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Monday  
May 8, 1995

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**Part VI**

**Department of  
Education**

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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:** Publication of the semiannual agenda of Federal regulations.

**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 of 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 (ED) 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 2, 1995.

**Judith A. Winston,**  
General Counsel.

ED

Departmental Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
924	Amendment to Education Department General Administrative Regulations .....	1880-AA62
925	Student Rights in Research, Experimental Programs, and Testing .....	1880-AA66
926	Family Educational Rights and Privacy .....	1880-AA65

Departmental Management—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
927	Education Department General Administrative Regulations .....	1880-AA64
928	State-Administered Programs in Federal, State and Local Partnership for Educational Improvement .....	1880-AA59
929	Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (Thresholds) .....	1880-AA63
930	Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants) Student Asst. Gen. Prov. and Fed. Family Education Loan Programs .....	1880-AA51

Departmental Management—Completed/Longterm Actions

Sequence Number	Title	Regulation Identifier Number
931	Supplemental Standards of Ethical Conduct for Employees of the Department of Education: Prior Approval for Outside Activities and Employment .....	1880-AA60
932	Education Department General Administrative Regulations—Amendment III .....	1880-AA50
933	Education Department General Administrative Regulations—Unsolicited Applications .....	1880-AA61
934	Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments ...	1880-AA53
935	General Education Provisions Act—Enforcement: Proportionality and Equitable Offsets (GEPA) .....	1880-AA56
936	New Restrictions on Lobbying .....	1880-AA48
937	Family Educational Rights and Privacy .....	1880-AA57

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

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

Office for Civil Rights—Completed/Longterm Actions

Sequence Number	Title	Regulation Identifier Number
939	Nondiscrimination on the Basis of Sex in Education Programs and Activities Receiving or Benefiting From Federal Financial Assistance .....	1870-AA06

Office of Elementary and Secondary Education—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
940	Improving Basic Programs Operated by Local Educational Agencies .....	1810-AA73
941	Safe and Drug-Free Schools Program—Family and Community Endeavor Schools Program .....	1810-AA75

ED

Office of Elementary and Secondary Education—Completed/Longterm Actions

Sequence Number	Title	Regulation Identifier Number
942	Goals 2000: Educate America Act .....	1810-AA72

Office of Postsecondary Education—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
943	Student Right-to-Know Act .....	1840-AB44

Office of Postsecondary Education—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
944	Student Assistance General Provisions—Ability To Benefit (Guidelines To Assist Institutions in Determining Student Eligibility for Title IV, HEA Student Financial Assistance) .....	1840-AB84
945	Student Assistance General Provisions - Equity in Athletics Disclosure Act .....	1840-AC14

Office of Postsecondary Education—Completed/Longterm Actions

Sequence Number	Title	Regulation Identifier Number
946	Institutional Eligibility; Student Assistance General Provisions; Federal Family Education Loan Program .....	1840-AB87
947	Strengthening Institutions Program .....	1840-AC15
948	Upward Bound Program .....	1840-AC02
949	Student Support Services Program .....	1840-AC03
950	Ronald E. McNair Postbaccalaureate Achievement .....	1840-AB65
951	Student Assistance General Provisions, Federal Perkins Loan Program, Federal Work-Study Program, and Federal Supplemental Educational Opportunity Grant Program .....	1840-AB71
952	Student Assistance General Provisions and Federal Family Education Loan Programs—Third-Party Servicers .....	1840-AB80
953	Student Assistance General Provisions—Subparts A and B .....	1840-AB85
954	Student Assistance General Provisions—Verification of Student Aid Application Information .....	1840-AC10
955	Student Assistance General Provisions—Cash Management .....	1840-AC13
956	Federal Family Education Loan Program—Guaranty Agency Reserves .....	1840-AC06
957	Federal Family Education Loan Program—State Share of Default Costs .....	1840-AC09
958	Federal Family Education Loan Program—Conforming Amendments With Federal Direct Student Loan Program .....	1840-AC12
959	William D. Ford Federal Direct Loan Program .....	1840-AC05
960	Federal Pell Grant Program; Presidential Access Scholarship Program .....	1840-AB73

Office of Special Education and Rehabilitative Services—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
961	State Grants Program for Technology-Related Assistance for Individuals With Disabilities .....	1820-AB28
962	State Vocational Rehabilitation Services Program .....	1820-AB12
963	State Vocational Rehabilitation Services Program—Evaluation Standards and Performance Indicators .....	1820-AB14

ED

Office of Special Education and Rehabilitative Services—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
964	State Vocational Rehabilitation Services Program—Order of Selection .....	1820-AB13
965	Centers for Independent Living—Evaluation Standards and Compliance Indicators .....	1820-AA81
966	Client Assistance Program .....	1820-AB16

Office of Special Education and Rehabilitative Services—Completed/Longterm Actions

Sequence Number	Title	Regulation Identifier Number
967	Disability and Rehabilitation Research; General Provisions; Research and Demonstration Projects; Rehabilitation Research and Training Centers; Rehabilitation Engineering Research Centers .....	1820-AB01

Office of Vocational and Adult Education—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
968	State Vocational and Applied Technology Education Programs and National Discretionary Programs of Vocational Education .....	1830-AA15
969	Adult Education Programs .....	1830-AA16
970	Adult Education for the Homeless Program .....	1830-AA17

