

Federal Register

Monday
May 13, 1996

Part VI

Department of Education

Semiannual Regulatory Agenda

DEPARTMENT OF EDUCATION (ED)

DEPARTMENT OF EDUCATION**Office of the Secretary****34 CFR Subtitles A and B****Unified Agenda of Federal Regulations**

AGENCY: Office of the Secretary, Education.

ACTION: Semiannual regulatory agenda.

SUMMARY: The Secretary of Education publishes a semiannual agenda of Federal regulations issued under the authority of section 4(b) of Executive Order 12866 "Regulatory Planning and Review." The purpose of the agenda is to encourage more effective public participation in the regulatory process by providing the public with early information about pending regulatory activities.

FOR FURTHER INFORMATION CONTACT:

Questions or comments related to specific regulations listed in this agenda should be directed to Kenneth C. Depew, Division of Regulations Management, Office of the General Counsel, Department of Education, Room 5112, FB-10, 600 Independence Avenue SW., Washington, DC 20202-2241; telephone: (202) 401-8300. Individuals who use a telecommunications device for the deaf (TDD) 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: Section 4(b) of Executive Order 12866, dated September 30, 1993, requires the Department of Education (ED) to publish, at a time and in a manner specified by the Administrator of the Office of Information and Regulatory Affairs, OMB, an agenda of all regulations under development or review. The Regulatory Flexibility Act, 5 U.S.C. 602(a), requires ED to publish, in October and April of each year, a regulatory flexibility agenda. The regulatory flexibility agenda may be combined with any other agenda that satisfies the statutory requirements (5 U.S.C. 605(a)). In compliance with the Executive order and the Regulatory Flexibility Act, the Secretary publishes this agenda.

For each set of regulations listed, the agenda provides the title of the document, the type of document, a citation to any rulemaking or other action taken since publication of the most recent agenda, and planned dates of future rulemaking. In addition, the agenda provides the following information:

- An abstract, which includes a description of the problem to be addressed, any principal alternatives being considered, and potential costs and benefits of the action.
- An indication of whether the planned action is likely to have significant economic impact on a substantial number of small entities as defined by the Regulatory Flexibility Act (5 U.S.C. 601(b)).
- A reference to where a reader can find the current regulations in the Code of Federal Regulations.
- A citation of legal authority.
- The name, address, and telephone number of the contact person at the Department from whom a reader can obtain additional information regarding the planned action.

In accordance with the following Principles for Regulating, the Department of Education is committed to regulating that improves the quality and equality of services to its customers, learners of all ages. ED will regulate only when absolutely necessary and then in the most flexible, most equitable, least burdensome way possible.

Principles for Deciding Whether to Regulate

- ED will regulate only when essential to serve the needs of customers by promoting quality and equality of opportunity in education.
- ED will not regulate if there is no demonstrated problem.
- ED will not regulate if the problem can be solved adequately without regulating (e.g., through local decisions or through non-regulatory guidance by ED).
- ED will not regulate if the entities or situations to be regulated are so different from each other that a uniform approach might do more harm than good.
- ED will not regulate in the face of ambiguity alone unless the ambiguity

will create a real problem if not resolved through a legally binding interpretation. (Multiple possible approaches to carrying out a statutory provision do not in themselves warrant regulatory clarification, although there may be times when a regulation could promote greater flexibility than the statutory provision makes apparent.)

Principles for Deciding How to Regulate

- ED will regulate no more than necessary to solve the identified problem.
- ED will minimize burden and promote multiple approaches to meeting the requirements of the law.
- ED will strive to allow federally funded activities to be integrated with State and local reform activities.
- ED will assess the costs and benefits of the regulation and ensure that the benefits justify the costs.
- ED will, to the extent feasible, establish performance objectives, rather than specify the manner of compliance that regulated parties must adopt.
- ED will, to the extent feasible, allow flexibility so that institutional forces and incentives achieve the desired result.

Interested members of the public are invited to comment on any of the items listed in this agenda that they believe are not consistent with the Principles for Regulating.

The Department also will review all regulations that will be published to ensure that, if appropriate, those regulations support the National Education Goals.

This publication in the Federal Register does not impose any binding obligation on the Department with regard to any specific item on the agenda. The Department may elect not to pursue any of the regulatory actions listed here, and regulatory action in addition to the items listed is not precluded. Dates of future regulatory actions are subject to revision in subsequent agendas.

Dated: March 14, 1996.

Judith A. Winston,
General Counsel.

ED

Departmental Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
809	Education Department General Administrative Regulations (EDGAR)	1880-AA70
810	Family Educational Rights and Privacy	1880-AA65
811	Protection of Human Subjects	1880-AA75

Departmental Management—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
812	Amendment to Education Department General Administrative Regulations	1880-AA62
813	Student Rights in Research, Experimental Programs, and Testing	1880-AA66
814	Direct Grant Programs	1880-AA76

Departmental Management—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
815	Revised Education Department General Administrative Regulations (EDGAR) Selection Criteria	1880-AA74
816	General Education Provisions Act (GEPA)—Enforcement: Proportionality and Equitable Offsets	1880-AA56
817	Department of Education Acquisition Regulation	1880-AA72

Departmental Management—Completed Actions

Sequence Number	Title	Regulation Identifier Number
818	Direct Grant Programs	1880-AA68
819	Direct Grant Programs	1880-AA69
820	Family Educational Rights and Privacy	1880-AA71

Office of Bilingual Education and Minority Languages Affairs—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
821	Bilingual Education Graduate Fellowship Program	1885-AA20

Office of Educational Research and Improvement—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
822	Standards for the Conduct and Evaluation of Activities Carried out by the OERI—Designation of Exemplary and Promising Programs	1850-AA52
823	National Diffusion Network	1850-AA53

ED

Office of Educational Research and Improvement—Completed Actions

Sequence Number	Title	Regulation Identifier Number
824	Standards for the Conduct and Evaluation of Activities Carried Out by OERI—Evaluation of Applications for Grants/Cooperative Agreements and Proposals for Contracts	1850-AA51

Office of Elementary and Secondary Education—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
825	Special Educational Programs for Students Whose Families Are Engaged in Migrant and Other Seasonal Farm-work—High School Equivalence Program and College Assistance Migrant Program	1810-AA86
826	Impact Aid Program	1810-AA84
827	Indian Fellowship and Professional Development Programs	1810-AA81
828	Desegregation Programs	1810-AA85

Office of Elementary and Secondary Education—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
829	Drug-Free Schools and Campuses	1810-AA83
830	Title XIV—General Provisions	1810-AA82

