

Reporting and Recordkeeping Hour Burden: Responses: 1. Burden Hours: 160.

Abstract: Form RSA-722 is needed to meet specific data collection requirements in Subsections 102(c)(8)(A) and (B) of the Rehab Act of 1973, as amended on the number of requests for mediation, hearings and reviews filed. The information collected is used to evaluate the types of complaints made by applicants for and eligible individuals of the vocational rehabilitation program and the final resolution of appeals filed. Respondents are State agencies that administer the Federal/State Program for Vocational Rehabilitation.

Requests for copies of the proposed information collection request may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 2082. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to Vivian Reese, Department of Education, 400 Maryland Avenue, SW., Room 4050, Regional Office Building 3, Washington, DC

20202-4651 or the e-mail address vivian_reese@ed.gov. Requests may also be electronically mailed to the internet address OCIO_RIMG@ed.gov or faxes to 202-708-9346. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be directed to Sheila Carey at 202-708-6287. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

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DEPARTMENT OF EDUCATION

Submission for OMB Review; Comment Request

AGENCY: Department of Education.

SUMMARY: The Leader, Regulatory Information Management Group, Office of the Chief Information Officer invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before August 16, 2002.

ADDRESSES: Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Lauren Wittenberg, Desk Officer, Department of Education, Office of Management and Budget, 725 17th Street, NW., Room 10235, New Executive Office Building, Washington, DC 20503 or should be electronically mailed to the internet address Lauren.Wittenberg@omb.eop.gov.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Leader, Regulatory Information Management Group, Office of the Chief Information Officer, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by

office, contains the following: (1) Type of review requested, e.g. new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment.

Dated: July 11, 2002.

John D. Tressler,

Leader, Regulatory Information Management, Office of the Chief Information Officer.

Office of Special Education and Rehabilitative Services

Type of Review: Reinstatement, without change, of a previously approved collection for which approval has expired.

Title: Application for New Grants—State Program Improvement Grants for Children With Disabilities.

Frequency: Annually.

Affected Public: State, Local, or Tribal Gov't, SEAs or LEAs.

Reporting and Recordkeeping Hour Burden:

Responses: 30.

Burden Hours: 2700.

Abstract: This information collection is necessary to make awards authorized by the Individuals with Disabilities Education Act, Part D, Subpart 1—State Program Improvement Grants. Eligible grantees are State Departments of Education in the 50 States, the District of Columbia, or Puerto Rico or an outlying area (Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands). This program was newly authorized by the Individuals With Disabilities Education Act Amendments of 1997 (Public Law 105-17). The purpose of this program is to assist State educational agencies, and their partners in reforming and improving their systems for providing educational, early intervention, and transitional services, including their systems for professional development, technical assistance, and dissemination of knowledge about best practices, to improve results for children with disabilities. Appropriations for the first awards under this program become available for obligation on June 15, 2002.

Requests for copies of the submission for OMB review; comment request may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 2040. When you access the information collection, click on "Download Attachments" to view. Written requests for information

should be addressed to Vivian Reese, Department of Education, 400 Maryland Avenue, SW., Room 4050, Regional Office Building 3, Washington, DC 20202-4651 or to the e-mail address vivan.reese@ed.gov. Requests may also be electronically mailed to the Internet address OCIO_RIMG@ed.gov or faxed to 202-708-9346. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be directed to Sheila Carey at (202) 708-6287 or via his internet address Sheila.Carey@ed.gov. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

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DEPARTMENT OF EDUCATION

Office of Special Education and Rehabilitative Services

List of Correspondence

AGENCY: Department of Education.

ACTION: List of correspondence from January 2, 2002 through March 31, 2002.

SUMMARY: The Secretary is publishing the following list pursuant to section 607(d) of the Individuals with Disabilities Education Act (IDEA). Under section 607(d) of IDEA, the Secretary is required, on a quarterly basis, to publish in the **Federal Register** a list of correspondence from the Department of Education received by individuals during the previous quarter that describes the interpretations of the Department of Education of IDEA or the regulations that implement IDEA.