Office of Vocational and Adult Education—Completed/Longterm Actions

Sequence Number	Title	Regulation Identifier Number
971	School-to-Work Opportunities Program .....	1830-AA14

Office of Intergovernmental and Interagency Affairs—Final Rule Stage

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

Office of the General Counsel—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
973	Supplemental Standards of Ethical Conduct for Employees of the Department of Education: Prior Approval for Outside Activities and Employment .....	1801-AA09

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

**Proposed Rule Stage**

**924. AMENDMENT TO EDUCATION DEPARTMENT GENERAL ADMINISTRATIVE REGULATIONS**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 20 USC 1221e-3(a)(1)  
**CFR Citation:** 34 CFR 75  
**Legal Deadline:** None

**Abstract:** The proposed amendment broadens the criteria the Secretary considers in determining the order in which discretionary grant applications will be selected for funding. Specifically the proposed amendment expands 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 all previous Department of Education grant programs. Currently the criteria include only past use of funds under the same grant programs. The proposed amendment will also clarify that the deadline date for the receipt of application is the date that the application is received at the Department, not the postmark date.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
Final Action	07/00/95	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** **Ronnelle Holloman**, Office of the Chief Financial Officer, Grant and Contract Service, Department of Education, 600 Independence Avenue SW., Room 3636, ROB-3, Washington, DC 20202-4700, **202 205-3501**

**RIN:** 1880-AA62

**925. • STUDENT RIGHTS IN RESEARCH, EXPERIMENTAL PROGRAMS, AND TESTING**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 20 USC 1232h  
**CFR Citation:** 34 CFR 098  
**Legal Deadline:** None

**Abstract:** The regulations are needed to implement section 1017 of the Goals 2000: Educate America Act, P.L. 103-227, 20 U.S.C section 1232h. The 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 PPRA to prohibit schools from requiring a student to submit to certain surveys, analyses, or evaluations, absent prior parental consent.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
Final Action	00/00/00	

**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, **202 260-3887**

**RIN:** 1880-AA66

**926. • FAMILY EDUCATIONAL RIGHTS AND PRIVACY**

**Priority:** Substantive, Nonsignificant  
**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:** The regulations are needed to implement section 444 of the Improving America's Schools Act of 1994, P.L. 103-761. The provision amends the Family Educational Rights and Privacy Act (FERPA) to set forth 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 amends the requirement that schools notify parents or students prior to complying with a subpoena or court order by removing that requirement in certain law enforcement instances.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
Final Action	08/00/95	

**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, **202 260-3887**

**RIN:** 1880-AA65

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

**Final Rule Stage**

**927. • EDUCATION DEPARTMENT GENERAL ADMINISTRATIVE REGULATIONS**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 20 USC 1231; 20 USC 1231b2; 20 USC 1231g; 20 USC 1231(g)(a); 20 USC 1232e(b)(4); 20 USC 1232f; 20 USC 1234a

**CFR Citation:** 34 CFR 75.125; 34 CFR 76.401(d)(b); 34 CFR 76.101; 34 CFR 76.103; 34 CFR 76.301; 34 CFR 76.734;

34 CFR 75.734; 34 CFR 81.24; 34 CFR 81.27; 34 CFR 81.33

**Legal Deadline:** None

**Abstract:** These proposed regulations would amend various sections in parts 75, 76, and 81 to implement certain provisions of the Improving America's Schools Act (IASA).

**Timetable:**

Action	Date	FR Cite
Final Action	06/00/95	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** **Ronelle Holloman**, Grants and Contracts Service, Office of the Chief Financial Officer, Department of Education, 600 Independence Avenue SW., Room 3636, ROB-3, Washington, DC 20202-4700, **202 205-3501**

**RIN:** 1880-AA64

ED—EDMAN

Final Rule Stage

**928. STATE-ADMINISTERED PROGRAMS IN FEDERAL, STATE AND LOCAL PARTNERSHIP FOR EDUCATIONAL IMPROVEMENT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 20 USC 1221e to 3(a)(1); 20 USC 1221e to 2831(a); 20 USC 1221e to 2974(b); 20 USC 1221e to 3474; 31 USC 6503

**CFR Citation:** 34 CFR 76; 34 CFR 298

**Legal Deadline:** None

**Abstract:** These regulations make changes that limit the interest liability of the Department under the Cash Management Improvement Act of 1990 (CMIA) in cases when the Department is late in making an initial payment under a State-administered program because a State failed to submit a plan or other required document in a timely fashion. Also, because granting pre-award costs would result in significant interest liabilities under the CMIA, the preamble to the regulations notifies States that the Department will no longer grant pre-award costs to a State that fails to submit a substantially approvable State plan by the date established for the submission of the plan.

**Timetable:**

Action	Date	FR Cite
NPRM	12/16/93	58 FR 65856
NPRM Comment Period End	01/18/94	
Final Action	04/00/95	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State

**Agency Contact:** Peter Wathen-Dunn, General Attorney, Department of Education, 600 Independence Avenue SW., Room 4434, FB-10, Washington, DC 20202-2110, **202 401-3690**

**RIN:** 1880-AA59

**929. • UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS (THRESHOLDS)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 20 USC 1221e-3(a)(1); 20 USC 3474, (OMB Circular A-102)

**CFR Citation:** 34 CFR 080

**Legal Deadline:** None

**Abstract:** These regulations amend part 80 to raise the dollar threshold for simplified procedures for small purchases by State and local grantees.

