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Service Obligation Agreement

For a Scholarship Received from a Personnel Preparation to Improve Services and Results for Children with Disabilities Grant Awarded in Fiscal Year 2005

Service Obligation Agreement
Between

Name of Scholar

And

Name of Grantee

For grants awarded in FY 2005, the "Additional Requirements" section of the Personnel Preparation to Improve Services and Results for Children with Disabilities--Combined Priority for Personnel Preparation and Preparation of Leadership Personnel notice, published in the Federal Register on March 25, 2005, including the requirement that the Secretary track the service obligations of scholarship recipients. The requirements are attached. The requirements and Frequently Asked Questions are also available at <http://www.serviceobligations.ed.gov/ProgramRegs2005.cfm>, and <http://www.serviceobligations.ed.gov/2005%20faq.pdf>. According to section 304.23(a), the Secretary may grant a deferral or an exception to the work or repayment requirements upon request, if a scholar or an obligee can provide sufficient evidence to substantiate eligibility.

The current address of the Department of Education for purposes of this agreement is:
OSEP Service Obligations Contact
Grants Awarded in FY2005, FY2006 and Any Year Thereafter
US Department of Education
Office of Special Education Programs
400 Maryland Avenue, SW
Washington, DC 20202-2600

To Be Completed by the Grantee

Grant Award Number: H325
Grantee:
Project Title:
Course of Study or Program:
Project Director:
Date of Scholarship Assistance and Service Obligation Meeting:

To be completed by the scholar

Scholar Name:
Date of Birth:
Social Security Number:
Street Address:
City, State, Zip Code:
E-mail Address:

Alternate Contact Information

Name:
Relationship:
Street Address:
City, State, Zip Code:
Telephone Number:
E-mail Address:

To Be Completed by Scholar

I have:

- (a) read and understand the attached service obligation regulations and FAQs, including the service obligation of two years of service for every academic year of support or to repay the scholarship;
- (b) read the US Citizenship and Residency Requirements as outlined in Section D. Requirements for grantees in disbursing scholarships of the 2005 Requirements;
- (c) provided the information requested of me in this Agreement to the grantee representative;
- (d) completed the Certification of Eligibility for Federal Assistance form (ED 80-0016); and
- (e) I agree to the requirements outlined in this document and the "Additional Requirements" section of the Personnel Preparation to Improve Services and Results for Children with Disabilities--Combined Priority for Personnel Preparation and Preparation of Leadership Personnel notice, published in the Federal Register on March 25, 2005 as a condition for accepting IDEA scholarship funds.

_____ Scholar Name (Please print)	_____ Scholar Signature	_____ Date
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To be Completed by the Grantee Representative

I have met with the scholar and discussed the service obligation requirements and provided him/her with a copy of the regulations and the frequently asked questions.

_____ Grantee Representative Name (Please print)	_____ Grantee Representative Signature	_____ Date
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Exit Certification
For a Scholarship Received from a Personnel Preparation to Improve Services and Results
for Children with Disabilities
Grant Awarded in Fiscal Year 2005

To be completed by the Grantee Representative/Project Director when a scholar exits or completes the program:

Grant Award Number: _____

Grantee: _____

Grantee Representative: _____

Project Title: _____

Service Obligation Information

Number of academic years IDEA scholarship assistance was received	
Date of program completion	
Total amount of IDEA scholarship assistance received	\$
Number of years of eligible work needed to satisfy the service obligation	
Time period during which the scholar must satisfy the service obligation	

To be completed by the Grantee Representative or Scholar upon exiting or completing the program:

Scholar Contact Information

Scholar Name	
Scholar Social Security Number	
Scholar Address after Completing or Exiting the Program	

environmental and cultural issues associated with alternatives being evaluated for the operation of Harlan County Dam including flood control, irrigation, agriculture, recreation, tourism, cultural resources, aesthetics, transportation, project costs, and other factors to be identified during the scoping process.

2. Scoping Process

The one or more scoping meetings planned during 2005 for the Dam Safety Assurance Program will also provide information to the public regarding the Harlan County Dam Interim Operating Plan and the potential impacts this Plan may have on the Republican River Basin. The scoping meeting(s) will be advertised in local newspapers, and a mailing list will be used to notify the public and other interested parties of the meetings. The public, native American tribes, and affected government agencies at the local, State, and Federal level are encouraged to participate in the scoping process by forwarding written comments to the above noted address. The scoping process is designed to obtain comments and input for the DEIS and DSAP Report from the public concerning alternative measures that may be considered for the future operation of the Harlan County Dam. Interested parties may also request to be included on the mailing list for public distribution of meeting announcements and the status of EIS document preparation. Environmental consultation and review will be conducted in accordance with the requirements of the National Environmental Policy Act of 1969, as per regulations of the Council of Environmental Quality (Code of Federal Regulations Parts 40 CFR 1500–1508), and other applicable laws, regulations, and guidelines.

3. Availability of EIS Documents

The availability of the Draft and Final EIS will be presented in the **Federal Register** and by notices in the local newspapers. The mailing list will also be used to notify interested parties of the availability and location of the Draft and Final EIS for public review.

Dated: March 11, 2005.

David L. Combs,

Chief, Planning Branch, Kansas City District, Corps of Engineers.

[FR Doc. 05–5923 Filed 3–24–05; 8:45 am]

BILLING CODE 3710–KN–M

DEPARTMENT OF EDUCATION

Office of Special Education and Rehabilitative Services; Overview Information; Personnel Preparation To Improve Services and Results for Children With Disabilities—Combined Priority for Personnel Preparation; Notice Inviting Applications for New Awards for Fiscal Year (FY) 2005

Catalog of Federal Domestic Assistance (CFDA) Number: 84.325K.

Note: This notice includes one priority with five focus areas, and funding information for each focus area of the competition.

Dates: Applications Available: March 28, 2005.

Deadline for Transmittal of Applications: May 9, 2005.

Deadline for Intergovernmental Review: July 8, 2005.

Eligible Applicants: Institutions of higher education.

Estimated Available Funds: \$15,000,000.

For funding information regarding each of the specific focus areas of the priority, see the chart in the Award Information section of this notice.

Estimated Range of Awards: See chart.

Estimated Average Size of Awards: See chart.

Maximum Awards: See chart.

Estimated Number of Awards: See chart.

Project Period: Up to 48 months.

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: The purposes of this program are to (1) help address State-identified needs for highly qualified personnel—in special education, related services, early intervention, and regular education—to work with children with disabilities; and (2) ensure that those personnel have the skills and knowledge—derived from practices that have been determined through research and experience to be successful—that are needed to serve those children.

Priority: In this competition, we are establishing one absolute priority (with five focus areas), a competitive preference priority within one of these five focus areas, and two separate competitive preference priorities. In accordance with 34 CFR 75.105(b)(2)(v), these priorities are from allowable activities specified in the statute (see section 662(d) and 681(d) of the Individuals with Disabilities Education Act (IDEA)).

Absolute Priority: For FY 2005 this priority is, except as otherwise

specified, an absolute priority. Under 34 CFR 75.105(c)(3) we consider only applications that meet this absolute priority.

This priority is:

Combined Priority for Personnel Preparation

Background: State agencies, university training programs, local schools, and other community-based entities confirm the importance and difficulty of improving training programs for personnel to serve children with disabilities or infants and toddlers with disabilities.

The national demand for fully credentialed special education, related services and early intervention personnel to serve children with disabilities also exceeds available supply. Thus, Federal support is required to improve both the quality and supply of personnel who serve children with disabilities.

Priority: The purpose of this priority is to increase the number and quality of personnel who are fully credentialed to serve children with disabilities, especially in areas of chronic shortage, by supporting projects that prepare special education, early intervention, and related services personnel at the associate, baccalaureate, master's and specialist levels. In order to be eligible under this priority, programs must provide training and support for students to complete, within the term of the project, a degree and/or State certification, professional license, or State endorsement in early intervention, special education or related services. Programs preparing students to be special education paraprofessionals or related services assistants are also eligible under this priority. The Secretary is particularly interested in programs that prepare special educators who provide instruction in core academic areas to children with disabilities to be highly qualified under section 602(10) of IDEA, in accordance with State requirements. The Secretary is also particularly interested in programs that provide enhanced support for beginning special educators (see section 662(b)(3) of IDEA).