Office of Postsecondary Education—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
831	Secretary's Recognition Procedures for State Agencies	1840-AC32
832	Training Programs for Federal TRIO Programs	1840-AC29
833	Graduate Assistance in Areas of National Need	1840-AC31
834	International Education	1840-AC30
835	National Resource Centers Program for Foreign Language and Area Studies or Foreign Language and International Studies	1840-AC27
836	Foreign Language and Area Studies Fellowship Program	1840-AC28

Office of Postsecondary Education—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
837	Institutional Eligibility Under the Higher Education Act of 1965, As Amended; Student Assistance General Provisions; William D. Ford Federal Direct Loan Program	1840-AC18
838	Student Support Services	1840-AC24
839	Federal Family Education Loan (FFEL) Program	1840-AC16

Office of Postsecondary Education—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
840	Salary Offset for Federal Employees Who Are Indebted to the United States Under Programs Administered by the Secretary of Education	1840-AC23
841	Higher Education Programs in Modern Foreign Language Training and Area Studies	1840-AC26
842	Campus-Based Programs (Regulatory Relief)	1840-AC34

ED

Office of Postsecondary Education—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
843	Federal Family Education Loan Program	1840-AC33

Office of Postsecondary Education—Completed Actions

Sequence Number	Title	Regulation Identifier Number
844	Student Right-To-Know Act	1840-AB44
845	Student Assistance General Provisions—Ability To Benefit (Guidelines To Assist Institutions in Determining Student Eligibility for Title IV, HEA Student Financial Assistance)	1840-AB84
846	Student Assistance General Provisions - Equity in Athletics Disclosure Act	1840-AC14
847	Student Financial Aid Improvements (Student Assistance General Prov., Direct Loan Prog., Federal Family Education Loans, Pell Grant, Perkins Loan, Work Study, & Supp. Educ. Opp. Grant Progs)	1840-AC20
848	Student Assistance General Provisions (Default Rate Definition)	1840-AC17
849	William D. Ford Federal Direct Loan Program (Income Contingent Repayment)	1840-AC19
850	Federal Family Education Loan (FFEL) Program	1840-AC21
851	William D. Ford Federal Direct Loan Program	1840-AC22

Office of Special Education and Rehabilitative Services—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
852	Disability and Rehabilitation Research Programs	1820-AB38
853	The State Vocational Rehabilitation Services Program—Evaluation Standards and Performance Indicators	1820-AB14
854	Rehabilitation Services Discretionary Programs	1820-AB37

Office of Special Education and Rehabilitative Services—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
855	Elimination of Regulations	1820-AB34
856	The State Vocational Rehabilitation Services Program	1820-AB12
857	The State Vocational Rehabilitation Services Program—Order of Selection	1820-AB13
858	Projects With Industry	1820-AB33

Office of Special Education and Rehabilitative Services—Completed Actions

Sequence Number	Title	Regulation Identifier Number
859	State Grants Program for Technology-Related Assistance for Individuals With Disabilities	1820-AB28
860	Vocational Rehabilitation Service Projects for American Indians With Learning Disabilities	1820-AB32

Office of Vocational and Adult Education—Completed Actions

Sequence Number	Title	Regulation Identifier Number
861	State Vocational and Applied Technology Education Programs and National Discretionary Programs of Vocational Education; Adult Education; and Stewart B. McKinney Homeless Assistance Programs	1830-AA15

ED

Office of Intergovernmental and Interagency Affairs—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
862	U.S. Exchange Visitor Program—Request for Waiver of the Two-Year Foreign Residence Requirement	1860-AA02

Office of Intergovernmental and Interagency Affairs—Completed Actions

Sequence Number	Title	Regulation Identifier Number
863	Advisory Committee Management Regulations	1860-AA03

**DEPARTMENT OF EDUCATION (ED)
Departmental Management (EDMAN)**

Proposed Rule Stage

**809. EDUCATION DEPARTMENT
GENERAL ADMINISTRATIVE
REGULATIONS (EDGAR)**

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 20 USC 1221e-3(a)(1)

CFR Citation: 34 CFR 75; 34 CFR 76; 34 CFR 77

Legal Deadline: None

Abstract: These proposed regulations would reinvent key parts of EDGAR by eliminating unnecessary, obsolete, or duplicative provisions; replacing some provisions with non-regulatory guidance; and revising other sections to effect clarity and ease of use by the Department's customers.

Timetable:

Action	Date	FR Cite
NPRM	08/00/96	
Final Action	02/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Kathy Thomas, Office of the Chief Financial Officer, Grants and Contracts Services, Department of Education, 600 Independence Avenue SW., Room 3636, ROB-3, Washington, DC 20202-4248
Phone: 202 708-8287

RIN: 1880-AA70

**810. FAMILY EDUCATIONAL RIGHTS
AND PRIVACY**

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 20 USC 1232g(a)(1); 20 USC 1232g(a)(2); 20 USC 1232g(b)(1)(A); 20 USC 1232g(b)(1)(E); 20 USC 1232g(b)(1)(J); 20 USC 1232g(b)(2); 20 USC 1232g(b)(4)(B); 20 USC 1232g(e); 20 USC 1232g(h)

CFR Citation: 34 CFR 099

Legal Deadline: None

Abstract: These proposed regulations are needed to implement section 444 of the Improving America's Schools Act of 1994, (Pub. L. 103-761). That provision amends the Family Educational Rights and Privacy Act (FERPA) to specify certain requirements with regard to the disclosure of information from education records, the right of parents to inspect and review certain records maintained on their children by State educational agencies, and the maintenance and disclosure of disciplinary information found in education records. The provision also removes, in certain law enforcement instances, the requirement that schools notify parents or students before complying with a subpoena or court order. The regulations would be developed in accordance with the Department's Principles for Regulating.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	
Final Action	07/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Sharon Shirley, Family Policy Compliance Office, Department of Education, 600 Independence Avenue SW., Room 1366, FB-10, Washington, DC 20202-4605
Phone: 202 260-3887

RIN: 1880-AA65

**811. • PROTECTION OF HUMAN
SUBJECTS**

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 20 USC 1221e-3; 20 USC 3474; 42 USC 300v-1(b)

CFR Citation: 34 CFR 97

Legal Deadline: None

Abstract: These regulations amend existing regulations to add special protections for children who are involved as subjects of research. Specifically, these regulations remove exemptions and further limit the risks to which children may be made vulnerable.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	
Final Action	06/00/96	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

ED—EDMAN

Proposed Rule Stage

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Helen Deramond, Management Analyst, Department of

