

accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. 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. Please note that written comments received in response to this notice will be considered public records.

*Title of Collection:* 2015–16 National Postsecondary Student Aid Study (NPSAS:16) 16 Field Test Institutions and Enrollment Lists.

*OMB Control Number:* 1850–0666.

*Type of Review:* A revision of an existing information collection.

*Respondents/Affected Public:* Individuals or households, Private Sector.

*Total Estimated Number of Annual Responses:* 794.

*Total Estimated Number of Annual Burden Hours:* 724.

*Abstract:* The National Postsecondary Student Aid Study (NPSAS), a nationally representative study of how students and their families finance postsecondary education, was first implemented by the National Center for Education Statistics (NCES) in 1987 and has been fielded every 3 to 4 years since. The next major data collection will occur in 2016 with a field test collection in 2015. This submission is for the ninth cycle in the series, NPSAS:16, which will also serve as the base year study for the 2016 Baccalaureate and Beyond Longitudinal Study (B&B) which provides data on the various paths of recent college graduates into employment and additional education. The NPSAS:16 field test sample will include about 300 institutions (full-scale sample about

1,680) and about 4,500 students (120,000 full-scale). Institution contacting for the field test will begin in September 2014 and student data collection will be conducted January through May 2015 (full-scale institution contacting will begin in October 2015 and student data will be collected January through June 2016). A separate package to request clearance for student data collection (interviews and institution record data) will be submitted in the fall 2014. This submission includes contacting materials and collection of enrollment lists from institutions selected to participate in the field test.

Dated: March 21, 2014.

**Kate Mullan,**

*Acting Director, Information Collection Clearance Division, Privacy, Information and Records Management Services, Office of Management.*

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**BILLING CODE 4000–01–P**

## DEPARTMENT OF EDUCATION

[Docket No. ED–2013–OSERS–015]

### Request for Information on the Use of Results Data in Making Determinations Under Sections 616(d)(2) and 642 of the Individuals With Disabilities Education Act (IDEA)

**AGENCY:** Office of Special Education and Rehabilitative Services, U.S. Department of Education.

**ACTION:** Request for Information.

**SUMMARY:** The U.S. Department of Education (Department) is requesting stakeholder input on how best to use results data (e.g., performance on assessments, graduation rates, and early childhood outcomes) in its accountability system under the IDEA. We believe that the Department must provide greater support to States' efforts to improve results for infants, toddlers, children and youth with disabilities (children with disabilities). We need to ensure that States focus not only on complying with provisions of the law, but also on improving results for children with disabilities.

**DATES:** Responses must be received by April 25, 2014.

**ADDRESSES:** Submit your comments through the Federal eRulemaking Portal or via U.S. mail, commercial delivery, or hand delivery. We will not accept comments by fax or by email or those submitted after the comment period. To ensure that we do not receive duplicate copies, please submit your comments only once. In addition, please include

the Docket ID and the term "IDEA Determinations including Results" at the top of your comments.

• *Federal eRulemaking Portal:* Go to [www.regulations.gov](http://www.regulations.gov) to submit your comments electronically. Information on using Regulations.gov, including instructions for accessing agency documents, submitting comments, and viewing the docket, is available on the site under "Are you new to this site?"

• *Postal Mail, Commercial Delivery, or Hand Delivery:* If you mail or deliver your comments, address them to Larry Ringer, Attention: IDEA Determinations RFI, U.S. Department of Education, 400 Maryland Avenue SW., room 4032, Potomac Center Plaza, Washington, DC 20202–2600.

*Privacy Note:* The Department's policy is to make all comments received from members of the public (including comments submitted by mail, commercial delivery, or hand delivery) available for public viewing in their entirety on the Federal eRulemaking Portal at [www.regulations.gov](http://www.regulations.gov). Therefore, commenters should be careful to include in their comments only information that they wish to make publicly available on the Internet.

*Submission of Proprietary Information:* Given the subject matter, some comments may include proprietary information as it relates to confidential commercial information. The Freedom of Information Act defines "confidential commercial information" as information the disclosure of which could reasonably be expected to cause substantial competitive harm. You may wish to request that we not disclose what you regard as confidential commercial information.

To assist us in making a determination on your request, we encourage you to identify any specific information in your comments that you consider confidential commercial information. Please list the information by page and paragraph numbers.