Absolute Priority Requirements: Projects funded under this absolute priority must—

(a) Demonstrate, in the narrative section of the application under “Quality of Project Services”, how—

(1) Research that has been shown to be effective in improving outcomes for children with disabilities is incorporated into training requirements and reflected in required coursework for

the proposed training program and include relevant research citations;

(2) The program is designed to offer integrated training and practice opportunities that will enhance the skills of appropriate personnel who share responsibility for providing effective services to children with disabilities;

(3) The program prepares personnel to address the specialized needs of children with disabilities from diverse cultural and language backgrounds, including limited English proficient children with disabilities, by—

(i) Identifying the competencies needed for personnel to work effectively with culturally and linguistically diverse populations; and

(ii) Infusing those competencies into early intervention, special education, and related services training programs;

(4) The program is designed to develop or improve and implement mutually beneficial partnerships with schools and other service settings to promote continuous improvement in preparation programs and in service delivery;

(5) The program includes field-based training opportunities for students in diverse settings, such as schools and settings in high-poverty communities, in rural areas and in urban areas;

(6) The training program equips scholars with the knowledge and skills necessary to effectively assist children in achieving State learning standards; and

(7) Student support systems (including tutors, mentors, and other innovative practices) are provided to enhance student retention and success in the program;

(b) Include in the application narrative under "Quality of Project Evaluation", a clear, effective plan for evaluating the extent to which graduates of the training program have the knowledge and skills necessary to provide research-based instruction and services that result in improved outcomes for children with disabilities;

(c) Communicate student evaluation results to the Office of Special Education Programs (OSEP) in required annual performance reports for continuation funding and the project's final performance report;

(d) Budget for a two-day Project Director's meeting in Washington, DC, during each year of the project;

(e) If the project maintains a Web site, include relevant information and documents in a form that meets a government or industry-recognized standard for accessibility;

(f) Include, in the application Appendix, all course syllabi for the

proposed training program. Course syllabi must clearly reflect the incorporation of research-based curriculum and pedagogy as required under paragraph (a) of this section of the priority;

(g) Submit annual data on each scholar who receives grant support. Projects funded under this priority must submit this scholar data electronically within 60 days after the end of each grant budget year. Applicants are encouraged to visit the Personnel Prep Data (PPD) Web site at www.osepppd.org for further information. This data collection is in addition to and does not supplant the annual grant performance report required of each grantee for continuation funding (34 CFR 75.590); and

(h) Assure that at least 60 percent of the total requested budget be used for student training stipends.

Statutory and Other Requirements: To be considered for an award under this priority, applicants must also satisfy the following requirements authorized under sections 662(e)(2) and (3), section 662(h)(1) and section 682(a)(1)(A) of IDEA:

(a) Demonstrate that the activities described in the application will address needs identified by the State or States the applicant proposes to serve and that the State or States intend to accept successful completion of the proposed personnel preparation program as meeting State personnel standards or other requirements in State law or regulation for serving children with disabilities or serving infants and toddlers with disabilities (see sections 662(e)(2)(A) and 662(e)(3) of IDEA). Letters from one or more States that the project proposes to serve could be one method for addressing this requirement;

(b) Demonstrate that the applicant and one or more State educational agencies—or, if appropriate, State appointed lead agencies responsible for providing early intervention services—or local educational agencies will cooperate in carrying out and monitoring the proposed project (see section 662(e)(2)(B) of IDEA);

(c) Involve individuals with disabilities or parents of individuals with disabilities ages birth through 26 in planning, implementing, and evaluating the project (see section 682(a)(1)(A) of IDEA); and

(d) Provide an assurance that the applicant will ensure that individuals who receive financial assistance under the proposed project agree to meet the service obligation requirements, or repay all or part of the amount of the scholarship, in accordance with section

662(h)(1) of IDEA and the *Additional Requirements* section of this notice. Applicants must describe how they will inform scholarship recipients of this service obligation requirement.

Focus Areas

Within this absolute priority, the Secretary intends to support projects under the following five (5) focus areas: (a) Training of Early Intervention and Early Childhood Personnel, (b) Training of Low-Incidence Personnel, (c) Training of High-Incidence Personnel, (d) Training Programs for Related Services, Speech/Language, and Adapted Physical Education Personnel, and (e) Training Programs in Minority Institutions. Provided that there are a sufficient number of high quality applications, a total of up to 5 of the awards made in focus areas (b), (c) and (e) combined will be to applicants training special education teachers that demonstrate how grant supported scholars who complete the proposed program will meet State certification standards in special education and will be highly qualified under section 602(10) of IDEA.

Provided that there are a sufficient number of high quality applications, a total of up to 5 of the awards made in focus areas (b), (c) and (e) combined will be to applicants training beginning special education teachers that demonstrate how the program is designed to carry out the activities described in one or both paragraphs (A) or (B) in section 662(b)(3) of IDEA.

Note: Applicants must identify the focus area (*i.e.*, (a), (b), (c), (d), or (e)) under which they are applying as part of the project title on the application cover sheet and may not submit the same proposal under more than one focus area. In addition, applicants applying under focus areas (b), (c) or (e) that are addressing either of the categories of intended awards under the preceding paragraphs (*i.e.*, highly qualified and/or beginning special educator training) must also identify the intended award area at the beginning of the Application Abstract.

Focus Area a: Training of Early Intervention and Early Childhood Personnel. For the purpose of this focus area, early intervention personnel are those who are trained to provide services to infants and toddlers with disabilities and early childhood personnel are those who are trained to provide services to children with disabilities ages 3 through 5. In States where certification in early intervention (EI) is combined with certification in early childhood (EC), applicants may propose a combined EI/EC training project under this focus area. Projects training related services, speech/

language and/or adapted physical education personnel are not eligible under this focus area (see Focus Area d).

Focus Area b: Training of Low-Incidence Personnel. For the purpose of this focus area, low-incidence personnel are special education personnel, including paraprofessionals, trained to serve school-age children with low-incidence disabilities including visual impairments, hearing impairments, simultaneous vision and hearing impairments, significant cognitive impairments (severe mental retardation), orthopedic impairments, autism, and/or traumatic brain injury. Programs preparing special education personnel to provide services to visually impaired or blind children that can be appropriately provided in Braille, must prepare those individuals to provide those services in Braille. Projects training related services, speech/language and/or adapted physical education personnel are not eligible under this focus area (see Focus Area d). Projects training special education pre-school personnel are eligible under Focus Area a.

Focus Area c: Training of High-Incidence Personnel. For the purpose of this focus area, high-incidence personnel are special education personnel, including paraprofessionals, trained to serve school-age children with mild and/or moderate mental retardation, emotional disturbance, specific learning disability, other health impairment (including children with Attention Deficit Hyperactive Disorder) and/or children ages 5 through 9 with developmental delay. Projects training related services, speech/language and/or adapted physical education personnel are not eligible under this focus area (see Focus Area d). Projects training special education pre-school personnel are eligible under Focus Area a.

Focus Area d: Training Programs for Related Services, Speech/Language, and Adapted Physical Education Personnel. Programs training related services, speech/language or adapted physical education personnel to serve infants, toddlers, children and youth with high-and/or low-incidence disabilities are eligible within this focus area. For the purpose of this focus area, related services include, but are not limited to, psychological services, physical therapy, occupational therapy, therapeutic recreation, social work services, counseling services, audiology services (including personnel trained at the Doctor of Audiology level), and or speech/language services. Training programs in States where personnel trained to serve children with speech/language impairments are considered to

be special educators are eligible under this focus area. Training programs preparing related services assistants are also eligible under this focus area.

Focus Area e: Training Programs in Minority Institutions. Programs in minority institutions that are training special education, including adapted physical education, and/or related services personnel to serve infants, toddlers, children and youth with high-and/or low-incidence disabilities are eligible within this focus area. Minority institutions include institutions with a minority student enrollment of 25 percent or more, which may include Historically Black Colleges and Universities and Tribal Colleges. Within this focus area and for the FY 2005 competition, projects that are recommended for funding and that have not received support under the IDEA Personnel Preparation Program in FY 2003 or FY 2004 will receive 10 competitive preference points.