**Timetable:**

Action	Date	FR Cite
NPRM	10/25/94	59 FR 53706
Final Action	04/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local

**Agency Contact:** Greg Vick, Grants and Contracts Service, Office of the Chief Financial Officer, Department of Education, 600 Independence Avenue SW., Room 3636, ROB-3, Washington, DC 20202-4700, **202 708-8199**

**RIN:** 1880-AA63

**930. GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT) AND GOVERNMENTWIDE REQUIREMENTS FOR DRUG-FREE WORKPLACE (GRANTS) STUDENT ASST. GEN. PROV. AND FED. FAMILY EDUCATION LOAN PROGRAMS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 20 USC 1085; 20 USC 1088; 20 USC 1091; 20 USC 1092; 20 USC 1094; 20 USC 1099c; 20 USC 1141; 20 USC 1071 to 1087-2; 20 USC

1221e-3; 20 USC 3474; EO 12549; EO 12689

**CFR Citation:** 34 CFR 85; 34 CFR 668; 34 CFR 682

**Legal Deadline:** None

**Abstract:** These regulations implement Executive Order 12689, which requires agency debarment and suspension actions under procurement or nonprocurement activities to have reciprocal Governmentwide effect. The regulations also clarify the policy and procedures that affect both Governmentwide debarment and suspension and actions affecting participation of institutions of higher education, lenders, and third-party servicers in student financial assistance programs under Title IV of the Higher Education Act of 1965, as amended.

**Timetable:**

Action	Date	FR Cite
NPRM	12/20/94	59 FR 65605
Final Action	04/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Mary Jane Kane, Grants and Contracts Service, Office of the Chief Financial Officer, Department of Education, 600 Independence Avenue SW., Room 3636, ROB-3, Washington, DC 20202-4700, **202 708-7802**

**RIN:** 1880-AA51

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

**Completed/Longterm Actions**

**931. SUPPLEMENTAL STANDARDS OF ETHICAL CONDUCT FOR EMPLOYEES OF THE DEPARTMENT OF EDUCATION: PRIOR APPROVAL FOR OUTSIDE ACTIVITIES AND EMPLOYMENT**

**Completed:**

Reason	Date	FR Cite
Withdrawn - Duplicate	02/07/95	
of RIN	1801-AA09	

**RIN:** 1880-AA60

**932. EDUCATION DEPARTMENT GENERAL ADMINISTRATIVE REGULATIONS—AMENDMENT III**

**CFR Citation:** 34 CFR 075; 34 CFR 076

**Completed:**

Reason	Date	FR Cite
Final Action	11/17/94	59 FR 59578

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Glenn Riley, **202 708-7640**

**RIN:** 1880-AA50

ED—EDMAN

Completed/Longterm Actions

**933. EDUCATION DEPARTMENT  
GENERAL ADMINISTRATIVE  
REGULATIONS—UNSOLICITED  
APPLICATIONS**

CFR Citation: 34 CFR 75

**Completed:**

Reason	Date	FR Cite
Final Action	03/03/95	60 FR 12096

**Small Entities Affected:** Undetermined

**Government Levels Affected:**  
Undetermined

**Agency Contact: Greg Vick, 202 708-8199**

RIN: 1880-AA61

**934. UNIFORM ADMINISTRATIVE  
REQUIREMENTS FOR GRANTS AND  
COOPERATIVE AGREEMENTS TO  
STATE AND LOCAL GOVERNMENTS**

CFR Citation: 34 CFR 080

**Completed:**

Reason	Date	FR Cite
Final Action	04/19/95	60 FR 19638
Final Action Effective	05/19/95	60 FR 19638

**Small Entities Affected:** None

**Government Levels Affected:** State,  
Local

**Agency Contact: Greg Vick, 202 708-8199**

RIN: 1880-AA53

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

CFR Citation: 34 CFR 81

**Completed:**

Reason	Date	FR Cite
Withdrawn	04/01/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact: Theodore Sky, 202 401-2605**

RIN: 1880-AA56

**936. NEW RESTRICTIONS ON  
LOBBYING**

CFR Citation: 34 CFR 082

**Completed:**

Reason	Date	FR Cite
Withdrawn - No action anticipated within the next 12 months.	04/01/95	

**Small Entities Affected:** None

**Government Levels Affected:** State,  
Local

**Agency Contact: Greg Vick, 202 708-8199**

RIN: 1880-AA48

**937. FAMILY EDUCATIONAL RIGHTS  
AND PRIVACY**

CFR Citation: 34 CFR 099

**Completed:**

Reason	Date	FR Cite
Final Action	01/17/95	60 FR 3464

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact: LeRoy Rooker, 202 260-3887**

RIN: 1880-AA57

DEPARTMENT OF EDUCATION (ED)

Proposed Rule Stage

Office of Bilingual Education and Minority Languages Affairs (OBEMLA)

**938. • BILINGUAL EDUCATION  
GRADUATE FELLOWSHIP PROGRAM**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 20 USC 7475; PL 103-382

CFR Citation: 34 CFR 535

**Legal Deadline:** None

**Abstract:** These regulations incorporate statutory requirements and provide

rules for applying for and the spending of Federal funds provided under this program, which has expanded to include post-doctoral fellowships.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
Final Action	10/00/95	

**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, **202 205-9727**

RIN: 1885-AA20

DEPARTMENT OF EDUCATION (ED)