Education, 600 Independence Avenue SW., Room 5636, ROB-3, Washington, DC 20202
Phone: 202 260-5353

Fax: 202 708-9346

RIN: 1880-AA75

DEPARTMENT OF EDUCATION (ED)
Departmental Management (EDMAN)

Final Rule Stage

812. AMENDMENT TO EDUCATION DEPARTMENT GENERAL ADMINISTRATIVE REGULATIONS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 20 USC 1221e-3(a)(1)

CFR Citation: 34 CFR 75

Legal Deadline: None

Abstract: These proposed regulations--based on a recommendation under the National Performance Review--amend existing regulations by broadening the criteria the Secretary considers in determining the order in which discretionary grant applications will be selected for funding. Specifically, the proposed amendment would expand the criteria to include a grant recipient's past performance and previous use of funds, including failure to submit a performance report or submission of a report of unacceptable quality under any Department of Education grant programs. Currently the criteria include only past use of funds under the same grant programs. The proposed amendment would also clarify that the deadline date for the receipt of an application is the date that the application is received at the Department, not the postmark date. The proposed regulations would be developed in accordance with the Department's Principles for Regulating.

Timetable:

Action	Date	FR Cite
NPRM	09/20/95	60 FR 48844
Final Action	06/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Ronelle Holloman, Office of the Chief Financial Officer, Grants and Contracts Service, Department of Education, 600

Independence Avenue SW., Room 3636, ROB-3, Washington, DC 20202-4248

Phone: 202 205-3501

RIN: 1880-AA62

813. STUDENT RIGHTS IN RESEARCH, EXPERIMENTAL PROGRAMS, AND TESTING

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 20 USC 1232h

CFR Citation: 34 CFR 098

Legal Deadline: None

Abstract: These regulations are needed to implement section 1017 of the Goals 2000: Educate America Act (Pub. L. 103-227, 20 U.S.C. section 123h). That provision amends the Protection of Pupil Rights Amendment (PPRA) to require schools, in certain instances, to make specific educational materials available to parents for inspection. The provision also amends the PPRA to prohibit schools from requiring a student to submit to certain surveys, analyses, or evaluations without prior parental consent. The regulations are being developed in accordance with the Department's Principles for Regulating.

Timetable:

Action	Date	FR Cite
NPRM	08/28/95	60 FR 44696
NPRM Comment Period End	10/27/95	
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Ellen Campbell, Family Policy Compliance Office, Department of Education, 600 Independence Avenue SW., Room 1366, FB-10, Washington, DC 20202-4605

Phone: 202 260-3887

RIN: 1880-AA66

814. • DIRECT GRANT PROGRAMS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 20 USC 75; 20 USC 3474

CFR Citation: 34 CFR 75.253; 34 CFR 75.261

Legal Deadline: None

Abstract: These regulations reduce regulatory, paperwork, and administrative burden on discretionary grant recipients by giving them more flexibility in planning and implementing program activities. These regulations allow the Secretary to waive the prior written approval requirement for a one-time extension of a project period for all discretionary grant recipients. The extension, however, must not involve the obligation of additional funds by the Federal government. These regulations also clarify the Department's position about carrying over grant funds to a subsequent budget period.

Timetable:

Action	Date	FR Cite
Final Action	04/00/96	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal

Agency Contact: Greg Vick, Department of Education, 600 Independence Avenue SW., Room 3636, ROB-3, Washington, DC 20202
Phone: 202 708-8199
TDD: 800 877-8339

RIN: 1880-AA76

DEPARTMENT OF EDUCATION (ED)
Departmental Management (EDMAN)

Long-Term Actions

815. REVISED EDUCATION DEPARTMENT GENERAL ADMINISTRATIVE REGULATIONS (EDGAR) SELECTION CRITERIA

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 20 USC 1221e-3; 20 USC 3474

CFR Citation: 34 CFR 75

Legal Deadline: None

Abstract: These regulations would expand the current EDGAR selection criteria in 34 CFR 75.210. Section 75.210 provides selection criteria for discretionary grant programs without implementing regulations. This regulatory action would create an extensive menu of criteria that could be used for a variety of the Department's programs, including research, planning, demonstration, training, fellowship, and field-initiated programs.

Statement of Need: These regulations would reduce the need for separate sets of regulations to govern individual discretionary grant programs.

Summary of the Legal Basis: Use of the EDGAR selection criteria would be determined on a program-by-program basis, subject to the applicable statutory program authority and program needs for effective and efficient operation.

Alternatives: The EDGAR selection criteria would be developed as an alternative to issuing regulations for each of the individual programs that are able to use them.

Anticipated Costs and Benefits: Regulations for programs for which the EDGAR selection criteria are appropriate could be reduced or eliminated. Providing a menu of criteria for which variable weights could be

assigned, would increase program flexibility.

Risks: These proposed regulations would not address a risk to public health, safety, or the environment.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Margo Anderson, Department of Education, 555 New Jersey Avenue NW., Room 602L, Capitol Place, Washington, DC 20208-5530

Phone: 202 219-2000

RIN: 1880-AA74

816. GENERAL EDUCATION PROVISIONS ACT (GEPA)—ENFORCEMENT: PROPORTIONALITY AND EQUITABLE OFFSETS

Priority: Substantive, Nonsignificant

Legal Authority: 20 USC 1221e-3(a)(1); 20 USC 1234; 20 USC 3474(a)

CFR Citation: 34 CFR 75; 34 CFR 76; 34 CFR 81; 34 CFR 83

Legal Deadline: None

Abstract: These proposed regulations clarify circumstances under which benefits to a grant or cooperative agreement and equitable offset are taken into account in determining harm to an identifiable Federal interest under the General Education Provisions Act (GEPA).