Under Focus Area e, a project may budget for less than the required percentage (60 percent) for student training support if they can provide sufficient justification for any designation less than 60 percent for student scholarships. Sufficient justification for proposing less than 60 percent of the budget for student support would include support for activities such as program development, expansion of a program, or the addition of a new area of emphasis. Some examples include the following:

- A project that is starting a new program may request up to a year for program development and capacity building. In the initial project year, no student support would be required. Instead, a project could hire a new faculty member or a consultant to assist in program development.
- A project that is proposing to build capacity may hire a field supervisor so that additional students can be trained.
- A project that is expanding or adding a new emphasis area to the program may initially need additional faculty or other resources such as expert consultants, additional training supplies, or equipment that would enhance the program.

Projects that are funded to develop, expand, or to add a new area of emphasis to special education or related services programs must provide information on how these new areas will be maintained once Federal funding ends.

Note: The statute does not authorize the selection of trainees on the basis of race, ethnicity, gender, or disability status.

Competitive Preference Priorities: For FY 2005, these priorities are competitive preference priorities. Under 34 CFR 75.105(c)(2)(i) we award up to an additional five points for each priority depending on how well the application meets the priority.

These competitive preference priorities are:

Competitive Preference Priority 1: We give competitive preference to institutions of higher education that are educating regular education personnel to meet the needs of children with disabilities in integrated settings and educating special education personnel to work in collaboration with regular educators in integrated settings.

Note: Grant-supported scholarships should not be provided to students preparing to become regular education personnel as these students will not be able to meet the service obligation requirements under section 662(h) of IDEA.

Competitive Preference Priority 2: We give competitive preference to institutions of higher education based on the extent to which they successfully recruit individuals with disabilities and individuals from groups that are underrepresented in the profession for which they are preparing individuals. In the case of a new project, the applicant must submit a plan with strategies on how it will meet this competitive preference.

Note: The statute does not authorize the selection of trainees on the basis of race, ethnicity, gender, or disability status.

Additional Requirements: Specific provisions contained in the regulations for this program, which are in 34 CFR part 304, no longer apply because they have been superseded by requirements in IDEA, as recently reauthorized and amended by the Individuals with Disabilities Education Improvement Act of 2004. Accordingly, for purposes of this competition, the following requirements will apply in lieu of the regulations in 34 CFR part 304.

Note: The Secretary will be issuing a notice of proposed rulemaking to amend part 304 to implement these recent changes in IDEA. The Secretary does not expect the final regulations to be substantially different from the requirements in this *Additional Requirements* section. However, the competition announced in this notice will be governed solely by the requirements in this notice.

Sec. A. Purpose.

Individuals who receive scholarship assistance from projects funded under the Special Education—Personnel Development to Improve Services and Results for Children with Disabilities

program are required to complete a service obligation, or repay all or part of the costs of such assistance, in accordance with section 662(h) of IDEA and the requirements set forth in this *Additional Requirements* section of this notice.

Sec. B. Definitions that apply to this program.

The following definitions apply to this program:

Academic year means—

(1) A full-time course of study—

(i) Taken for a period totaling at least nine months; or

(ii) Taken for the equivalent of at least two semesters, two trimesters, or three quarters; or

(2) For a part-time student, the accumulation of periods of part-time courses of study that is equivalent to an “academic year” under paragraph 1 of this definition.

Early intervention services means early intervention services as defined in section 632(4) of IDEA.

Full-time, for purposes of determining whether an individual is employed full-time in accordance with Sec. F (All references to “Sec.” refer to sections in these *Additional Requirements*), means a full-time position as defined by the individual’s employer or by the agencies served by the individual.

Related services means related services as defined in section 602(26) of IDEA.

Repayment means monetary reimbursement of scholarship assistance in lieu of completion of a service obligation.

Scholar means an individual who is pursuing a degree, license, endorsement, or certification related to special education, related services, or early intervention services and who receives scholarship assistance under section 662 of IDEA.

Scholarship means financial assistance to a scholar for training under the program and includes all disbursements or credits for tuition, fees, student stipends, and books, and travel in conjunction with training assignments.

Service obligation means a scholar’s employment obligation, as described in section 662(h) of IDEA and Sec. F.

Special education means special education as defined in section 602(29) of IDEA.

Sec. C. Allowable costs.

In addition to the allowable costs established in EDGAR in 34 CFR 75.530 through 75.562, the following items are allowable expenditures by projects funded under the program:

(a) Tuition and fees.

(b) Student stipends and books.

(c) Travel in conjunction with training assignments.

Sec. D. Requirements for grantees in disbursing scholarships.

Before disbursement of scholarship assistance to an individual, a grantee must—

(a) Ensure that the scholar—

(1) Is a citizen or national of the United States;

(2) Is a permanent resident of—

(i) Puerto Rico, the United States Virgin Islands, Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands; or

(ii) The Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau (during the period in which these entities are eligible to receive an award under the program); or

(3) Provides evidence from the U.S. Department of Homeland Security that the individual is—

(i) A lawful permanent resident of the United States; or

(ii) In the United States for other than a temporary purpose with the intention of becoming a citizen or permanent resident.

(b) Limit scholarship assistance to the amount by which the individual’s cost of attendance at the institution exceeds the amount of grant assistance the scholar is to receive for the same academic year under Title IV of the Higher Education Act; and

(c) Obtain a Certification of Eligibility for Federal Assistance from each scholar, as prescribed in 34 CFR 75.60, 75.61, and 75.62.

Sec. E. Assurances that must be provided by a grantee.

Before receiving an award, a grantee that intends to grant scholarships under the program must include in its application an assurance that the following requirements will be satisfied:

(a) *Requirement for agreement.* Prior to granting a scholarship, the grantee will enter into a written agreement with each scholar that contains the terms and conditions required by Sec. F, explains the Secretary’s authority to grant deferrals and exceptions to the service obligation pursuant to Sec. G, and provides the current Department address.

(b) *Standards for satisfactory progress.* The grantee must establish, notify students of, and apply reasonable standards for measuring whether a scholar is maintaining satisfactory progress in the scholar’s course of study.

(c) *Exit certification.* The grantee must establish policies and procedures for receiving written certification from scholars at the time of exit from the program that identifies—

(1) The number of years the scholar needs to work to satisfy the work requirements in Sec. F(d).

(2) The total amount of scholarship assistance received subject to Sec. F.

(3) The time period, consistent with Sec. F(f)(1), during which the scholar must satisfy the work requirements.

(4) As applicable, all other obligations of the scholar under Sec. F.

(d) *Information.* The grantee must provide the Secretary information, including records maintained under paragraph (c) of this Sec. E, that is necessary to carry out the Secretary’s functions under this *Additional Requirements* section.

(e) *Notification to the Secretary.* If the grantee is aware that the scholar has chosen not to fulfill or will be unable to fulfill the obligation under Sec. F(d), the grantee must notify the Secretary when the scholar exits the program.

Sec. F. Requirements for scholars.

Individuals who receive scholarship assistance from grantees funded under this competition must:

(a) *Training.* Receive the training at the educational institution or agency designated in the scholarship;

(b) *Educational allowances.* Not accept payment of educational allowances from any other entity if that allowance conflicts with the scholar’s obligation under these *Additional Requirements*;

(c) *Satisfactory progress.* Maintain satisfactory progress toward the degree, certificate, endorsement, or license as determined by the grantee;

(d) *Service obligation.* Upon exiting the training program under paragraph (a) of this Sec. F, subsequently maintain employment—

(1) On a full-time or full-time equivalent basis; and

(2) For a period of at least two years for every academic year for which assistance was received.

(e) *Eligible employment.* In order to meet the requirements of paragraph (d) of this Sec. F for any project funded under section 662 of IDEA, be employed in a position in which—

(1) A majority of the persons to whom the individual provides services are receiving special education, related services, or early intervention services from the individual;

(2) The individual spends a majority of his or her time providing special education or related services to children with disabilities or early intervention services to infants and toddlers with disabilities;

(3) If the position is supervisory, including principals, the individual spends a majority of his or her time employed in a position performing work

related to the individual's preparation under section 662 of IDEA by providing one or both of the following:

(i) Special education or related services to children with disabilities or early intervention services to infants and toddlers with disabilities; and

(ii) Supervision to others on issues directly related to special education or related services for children with disabilities or early intervention services for infants and toddlers;

(4) If the position is postsecondary faculty, the individual spends a majority of his or her time performing work related to the individual's preparation under section 662 of IDEA by preparing special education teachers and related services personnel to provide services to improve results for children with disabilities, including early intervention, educational, and transitional services; or

(5) If the position is in research, the individual spends a majority of his or her time performing research related to the individual's preparation under section 662 of IDEA that focuses on improving results for children with disabilities, including early intervention, educational, and transitional services.