Completed/Longterm Actions

Office for Civil Rights (OCR)

**939. NONDISCRIMINATION ON THE  
BASIS OF SEX IN EDUCATION  
PROGRAMS AND ACTIVITIES  
RECEIVING OR BENEFITING FROM  
FEDERAL FINANCIAL ASSISTANCE**

CFR Citation: 34 CFR 106

**Completed:**

Reason	Date	FR Cite
Withdrawn	04/01/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact: Jeanette J. Lim, 202 205-8635**

RIN: 1870-AA06

## DEPARTMENT OF EDUCATION (ED)

Proposed Rule Stage

## Office of Elementary and Secondary Education (OESE)

**940. IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATIONAL AGENCIES****Priority:** Regulatory Plan**Legal Authority:** PL 103-382**CFR Citation:** 34 CFR 200**Legal Deadline:** Final, Statutory, July 1, 1995.

**Abstract:** Title I of the Elementary and Secondary Education Act of 1965, recently reauthorized by the Improving America's Schools Act of 1994 (Pub. L. 103-382, enacted October 20, 1994), was landmark legislation that responded to the need for extra resources to equalize educational opportunities for children in high-poverty schools. Over the years, Title I has helped raise the performance of disadvantaged children, encouraged parents to become engaged in their children's schooling, equalized local expenditures in high-poverty schools with those of other schools in the district, and provided supplemental services.

**Statement of Need:** These regulations for part A of title I are the most significant affected by reauthorization of the ESEA by the Improving America's School Act of 1994. Regulatory negotiation is required by statute for the development of these regulations, and a statutory deadline of July 1, 1995 is established for publication of final regulations. Title I supports new roles for schools, districts, States and the Federal

Government that will be reflected in the regulations.

**Alternatives:** The Secretary is now considering alternatives to regulations in all appropriate circumstances.

**Anticipated Costs and Benefits:** To the extent regulations are necessary to implement part A of Title I, consistent with Executive Order 12866, they are expected to impose minimal requirements essential to ensure the proper expenditure of Federal funds and efficient and effective operation of the program. A more exact estimate of the anticipated costs and benefits will be made after the scope of the necessary regulations is determined.

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

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
Final Action	07/00/95	

**Small Entities Affected:** None**Government Levels Affected:** State, Local

**Agency Contact:** Wendy Jo New, Compensatory Education Programs, Department of Education, Office of Elementary and Secondary Education, 600 Independence Avenue SW., Room 4400, Portals Building, Washington, DC 20202, **202 260-0982**

**RIN:** 1810-AA73**941. • SAFE AND DRUG-FREE SCHOOLS PROGRAM—FAMILY AND COMMUNITY ENDEAVOR SCHOOLS PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 13792; 42 USC 13793**CFR Citation:** 34 CFR 239**Legal Deadline:** None

**Abstract:** The Violent Crime Control and Law Enforcement Act of 1994 authorizes the Family and Community Endeavor Schools Grant Program and directs the Secretary to define the criteria necessary to qualify as an eligible community. The regulations specify criteria for eligible communities and selection criteria by which applications will be reviewed.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
Final Action	00/00/00	

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

**Agency Contact:** Charlotte D. Gillespie, Safe and Drug-Free Schools Program, Department of Education, Office of Elementary and Secondary Education, 600 Independence Avenue SW., Room 4006, Portals Bldg., Washington, DC 20202-6123, **202 260-3954**

**RIN:** 1810-AA75

## DEPARTMENT OF EDUCATION (ED)

Completed/Longterm Actions

## Office of Elementary and Secondary Education (OESE)

**942. GOALS 2000: EDUCATE AMERICA ACT****CFR Citation:** None**Completed:**

Reason	Date	FR Cite
Withdrawn	04/01/95	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Kenneth C. Depew, **202 401-8300****RIN:** 1810-AA72

## DEPARTMENT OF EDUCATION (ED)

Proposed Rule Stage

## Office of Postsecondary Education (OPE)

**943. STUDENT RIGHT-TO-KNOW ACT****Priority:** Regulatory Plan**Legal Authority:** 20 USC 1092**CFR Citation:** 34 CFR 668**Legal Deadline:** None

**Abstract:** These regulations implement the provisions of the Student Right-to-Know Act. This Act requires the disclosure by an institution of its graduation rate on an annual basis. The act also requires enrollment information and graduation rate

information about the institution's athletes.

**Statement of Need:** The Student Right-to-Know Act expands the types of consumer information that institutions of higher education must disclose. The regulations implementing the Act

ED—OPE

Proposed Rule Stage

would require institutions of higher education participating in any program authorized by Title IV of the Higher Education Act of 1965, as amended, to collect and disclose graduation and transfer rates to both current and prospective students. These proposed regulations will (1) assist students and their families to make more informed decisions about which institutions a student should attend; (2) allow institutions to better evaluate the effectiveness of their programs; and (3) propose a uniform methodology for the collection of graduation and transfer rates.

**Alternatives:** Regulations are necessary to implement the statutory requirements. The Secretary has some flexibility with regard to the scope of the information required under the

disclosure requirement. On July 10, 1992, the Secretary published proposed regulations and received numerous comments from the academic community. These comments will be incorporated in a second set of proposed regulations.