This Request for Information (RFI) is issued solely for information and planning purposes and is not a request for proposals (RFP), a notice inviting applications (NIA), or a promise to issue an RFP or NIA. This RFI does not commit the Department to contract for any supply or service whatsoever. Further, the Department is not now seeking proposals and will not accept unsolicited proposals. The Department will not pay for any information or administrative costs that you may incur in responding to this RFI.

If you do not respond to this RFI, you may still apply for future contracts and grants. The Department posts RFPs on the Federal Business Opportunities Web

site ([www.fbo.gov](http://www.fbo.gov)). The Department announces grant competitions in the **Federal Register** ([www.gpo.gov/fdsys](http://www.gpo.gov/fdsys)). It is your responsibility to monitor these sites to determine whether the Department issues an RFP or NIA after considering the information received in response to this RFI.

The documents and information submitted in response to this RFI become the property of the U.S. Government and will not be returned.

**FOR FURTHER INFORMATION CONTACT:**

Larry Ringer, U.S. Department of Education, 400 Maryland Avenue SW., room 4032, Potomac Center Plaza, Washington, DC 20202-2600. Telephone: (202) 245-7496.

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:**

**Background**

In the 2004 reauthorization of the IDEA, Congress recognized the importance of focusing on positive educational and early intervention outcomes for children with disabilities. IDEA requires the primary focus of Federal and State monitoring to be on: (1) Improving educational results and functional outcomes for all children with disabilities covered under the IDEA; and (2) ensuring that States meet the program requirements. In particular, Congress placed an emphasis on those requirements that are most closely related to improving educational and early intervention results for eligible children with disabilities.

To date, however, the Department's primary focus of monitoring has been on States' compliance with substantive and procedural requirements and whether States showed improvement in the compliance data reported in their State Performance Plan/Annual Performance Reports (SPP/APRs). Unfortunately, we have not seen significant improvement in results for children with disabilities, e.g., performance on assessment, graduation rate, and early childhood outcomes.<sup>1</sup> In order to improve results

<sup>1</sup> The SPPs/APRs for Part B and Part C include both compliance and results indicators. For Part B, the results indicators address graduation rates, drop-out rates, statewide assessment (percentage of districts meeting adequate yearly progress or annual measurable objectives for the disability subgroup, participation in assessments, and proficiency on assessments), significant discrepancy in suspension/expulsion rates, educational environments for school-aged and preschool, early childhood outcomes, parent participation, post-school outcomes, resolution sessions, and mediation. For Part C, the results indicators include service settings, early childhood outcomes, family

for children with disabilities, we need to balance the focus of our accountability system on both ensuring compliance and improving results for children with disabilities, consistent with the IDEA mandates described above.

To achieve this balance, the Department, through the Office of Special Education Programs (OSEP), a component of the Office of Special Education and Rehabilitative Services (OSERS), is reconceptualizing its IDEA accountability system. This reconceptualized system, Results Driven Accountability (RDA), will support States in improving results for children with disabilities, while continuing to assist States in ensuring compliance with the IDEA's requirements.

In redesigning its accountability system, OSEP is using the following core principles:

1. The RDA system is being developed *in partnership* with our stakeholders.

2. The RDA system is *transparent and understandable* to States and the general public, especially individuals with disabilities and their families.

3. The RDA system *drives improved outcomes* for all children and youth with disabilities regardless of their age, disability, race/ethnicity, language, gender, socioeconomic status, or location.

4. The RDA system *ensures the protection of the individual rights* of each child or youth with a disability and their families, regardless of his/her age, disability, race/ethnicity, language, gender, socioeconomic status, or location.

5. The RDA system includes *differentiated incentives, supports, and interventions* based on each State's unique strengths, progress, challenges, and needs.

6. The RDA system *encourages States to direct their resources to where they can have the greatest positive impact* on outcomes and the protection of individual rights for all children and youth with disabilities, while minimizing State burden and duplication of effort.

7. The RDA system is *responsive to the needs and expectations of the ultimate consumers* (i.e., children and youth with disabilities and their families).

OSEP will implement the RDA in accordance with the IDEA requirements. OSEP's design for the RDA system includes three major components: (1) The State Performance Plan (SPP)/

outcomes, percentage of infants and toddlers receiving Part C services, resolution sessions, and mediation.

Annual Performance Report (APR); (2) annual State determinations; and (3) differentiated monitoring and support.