Timetable:

Action	Date	FR Cite
NPRM	06/20/95	60 FR 32552
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Theodore Sky, Senior Counsel, Office of the General Counsel, Department of Education, 600

Independence Avenue SW., Room 5364, FB-10, Washington, DC 20202-2110

Phone: 202 401-2605

RIN: 1880-AA56

817. DEPARTMENT OF EDUCATION ACQUISITION REGULATION

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 5 USC 3010; 40 USC 486(c)

CFR Citation: 48 CFR 34

Legal Deadline: None

Abstract: These proposed regulations would reinvent the EDAR in accordance with the Department's Principles for Regulating. The amended regulations would delete or revise certain existing regulatory provisions adequately covered by the Federal Acquisition Regulation (FAR), including FAR's changes implementing the Federal Acquisition Streamlining Act. Other proposed revisions would reflect changes in the Department's organizational structure.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Rich Galloway, Office of the Chief Financial Officer, Department of Education, 600 Independence Avenue SW., Room 3636, ROB-3, Washington, DC 20202-4249

Phone: 202 708-8266

RIN: 1880-AA72

DEPARTMENT OF EDUCATION (ED)
Departmental Management (EDMAN)

Completed Actions

818. DIRECT GRANT PROGRAMS

Priority: Other

Reinventing Government: This rulemaking is part of the Reinventing

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 34 CFR 75

Completed:

Reason	Date	FR Cite
Final Action	03/04/96	61 FR 8454

Small Entities Affected: None

ED—EDMAN

Completed Actions

Government Levels Affected: None**Agency Contact:** Mary Smith
Phone: 202 401-8300**RIN:** 1880-AA68**819. DIRECT GRANT PROGRAMS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 34 CFR 75**Completed:**

Reason	Date	FR Cite
Final Action	12/12/95	60 FR 63872
Final Action Effective	01/11/96	

Small Entities Affected: None**Government Levels Affected:** State**Agency Contact:** Jacinta Ma
Phone: 202 401-8300**RIN:** 1880-AA69**820. FAMILY EDUCATIONAL RIGHTS AND PRIVACY****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 34 CFR 99**Completed:**

Reason	Date	FR Cite
Withdrawn	02/06/96	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Sharon Shirley
Phone: 202 260-3887**RIN:** 1880-AA71

DEPARTMENT OF EDUCATION (ED)

Final Rule Stage

Office of Bilingual Education and Minority Languages Affairs (OBEMLA)

821. BILINGUAL EDUCATION GRADUATE FELLOWSHIP PROGRAM**Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 20 USC 7475; PL 103-382**CFR Citation:** 34 CFR 535**Legal Deadline:** None**Abstract:** These proposed regulations would implement statutory changes

under the Improving America's Schools Act of 1994 and address the role of institutions of higher education in the program. The Graduate Fellowship Program (34 CFR Part 535) replaces the existing Bilingual Education Fellowship Program (34 CFR Part 562) and expands the program to include post-doctoral fellowships. The regulations are being developed in accordance with the Department's Principles for Regulating to ensure that the Department regulates in the most flexible, equitable, and least burdensome way possible.

Timetable:

Action	Date	FR Cite
NPRM	11/09/95	60 FR 56920
Final Action	04/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Joyce Brown, Education Program Specialist, Department of Education, Office of Bilingual Education and Minority Languages Affairs, 600 Independence Avenue SW., Room 5630, Switzer Bldg., Washington, DC 20202-6642
Phone: 202 205-9727**RIN:** 1885-AA20

DEPARTMENT OF EDUCATION (ED)

Proposed Rule Stage

Office of Educational Research and Improvement (OERI)

822. • STANDARDS FOR THE CONDUCT AND EVALUATION OF ACTIVITIES CARRIED OUT BY THE OERI—DESIGNATION OF EXEMPLARY AND PROMISING PROGRAMS**Priority:** Substantive, Nonsignificant**Legal Authority:** 20 USC 6011(i); 41 USC 423**CFR Citation:** 34 CFR 701**Legal Deadline:** None**Abstract:** These regulations establish standards for the evaluation of programs which have applied to receive the designation of exemplary or promising programs. Adding this

designation will broaden the range of educational resources available for school improvement efforts.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	
Final Action	00/00/00	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Robert Stonehill, Department of Education, Office of Educational Research and Improvement, 555 New Jersey Avenue NW., Room 504, Washington, DC 20208-5644

Phone: 202 219-2088

RIN: 1850-AA52**823. • NATIONAL DIFFUSION NETWORK****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 20 USC 2962**CFR Citation:** 34 CFR 785; 34 CFR 786; 34 CFR 787; 34 CFR 788; 34 CFR 789

ED—OERI

Proposed Rule Stage

Legal Deadline: None

Abstract: These regulations incorporate statutory amendments, remove obsolete provisions, and apply the standards for the conduct and evaluation of activities carried out by the Office of Education Research and Improvement in 34 CFR Part 700.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Steve Balkcom, Department of Education, Office of Educational Research and Improvement, 555 New Jersey Avenue NW., Room 506C, Washington, DC 20208-5644
Phone: 202 219-2089

RIN: 1850-AA53

DEPARTMENT OF EDUCATION (ED)

Completed Actions

Office of Educational Research and Improvement (OERI)

824. STANDARDS FOR THE CONDUCT AND EVALUATION OF ACTIVITIES CARRIED OUT BY OERI—EVALUATION OF APPLICATIONS FOR GRANTS/COOPERATIVE AGREEMENTS AND PROPOSALS FOR CONTRACTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 34 CFR 700

Completed:

Reason	Date	FR Cite
Final Action	09/14/95	60 FR 47808

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Edward J. Fuentes
Phone: 202 219-1895

RIN: 1850-AA51

DEPARTMENT OF EDUCATION (ED)

Proposed Rule Stage

Office of Elementary and Secondary Education (OESE)

825. • SPECIAL EDUCATIONAL PROGRAMS FOR STUDENTS WHOSE FAMILIES ARE ENGAGED IN MIGRANT AND OTHER SEASONAL FARMWORK—HIGH SCHOOL EQUIVALENCE PROGRAM AND COLLEGE ASSISTANCE MIGRANT PROGRAM

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 20 USC 1070(d) to 1070(2)

CFR Citation: 34 CFR 206

Legal Deadline: None

Abstract: The regulations would be revised to reduce burden and incorporate the Department's Principles for Regulating.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: William Wooten, Department of Education, Office of Elementary and Secondary Education, 600 Independence Avenue SW., Room 4000, Portals Bldg., Washington, DC 20202-6123
Phone: 202 206-1922

RIN: 1810-AA86

826. IMPACT AID PROGRAM

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 20 USC 7701 to 7714

CFR Citation: 34 CFR 222

Legal Deadline: None

Abstract: These proposed amendments would revise programmatic regulations to conform to new statutory provisions. The proposed regulations would be based on the Department's Principles for Regulating and would increase flexibility for applicants and minimize burden on affected parties.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: William Wooten, Department of Education, Office of Elementary and Secondary Education, 600 Independence Avenue SW., Room 4000, Portals Bldg., Washington, DC 20202-6123
Phone: 202 260-1922

RIN: 1810-AA84

827. INDIAN FELLOWSHIP AND PROFESSIONAL DEVELOPMENT PROGRAMS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 20 USC 7832 to 7833

