

requirements should be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) or mailed to U.S. Department of Education, 400 Maryland Avenue, SW., LBJ, Washington, DC 20202-4537. Please note that written comments received in response to this notice will be considered public records.

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that Federal agencies provide interested parties an early opportunity to comment on information collection requests. The Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management, publishes this notice containing proposed information collection requests at the beginning of the Departmental review of the information collection. 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: February 24, 2011.

**Darrin A. King,**

*Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management.*

**Institute of Education Sciences**

*Type of Review:* Revision.

*Title of Collection:* Schools and Staffing Survey (SASS 2011/12) Full Scale Data Collection.

*OMB Control Number:* 1850-0598.

*Agency Form Number(s):* N/A.

*Frequency of Responses:* Once.

*Affected Public:* State, Local, or Tribal Government, State Educational Agencies or Local Educational Agencies.

*Total Estimated Number of Annual Responses:* 215,553.

*Total Estimated Number of Annual Burden Hours:* 91,226.

*Abstract:* The Schools and Staffing Survey (SASS) is an in-depth, nationally-representative survey of first through twelfth grade public and private school teachers, principals, schools, library media centers, and school districts. Kindergarten teachers in schools with at least a first grade are also surveyed. For traditional public school districts, principals, schools, teachers and school libraries, the survey

estimates are State-representative. For public charter schools, principals, teachers, and school libraries, the survey estimates are nationally-representative. For private school principals, schools, and teachers, the survey estimates are representative of private school types. There are two additional components within SASS's 4-year data collection cycle: the Teacher Follow-up Survey and the Principal Follow-up Survey, which are conducted a year after the SASS main collection, and the approval for which will be sought at a later date. SASS respondents include public and private school principals, teachers, and school and school district staff. Topics covered include, but are not limited to, demographic characteristics of teachers and principals, school staffing, school programs and services, school library staffing, school library usage, teacher professional development, district policies on teacher recruitment and retention, and teacher certification. This submission for SASS 2011/12 requests Office of Management and Budget approval for full-scale data collection activities to take place during school year 2011-12. These data collection activities include administering the teacher listing form for teacher sampling, and collection of all survey questionnaires for districts, schools, principals, teachers, and school libraries.

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 4528. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to U.S. Department of Education, 400 Maryland Avenue, SW., LBJ, Washington, DC 20202-4537. Requests may also be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) or faxed to 202-401-0920. Please specify the complete title of the information collection and OMB Control Number when making your request.

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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**BILLING CODE 4000-01-P**

**DEPARTMENT OF EDUCATION**

**Arbitration Panel Decision Under the Randolph-Sheppard Act**

**AGENCY:** Department of Education.

**ACTION:** Notice.

**SUMMARY:** The Department of Education (Department) gives notice that, on September 28, 2010, an arbitration panel rendered a decision in the matter of *Calvette Brown v. Illinois Department of Human Services, Division of Rehabilitative Services, Case no. R-S/09-3*. This panel was convened by the Department under 20 U.S.C. 107d-1(a), after the Department received a complaint filed by the petitioner, Calvette Brown.

**FOR FURTHER INFORMATION CONTACT:** You may obtain a copy of the full text of the arbitration panel decision from Suzette E. Haynes, U.S. Department of Education, 400 Maryland Avenue, SW., room 5022, Potomac Center Plaza, Washington, DC 20202-2800. Telephone: (202) 245-7374. If you use a telecommunications device for the deaf (TDD), call the Federal Relay Service (FRS), toll-free, at 1-800-877-8339.

Individuals with disabilities may obtain this document in an accessible format (e.g., braille, large print, audiotape, or computer diskette) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

**SUPPLEMENTARY INFORMATION:** Under section 6(c) of the Randolph-Sheppard Act (Act), 20 U.S.C. 107d-2(c), the Secretary publishes in the **Federal Register** a synopsis of each arbitration panel decision affecting the administration of vending facilities on Federal and other property.

**Background**

Calvette Brown (Complainant) alleged violations by the Illinois Department of Human Services, Division of Rehabilitative Services, the State licensing agency (SLA), under the Act and implementing regulations in 34 CFR part 395. Specifically, Complainant alleged that the SLA improperly administered the transfer and promotion policies and procedures of the Illinois Randolph-Sheppard Vending Facility Program in violation of the Act, implementing regulations under the Act, and State rules and regulations in Complainant's bid to manage the vending machine facility at the United States Postal Service facility (USPS facility) on Northwest Highway in Palatine, Illinois.

On January 28, 2009, Complainant participated in an interview process with the SLA concerning the USPS facility. On February 10, 2009, Complainant was selected as the successful bidder and awarded a vending contract at the USPS facility.

On February 20, 2009, another vendor in the selection process filed a grievance with the SLA contesting the Complainant's award of the USPS facility contract. On the same date, the SLA notified Complainant that the implementation of her vending contract at the USPS facility was being suspended pending the outcome of the other vendor's grievance.

On May 14, 2009, the SLA held a state fair hearing for the vendor contesting Complainant's award of the USPS facility. On June 4, 2009, the hearing officer ruled that the January 28, 2009 interview process, in which Complainant participated, was not impartial or objective. Thus, the hearing officer ordered that the January 28, 2009 interview process be invalidated and that another interview process be held.