(f) *Time period.* Meet the service obligation under paragraph (d) of this Sec. F as follows:

(1) Complete the service obligation within the period ending not more than the sum of the number of years required in paragraph (d)(2) of this Sec. F, as appropriate, plus three additional years, from the date the recipient completes the training for which the scholarship assistance was awarded.

(2) Obtain employment subsequent to the completion of one academic year of the training for which the scholarship assistance was received that otherwise meets the requirements of Sec. F(f)(1).

(g) *Part-time scholars.* Meet the service obligation in this Sec. F, as applied to a part-time scholar, based on the accumulated academic years of training for which the scholarship is received.

(h) *Information upon exit.* Provide the grantee all requested information necessary for the grantee to meet the exit certification requirements under Sec. E(c).

(i) *Information after exit.* Within 60 days after exiting the program, and as necessary thereafter for any changes, provide the Department all information the Secretary needs to monitor the scholar's service obligation under this Sec. F, including social security number, address, employment setting, and employment status, via U.S. mail at the following address: Office of Special

Education Programs, Research to Practice Division, Service Obligation Coordinator, 400 Maryland Avenue, SW., Potomac Center Plaza, Washington, DC 20202-2600.

(j) *Repayment.* If not fulfilling the requirements in this Sec. F, subject to the provisions in Sec. G regarding a deferral or exception, repay any scholarship received, plus interest, in an amount proportional to the service obligation not completed as follows:

(1) The Secretary charges the scholar interest on the unpaid balance owed in accordance with 31 U.S.C. 3717.

(2)(i) Interest on the unpaid balance accrues from the date the scholar is determined to have entered repayment status under paragraph (4) of this subsection (j).

(ii) Any accrued interest is capitalized at the time the scholar's repayment schedule is established.

(iii) No interest is charged for the period of time during which repayment has been deferred under Sec. G.

(3) Under the authority of 31 U.S.C. 3717, the Secretary may impose reasonable collection costs.

(4) A scholar enters repayment status on the first day of the first calendar month after the earliest of the following dates, as applicable:

(i) The date the scholar informs the grantee or the Secretary that the scholar does not plan to fulfill the service obligation under the agreement.

(ii) Any date when the scholar's failure to begin or maintain employment makes it impossible for that individual to complete the service obligation within the number of years required in this Sec. F.

(iii) Any date on which the scholar discontinues enrollment in the course of study under Sec. F(a).

(5) The scholar must make payments to the Secretary that cover principal, interest, and collection costs according to a schedule established by the Secretary.

(6) Any amount of the scholarship that has not been repaid pursuant to (1) through (5) of this paragraph will constitute a debt owed to the United States that may be collected by the Secretary in accordance with 34 CFR part 30.

Sec. G. Requirements for obtaining a deferral or exception to performance or repayment under an agreement.

(a) Based upon sufficient evidence to substantiate the grounds, the Secretary may grant an exception to the repayment requirement in Sec. F(j), in whole or part, if the scholar—

(1) Is unable to continue the course of study in Sec. F(j) or perform the service

obligation because of a permanent disability; or

(2) Has died.

(b) Based upon sufficient evidence to substantiate the grounds, the Secretary may grant a deferral of the repayment requirement in Sec. F(j) during the time the scholar—

(1) Is engaging in a full-time course of study at an institution of higher education;

(2) Is serving on active duty as a member of the armed services of the United States;

(3) Is serving as a volunteer under the Peace Corps Act; or

(4) Is serving as a full-time volunteer under Title I of the Domestic Volunteer Service Act of 1973.

Waiver of Proposed Rulemaking: Under the Administrative Procedure Act (APA) (5 U.S.C. 553) the Department generally offers interested parties the opportunity to comment on proposed priorities and requirements. Section 681(d) of IDEA makes the public comment requirements of the APA inapplicable to the priority in this notice. With Respect to the *Additional Requirements*, section 437(d)(1) of the General Education Provisions Act exempts from the APA's notice and comment requirement rules that apply to the first competition under a new or substantially revised program authority. This is the first competition under section 662 of IDEA (the Personnel Development to Improve Services and Results for Children with Disabilities program), which was substantially revised by the Individuals with Disabilities Education Improvement Act of 2004. These *Additional Requirements* will apply to the FY 2005 grant competition only.

Program Authority: 20 U.S.C. 1462 and 1481.

Applicable Regulations: The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 80, 81, 82, 84, 85, 86, 97, 98, and 99.

II. Award Information

Type of Award: Discretionary grants.

Estimated Available Funds: \$15,000,000.

For funding information regarding each of the specific focus areas of the priority, see the chart in this section of this notice.

Estimated Range of Awards: See chart.

Estimated Average Size of Awards: See chart.

Maximum Awards: See chart.

Estimated Number of Awards: See chart.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 48 months.

PERSONNEL PREPARATION TO IMPROVE SERVICES AND RESULTS FOR CHILDREN WITH DISABILITIES APPLICATION NOTICE FOR FISCAL YEAR 2005

CFDA No. and name	Estimated range of awards	Estimated average size of awards	Maximum award (per year)*	Estimated number of awards
84.325K Combination Priority for Personnel Preparation:				
Focus Area a: Training of Early Intervention and Early Childhood Personnel	\$172,000–\$200,000	\$196,250	\$200,000	11
Focus Area b: Training of Low-Incidence Personnel	194,969–200,000	196,200	200,000	23
Focus Area c: Training of High-Incidence Personnel	163,848–200,000	196,840	200,000	19
Focus Area d: Training Programs for Related Services, Speech/Language, and Adapted Physical Education Personnel	163,848–200,000	196,840	200,000	9
Focus Area e: Training Programs in Minority Institutions	186,234–200,000	196,450	200,000	13

*The Secretary does not intend to fund an application that proposes a budget exceeding the maximum award specified for a single budget period of 12 months.

Note: The Department is not bound by any estimates in this notice.

III. Eligibility Information

1. *Eligible Applicants:* Institutions of higher education.

2. *Cost Sharing or Matching:* This competition does not involve cost sharing or matching.

IV. Application and Submission Information

1. *Address to Request Application Package:* Education Publications Center (ED Pubs), P.O. Box 1398, Jessup, MD 20794–1398. Telephone (toll free): 1–877–433–7827. FAX: (301) 470–1244. If you use a telecommunications device for the deaf (TDD), you may call (toll free): 1–877–576–7734.

You may also contact ED Pubs at its Web site: <http://www.ed.gov/pubs/edpubs.html> or you may contact ED Pubs at its e-mail address: edpubs@inet.ed.gov.

If you request an application from ED Pubs, be sure to identify this competition as follows: CFDA Number 84.325K.

Individuals with disabilities may obtain a copy of the application package in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) by contacting the Grants and Contracts Services Team listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice.

2. *Content and Form of Application Submission:* Requirements concerning the content of an application, together with the forms you must submit, are in the application package for this competition.

Page Limit: The application narrative (Part III of the application) is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. You must limit Part III to the equivalent of no more than 50 pages, using the following standards:

- A “page” is 8.5” x 11”, on one side only, with 1” margins at the top, bottom, and both sides.

- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.

- Use a font that is either 12-point or larger or no smaller than 10 pitch (characters per inch).

The page limit does not apply to Part I, the cover sheet; Part II, the budget section, including the narrative budget justification; Part IV, the assurances and certifications; or the one-page abstract, the resumes, the bibliography, the references, or the letters of support. However, you must include all of the application narrative in Part III.

We will reject your application if—

- You apply these standards and exceed the page limit; or
- You apply other standards and exceed the equivalent of the page limit.

3. *Submission Dates and Times:* *Applications Available:* March 28, 2005.