As part of the first component, each State has, since 2005, had in place an SPP for IDEA Part B and an SPP for IDEA Part C, establishing measurable and rigorous targets for indicators under statutory priority areas, and those indicators include both compliance indicators and results indicators. Each State submits annually to the Secretary an APR for IDEA Part B and an APR for IDEA Part C, reporting on the State's progress in meeting those targets. On April 15, 2013, the Department published in the **Federal Register** two separate information collection notices proposing changes to the IDEA Part B and the IDEA Part C SPP/APR for the period of Federal Fiscal Year (FFY) 2013 through FFY 2018 (78 FR 22251 and 78 FR 22253, available at: [www.gpo.gov/fdsys/pkg/FR-2013-04-15/pdf/2013-08703.pdf](http://www.gpo.gov/fdsys/pkg/FR-2013-04-15/pdf/2013-08703.pdf) and [www.gpo.gov/fdsys/pkg/FR-2013-04-15/pdf/2013-08705.pdf](http://www.gpo.gov/fdsys/pkg/FR-2013-04-15/pdf/2013-08705.pdf), respectively).

In those notices, the Department proposed eliminating unnecessary reporting requirements, including the requirement that States report on improvement activities for each indicator. Instead, the Department proposed to include a new qualitative indicator, the State Systemic Improvement Plan (SSIP) in each State's SPP/APR for IDEA Part B and SPP/APR for IDEA Part C. This comprehensive improvement plan would include an analysis of relevant data and a plan, based on that data analysis, to focus on improving a State-selected educational or early intervention outcomes for children with disabilities in a way that is aligned with a State's efforts to improve outcomes for all children. In working to finalize the IDEA Part B and Part C SPP/APR information collections, the Department has considered all of the comments received.

The second component of RDA is the annual State determination process. The Secretary has, since 2007, made annual State determinations based on information provided by a State in its SPP/APR, information obtained through monitoring visits, and any other publicly available information. The Secretary will continue, as required by IDEA, to make annual determinations; however, the Department is, as part of RDA, in the process of changing how it makes determinations to provide a greater focus on results. As required by the IDEA, in making determinations, the Secretary finds that a State, for IDEA Part B and for IDEA Part C:

1. Meets the requirements and purposes of the IDEA;

2. Needs assistance in implementing the requirements of the IDEA (“needs assistance”);

3. Needs intervention in implementing the requirements of the IDEA (“needs intervention”); or

4. Needs substantial intervention in implementing the requirements of the IDEA (“needs substantial intervention”).

When a State is determined to be in “needs assistance” for two or more consecutive years, “needs intervention” for three or more consecutive years, or “needs substantial intervention”, the Secretary takes enforcement action and has discretion to determine the specific type of enforcement action(s) to take.

Consistent with our authority in sections 616(d)(2) and 642 of the IDEA, in 2013, OSEP began redesigning the annual determinations process. In calendar year 2007 (the first year that the Department made determinations under the IDEA) through calendar year 2013, the Department primarily based its determinations on data provided in response to compliance indicators.<sup>2</sup>

In 2013, OSEP continued to make determinations based on compliance data, but for the first time used a Compliance Matrix that provided a better accounting of the totality of the State’s compliance data. The Compliance Matrix utilizes a score, ranging from zero to two points, for each of the compliance indicators and for several other factors related to compliance (see “How the Department Made Determinations” at <http://www2.ed.gov/fund/data/report/idea/sppapr.html>). Using the cumulative possible number of points as the denominator, and using the actual points the State received in the scoring under these factors as the numerator, the Compliance Matrix reflected a percentage score that the Department used to make each State’s 2013 determination. OSEP made this revision to ensure that, unlike the determinations made in prior years, a State would not be determined to “need intervention” based solely on low performance under, or the lack of valid and reliable data for, a single IDEA indicator. As noted above, this approach

<sup>2</sup> These compliance indicators include, for IDEA Part B: Noncompliance related to suspension and expulsion, disproportionate representation of racial and ethnic groups in special education and related services, and in specific disability categories, that is the result of inappropriate identification, timely initial evaluations, timely transition from IDEA Part C to IDEA Part B, secondary transition requirements, and timely correction of noncompliance. For Part C, they include: Timely initiation of early intervention services, timely evaluation, assessment and individualized family service plan meetings, timely transitions from Part C, and timely correction of noncompliance.

took into account the totality of a State’s compliance and provided transparency about how we reached each State’s determination. We recognize, however, that while this matrix approach was an improvement in the determinations process, we also need to include results data as a significant part of the determinations process.