FOR FURTHER INFORMATION CONTACT: Melisande Lee or JoLeta Reynolds. Telephone: (202) 205-5507.

If you use a telecommunications device for the deaf (TDD) you may call (202) 205-5637 or the Federal Information Relay Service (FIRS) at 1-800-877-8339.

Individuals with disabilities may obtain a copy of this notice in an alternative format (e.g., Braille, large print, audiotope, or computer diskette) on request to Katie Mincey, Director of the Alternate Format Center. Telephone: (202) 205-8113.

SUPPLEMENTARY INFORMATION: The following list identifies correspondence from the Department issued from January 2, 2002 through March 31, 2002.

Included on the list are those letters that contain interpretations of the requirements of IDEA and its implementing regulations, as well as letters and other documents that the Department believes will assist the public in understanding the requirements of the law and its regulations. The date and topic addressed by a letter are identified, and summary information is also provided, as appropriate. To protect the privacy interests of the individual or individuals involved, personally identifiable information has been deleted, as appropriate.

Part A—General Provisions

Section 602—Definitions

Topic Addressed: Child With a Disability

- Letter dated January 7, 2002 to individual, (personally identifiable information redacted), clarifying that (1) a State must make clear to the Office of Special Education Programs that it has the authority to enforce the requirements of IDEA under State law and (2) a State may adopt a definition of “adverse effect” provided that the State definition is not implemented in a manner that excludes otherwise eligible children.

Topic Addressed: Special Education

- Letter dated January 30, 2002 to Florida Department of Education Bureau of Instructional Support and Community Services Chief Shan Goff, clarifying that each State must ensure that any child with a disability who needs speech-language pathology services to benefit from special education receives those services, even if the child does not meet the State’s criteria to receive speech-language pathology services as a special education service.

Section 603—Office of Special Education Programs

Topic Addressed: Responsibilities of the Office of Special Education Programs

- Letter dated January 18, 2002 to U.S. Congresswoman Patsy Mink clarifying that the U.S. Department of Education is not responsible for monitoring court-ordered decrees and explaining the discretionary grant awards process.

Part B—Assistance for Education of All Children With Disabilities

Section 612—State Eligibility

Topic Addressed: Condition of Assistance

- Letter dated January 18, 2002 to individual, (personally identifiable information redacted), regarding (1) a State’s obligation to develop policies and procedures to resolve signed written complaints filed by individual parents of children with disabilities, other individuals, and organizations and (2) OSEP’s obligation to monitor each State’s compliance with the complaint resolution requirements in the final regulations implementing the IDEA through its continuous improvement monitoring process.

Topic Addressed: Free Appropriate Public Education

- Letter dated February 12, 2002 to individual, (personally identifiable information redacted), clarifying that decisions regarding the provision of services that are appropriate for an individual child must be based on the child’s unique needs and not on the disability category in which the child is classified.

Section 613—Local Educational Agency Eligibility

Topic Addressed: Charter Schools

- Letter dated February 12, 2002 to Connecticut Department of Education Associate Commissioner George Coleman, regarding the categories of charter schools, the eligibility of charter schools for Federal funds, and the responsibilities of charter schools under Part B of IDEA.

Section 615—Procedural Safeguards

Topic Addressed: Prior Written Notice

- Letter dated March 6, 2002 to Texas Education Agency Division of Special Education Senior Director Eugene Lenz, regarding the circumstances under which a parent or a school district is required to provide prior notice and clarifying that no notice provisions other than those expressly contained in the IDEA can be applied to limit the statutory right to a due process hearing.

Section 618—Program Information

Topic Addressed: Disproportionality

- Letter dated January 14, 2002 to individual, (personally identifiable information redacted), regarding the ways in which OSEP and the Office for Civil Rights address the disproportionate representation of students from some racial and ethnic