Deadline for Transmittal of Applications: May 9, 2005.

Applications for grants under this competition may be submitted electronically using the Grants.gov Apply site (Grants.gov), or in paper format by mail or hand delivery. For information (including dates and times) about how to submit your application electronically, or by mail or hand delivery, please refer to section IV. 6. *Other Submission Requirements* in this notice.

We do not consider an application that does not comply with the deadline requirements.

Deadline for Intergovernmental Review: July 8, 2005.

4. *Intergovernmental Review:* This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. Information about Intergovernmental Review of Federal Programs under Executive Order 12372 is in the application package for this competition.

5. *Funding Restrictions:* We reference regulations outlining funding restrictions in the *Applicable Regulations* section of this notice.

6. *Other Submission Requirements:* Applications for grants under this competition may be submitted electronically or in paper format by mail or hand delivery.

a. *Electronic Submission of Applications.*

We have been accepting applications electronically through the Department’s e-Application system since FY 2000. In order to expand on those efforts and comply with the President’s Management Agenda, we are continuing to participate as a partner in the new government wide Grants.gov Apply site in FY 2005. The Combined Priority for Personnel Preparation-CFDA Number 84.325K competition is one of the competitions included in this project.

If you choose to submit your application electronically, you must use the Grants.gov Apply site (Grants.gov). Through this site, you will be able to download a copy of the application package, complete it offline, and then upload and submit your application. You may not e-mail an electronic copy of a grant application to us. We request your participation in Grants.gov.

You may access the electronic grant application for the Combined Priority for Personnel Preparation-CFDA Number 84.325K competition at: <http://www.grants.gov>. You must search for the downloadable application package for this program by the CFDA

number. Do not include the CFDA number's alpha suffix in your search. Please note the following:

- Your participation in Grants.gov is voluntary.
- When you enter the Grants.gov site, you will find information about submitting an application electronically through the site, as well as the hours of operation.
- Applications received by Grants.gov are time and date stamped. Your application must be fully uploaded and submitted with a date/time received by the Grants.gov system no later than 4:30 p.m., Washington, DC time, on the application deadline date. We will not consider your application if it was received by the Grants.gov system later than 4:30 p.m. on the application deadline date. When we retrieve your application from Grants.gov, we will notify you if we are rejecting your application because it was submitted after 4:30 p.m. on the application deadline date.
- If you experience technical difficulties on the application deadline date and are unable to meet the 4:30 p.m., Washington, DC time, deadline, print out your application and follow the instructions in this notice for the submission of paper applications by mail or hand delivery.
- The amount of time it can take to upload an application will vary depending on a variety of factors including the size of the application and the speed of your Internet connection. Therefore, we strongly recommend that you do not wait until the application deadline date to begin the application process through Grants.gov.
- You should review and follow the Education Submission Procedures for submitting an application through Grants.gov that are included in the application package for this competition to ensure that your application is submitted timely to the Grants.gov system.
- To use Grants.gov, you, as the applicant, must have a D-U-N-S Number and register in the Central Contractor Registry (CCR). You should allow a minimum of five business days to complete the CCR registration.
- You will not receive additional point value because you submit your application in electronic format, nor will we penalize you if you submit your application in paper format.
- You may submit all documents electronically, including all information typically included on the Application for Federal Education Assistance (ED 424), Budget Information—Non-Construction Programs (ED 524), and all necessary assurances and certifications.

Any narrative sections of your application should be attached as files in a .DOC (document), .RTF (rich text) or .PDF (Portable Document) format.

- Your electronic application must comply with any page limit requirements described in this notice.
- After you electronically submit your application, you will receive an automatic acknowledgement from Grants.gov that contains a Grants.gov tracking number. The Department will retrieve your application from Grants.gov and send you a second confirmation by e-mail that will include a PR/Award number (an ED-specified identifying number unique to your application).
- We may request that you provide us original signatures on forms at a later date.

b. Submission of Paper Applications by Mail.

If you submit your application in paper format by mail (through the U.S. Postal Service or a commercial carrier), you must mail the original and two copies of your application, on or before the application deadline date, to the Department at the applicable following address:

By mail through the U.S. Postal Service: U.S. Department of Education, Application Control Center, Attention: (CFDA Number 84.325K), 400 Maryland Avenue, SW., Washington, DC 20202–4260;

or

By mail through a commercial carrier: U.S. Department of Education, Application Control Center “Stop 4260, Attention: (CFDA Number 84.325K), 7100 Old Landover Road, Landover, MD 20785–1506.

Regardless of which address you use, you must show proof of mailing consisting of one of the following:

- (1) A legibly dated U.S. Postal Service postmark,
- (2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service,
- (3) A dated shipping label, invoice, or receipt from a commercial carrier, or
- (4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of Education.

If you mail your application through the U.S. Postal Service, we do not accept either of the following as proof of mailing:

- (1) A private metered postmark, or
- (2) A mail receipt that is not dated by the U.S. Postal Service.

If your application is postmarked after the application deadline date, we will not consider your application.

Note: The U.S. Postal Service does not uniformly provide a dated postmark. Before

relying on this method, you should check with your local post office. c. Submission of Paper Applications by Hand Delivery.

If you submit your application in paper format by hand delivery, you (or a courier service) must deliver the original and two copies of your application by hand, on or before the application deadline date, to the Department at the following address: U.S. Department of Education, Application Control Center, Attention: (CFDA Number 84.325K), 550 12th Street, SW., Room 7041, Potomac Center Plaza, Washington, DC 20202–4260.

The Application Control Center accepts hand deliveries daily between 8:00 a.m. and 4:30 p.m., Washington, DC time, except Saturdays, Sundays and Federal holidays.

Note for Mail or Hand Delivery of Paper Applications: If you mail or hand deliver your application to the Department:

(1) You must indicate on the envelope and “if not provided by the Department “in Item 4 of the Application for Federal Education Assistance (ED 424) the CFDA number “and suffix letter, if any “of the competition under which you are submitting your application.

(2) The Application Control Center will mail a grant application receipt acknowledgment to you. If you do not receive the grant application receipt acknowledgment within 15 business days from the application deadline date, you should call the U.S. Department of Education Application Control Center at (202) 245–6288.

V. Application Review Information

1. *Selection Criteria:* The selection criteria for this competition are from 34 CFR 75.210 of EDGAR and are listed in the application package.

2. *Treating A Priority As Two Separate Competitions:* In the past, there have been problems in finding peer reviewers without conflicts of interest for competitions in which many entities throughout the country submit applications. The Standing Panel requirements under IDEA also have placed additional constraints on the availability of reviewers. Therefore, the Department has determined that, for some discretionary priorities, applications may be separated into two or more groups and ranked and selected for funding within the specific group. This procedure will ensure the availability of a much larger group of reviewers without conflicts of interest. It also will increase the quality, independence and fairness of the review process and permit panel members to review applications under discretionary

priorities for which they have also submitted applications. However, if the Department decides to select for funding an equal number of applications in each group, this may result in different cut-off points for fundable applications in each group.

VI. Award Administration Information

1. *Award Notices:* If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN). We may also notify you informally.

If your application is not evaluated or not selected for funding, we notify you.

2. *Administrative and National Policy Requirements:* We identify administrative and national policy requirements in the application package and reference these and other requirements in the Applicable Regulations section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Reporting:* At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multi-year award, you must submit an annual performance report that provides the most current performance and financial expenditure information as specified by the Secretary in 34 CFR 75.118. In addition, to satisfy the requirements of the priority in this notice, you must submit annual data on each scholar who receives grant support through this program.

4. *Performance Measures:* Under the Government Performance and Results Act (GPRA), the Department has established a set of performance measures that are designed to yield information on the effectiveness of the Personnel Preparation program. These measures include the extent to which scholars are successfully completing their program and the extent to which they are employed in the area(s) trained upon program completion.

If funded, applicants will be required to collect and report data on grant-supported students through the PPD Web site at <http://www.oespppd.org> (see paragraph (g) under the *Absolute Priority* section of this notice).

Beyond the performance measures specifically described in this notice, the Department is also currently developing measures that will be designed to yield

information on various aspects of program quality (e.g., the extent to which the curricula of training programs funded under this competition reflect the current knowledge base on effective practices; and the extent to which program graduates maintain employment for three or more years in the area(s) for which they were trained). Grantees will be asked to participate in assessing and providing information on program quality.