For 2014, OSEP will, consistent with our authority in sections 616(d)(2) and 642 of the IDEA, include a Results Matrix, similar, and in addition, to the Compliance Matrix, to focus on both compliance and results data in the annual determination process. Relevant data reported by States and other publicly available data will be reflected in the matrices, with each data element receiving a score between zero and two and then combining all of the points from both matrices. Using the cumulative possible number of points from both matrices as the denominator, and using the total number of actual points the State received in the scoring under the individual factors as the numerator, the State’s 2014 determination will be based on the percentage score from both matrices.

OSEP will take enforcement actions under Part B and Part C of the IDEA based on those underlying compliance data, results data, or a combination of the two. However, in the first two years of using results data in determinations, OSEP does not plan to take enforcement action based on results data under either IDEA Part B or C that would have fiscal consequences for a State. (While the Department must take one of the statutorily-specified enforcement actions with States that are “Needs Assistance” for two or more consecutive years, or “Needs Intervention” for three or more consecutive years, the Department has discretion in choosing among specified enforcement actions, which include actions that do not have fiscal consequences.)

We are considering using the following results data<sup>3</sup> in making determinations, including examining a State’s progress over time:

1. For Part B, data related to:
  - a. Participation in and proficiency on assessments (reported publicly through either statewide assessments or the National Assessment of Educational Progress) in reading/language arts and math,

<sup>3</sup> The State must not report to the public or the Secretary any information on performance that would result in the disclosure of personally identifiable information about individual children. See IDEA section 616(b)(2)(C)(iii). Therefore, OSERS will not use personally identifiable data when making determinations.

b. Rates of students graduating with a regular diploma and/or

c. Postschool outcomes.

2. For Part C, data related to:

- a. Early childhood outcomes, and/or
- b. Family outcomes.

The third component of RDA is differentiated monitoring and support. In implementing differentiated monitoring and support, OSEP will use results data and other information about a State to determine the appropriate intensity, focus, and nature of the oversight and support that each State will receive as part of RDA. In providing differentiated support, OSEP will consider each State’s need in relation to the development and implementation of its SSIP.

#### *Context for Responses and Information Requested*

Throughout the process of developing RDA, the Department has both provided information to the public, and sought input from interested stakeholders, consistent with the core principles outlined above. We have sought input from stakeholders in a variety of ways, including:

1. Blog posts on the Department’s Web site inviting input from the public on a variety of topics including the Core Principles and one approach for using results data in determinations (<http://www.ed.gov/blog/2012/07/results-driven-accountability-effort/>);

2. Meetings and conference calls with stakeholders, including State personnel, child and family advocacy groups, professional organizations, researchers, and technical assistance providers to solicit input regarding the opportunities and barriers related to shifting to a more results focused monitoring; and

3. Working with the National Center on Educational Outcomes and the Center on Early Childhood Outcomes to examine options for what results data to consider in making determinations, and how to use those data as part of the determinations process.

The Assistant Secretary for OSERS invites States, local educational agencies (LEAs), early intervention service (EIS) programs and providers, parents, and other stakeholders to provide input on how the Department should use results data, in combination with compliance data, to make determinations under section 616(d)(2) and 642 of the IDEA in 2014 and subsequent years. We are particularly interested in feedback on the following:

1. How should the Department use results data such as assessment data, graduation data and/or postschool outcomes data in making determinations under Part B of the

IDEA? For any suggestion, please explain why and how the Department could use the data in a valid, reliable, and equitable manner in making determinations.

2. How should the Department use results data such as early childhood outcomes data and/or family outcomes data in making determinations under Part C of the IDEA? For any suggestion, please explain why and how the Department could use the data in a valid, reliable, and equitable manner in making determinations.

3. Are there any additional or different types of results data, including data on assessments to measure proficiency in reading/language arts and math, or other results data that the Department should/could consider using in the IDEA Part B determinations process? For any suggestion, please explain why and how the Department could use the data in a valid, reliable, and equitable manner in making determinations.

4. Are there any additional or different types of results data that the Department should/could consider using in the IDEA Part C determinations process? For any suggestion, please explain why and how the Department could use the data in a valid, reliable, and equitable manner in making determinations.