CFR Citation: 34 CFR 263

Legal Deadline: None

ED—OESE

Proposed Rule Stage

Abstract: As current regulations solely governed fiscal year 1995 awards, these proposed regulations are necessary to govern the program for fiscal year 1996 and future years. In addition, the authorizing statutes require the Secretary to issue regulations on the payback requirement. The regulations are to be developed in accordance with the Department's Principles for Regulating.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: William Wooten, Department of Education, Office of

Elementary and Secondary Education, 600 Independence Avenue SW., Room 4000, Portals Bldg., Washington, DC 20202-6123

Phone: 202 260-1922

RIN: 1810-AA81

828. DESEGREGATION PROGRAMS

Priority: Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 20 USC 2000c to 2000c-2; 20 USC 2000-5

CFR Citation: 34 CFR 270; 34 CFR 271; 34 CFR 272

Legal Deadline: None

Abstract: These regulations will combine three sets of existing regulations and eliminate obsolete, duplicative, and unnecessary provisions.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: William Wooten, Department of Education, Office of Elementary and Secondary Education, 600 Independence Avenue SW., Room 4000, Portals Bldg., Washington, DC 20202-6123

Phone: 202 260-1922

RIN: 1810-AA85

DEPARTMENT OF EDUCATION (ED)

Final Rule Stage

Office of Elementary and Secondary Education (OESE)

829. DRUG-FREE SCHOOLS AND CAMPUSES

Priority: Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 20 USC 1145g; 20 USC 3224a

CFR Citation: 34 CFR 86

Legal Deadline: None

Abstract: In accordance with the Improving America's Schools Act, these amendments to current regulations would reduce burden on certain entities by limiting applicability of the regulations to institutions of higher education. The regulations will no longer apply to local and State educational agencies.

Timetable:

Action	Date	FR Cite
Final Action	04/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: William Wooten, Department of Education, Office of Elementary and Secondary Education, 600 Independence Avenue SW., Room 4000, Portals Bldg., Washington, DC 20202-6123

Phone: 202 260-1922

RIN: 1810-AA83

830. TITLE XIV—GENERAL PROVISIONS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 20 USC 1232g

CFR Citation: 34 CFR 299

Legal Deadline: None

Abstract: These general provisions regulations would govern groups of specified programs under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Improving America's Schools Act of 1994. The proposed regulations would establish uniform provisions under

Title XIV of the ESEA applicable to consolidation of State and local administrative funds, maintenance of effort, services to private school children and complaint procedures. The uniform provisions would minimize burdensome differences in implementing provisions in individual programs. The NPRM also includes a proposed priority for empowerment zones and enterprise communities. The proposed regulations are being developed in accordance with the Department's Principles for Regulating.

Timetable:

Action	Date	FR Cite
NPRM	03/26/96	61 FR 13324
Final Action	06/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: William Wooten, Department of Education, Office of Elementary and Secondary Education, 600 Independence Avenue SW., Room 4000, Portals Bldg., Washington, DC 20202-6123

Phone: 202 260-1922

RIN: 1810-AA82

DEPARTMENT OF EDUCATION (ED)
Office of Postsecondary Education (OPE)

Proposed Rule Stage

831. • SECRETARY'S RECOGNITION PROCEDURES FOR STATE AGENCIES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 20 USC 295f-3(b); 20 USC 295h-4(1)(d); 20 USC 298b(f); 20 USC 403(b); 20 USC 1085(b); 20 USC 1141(a); 20 USC 1248(11); 38 USC 1775(a); 42 USC 293a(b)

CFR Citation: 34 CFR 603

Legal Deadline: None

Abstract: The regulations will be eliminated. State agencies will be required to meet the same requirements as accrediting agencies under 34 CFR part 603.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Sally K. Kirkgasler, Department of Education, Office of Postsecondary Education, 600 Independence Avenue SW., Room 4050, ROB-3, Washington, DC 20202-2550
 Phone: 202 708-9069

RIN: 1840-AC32

832. • TRAINING PROGRAMS FOR FEDERAL TRIO PROGRAMS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 20 USC 1070(a) to 1070(17)

CFR Citation: 34 CFR 642

Legal Deadline: None

Abstract: These regulations would be revised to incorporate statutory changes and new funding priorities, and to increase grantee accountability through revised experience criteria and stronger project evaluation requirements.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Steven Pappas, Department of Education, Office of Postsecondary Education, 600 Independence Avenue SW., Room 600, Portals Bldg., Washington, DC 20202
 Phone: 202 708-4804

RIN: 1840-AC29

833. • GRADUATE ASSISTANCE IN AREAS OF NATIONAL NEED

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 20 USC 1134; 20 USC 1134(1) to 1134(q)(1)

CFR Citation: 34 CFR 648

Legal Deadline: None

Abstract: These regulations would be revised to simplify the selection criteria and make them less burdensome.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Cosette Ryan, Department of Education, Office of Postsecondary Education, 600 Independence Avenue SW., Room 600, Portals Bldg., Washington, DC 20202
 Phone: 202 260-3608

RIN: 1840-AC31

834. • INTERNATIONAL EDUCATION

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 20 USC 1121 to 1130(b)

CFR Citation: 34 CFR 655; 34 CFR 656; 34 CFR 657; 34 CFR 658; 34 CFR 660; 34 CFR 661

Legal Deadline: None

Abstract: These proposed revisions to the existing regulations are needed to reduce burden and incorporate the Department's Principles for Regulating in the existing regulations.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Sara West, Department of Education, Office of Postsecondary Education, 600 Independence Avenue SW., Room 600B, Portals Bldg., Washington, DC 20202
 Phone: 202 401-9782

RIN: 1840-AC30

835. NATIONAL RESOURCE CENTERS PROGRAM FOR FOREIGN LANGUAGE AND AREA STUDIES OR FOREIGN LANGUAGE AND INTERNATIONAL STUDIES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 20 USC 1122

CFR Citation: 34 CFR 656

Legal Deadline: None

Abstract: These proposed regulations would provide more clarity for applicants and reduce the reporting burden. These regulations would govern the program for fiscal year 1997.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	
Final Action	06/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Sara West, Program Officer, Advanced Training and Research Branch, Department of Education, Office of Postsecondary Education, 600 Independence Avenue

ED—OPE

Proposed Rule Stage

SW., Room 600B, Portals Bldg,
Washington, DC 20202-5331
Phone: 202 401-9782

RIN: 1840-AC27

836. FOREIGN LANGUAGE AND AREA STUDIES FELLOWSHIP PROGRAM

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 20 USC 1122

CFR Citation: 34 CFR 657

Legal Deadline: None

Abstract: These proposed regulations would reframe the evaluation criteria to provide more clarity for applicants and to reduce the reporting burden and would provide greater cost effectiveness in grant administration. These proposed regulations would govern the program for fiscal year 1997.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	
Final Action	06/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Sara West, Program Officer, Advanced Training and Research Branch, Department of Education, Office of Postsecondary Education, 600 Independence Avenue SW., Room 600B, Portals Bldg., Washington, DC 20202-5331
Phone: 202 401-9782