**Anticipated Costs and Benefits:** The costs associated with these regulations will be those for recordkeeping and disclosure of the information on graduation and transfer rates. In implementing the statutory requirements and providing information to consumers, the Secretary will work with the postsecondary education community to minimize costs for institutions to the extent possible.

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

**Timetable:**

Action	Date	FR Cite
NPRM	07/10/92	57 FR 30826
NPRM Comment Period End	08/24/92	
NPRM	04/00/95	
Final Action	07/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Paula Husselmann, General Provisions Branch, Department of Education, Office of Postsecondary Education, 600 Independence Avenue SW., Room 4318, ROB-3, Washington, DC 20202, **202 708-7888**

**RIN:** 1840-AB44

DEPARTMENT OF EDUCATION (ED)

Final Rule Stage

Office of Postsecondary Education (OPE)

**944. 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

**Legal Authority:** 20 USC 1085; 20 USC 1088; 20 USC 1091; 20 USC 1092; 20 USC 1094; 20 USC 1141

**CFR Citation:** 34 CFR 668

**Legal Deadline:** None

**Abstract:** These regulations implement guidelines for institutions to determine student eligibility by administering an ability to benefit test and include a cumulative list of approved Ability-To-Benefit Examinations, as provided by the Higher Education Amendments of 1992 (Pub. L. 102-325, enacted July 23, 1992).

**Timetable:**

Action	Date	FR Cite
NPRM	08/16/94	59 FR 42134

Action	Date	FR Cite
NPRM Comment Period End	10/17/94	
Final Action	04/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Lorraine Kennedy, Program Analyst, Student Eligibility and Verification Section, Department of Education, Office of Postsecondary Education, 600 Independence Avenue SW., Room 4318, ROB-3, Washington, DC 20202, **202 708-4601**

**RIN:** 1840-AB84

**945. • STUDENT ASSISTANCE GENERAL PROVISIONS - EQUITY IN ATHLETICS DISCLOSURE ACT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 20 USC 1085; 20 USC 1088; 20 USC 1091; 20 USC 1092; 20 USC 1094; 20 USC 1099c; 20 USC 1141

**CFR Citation:** 34 CFR 668

**Legal Deadline:** None

**Abstract:** These regulations are necessary to implement a new

requirement in the Higher Education Act of 1965, as amended (HEA), recently added by the Improving America's Schools Act of 1994 (IASA). The statute requires certain coeducational institutions of higher education to prepare--and make available to students, potential students, and the public--a report on participation rates, financial support, and other information on men's and women's intercollegiate athletic programs.

**Timetable:**

Action	Date	FR Cite
NPRM	02/03/95	60 FR 6940
Final Action	04/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Paula Husselmann, General Provisions Branch, Department of Education, Office of Postsecondary Education, 600 Independence Avenue SW., Room 4318, ROB-3, Washington, DC 20202, **202 708-7888**

**RIN:** 1840-AC14

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

**Completed/Longterm Actions**

**946. INSTITUTIONAL ELIGIBILITY;  
 STUDENT ASSISTANCE GENERAL  
 PROVISIONS; FEDERAL FAMILY  
 EDUCATION LOAN PROGRAM**

**CFR Citation:** 34 CFR 600; 34 CFR 668;  
 34 CFR 682

**Completed:**

Reason	Date	FR Cite
Final Action	11/29/94	59 FR 61142

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Cheryl Leibovitz, 202  
 708-7888

**RIN:** 1840-AB87

**947. • STRENGTHENING  
 INSTITUTIONS PROGRAM**

**Legal Authority:** 20 USC 1057 to 1059;  
 20 USC 1066 to 1069f

**CFR Citation:** 34 CFR 607

**Legal Deadline:** None

**Abstract:** These regulations revise the regulations governing the Strengthening Institutions Program to conform them to statutory provisions that authorize grants to Hispanic-Serving Institutions. These regulations make technical changes in existing regulations to incorporate statutory amendments.

**Timetable:**

Action	Date	FR Cite
Final Action	03/23/95	60 FR 15446

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Caroline Gillin,  
 Division of Institutional Development,  
 Department of Education, Office of  
 Postsecondary Education, 600  
 Independence Avenue SW., Suite 600,  
 Portals Bldg., Washington, DC 20202-  
 5250, 202 708-8816

**RIN:** 1840-AC15

**948. UPWARD BOUND PROGRAM**

**CFR Citation:** 34 CFR 645

**Completed:**

Reason	Date	FR Cite
Final Action	01/24/95	60 FR 4748

**Small Entities Affected:** Organizations

**Government Levels Affected:** Federal

**Agency Contact:** Richard T.  
 Sonnergren, Director, 202 708-4804

**RIN:** 1840-AC02

**949. STUDENT SUPPORT SERVICES  
 PROGRAM**

**CFR Citation:** 34 CFR 646

**Completed:**

Reason	Date	FR Cite
Withdrawn	04/01/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Richard T.  
 Sonnergren, Director, 202 708-4804

**RIN:** 1840-AC03

**950. RONALD E. MCNAIR  
 POSTBACCALAUREATE  
 ACHIEVEMENT**

**CFR Citation:** 34 CFR 647

**Completed:**

Reason	Date	FR Cite
Final Action	08/25/94	59 FR 43986

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Richard T.  
 Sonnergren, 202 708-4804