We will notify grantees of the performance measures once they are developed.

VII. Agency Contact

FOR FURTHER INFORMATION CONTACT:

Maryann McDermott, U.S. Department of Education, 400 Maryland Avenue, SW., room 4062, Potomac Center Plaza, Washington, DC 20202-2600. Telephone: (202) 245-7439.

If you use a telecommunications device for the deaf (TDD), you may call the Federal Relay Service (FRS) at 1-800-877-8339.

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request by contacting the following office: The Grants and Contracts Services Team, U.S. Department of Education, 400 Maryland Avenue, SW., Potomac Center Plaza, Washington, DC 20202-2550. Telephone: (202) 245-7363.

VIII. Other Information

Electronic Access to This Document: You may view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/news/fedregister>.

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

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

Dated: March 3, 2005.

John H. Hager,

Assistant Secretary for Special Education and Rehabilitative Services.

[FR Doc. 05-5957 Filed 3-24-05; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF EDUCATION

Office of Special Education and Rehabilitative Services; Overview Information; Personnel Preparation To Improve Services and Results for Children With Disabilities—Preparation of Leadership Personnel; Notice Inviting Applications for New Awards for Fiscal Year (FY) 2005

Catalog of Federal Domestic Assistance (CFDA) Number: 84.325D.

Dates:

Applications Available: March 28, 2005.

Deadline for Transmittal of Applications: May 9, 2005.

Deadline for Intergovernmental Review: July 8, 2005.

Eligible Applicants: Institutions of higher education.

Estimated Available Funds: \$4,800,000.

Estimated Range of Awards: \$171,969–\$200,000.

Estimated Average Size of Awards: \$196,200.

Maximum Award: The Secretary does not intend to fund an application that proposes a budget exceeding \$200,000 for a single budget period of 12 months.

Estimated Number of Awards: 24.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 48 months.

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: The purposes of this program are to (1) help address State-identified needs for highly qualified personnel—in special education, related services, early intervention, and regular education—to work with infants or toddlers with disabilities, or children with disabilities; and (2) ensure that those personnel have the skills and knowledge—derived from practices that have been determined through research and experience to be successful—that are needed to serve those children.

Priority: In accordance with 34 CFR 75.105(b)(2)(v), this priority is from allowable activities specified in the statute (see sections 662(d) and 681(d) of the Individuals with Disabilities Education Act (IDEA)).

Absolute Priority: For FY 2005 this priority is an absolute priority. Under 34 CFR 75.105(c)(3) we consider only applications that meet this priority.

This priority is:

Preparation of Leadership Personnel

This priority supports projects that train personnel at the doctoral or post-

**FREQUENTLY ASKED QUESTIONS
SERVICE OBLIGATION AND REPAYMENT REQUIREMENTS**

FOR GRANTS AWARDED IN FISCAL YEAR 2005

Regarding the "Additional Requirements" section of the Personnel Preparation to Improve Services and Results for Children with Disabilities--Combined Priority for Personnel Preparation and Preparation of Leadership Personnel notice, published in the Federal Register on March 25, 2005

Three Sets of Service Obligation Rules Apply to Grants Awarded in Different Years:

- 1) For grants awarded in fiscal year (FY) 2004, or earlier, the version of the regulations published on December 9, 1999 implementing section 673(h) of the Individuals with Disabilities Education Act (IDEA), (see 34 CFR part 304) that was in effect at that time apply, including the requirement that grantees track the service obligations of scholarship recipients;
- 2) **For grants awarded in FY 2005, the "Additional Requirements" section of the Personnel Preparation To Improve Services and Results for Children With Disabilities--Combined Priority for Personnel Preparation and Preparation of Leadership Personnel notice (the "notice"), published in the Federal Register on March 25, 2005 apply, including the requirement that the Secretary track the service obligations of scholarship recipients;**
- 3) For grants awarded in FY 2006 and any year thereafter, the regulations published on June 5, 2006 implementing section 662(h) of IDEA (see 34 CFR part 304) apply, including the requirement that the Secretary track the service obligations of scholarship recipients.

For any particular grant, the rules in effect in the year that the grant (not a specific scholarship) was initially awarded apply to all future years of the grant.

Introduction to FAQs Based on the 2005 Service Obligation Requirements

The Amendments to IDEA was signed into law on December 4, 2004. The Service Obligation regulations were not yet in effect when the FY 2005 Federal Register notice was published for the Personnel Preparation To Improve Services and Results for Children with Disabilities— Combined Priority for Personnel Preparation and the Preparation of Leadership Personnel, therefore, an “Additional Requirements” section, stating the service obligation requirements for grants awarded in FY 2005 was added to the notice. As a condition of participating in the Personnel Development to Improve Services and Results for Children with Disabilities Program, scholars and institutions are required to comply with the service obligation rules and requirements outlined in the notice. The U.S. Department of Education (ED) developed the following guidance document in response to questions frequently asked by grantees, scholars and obligees, but it does not cover all aspects of the requirements and should not be used alone.

To implement the new service obligation tracking requirements, ED established the National Center on Service Obligations (NCSO). Beginning in 2009, NCSO will track the status of the service obligations of scholars who receive scholarships from grants awarded in FY 2005 or later. The notice can be found on the NCSO Web site at: <http://www.serviceobligations.ed.gov>.

General Information

1. Who is required to perform the service obligation?

Individuals who receive scholarship assistance from projects funded under IDEA are required to complete a service obligation or repay all or part of the costs of such assistance. For each academic year scholars receive assistance they must maintain full-time employment for the equivalent of two years (see question 10), or repay the Federal government for the portion of assistance they received that has not been repaid through service (see question 21).

2. How is the term “academic year” defined for purposes of service obligation work or repayment requirement?

Because there is a great deal of variation in how grantees and institutions of higher education (IHEs) utilize the term “academic year,” the definition of this term provided in section B of the notice is only intended to establish general guidelines. As defined in the regulations, “academic year” means a full-time course of study taken for: (1) a period totaling at least 9 months; or (2) the equivalent of at least 2 semesters, 2 trimesters, or 3 quarters. It is up to each individual grantee to determine what constitutes a “full-time course of study” and what constitutes an “academic year” for their particular institution. The determination that individual grantees make must fall within the above-mentioned guidelines established in section F(f)2 of the notice. For part-time scholars, the definition of “academic year” should be based on the accumulation of part-time courses of study that are equivalent to the grantee’s academic year.

3. Does the work or repayment requirement apply to all categories of financial aid or scholarship assistance, or just certain kinds of financial aid or scholarship assistance?

The requirement applies to all IDEA financial assistance to a scholar and includes payments for tuition, stipends, books, fees, and travel in conjunction with training assignments. The scholar’s service obligation is based on the period for which the individual received financial assistance rather than on the amount of the assistance.

4. If a student receives financial assistance under the grant for work performed as a graduate assistant, does the student have a service obligation requirement?

No. Any student whose financial assistance under the grant is based on the condition that the student work for the grantee is not subject to the service obligation requirement because such assistance is not “scholarship” assistance. Grantees who propose to use grant funds to pay graduate assistants to assist in facilitating or administering projects must classify those funds as personnel or other non-scholarship costs. Any remuneration paid to graduate assistants cannot be used to meet the applicable percentage of grant funds that must be used to pay for scholarships.

5. When a scholar receives partial funding, what are the work or repayment requirements?

The service obligation for individual scholars is calculated based solely on the number of academic years of training for which the scholar received scholarship assistance. The amount of financial assistance disbursed, whether such financial assistance is used to cover part or all of a student’s costs incurred during an academic year, has no affect on an individual scholar’s employment commitments.

6. Are scholar/obligee pre-scholarship agreements and exit certifications legally binding?

Yes. Institutions of Higher Education (IHE) are responsible for the accuracy of the pre-scholarship agreements and exit certifications which are legally binding documents as long as they are consistent with Section E (a) and (c) in the 2005 Requirements available on the NCSO Web site at

(<http://www.serviceobligations.ed.gov/ProgramRegs2005.cfm#agreement>).