On June 9, 2009, Complainant filed a grievance with the SLA of the hearing officer's decision in the other vendor's state fair hearing. Complainant participated in the new interview process on July 2, 2009. However, she was not awarded the USPS facility contract.

On July 22, 2009, Complainant filed a grievance with the SLA challenging the SLA's decision to award the contract for the USPS facility to the other vendor after the conclusion of the new interview process. On July 24, 2009, the SLA filed a motion with the hearing officer to dismiss Complainant's grievance. On July 27, 2009, Complainant filed a written objection to the SLA's motion.

On August 12, 2009, a state fair hearing was held on the award of the contract to another vendor. The hearing officer directed both the Complainant and the SLA to submit briefs regarding the SLA's Motion to Dismiss. On September 23, 2009, the hearing officer issued a Memorandum recommending that the SLA's motion be granted, ruling that the Complainant did not have the right to appeal a decision to award a contract to another vendor. However, the hearing officer noted that Complainant had the right to challenge the SLA's decision to terminate her contract at the USPS facility in a separate process under the SLA's administrative rules.

On September 25, 2009, the SLA director issued a decision as final agency action adopting the hearing officer's recommendation and dismissed Complainant's grievance on the grounds that she sought to appeal a non-appealable issue—namely, the final decision in the grievance of another vendor in violation of the SLA's administrative rules. Complainant sought review by a federal arbitration

panel of the SLA's final decision. On July 21, 2010, a federal arbitration panel heard this complaint. According to the arbitration panel, the central issue was whether the Illinois Department of Human Services, Division of Rehabilitative Services wrongfully dismissed the attempt by the Complainant to appeal a decision rendered in another blind vendor's state fair hearing.

#### Arbitration Panel Decision

After hearing testimony and reviewing all of the evidence, the panel ruled to uphold the state fair hearing officer's decision to summarily dismiss the Complainant's appeal of another vendor's state fair hearing decision. Specifically, the panel relied on the Illinois Administrative Code (IAC) Title 89; Social Services, Chapter IV, Department of Human Services, Subchapter a: General Program Provisions, Part 510, Appeals and Hearings Sections 510.20 and 510.130 which states that a vendor cannot appeal another vendor's decision.

However, the panel noted that the IAC does allow Complainant to file her own grievance in opposition to the other vendor being awarded the USPS facility contract. The panel further denied Complainant's request for costs and attorneys' fees concluding that these expenses were incurred by the Complainant when she pursued the wrong course of action instead of filing her own grievance regarding the decision to award the other vendor the contract for the USPS facility.

The views and opinions expressed by the panel do not necessarily represent the views and opinions of the Department.

*Electronic Access to This Document:* You can view this document, as well as all other Department of Education documents published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/news/fedregister>. To use PDF you must have Adobe Acrobat Reader, which is available free at this site.

**Note:** The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.gpoaccess.gov/nara/index.html>.

Dated: February 25, 2011.

**Alexa Posny,**

*Assistant Secretary for Special Education and Rehabilitative Services.*

[FR Doc. 2011-4668 Filed 3-1-11; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF EDUCATION

### Privacy Act of 1974; Computer Matching Program

**AGENCY:** Department of Education.

**ACTION:** Notice—Computer Matching between the U.S. Department of Education and the Social Security Administration.

**SUMMARY:** Pursuant to the Computer Matching and Privacy Protection Act of 1988, Public Law 100-503, the Computer Matching and Privacy Protections Amendments of 1990, Pub. L. 101-508, and Office of Management and Budget (OMB) guidance on the conduct of computer matching programs, notice is hereby given of the renewal of the computer matching program between the U.S. Department of Education (ED) (recipient agency), and the Social Security Administration (SSA) (source agency). This renewal of the computer matching program between SSA and ED will become effective as explained in this notice.

In accordance with the Privacy Act of 1974 (5 U.S.C. 552a), as amended, OMB Final Guidance Interpreting the Provisions of Public Law 100-503, the Computer Matching and Privacy Protection Act of 1988, published in the **Federal Register** on June 19, 1989 (54 FR 25818), and OMB Circular No. A-130, Transmittal Memorandum #4, Management of Federal Information Resources (November 28, 2000) we provide the following information:

#### 1. Names of Participating Agencies

The U.S. Department of Education and the Social Security Administration.

#### 2. Purpose of the Match

The purpose of this matching program between ED and SSA is to assist the Secretary of Education with verification of immigration status and Social Security numbers (SSNs) under 20 U.S.C. 1091(g) and (p). SSA will verify the issuance of an SSN to, and will confirm the citizenship status, as recorded in SSA's records, of those students and parents applying for aid under a student financial assistance program authorized under Title IV of the Higher Education Act of 1965, as amended (HEA). Verification of this information by SSA will help ED satisfy its obligation to ensure that individuals applying for financial assistance meet eligibility requirements imposed by the HEA.

Verification by this computer matching program effectuates the purpose of the HEA because it provides an efficient and comprehensive method