**RIN:** 1840-AB65

**951. STUDENT ASSISTANCE  
 GENERAL PROVISIONS, FEDERAL  
 PERKINS LOAN PROGRAM, FEDERAL  
 WORK-STUDY PROGRAM, AND  
 FEDERAL SUPPLEMENTAL  
 EDUCATIONAL OPPORTUNITY  
 GRANT PROGRAM**

**CFR Citation:** 34 CFR 668; 34 CFR 674;  
 34 CFR 675; 34 CFR 676

**Completed:**

Reason	Date	FR Cite
Final Action	11/30/94	59 FR 61392

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Susan Morgan, 202  
 708-4690

**RIN:** 1840-AB71

**952. STUDENT ASSISTANCE  
 GENERAL PROVISIONS AND  
 FEDERAL FAMILY EDUCATION LOAN  
 PROGRAMS—THIRD-PARTY  
 SERVICERS**

**CFR Citation:** 34 CFR 600; 34 CFR 668;  
 34 CFR 682

**Completed:**

Reason	Date	FR Cite
Final Action	11/29/94	59 FR 61142

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Joyce Coates, 202  
 708-7888

**RIN:** 1840-AB80

**953. STUDENT ASSISTANCE  
 GENERAL PROVISIONS—SUBPARTS  
 A AND B**

**CFR Citation:** 34 CFR 600; 34 CFR 668;  
 34 CFR 682

**Completed:**

Reason	Date	FR Cite
Final Action	11/29/94	59 FR 61142

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Cheryl Leibovitz, 202  
 708-7888

**RIN:** 1840-AB85

**954. STUDENT ASSISTANCE  
 GENERAL PROVISIONS—  
 VERIFICATION OF STUDENT AID  
 APPLICATION INFORMATION**

**CFR Citation:** 34 CFR 668

**Completed:**

Reason	Date	FR Cite
Final Action	11/29/94	59 FR 61204

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Lorraine Kennedy,  
 202 708-4601

**RIN:** 1840-AC10

**955. STUDENT ASSISTANCE  
 GENERAL PROVISIONS—CASH  
 MANAGEMENT**

**CFR Citation:** 34 CFR 668

**Completed:**

Reason	Date	FR Cite
Final Action	12/01/94	59 FR 61716

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** John Kolotos, 202  
 708-7888

**RIN:** 1840-AC13

**956. FEDERAL FAMILY EDUCATION  
 LOAN PROGRAM—GUARANTY  
 AGENCY RESERVES**

**CFR Citation:** 34 CFR 682

ED—OPE

Completed/Longterm Actions

Completed:

Reason	Date	FR Cite
Final Action	11/25/94	59 FR 60688

**Small Entities Affected:** Organizations

**Government Levels Affected:** State

**Agency Contact:** Donald M. Feuerstein, 202 401-2280

**RIN:** 1840-AC06

**957. FEDERAL FAMILY EDUCATION LOAN PROGRAM—STATE SHARE OF DEFAULT COSTS**

**CFR Citation:** 34 CFR 682

Completed:

Reason	Date	FR Cite
Final Action	11/30/94	59 FR 61424

**Small Entities Affected:** Organizations

**Government Levels Affected:** State

**Agency Contact:** Ralph Madden, 202 401-2280

**RIN:** 1840-AC09

**958. FEDERAL FAMILY EDUCATION LOAN PROGRAM—CONFORMING AMENDMENTS WITH FEDERAL DIRECT STUDENT LOAN PROGRAM**

**CFR Citation:** 34 CFR 682

Completed:

Reason	Date	FR Cite
Final Action	11/30/94	59 FR 61210

**Small Entities Affected:** Organizations

**Government Levels Affected:** State

**Agency Contact:** Barbara Bauman, 202 708-8242

**RIN:** 1840-AC12

**959. WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM**

**CFR Citation:** 34 CFR 685

Completed:

Reason	Date	FR Cite
Final Action	12/01/94	59 FR 61664

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Rachel Edelstein, 202 708-9406

**RIN:** 1840-AC05

**960. FEDERAL PELL GRANT PROGRAM; PRESIDENTIAL ACCESS SCHOLARSHIP PROGRAM**

**CFR Citation:** 34 CFR 690; 34 CFR 691

Completed:

Reason	Date	FR Cite
Final Action	11/01/94	59 FR 54718

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** Fred H. Sellers, 202 708-4607

**RIN:** 1840-AB73

DEPARTMENT OF EDUCATION (ED)

Proposed Rule Stage

Office of Special Education and Rehabilitative Services (OSERS)

**961. • STATE GRANTS PROGRAM FOR TECHNOLOGY-RELATED ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 29 USC 2201 to 2217

**CFR Citation:** 34 CFR 345

**Legal Deadline:** None

**Abstract:** These regulations authorize NIDRR to provide grants to States to support systems change and advocacy activities designed to assist States in developing and implementing consumer-responsive comprehensive Statewide Programs of technology-related assistance. These regulations are also needed to implement the Technology-Related Assistance for Individuals with Disabilities Act Amendments of 1994.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Carol G. Cohen, Project Officer, Department of

Education, Office of Special Education and Rehabilitative Services, 600 Independence Avenue SW., Room 3420, Switzer Building, Washington, DC 20202-5251, 202 205-5666

**RIN:** 1820-AB28

**962. STATE VOCATIONAL REHABILITATION SERVICES PROGRAM**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 34 CFR 361

