

DEPARTMENT OF EDUCATION**Training Personnel for the Education of Individuals With Disabilities****AGENCY:** Department of Education.**ACTION:** Notice of proposed waiver.

SUMMARY: The Secretary proposes to waive the requirements in EDGAR at 34 CFR 75.261(a) that generally prohibit project extensions that involve the additional obligation of Federal funds. The Secretary proposes to waive this EDGAR requirement for the National Center for Minority Special Education Research and Outreach, and the Outreach Alliance 2000 Project. The Secretary proposes to issue continuation awards to both Centers in order to ensure the most efficient use of Federal funds.

DATES: Comments must be received on or before May 15, 1995.

ADDRESSES: All comments concerning this proposed waiver should be addressed to Linda Glidewell or Victoria Ware, U.S. Department of Education, 600 Independence Avenue SW., Washington, DC 20202-2641.

FOR FURTHER INFORMATION CONTACT: Linda Glidewell, telephone: (202) 205-9099, or Victoria Ware, telephone: (202) 205-8687. Individuals who use a telecommunications device for the deaf 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.

SUPPLEMENTARY INFORMATION: On July 19, 1991, the Department issued a Notice Inviting Applications for New Awards under the Training Personnel for the Education of Individuals with Disabilities for Fiscal Year 1991. In this notice, the Department announced that it would make two awards for up to 48 months pursuant to section 610(j)(2)(C) of the Individuals with Disabilities Education Act (IDEA), which directed the Secretary to develop and implement a plan for providing outreach services to minority entities and underrepresented populations to assist them in participating more fully in the discretionary grant programs authorized in Parts C through G of IDEA.

Specifically, the Secretary advised that the Department would fund two Centers, one to provide technical assistance to the agencies, institutions, organizations, and populations identified by Congress seeking grant

support for personnel preparation (Part D of the Act). The other Center was designed to provide technical assistance to the targeted entities and populations seeking support for research and the other activities authorized in Parts C, E, F, and G of the Act. The EDGAR selection criteria were used in making the selection.

The grant periods have ended for the two Centers, which are currently expending the balance of their fiscal year 1994 funds to carry out approved project activities. In order to conduct the section 610(j)(2)(C) plan activities with fiscal year 1995 support, it is necessary to either recompute the projects for one year or to issue continuation awards to the existing grantees.

Based upon following the factors, the Department believes it makes the most programmatic sense and is the most efficient use of Federal funds to issue continuation awards. However, to do so, the Department must waive the requirements in EDGAR at 34 CFR 75.261(a) that generally prohibit project extensions that involve the additional obligation of Federal funds. The Department is therefore soliciting public comment on the proposed waiver.

Reasons

If the Department had to recompute these multi-year outreach Centers this year, the Department would wastefully expend resources for a program that might not be reauthorized. If the program is reauthorized, it may contain substantially different programmatic requirements. Such changes would require the Department to recompute the projects one year later based on the new statute.

Therefore, the Department proposes to issue continuation awards to the current grantees for one year, with a maximum of two years, to take into account the possibility of a delayed reauthorization cycle.

Regulatory Flexibility Act Certification

The Secretary certifies that this proposed waiver would not have a significant economic impact on a substantial number of small entities.

The small entities that would be affected by this proposed waiver are the two Centers currently receiving Federal funds. However, the waiver would not have a significant economic impact on the Centers because the waiver would not impose excessive regulatory burdens

or require unnecessary Federal supervision. The waiver would impose minimal requirements to ensure the proper expenditure of program funds—requirements that are those standard to continuation awards.

Paperwork Reduction Act of 1980

This proposed waiver has been examined under the Paperwork Reduction Act of 1980 and has been found to contain no information collection requirements.

Intergovernmental Review

This program is subject to the requirements of Executive Order 12372 and the regulations in 34 CFR Part 79. The objective of the Executive order is to foster an intergovernmental partnership and a strengthened federalism by relying on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

In accordance with the order, this document is intended to provide early notification of the Department's specific plans and actions for this program.

Invitation to Comment

Interested persons are invited to submit comments and recommendations regarding this proposed waiver.

All comments submitted in response to this proposed waiver will be available for public inspection, during and after the comment period, in room 3521, 300 "C" Street, S.W., Washington, D.C., between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday of each week except Federal holidays.

To assist the department in complying with the specific requirements of Executive Order 12291 and the Paperwork Reduction Act of 1980 and their overall requirement of reducing regulatory burden, the Secretary invites comment on whether there may be further opportunities to reduce any regulatory burdens found in this proposed waiver.

(Catalog of Federal Domestic Assistance Number 84.029, Training Personnel for the Education of Individuals with Disabilities)

Dated: April 10, 1995.

Judith E. Heumann,

Assistant Secretary for Special Education and Rehabilitative Services.

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