To ensure better results for children with disabilities, the Department expects all components of the RDA system to be aligned with States' efforts to improve outcomes for all children with and without disabilities. To meet this goal, we encourage stakeholders to provide suggestions for using results data in a manner that is equitable and transparent. You may provide comments in any convenient format (i.e., bullet points, charts, graphs, paragraphs, etc.) and may also provide relevant information that is not responsive to a particular question but may nevertheless be helpful.

**Accessible Format:** Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiotape, or compact disc) upon request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**.

**Electronic Access to This Document:** 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 via the Federal Digital System at: [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys). At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in

text or Adobe Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: [www.federalregister.gov](http://www.federalregister.gov). Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

**Program Authority:** 20 U.S.C. 1416 and 1442.

Dated: March 20, 2014.

**Michael K. Yudin,**

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

[FR Doc. 2014-06730 Filed 3-25-14; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF ENERGY

[OE Docket No. EA-312-A]

### Application To Export Electric Energy; Emera Energy U.S. Subsidiary No. 2, Inc.

**AGENCY:** Office of Electricity Delivery and Energy Reliability, DOE.

**ACTION:** Notice of application.

**SUMMARY:** Emera Energy U.S. Subsidiary No. 2, Inc. (EE US No. 2) has applied to renew its authority to transmit electric energy from the United States to Canada pursuant to section 202(e) of the Federal Power Act.

**DATES:** Comments, protests, or motions to intervene must be submitted on or before April 25, 2014.

**ADDRESSES:** Comments, protests, or motions to intervene should be addressed to: Lamont Jackson, Office of Electricity Delivery and Energy Reliability, Mail Code: OE-20, U.S. Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585-0350. Because of delays in handling conventional mail, it is recommended that documents be transmitted by overnight mail, by electronic mail to [Lamont.Jackson@hq.doe.gov](mailto:Lamont.Jackson@hq.doe.gov), or by facsimile to 202-586-8008.

**FOR FURTHER INFORMATION CONTACT:** Lamont Jackson (Program Office) at 202-586-0808, or by email to [Lamont.Jackson@hq.doe.gov](mailto:Lamont.Jackson@hq.doe.gov).

**SUPPLEMENTARY INFORMATION:** Exports of electricity from the United States to a foreign country are regulated by the Department of Energy (DOE) pursuant to sections 301(b) and 402(f) of the Department of Energy Organization Act (42 U.S.C. 7151(b), 7172(f)) and require

authorization under section 202(e) of the Federal Power Act (16 U.S.C. 824a(e)).

On May 17, 2006, DOE issued Order No. EA-312, which authorized EE US No. 2 to transmit electric energy from the United States to Canada for a five-year term using existing international transmission facilities. That authority has since expired on May 17, 2011. On February 25, 2014, EE US No. 2 filed an application with DOE for renewal of the export authority contained in Order No. EA-312 for an additional five-year term.

In its application, EE US No. 2 states that it does not own any electric generating or transmission facilities, and it does not have a franchised service area. The electric energy that EE US No. 2 proposes to export to Canada would be surplus energy purchased from electric utilities, Federal power marketing agencies, and other entities within the United States and/or Canada. The existing international transmission facilities to be utilized by EE US No. 2 have previously been authorized by Presidential permits issued pursuant to Executive Order 10485, as amended, and are appropriate for open access transmission by third parties.

**Procedural Matters:** Any person desiring to be heard in this proceeding should file a comment or protest to the application at the address provided above. Protests should be filed in accordance with Rule 211 of the Federal Energy Regulatory Commission's (FERC) Rules of Practice and Procedures (18 CFR 385.211). Any person desiring to become a party to these proceedings should file a motion to intervene at the above address in accordance with FERC Rule 214 (18 CFR 385.214). Five copies of such comments, protests, or motions to intervene should be sent to the address provided above on or before the date listed above.

Comments on the EE US No. 2 application to export electric energy to Canada should be clearly marked with OE Docket No. EA-312-A. An additional copy is to be provided directly to Will Szubielski, c/o Emera Energy Inc., 1223 Lower Water Street, Halifax, Nova Scotia B3J 3S8 and Bonnie A. Suchman, Troutman Sanders LLP, 401 9th Street NW., Suite 1000, Washington, DC 20004. A final decision will be made on this application after the environmental impacts have been evaluated pursuant to DOE's National Environmental Policy Act Implementing Procedures (10 CFR part 1021) and after a determination is made by DOE that the proposed action will not have an adverse impact on the sufficiency of supply or reliability of the U.S. electric power supply system.