**Legal Deadline:** None

**Abstract:** This action is needed to revise existing regulations to implement changes made to the Rehabilitation Act of 1973 by the Rehabilitation Act Amendments of 1992. Those changes include significant revisions in definitions, new definitions, new State plan requirements, and new eligibility requirements for services. These regulations include the regulatory provisions previously listed under RIN 1820-AB15.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
Final Action	09/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local

**Agency Contact:** Beverlee Stafford, Special Assistant to the Commissioner, Department of Education, Office of Special Education and Rehabilitative Services, 600 Independence Avenue SW., Room 3028, Switzer Building, Washington, DC 20202-2531, 202 205-5482

**RIN:** 1820-AB12

**963. STATE VOCATIONAL REHABILITATION SERVICES PROGRAM—EVALUATION STANDARDS AND PERFORMANCE INDICATORS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 102-569

**CFR Citation:** 34 CFR 361

**Legal Deadline:** None

**Abstract:** This action is needed to revise existing regulations due to

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## Proposed Rule Stage

changes in authorizing legislation made by the Rehabilitation Act Amendments of 1992 (Pub. L. 102-569). Amendments require the development of standards and performance indicators.

**Timetable:**

Action	Date	FR Cite
ANPRM	02/19/93	58 FR 9458

Action	Date	FR Cite
NPRM	06/00/95	
Final Action	10/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Beverlee Stafford,  
Special Assistant to the Commissioner,

Department of Education, Office of Special Education and Rehabilitative Services, 600 Independence Avenue SW., Room 3028, Switzer Building, Washington, DC 20202-2531, **202 205-5482**

**RIN:** 1820-AB14

## DEPARTMENT OF EDUCATION (ED)

## Final Rule Stage

## Office of Special Education and Rehabilitative Services (OSERS)

### 964. STATE VOCATIONAL REHABILITATION SERVICES PROGRAM—ORDER OF SELECTION

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 34 CFR 361

**Legal Deadline:** None

**Abstract:** This action is needed to revise existing regulations due to changes in authorizing legislation made by the Rehabilitation Act Amendments of 1992 (Pub. L. 102-569). The statute requires that specific regulations be promulgated regarding the order of selection of eligible disabled individuals for services.

**Timetable:**

Action	Date	FR Cite
NPRM	07/16/93	58 FR 38482
Final Action	04/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local

**Agency Contact:** Beverlee Stafford, Special Assistant to the Commissioner, Department of Education, Office of Special Education and Rehabilitative Services, 600 Independence Avenue SW., Room 3028, Switzer Building, Washington, DC 20202-2531, **202 205-5482**

**RIN:** 1820-AB13

### 965. CENTERS FOR INDEPENDENT LIVING—EVALUATION STANDARDS AND COMPLIANCE INDICATORS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 20 USC 796d-1(b); 20 USC 796f-4

**CFR Citation:** 34 CFR 366

**Legal Deadline:** None

**Abstract:** The Rehabilitation Act Amendments of 1992 establish evaluation standards for centers for independent living and require the Department to develop and publish indicators of minimum compliance with these standards. These regulations implement this statutory requirement. Minimum compliance with the evaluation standards is a prerequisite for continuation funding.

**Timetable:**

Action	Date	FR Cite
ANPRM	07/10/92	57 FR 30860
NPRM	10/27/93	58 FR 57942
NPRM Comment Period End	02/22/94	
Final Action	04/00/95	

**Small Entities Affected:** Organizations

**Government Levels Affected:** None

**Agency Contact:** Beverlee Stafford, Special Assistant to the Commissioner, Rehabilitation Services Administration, Department of Education, Office of Special Education and Rehabilitative Services, 600 Independence Avenue SW., Room 3028, Switzer Bldg., Washington, DC 20202-2531, **202 205-5482**

**RIN:** 1820-AA81

### 966. CLIENT ASSISTANCE PROGRAM

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 29 USC 732

**CFR Citation:** 34 CFR 370

**Legal Deadline:** None

**Abstract:** These regulations implement changes in this formula grant program made by the Rehabilitation Act Amendments of 1992, including the expansion of the services provided by CAPs to include dissemination of information related to Title I of the Americans with Disabilities Act of 1990, and the implementation of due process requirements that apply if a Governor chooses to redesignate the agency designated to conduct the State's CAP.

**Timetable:**

Action	Date	FR Cite
NPRM	10/08/93	58 FR 52614
Final Action	04/00/95	

**Small Entities Affected:** Organizations

**Government Levels Affected:** State

**Agency Contact:** Beverlee Stafford, Special Assistant to the Commissioner, Department of Education, Office of Special Education and Rehabilitative Services, 600 Independence Avenue SW., Room 3028, Switzer Building, Washington, DC 20202-2531, **202 205-5482**

**RIN:** 1820-AB16

**DEPARTMENT OF EDUCATION (ED)**

**Completed/Longterm Actions**

**Office of Special Education and Rehabilitative Services (OSERS)**

**967. DISABILITY AND REHABILITATION RESEARCH; GENERAL PROVISIONS; RESEARCH AND DEMONSTRATION PROJECTS; REHABILITATION RESEARCH AND TRAINING CENTERS; REHABILITATION ENGINEERING RESEARCH CENTERS**

**CFR Citation:** 34 CFR 350; 34 CFR 351; 34 CFR 352; 34 CFR 353; 34 CFR 356

**Completed:**

Reason	Date	FR Cite
Final Action	04/05/95	60 FR 17424

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** David Esquith, 202 205-8801, TDD 202 205-8133

