

interests of the individual or individuals involved, personally identifiable information has been deleted, as appropriate.

#### Part B—Assistance for Education of All Children With Disabilities

*Section 611—Authorization; Allotment; Use of Funds; Authorization of Appropriations*

Topic Addressed: Reallocation of Funds

○ Letter dated June 14, 2007 to Louisiana Division of Educational Improvement and Assistance Director Dr. Susan A. Aysenne, confirming that the Louisiana Department of Education has the authority to reallocate funds that are not needed by one local educational agency (LEA) to provide a free appropriate public education to children with disabilities to a single LEA or multiple LEAs in the State.

*Section 612—State Eligibility*

Topic Addressed: Free Appropriate Public Education

○ Letter dated June 14, 2007 to individual (personally identifiable information redacted), clarifying that the same requirements in Part B of IDEA governing personnel qualifications and access to instructional materials that apply to special education and related services provided pursuant to a student's individualized education program (IEP) in a regular school program apply to special education and related services provided pursuant to a student's IEP as compensatory services.

Topic Addressed: Methods of Ensuring Services

○ Office of Special Education (OSEP) Memorandum 07–10 dated May 3, 2007 to State Directors of Special Education, clarifying requirements for obtaining parental consent when a public agency seeks access to a child's public benefits or public insurance to pay for required special education and related services for Medicaid-eligible children and explaining that the LEA does not have to obtain a separate parental consent if parental consent is given directly to another agency, such as a State's Medicaid Agency.

Topic Addressed: Disproportionality

○ OSEP Memorandum 07–09 dated April 24, 2007 to State Directors of Special Education, clarifying the requirements governing overidentification and disproportionality under section 612(a)(24) of IDEA and the requirements governing significant disproportionality under section 618(d) of IDEA.

*Section 614—Evaluations, Eligibility Determinations, Individualized Education Programs, and Educational Placements*

Topic Addressed: Evaluations and Reevaluations

○ Letter dated May 10, 2007 to U.S. Representative Doris O. Matsui, regarding how determinations are made about a child's eligibility for special education and related services under Part B of IDEA, including whether factors such as family history of substance abuse and other medical information can be considered as part of the eligibility determination.

*Section 615—Procedural Safeguards*

Topic Addressed: Maintenance Of Current Educational Placement

○ Letter dated April 12, 2007 to North Carolina Exceptional Children Division Director Mary D. Watson, clarifying that the requirements of Part B of IDEA for annual review of a child's IEP remain fully applicable while administrative or judicial proceedings regarding a complaint are pending.

○ Letter dated April 12, 2007 to Community Alliance for Special Education Service Coordinator Paul S. Foreman, regarding the child's status during the pendency of administrative or judicial proceedings when a child who is no longer eligible for services under Part C of IDEA seeks initial services under Part B of IDEA.

*Section 674—Technology Development, Demonstration, and Utilization; Media Services; and Instructional Materials*

Topic Addressed: National Instructional Materials Access Center

○ Letter dated May 7, 2007 to American Printing House for the Blind, Inc. President Dr. Tuck Tinsley, explaining the Department's interpretation of section 674(e)(5) of the IDEA and clarifying the extent to which that section provides any protection for the National Instructional Materials Access Center from lawsuits contesting its grant activities.

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(Catalog of Federal Domestic Assistance Number 84.027, Assistance to States for Education of Children with Disabilities)

Dated: September 24, 2007.

**William W. Knudsen,**

*Acting Deputy Assistant Secretary for Special Education and Rehabilitative Services.*

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## ELECTION ASSISTANCE COMMISSION

### Sunshine Act Meeting Notice

**AGENCY:** United States Election Assistance Commission.

**ACTION:** Notice of public meeting (amended).

**DATE & TIME:** Thursday, October 4, 2007, 10 a.m.–1 p.m.

**PLACE:** U.S. Election Assistance Commission, 1225 New York Ave., NW., Suite 150, Washington, DC 20005, (Metro Stop: Metro Center).

**AGENDA:** Commissioners will receive the following presentations: Commissioners will receive updates on the next iteration of the Voluntary Voting System Guidelines (VVSG) and a report on a recommendation from the National Voluntary Laboratory Accreditation Program (NVLAP); Commissioners will consider an internal policy for handling State requests to change State-specific instructions to the National Voter Registration Form; Commissioners have granted a request from Secretary of State of Arizona to make a statement before the Commission; Commissioners will discuss other administrative matters.

This meeting will be open to the public.

**FOR FURTHER INFORMATION CONTACT:** Bryan Whitener, *Telephone:* (202) 566–3100.

**Thomas R. Wilkey,**

*Executive Director, U.S. Election Assistance Commission.*

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