Please refer to frequently asked question (FAQ) 35 regarding the information to be provided in exit certification.

Service Obligation

7. Can Institutions of Higher Education (IHEs) add stipulations or specific requirements to the service obligation of scholars?

For scholars who are funded 100 percent by an IDEA grant, Institutions of Higher Education (IHEs) are not allowed to extend the scope of or create any stipulations to the IDEA service obligation requirements that apply. However, with respect to any additional funds that an IHE may give to a scholar who is not 100 percent funded by an IDEA grant, Federal law and regulations do not prohibit the IHE from adding its own service obligation or other requirements to those additional funds.

8. How do scholars fulfill their service obligation?

Regardless of the training received or degree obtained, obligees can fulfill their service obligation through eligible employment providing indirect or direct service to students with disabilities. All eligible employment must meet the following criteria:

1) Must provide compensation;

If providing direct service the employment positions must meet the following criteria:

- At least the majority of the infants, toddlers, and children to whom the individual provides services are receiving special education, related services, or early intervention services from the individual; or
- The individual spends at least the majority of his or her time providing special education, related services, or early intervention services to infants, toddlers, and children with disabilities; and
- If serving children, the children served must fall under the definition of eligible children as described in IDEA 2004 (see IDEA Sec. 602(3), or <http://www.serviceobligations.ed.gov/ProgramRegsIDEA602.cfm#childdisability> f or the IDEA definition)

If providing indirect service the employment position must meet the following criteria:

- If the position is supervisory, including principals, the individual spends a majority of his or her time employed in a position performing work related to the individual's preparation under section 662 of IDEA by providing one or both of the following: (a) Special education or related services to children with disabilities or early intervention services to infants and toddlers with disabilities; and (b) Supervision to others on issues directly related to special education or related services for children with disabilities or early intervention services for infants and toddlers.
- If the position is postsecondary faculty, the individual spends a majority of his or her time performing work related to the individual's preparation under section 662 of IDEA by preparing special education teachers and related services personnel to provide services to improve results for children with disabilities, including early intervention, educational, and transitional services.
- If the position is in research, the individual spends a majority of his or her time performing research related to the individual's preparation under section 662 of IDEA that focuses on improving results for children with disabilities, including early intervention, educational, and transitional services.
- If the position involves supervision including in the capacity of a principal, teaching at the postsecondary level, research, policy, technical assistance, program development, or administration, the individual spends at least 51 percent of his or her time performing work related to the training for which a scholarship was received under section 662 of the Act available on the NCSO Web site at: <http://www.serviceobligations.ed.gov/ProgramRegsIDEA662.cfm>.

9. How does the Department define research for purposes of the service obligation?

Any definition of research that is current and acceptable in the field may be used, such as the definitions of “applied research” and “basic research” in Section 102 (2) and (3) of the Education Sciences Reform Act (ESRA). In this Act, the term “applied research” means research:

- (1) to gain knowledge or understanding necessary for determining the means by which a recognized and specific need may be met; and
- (2) that is specifically directed to the advancement of practice in the field of education.

Likewise, the term “basic research” means research:

- (1) to gain fundamental knowledge or understanding of phenomena and observable facts, without specific application toward processes or products; and
- (2) for the advancement of knowledge in the field of education.

10. How is the length of the service obligation calculated?

The length of the service obligation is the full-time equivalent of 2 years for each academic year of scholarship assistance provided. (See question 2 for definition of academic year). If a scholar receives scholarship assistance for a portion of an academic year, then his or her service obligation will be calculated proportionally. For example, if a scholar receives assistance for three semesters at a grantee institution that considers an academic year to be two semesters, then the scholar’s service obligation is three years. The service obligation is based upon the “accumulated academic years” of training for which the scholar received assistance, not the amount of time the scholar spends in the program.

11. What is the minimum amount of academic training a scholar must complete before he or she may start to fulfill the service obligation through employment?

Except as follows, individual scholars must complete at least one-full academic year of training (or the full-time equivalent of one-full academic year if the scholar is part-time) before he or she may begin to fulfill the service obligation through employment. Therefore, any individual who fails to complete at least one full-time academic year of training will not be eligible to fulfill his or her service obligation requirement through employment, but will instead have to repay the entire amount of scholarship assistance received. (However, it is worth noting that scholars who complete at least one full academic year of training (or the full-time equivalency of one year if the scholar is part-time) but who fail to complete a program or obtain full certification in their State will not necessarily be considered qualified to fill available special education, related service, or early intervention jobs that meet the requirements in section F(e) of the notice.)

The primary exception to this rule is when the full-time course of study in which the scholar is enrolled is designed to last less than one full academic year. For example, courses leading to various certifications for special education teachers who are already employed on a full-time or part-time basis, and are currently working in the classroom, are typically designed to last less than one full academic year. In such cases, if the scholar completes the required program, the scholar is eligible to fulfill his or her service obligation requirement. The length of the scholar's service obligation will be calculated based on the portion of the academic year to which the full-time course of study was equivalent. For calculation purposes, see Question 10.

12. If a scholar is dismissed or drops out of a program for an academic or non-academic reason, will he or she be required to fulfill the employment or repayment requirement?

Yes. The regulations apply to scholars who are dismissed or drop out of a program in the same manner that they apply to other scholarship recipients (See question 11).

13. When does the service obligation begin?

Unless there is a basis for a deferral or an exception (See questions 23-25), the service obligation begins immediately upon exiting the program.

14. How long do scholars/obligees have to complete their service obligations?

The period of time within which any individual who owes a service obligation (an obligee) must fulfill his or her obligation is calculated by determining the sum of the number of years of service owed plus a grace period of three additional years.

15. What is full-time employment?

Full-time employment means a full-time position, as defined by the individual's employer or by the agencies served by the individual.

16. Must obligees work on a full-time basis to satisfy their obligations?

No. Obligees may fulfill the obligation through full- or part-time employment. If an obligee works part-time, he or she still must work the full-time equivalent of two years for each academic year for which assistance was received. Further, obligees who work on a part-time basis must also fulfill the obligation within the required period which is calculated by determining the sum of the number of years of service owed plus three additional years.

17. Can a scholar begin working to satisfy the service obligation while still receiving the academic training for which the scholarship was awarded?

Employment that meets the regulatory requirements and is performed by a scholar subsequent to the completion of one full-time academic year of training (or full-time equivalent if the student is part-time) may be used to meet, in part, the scholar's service obligation.

18. Can the service obligation be satisfied by working with children with disabilities in a country outside of the United States, its territories and the Freely Associated States?

No, unless the employment in question takes place in a Department of Defense school, any service obligation to be fulfilled by working directly with children with disabilities must occur within a school that is covered by IDEA. IDEA only applies to State Educational Agencies (SEAs) and Local Educational Agencies (LEAs) that receive funds under IDEA. IDEA does not have extra-territorial effect because schools outside the US, its territories, and the Freely Associated States (i.e., American Samoa, Guam, Puerto Rico, the US Virgin Islands, and the Commonwealth of the Northern Marianas, Republic of the Marshall Islands, Federated States of Micronesia, and the Republic of Palau) do not qualify as SEAs or LEAs and may not receive IDEA funds.

19. What is the legal basis for the U.S. Department of Education, to require Institutions of Higher Education to provide Social Security numbers to the National Center on Service Obligations, operated by contractor, Optimal Solutions Group?

In order to ensure that scholars/obligees comply with their service obligation (See section 662(h)(3)(A) of IDEA), ED requires IHEs to provide to NCSO the SSNs of students who receive OSEP Personnel Development Program scholarships. This is authorized under 34 CFR § 99.31(a)(4)(i), which states that an IHE may disclose personally identifiable information from records of a student without the student's consent if the disclosure is in connection with financial aid of the student and is necessary to "[e]nforce the terms and conditions of the aid." Given that the funding provided to scholars/obligees in the Personnel Development Program by their IHEs is considered financial assistance, and ED through NCSO is responsible for tracking the service obligation requirement and/or repayment of that financial assistance, this provision authorizes IHEs to provide the SSNs of scholars/obligees to NCSO.

<http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

20. Can the service obligation be satisfied by working as post-secondary faculty at a university or college in a country outside of the United States, its territories and the Freely Associated States ?