RIN: 1840-AC28

DEPARTMENT OF EDUCATION (ED)

Final Rule Stage

Office of Postsecondary Education (OPE)

837. INSTITUTIONAL ELIGIBILITY UNDER THE HIGHER EDUCATION ACT OF 1965, AS AMENDED; STUDENT ASSISTANCE GENERAL PROVISIONS; WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM

Priority: Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 20 USC 1087a et seq; 20 USC 1085; 20 USC 1088; 20 USC 1091; 20 USC 1092; 20 USC 1094; 20 USC 1096b; 20 USC 1099b; 20 USC 1099c; 20 USC 1141

CFR Citation: 34 CFR 600; 34 CFR 668; 34 CFR 685

Legal Deadline: None

Abstract: These regulations clarify regulatory provisions and correct errors and omissions in final regulations published on November 29, 1994 and December 1, 1994.

Timetable:

Action	Date	FR Cite
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Meredith Merrill, Program Specialist, Department of Education, Office of Postsecondary Education, 600 Independence Avenue SW., Room 3053, ROB-3, Washington, DC 20202-5400

Phone: 202 708-9406

RIN: 1840-AC18

838. STUDENT SUPPORT SERVICES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 20 USC 1070a-11; 20 USC 1070a-14

CFR Citation: 34 CFR 646

Legal Deadline: None

Abstract: In accordance with the Department's Principles for Regulating, these proposed regulations would revise current regulations by incorporating statutory changes and revised prior experience criteria and simplifying section criteria.

Timetable:

Action	Date	FR Cite
NPRM	12/13/95	60 FR 64108
Final Action	04/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Steven Pappas, Department of Education, Office of Postsecondary Education, 600 Independence Avenue SW., Room 600, Portals Bldg., Washington, DC 20202
Phone: 202 708-4804

RIN: 1840-AC24

839. FEDERAL FAMILY EDUCATION LOAN (FFEL) PROGRAM

Priority: Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 20 USC 1071 to 1087-2

CFR Citation: 34 CFR 682

Legal Deadline: None

Abstract: These final regulations make technical amendments to the FFEL regulations, reconcile provisions that may conflict, and reconcile various amendments and corrections.

Timetable:

Action	Date	FR Cite
Final Action	07/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Patricia Beavan, Program Specialist, Policy Training and Analysis Service, Department of Education, Office of Postsecondary Education, 600 Independence Avenue SW., Room 3045, ROB-3, Washington, DC 20202-5449
Phone: 202 708-8242

RIN: 1840-AC16

DEPARTMENT OF EDUCATION (ED)
Office of Postsecondary Education (OPE)
Long-Term Actions
840. SALARY OFFSET FOR FEDERAL EMPLOYEES WHO ARE INDEBTED TO THE UNITED STATES UNDER PROGRAMS ADMINISTERED BY THE SECRETARY OF EDUCATION

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 5 USC 5514; 31 USC 3716

CFR Citation: 34 CFR 31

Legal Deadline: None

Abstract: In accordance with the Department's Principles for Regulating, these proposed regulations would simplify procedures and make them more consistent with other collection efforts.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Sally K. Kirkgasler, Department of Education, Office of Postsecondary Education, 600 Independence Avenue SW., Room 4060, ROB-3, Washington, DC, 20202 Phone: 202 708-9069

RIN: 1840-AC23

841. HIGHER EDUCATION PROGRAMS IN MODERN FOREIGN LANGUAGE TRAINING AND AREA STUDIES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 22 USC 2452(b)(6)

CFR Citation: 34 CFR 662; 34 CFR 663; 34 CFR 664

Legal Deadline: None

Abstract: These proposed regulations would revise existing regulations by addressing (1) political developments abroad, (2) new policies and practices of the J. William Fulbright Foreign Scholarship Board, and (3) clarification and flexibility. The proposed regulations are to be developed in accordance with the Department's Principles for Regulating.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Richard Scarfo, Director, Center for International Education, Department of Education, Office of Postsecondary Education, 600 Independence Avenue SW., Room 600, Portals Bldg., Washington, DC 20202 Phone: 202 401-9770

RIN: 1840-AC26

842. • CAMPUS-BASED PROGRAMS (REGULATORY RELIEF)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 20 USC 1087aa to 1087ii; 20 USC 421 to 429; 42 USC 2571 to 2756b; 20 USC 1070b to 1070b-3

CFR Citation: 34 CFR 673

Legal Deadline: None

Abstract: These proposed regulations would provide regulatory relief, including substitution of performance standards for procedural requirements wherever possible.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Nancy Adams, Program Specialist, Campus-Based Programs, Department of Education, Office of Postsecondary Education, 600 Independence Avenue SW., Room 3045, ROB-3, Washington, DC 20202 Phone: 202 708-4690

RIN: 1840-AC34

843. • FEDERAL FAMILY EDUCATION LOAN PROGRAM

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 20 USC 1071 to 1087-2

CFR Citation: 34 CFR 682

Legal Deadline: None

Abstract: The proposed regulations would clarify limitation on use of Guarantee Agency reserve funds and limit relationships between guaranty agencies and lenders and servers.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: George Harris, Program Specialist, Department of Education, Office of Postsecondary Education, 600 Independence Avenue SW., Room 3045, ROB-3, Washington, DC 20202 Phone: 202 708-8242

RIN: 1840-AC33

DEPARTMENT OF EDUCATION (ED)
Office of Postsecondary Education (OPE)
Completed Actions**844. STUDENT RIGHT-TO-KNOW ACT****Priority:** Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 34 CFR 668**Completed:**

Reason	Date	FR Cite
Final Action	12/01/95	60 FR 61776

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Paula Husselmann
Phone: 202 708-7888

RIN: 1840-AB44
**845. STUDENT ASSISTANCE
GENERAL PROVISIONS—ABILITY TO
BENEFIT (GUIDELINES TO ASSIST
INSTITUTIONS IN DETERMINING
STUDENT ELIGIBILITY FOR TITLE IV,
HEA STUDENT FINANCIAL
ASSISTANCE)**
Priority: Other Significant**CFR Citation:** 34 CFR 668**Completed:**