**RIN:** 1820-AB01

**DEPARTMENT OF EDUCATION (ED)**

**Final Rule Stage**

**Office of Vocational and Adult Education (OVAE)**

**968. • STATE VOCATIONAL AND APPLIED TECHNOLOGY EDUCATION PROGRAMS AND NATIONAL DISCRETIONARY PROGRAMS OF VOCATIONAL EDUCATION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 20 USC 2471; 20 USC 2325(a); 20 USC 2321(d); 20 USC 2323(d)(14); 20 USC 2341(a); 20 USC 2341(d)(3)(A)(iv); 20 USC 2341a(d)(2); 20 USC 2420(a)(3)

**CFR Citation:** 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 403.425.3(a)(3)

**Legal Deadline:** None

**Abstract:** These regulations implement statutory changes to the Carl D. Perkins Vocational and Applied Technology Education Act contained in the Improving America's Schools Act of 1994, enacted October 20, 1994.

**Timetable:**

Action	Date	FR Cite
Final Action	10/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local

**Agency Contact:** Sharon A. Jones, Program Analyst, Department of Education, Office of Vocational and Adult Education, 600 Independence

Avenue SW., Room 4050, Switzer Bldg., Washington, DC 20202-7120, 202 205-8237

**RIN:** 1830-AA15

**969. • ADULT EDUCATION PROGRAMS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 20 USC 1206a(c)(11); 20 USC 1203a(a)(4)

**CFR Citation:** 34 CFR 461.12(a)(13); 34 CFR 461.31(c)(3)

**Legal Deadline:** None

**Abstract:** These regulations implement statutory changes to the Adult Education Act contained in the Improving America's Schools Act of 1994, enacted October 20, 1994.

**Timetable:**

Action	Date	FR Cite
Final Action	10/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local

**Agency Contact:** Sharon A. Jones, Program Analyst, Department of Education, Office of Vocational and Adult Education, 600 Independence Avenue SW., Room 4050, Switzer Building, Washington, DC 20202-7120, 202 205-8237

**RIN:** 1830-AA16

**970. • ADULT EDUCATION FOR THE HOMELESS PROGRAM**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 11421(d); 42 USC 1142 1(a)

**CFR Citation:** 34 CFR 491.2; 34 CFR 491.3(d); 34 CFR 491.21(c)(2)

**Legal Deadline:** None

**Abstract:** These regulations implement statutory changes to the Stewart B. McKinney Homeless Assistance Act contained in the Improving America's Schools Act of 1994, enacted October 20, 1994.

**Timetable:**

Action	Date	FR Cite
Final Action	10/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local

**Agency Contact:** Sharon A. Jones, Program Analyst, Department of Education, Office of Vocational and Adult Education, 600 Independence Avenue SW., Room 4050, Switzer Bldg., Washington, DC 20202-7120, 202 205-8237

**RIN:** 1830-AA17

**DEPARTMENT OF EDUCATION (ED)**

**Completed/Longterm Actions**

**Office of Vocational and Adult Education (OVAE)**

**971. SCHOOL-TO-WORK OPPORTUNITIES PROGRAM**

**CFR Citation:** None

**Completed:**

Reason	Date	FR Cite
Withdrawn	04/01/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

ED—OVAE

Completed/Longterm Actions

Agency Contact: Ron Castaldi, 202  
205-8981

RIN: 1830-AA14

## DEPARTMENT OF EDUCATION (ED)

Final Rule Stage

## Office of Intergovernmental and Interagency Affairs (EDSI)

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

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 34 CFR 50

**Legal Deadline:** None

**Abstract:** These regulations simplify  
the language and format of provisions

establishing procedures, criteria, and  
other policies used by the Department  
of Education in requesting waivers for  
exchange visitors with respect to areas  
in which the Department serves as an  
interested agency.

**Timetable:**

Action	Date	FR Cite
NPRM	03/01/93	58 FR 11924
Final Action	04/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

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

**RIN:** 1860-AA02

## DEPARTMENT OF EDUCATION (ED)

Final Rule Stage

## Office of the General Counsel (EDOGC)

**973. • SUPPLEMENTAL STANDARDS  
OF ETHICAL CONDUCT FOR  
EMPLOYEES OF THE DEPARTMENT  
OF EDUCATION: PRIOR APPROVAL  
FOR OUTSIDE ACTIVITIES AND  
EMPLOYMENT**

**Priority:** Informational

**Legal Authority:** 5 USC 7301; 5 USC  
(Ethics in Government Act of 1978); EO  
12674

**CFR Citation:** 34 CFR 73; 5 CFR 6301

**Legal Deadline:** None

**Abstract:** These regulations establish  
supplemental standards of conduct for  
Department of Education employees in  
5 CFR Part 6301 containing criteria for  
seeking prior approval of outside  
activities at the Department of  
Education. The Department's  
regulations in 34 CFR Part 73 are  
amended to reflect these simplified and  
less burdensome requirements.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/30/95	60 FR 5816
Final Action	06/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Susan A. Winchell,  
General Attorney, Department of  
Education, Office of the General  
Counsel, 600 Independence Avenue  
SW., Room 5444, FB-10, Washington,  
DC 20202-2110, **202 401-1730**

**RIN:** 1801-AA09

[FR Doc. 95-5746 Filed 05-05-95; 8:45 am]

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