Reason	Date	FR Cite
Final Action	12/01/95	60 FR 61830

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Lorraine Kennedy
Phone: 202 708-7888

RIN: 1840-AB84
**846. STUDENT ASSISTANCE
GENERAL PROVISIONS - EQUITY IN
ATHLETICS DISCLOSURE ACT**
Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 34 CFR 668**Completed:**

Reason	Date	FR Cite
Final Action	11/29/95	60 FR 61424

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** David Lorenzo

Phone: 202 708-8654

RIN: 1840-AC14
**847. STUDENT FINANCIAL AID
IMPROVEMENTS (STUDENT
ASSISTANCE GENERAL PROV.,
DIRECT LOAN PROG., FEDERAL
FAMILY EDUCATION LOANS, PELL
GRANT, PERKINS LOAN, WORK
STUDY, & SUPP. EDUC. OPP. GRANT
PROGS)**
Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 34 CFR 668; 34 CFR 674;
34 CFR 675; 34 CFR 676; 34 CFR 682;
34 CFR 685; 34 CFR 690

Completed:

Reason	Date	FR Cite
Final Action	12/01/95	60 FR 61796

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Harold McCullough
Phone: 202 708-4690

RIN: 1840-AC20
**848. STUDENT ASSISTANCE
GENERAL PROVISIONS (DEFAULT
RATE DEFINITION)**
Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 34 CFR 668**Completed:**

Reason	Date	FR Cite
Final Action	12/01/95	60 FR 61760

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Douglas Laine
Phone: 202 708-9406

RIN: 1840-AC17
**849. WILLIAM D. FORD FEDERAL
DIRECT LOAN PROGRAM (INCOME
CONTINGENT REPAYMENT)**
Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 34 CFR 685**Completed:**

Reason	Date	FR Cite
Final Action	12/01/95	60 FR 61820

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Rachel Edelstein
Phone: 202 708-9406

RIN: 1840-AC19
**850. FEDERAL FAMILY EDUCATION
LOAN (FFEL) PROGRAM**
Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 34 CFR 682**Completed:**

Reason	Date	FR Cite
Final Action	12/01/95	60 FR 61750

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Barbara Bauman
Phone: 202 708-8242

RIN: 1840-AC21
**851. WILLIAM D. FORD FEDERAL
DIRECT LOAN PROGRAM**
Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 34 CFR 685**Completed:**

Reason	Date	FR Cite
Final Action	12/01/95	60 FR 61790

Small Entities Affected: None

ED—OPE

Completed Actions

Government Levels Affected: None Phone: 202 708-9406
Agency Contact: Katrina Ingalls RIN: 1840-AC22

DEPARTMENT OF EDUCATION (ED)

Proposed Rule Stage

Office of Special Education and Rehabilitative Services (OSERS)

852. • DISABILITY AND REHABILITATION RESEARCH PROGRAMS

Priority: Substantive, Nonsignificant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.
Legal Authority: 29 USC 761a
CFR Citation: 34 CFR 350; 34 CFR 351; 34 CFR 352; 34 CFR 353; 34 CFR 355; 34 CFR 357; 34 CFR 359; 34 CFR 360
Legal Deadline: None

Abstract: These regulations will streamline and consolidate a number of the Disability and Rehabilitation Research program regulations into one CFR part. The Department will remove unnecessary regulations and make the regulations easier to use.

Timetable:

Action	Date	FR Cite
NPRM	07/00/96	
Final Action	10/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Betty Jo Berland, Department of Education, Office of Special Education and Rehabilitative Services, 600 Independence Avenue SW., Room 3422, Switzer, Washington, DC 20202
 Phone: 202 205-9739
 TDD: 202 205-5516
RIN: 1820-AB38

853. THE STATE VOCATIONAL REHABILITATION SERVICES PROGRAM—EVALUATION STANDARDS AND PERFORMANCE INDICATORS

Priority: Other Significant
Legal Authority: PL 102-569
CFR Citation: 34 CFR 361
Legal Deadline: None

Abstract: These proposed revisions to existing regulations are needed because of changes in the authorizing legislation made by the Rehabilitation Act Amendments of 1992 (Pub. L. 102-569). The 1992 Amendments require the development of standards and performance indicators. The proposed regulations are being developed in accordance with the Department's Principles for Regulating.

Timetable:

Action	Date	FR Cite
ANPRM	02/19/93	58 FR 9458
NPRM	05/00/96	
Final Action	09/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Beverlee Stafford, Acting Director, Planning, Policy, and Evaluation Services, Department of Education, Office of Special Education and Rehabilitative Services, 600 Independence Avenue SW., Room 3014, Switzer Building, Washington, DC 20202-2531
 Phone: 202 205-8299
RIN: 1820-AB14

854. • REHABILITATION SERVICES DISCRETIONARY PROGRAMS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 29 USC 711(c); 29 USC 732; 29 USC 750; 29 USC 775; 29 USC 777(a) to 777(f); 29 USC 794(e); 29 USC 795(g)

CFR Citation: 34 CFR 369; 34 CFR 376; 34 CFR 380; 34 CFR 381

Legal Deadline: None

Abstract: These proposed revisions to the existing regulations are needed to reduce burden and incorporate the Department's Principles for Regulating.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Beverlee Stafford, Acting Director, Planning, Policy, and Evaluation Services, Department of Education, Office of Special Education and Rehabilitative Services, 600 Independence Avenue SW., Room 3014, Switzer Bldg., Washington, DC 20202-2550
 Phone: 202 205-8299
RIN: 1820-AB37

DEPARTMENT OF EDUCATION (ED)

Final Rule Stage

Office of Special Education and Rehabilitative Services (OSERS)

855. ELIMINATION OF REGULATIONS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

Legal Authority: 20 USC 1221e-3

CFR Citation: 34 CFR 302 et seq

Legal Deadline: None

Abstract: Elimination of these regulations reduces regulatory burden and increases flexibility.

Statement of Need: As a result of new legislation, absence of funding, and regulatory reinvention review, the

ED—OSERS

Final Rule Stage

Secretary has determined that these regulations are no longer needed.

Summary of the Legal Basis: The Secretary's general authority to rescind regulations is granted in section 410 of the General Education Provisions Act, as amended.

Alternatives: Not applicable

Anticipated Costs and Benefits:

Elimination of these regulations reduces regulatory burden and increases flexibility.

Risks: These regulations would not address a risk to public health, safety, or the environment.

Timetable:

Action	Date	FR Cite
Final Rule	05/23/95	60 FR 27223
Final Rule Effective	06/22/95	
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Kenneth C. Depew, General Attorney, Office of the General Counsel, Department of Education, Office of the General Counsel, 600 Independence Avenue SW., Room 5112, FB-10, Washington, DC 20202-2241

Phone: 202 401-8300

RIN: 1820-AB34

856. THE STATE VOCATIONAL REHABILITATION SERVICES PROGRAM

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 29 USC 711(e); PL 102-569

CFR Citation: 34 CFR 361

Legal Deadline: None

Abstract: These proposed revisions to existing regulations are needed to implement changes made to the Rehabilitation Act of 1973 by the Rehabilitation Act Amendments of 1992 and 1993. The changes include significant revisions in definitions, new definitions, new State plan

requirements, and new eligibility requirements for services. The proposed regulations would include regulatory provisions previously listed under RIN 1820-AB15. In accordance with the Department's Principles for Regulating, the proposed regulations would reduce unnecessary process requirements, give States increased flexibility in administering the program, and eliminate requirements that do not directly contribute to the achievement of the program's objectives.

Timetable:

Action	Date	FR Cite
NPRM	12/15/95	60 FR 64476
Final Action	11/00/96	

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Beverlee Stafford, Acting Director, Planning, Policy, and Evaluation Services, Department of Education, Office of Special Education and Rehabilitative Services, 600 Independence Avenue SW., Room 3014, Switzer Building, Washington, DC 20202-2550

Phone: 202 205-8299

RIN: 1820-AB12

857. THE STATE VOCATIONAL REHABILITATION SERVICES PROGRAM—ORDER OF SELECTION

Priority: Other Significant

Legal Authority: 29 USC 721(a)(5)(A); PL 102-569

CFR Citation: 34 CFR 361

Legal Deadline: None

Abstract: These amendments to existing regulations are needed because of changes in the authorizing legislation made by the Rehabilitation Act Amendments of 1992 (Pub. L. 102-569). The statute requires promulgation of specific regulations regarding the order of selection of eligible disabled individuals for services. The regulations are being developed in accordance with the Department's Principles for Regulating.

Timetable:

Action	Date	FR Cite
NPRM	07/16/93	58 FR 38482
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Beverlee Stafford, Acting Director, Planning, Policy, and Evaluation Services, Department of Education, Office of Special Education and Rehabilitative Services, 600 Independence Avenue SW., Room 3014, Switzer Building, Washington, DC 20202-2550

Phone: 202 205-8299

RIN: 1820-AB13

858. PROJECTS WITH INDUSTRY

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 20 USC 795g; 29 USC 711(c)

CFR Citation: 34 CFR 379

Legal Deadline: None

Abstract: Proposed changes to the regulations are needed to address implementation problems and to improve program effectiveness. Sections of the regulations that are to be revised include the selection criteria, application content, and grantee reporting requirements. These proposed changes are being developed in accordance with the Department's Principles for Regulating.

Timetable:

Action	Date	FR Cite
NPRM	01/22/96	61 FR 1672
Final Action	08/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Beverlee Stafford, Acting Director, Planning, Policy and Evaluation Services, Department of Education, Office of Special Education and Rehabilitative Services, 600 Independence Avenue SW., Room 3014, Switzer Bldg., Washington, DC 20202-2531

Phone: 202 205-8299

RIN: 1820-AB33

DEPARTMENT OF EDUCATION (ED)

Completed Actions

Office of Special Education and Rehabilitative Services (OSERS)

859. STATE GRANTS PROGRAM FOR TECHNOLOGY-RELATED ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 34 CFR 345

Completed:

Reason	Date	FR Cite
Final Action	03/04/96	61 FR 8158

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Carol G. Cohen
Phone: 202 205-5666

RIN: 1820-AB28

860. VOCATIONAL REHABILITATION SERVICE PROJECTS FOR AMERICAN INDIANS WITH LEARNING DISABILITIES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in

the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 34 CFR 371

Completed:

Reason	Date	FR Cite
Final Action	11/24/95	60 FR 58136

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Beverlee Stafford
Phone: 202 205-8299

RIN: 1820-AB32

DEPARTMENT OF EDUCATION (ED)

Completed Actions

Office of Vocational and Adult Education (OVAE)

861. STATE VOCATIONAL AND APPLIED TECHNOLOGY EDUCATION PROGRAMS AND NATIONAL DISCRETIONARY PROGRAMS OF VOCATIONAL EDUCATION; ADULT EDUCATION; AND STEWART B. MCKINNEY HOMELESS ASSISTANCE PROGRAMS

Priority: Other

CFR Citation: 34 CFR 50(d)(2); 34 CFR 400.4(b); 34 CFR 400.6(a)(5); 34 CFR

403.15(a); 34 CFR 403.32(b)(10); 34 CFR 403.112(b)(1); 34 CFR 403.114(a)(1)(iv); 34 CFR 403.117(b)(1); 34 CFR 425.3(a)(3)

Completed:

Reason	Date	FR Cite
Withdrawn	02/06/96	

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Sharon A. Jones
Phone: 202 205-8237

RIN: 1830-AA15

DEPARTMENT OF EDUCATION (ED)

Long-Term Actions

Office of Intergovernmental and Interagency Affairs (EDSI)

862. U.S. EXCHANGE VISITOR PROGRAM—REQUEST FOR WAIVER OF THE TWO-YEAR FOREIGN RESIDENCE REQUIREMENT

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 8 USC 1182(e); 20 USC 2451 et seq

CFR Citation: 34 CFR 50

Legal Deadline: None

Abstract: By law the Department of Education may request waiver--by the Attorney General--of a requirement affecting exchange visitors under the Mutual Educational and Cultural Exchange Program. These regulations simplify and clarify procedures, criteria, and other policies governing an institution's or organization's application to the Department for a waiver on behalf of an exchange visitor employed by the institution or organization.

Timetable:

Action	Date	FR Cite
NPRM	03/01/93	58 FR 11924
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: Janet Johnson, Management & Research Specialist, International and Territorial Services Staff, Department of Education, Office of Intergovernmental and Interagency Affairs, 600 Independence Avenue SW., Room 2115, FB-10, Washington, DC 20202-3601
Phone: 202 401-0430

RIN: 1860-AA02

DEPARTMENT OF EDUCATION (ED)**Completed Actions****Office of Intergovernmental and Interagency Affairs (EDSI)****863. ADVISORY COMMITTEE
MANAGEMENT REGULATIONS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

CFR Citation: 34 CFR 11**Completed:**

Reason	Date	FR Cite
Withdrawn	02/21/96	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Ann Bailey
Phone: 202 401-3677**RIN:** 1860-AA03

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