Generally no, but there is a very narrow exception. According to section 304.30(f)(3), in order to fulfill the service obligation by teaching at the postsecondary level, an obligee must spend at least 51 percent of his or her time “performing work related to the training for which the scholarship was received.” Thus, obligees performing their service obligation through faculty positions must teach students to serve children with disabilities under the Individuals with Disabilities Education Act (IDEA) or teach IDEA requirements and strategies to students, such as Ph.D. candidates or students who will perform in administrative positions. The teaching that satisfies these requirements must occur at an institution of higher education (IHE) located in the United States its territories, or one of the Freely Associated States (i.e., American Samoa, Guam, Puerto Rico, the US Virgin Islands, and the Commonwealth of the Northern Marianas, Republic of the Marshall Islands, Federated States of Micronesia, and the Republic of Palau). Teaching that occurs in IHEs in foreign countries can be eligible only if the obligee receives prior approval from the Office of Special Education Programs. Any request for such prior approval must establish that the students being taught either intend to provide special education services in IDEA-eligible schools in a manner consistent with section 304.30(e)(1) and (2) or to otherwise work in IDEA positions consistent with section 304.30(e)(3).

Repayment Requirements

21. What are the consequences of an obligee’s failure to satisfy the service obligation?

According to the terms and conditions of the scholar’s written agreement with the grantee, he or she must repay the amount of scholarship assistance not satisfied through employment. Also, the obligee will be charged interest on the unpaid balance of the scholarship owed; accruing from the date he or she is determined to have entered repayment status. The Secretary may also impose reasonable collection costs in accordance with 31 U.S.C. 3717.

22. When does an obligee enter repayment status?

Any service obligee who fails to meet the service obligation through eligible employment enters repayment status on the first day of the first calendar month after the earliest of the following dates:

- (1) the date the obligee informs the grantee or the Secretary that he or she does not plan to fulfill the service obligation under the agreement;
- (2) the date the obligee's failure to begin or maintain employment makes it impossible for that individual to complete the service obligation within the number of years required by section F(j)(4) of the notice; or
- (3) the date on which the scholar discontinues enrollment in the course of study under section F(f) prior to finishing at least one year.

If the NCSO does not receive regular employment status reports, obligees will be referred to ED for repayment.

23. On what basis may the Secretary grant a deferral or an exception?

The Secretary may grant a deferral or an exception to the work or repayment requirements upon request, if a scholar or an obligee can provide sufficient evidence to substantiate eligibility for a deferral or exception. The circumstances under which deferrals and exceptions may be granted are provided in Questions 24 and 25.

24. Under what circumstances may repayment of a scholarship be deferred?

The Secretary may grant a deferral for repayment of a scholarship under any circumstance in which an obligee:

- (1) is engaging in a full-time course of study at an institution of higher education;
- (2) is serving on active duty as a member of the armed services of the United States;
- (3) is serving as a volunteer under the Peace Corps Act; or
- (4) is serving as a full-time volunteer under Title I of the Domestic Volunteer Service Act of 1973.

25. Under what circumstances may an obligee receive an exception to the repayment requirement?

The Secretary may grant an exception to the repayment requirements in whole or part, if a scholar or an obligee:

- (1) is unable to continue the course of study or perform the service obligation because of a permanent disability;
- (2) or has died.

26. How do scholars/obligees request a deferral or exception for their service obligation?

Requests for deferral/exception must state the reason for the request and the applicable dates and be delivered to the Office of Special Education Programs (OSEP) or the National Center on Service Obligations (NCSO). Requests can also be submitted on the Service Obligation Tracking System (SOTS).

Scholars/obligees are required to submit supporting documentation with their deferral or exception request. Evidence to support a deferral request must include official documentation from the appropriate entity, such as an Institution of Higher Education (IHE), the armed services, or volunteer organization. Evidence to support an exception request must also contain official documentation, such as a death certificate or a statement from a medical professional, as appropriate.

Special Circumstances

27. How are early intervention personnel affected by the service obligation requirements?

Scholars who receive training in the area of early intervention have the same obligation as other scholars who receive training assistance under an IDEA training grant. However, if the State has elected to serve at-risk infants and toddlers and their families under Part C of IDEA, the early intervention services performed may include services to infants and toddlers who are at risk for experiencing developmental delays and their families, as well as infants and toddlers with identified disabilities and their families.

28. If a general education teacher or paraprofessional receives funding from a training grant are they affected by the service obligation requirement?

Yes. General education teachers and paraprofessionals, who receive funding from a training grant, like all other IDEA-funded scholars, must subsequently work in the special education, related service, or early intervention field consistent with the requirements of the regulations, or repay the scholarship. Neither the statute nor the regulations provide an exception to the service obligation for general education teachers, principals, and paraprofessionals.

29. Will any remaining service obligation be waived for obligees who pursue a doctoral level degree after completing a Master's level program for which they received a scholarship?

No. Obligees may fulfill the service obligation accrued during their Master's level program in any of the ways described in Question 8.

30. Can a scholar who was supported at the Master's level by an IDEA-funded grant teach in an undergraduate or Master's program while completing a doctorate?

It depends. Scholarship recipients must fulfill a service obligation through employment that is sufficiently related to the training for which assistance was provided. Thus, if the scholarship was for a program to train personnel for teaching at the undergraduate or Master's level, a scholar could teach while getting a doctorate and satisfy the service obligation for the Master's program. However, if the scholarship was for a program to provide direct services, the scholar would have to provide special education or related services to children with disabilities or early intervention services to infants and toddlers and their families in order to meet the service obligation requirements (See questions 8 and 18).

31. If scholars/obligees receive grant funding from both the Individuals with Disabilities Education Act (IDEA) and the Teacher Education Assistance for College and Higher Education (TEACH) programs, can they satisfy service obligations under both programs at the same time?

Yes. Section 304.30(b) of the regulations prohibits scholars from accepting additional financial assistance only if that assistance "conflicts with the scholar's obligation." Scholars/obligees may complete their service obligation requirements associated with grant funding under IDEA and TEACH grants concurrently. Please note, however, that scholars/obligees receiving only partial funding under an IDEA grant are still required to fulfill a two-year service obligation for every one year of academic funding received.

Operational

32. What is a grantee's obligation with respect to scholar repayment agreements?

An IHE receiving a training grant under IDEA must ensure that any scholar receiving scholarship assistance from the grant signs and dates a "repayment" agreement prior to the initial disbursement of any scholarship funds on his or her behalf, including the payment or crediting of tuition. The institution must fully disclose to the IDEA scholar the terms and conditions of the repayment requirement in the application for an IDEA scholarship. The written agreement must contain the terms and conditions required by the regulations.

33. Does research performed overseas qualify as eligible employment and will it fulfill my service obligation?

It depends. Research performed overseas may qualify as eligible employment for the fulfillment of the service obligation. Such research must meet any current and acceptable definition of research (see question 9) as well as the regulatory standard that the individual spends, "at least 51 percent of his or her time performing work related to the training for which a scholarship was received..." (Section 304.30(e)(3) of the 2006 Regulations, Section F(e)(5) of the 2005 Requirements).

34. Can Personnel Development Program grants be used to fund foreign scholars?

Yes. A scholar/obligee must satisfy the citizenship/resident requirements outlined in the 2005 requirements (<http://www.serviceobligations.ed.gov/ProgramRegs2005.cfm>) governing their grant. Institutions of Higher Education (IHE) are responsible for ensuring the compliance of their scholars with these requirements and, if necessary, must seek clarity with the Department of Homeland Security to ensure that the proper documentation has been completed.

IHEs must ensure that the scholar/obligee:

- 1) Is a citizen or national of the United States; or
- 2) Is a permanent resident of:
 - a. Puerto Rico, United States Virgin Islands, Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands; or
 - b. The Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau during the period in which these entities are eligible to receive an award under the Personnel Development to Improve Services and Results for Children with Disabilities program; or
- 3) Provides and maintains evidence for the U.S. Department of Homeland Security that the individual is—
 - a. A lawful permanent resident of the United States; or
 - b. In the United States for other than a temporary purpose with the intention of becoming a citizen or permanent resident

35. What is the "exit certification" that the grantee must receive from the scholar when a scholar completes his or her program?

The grantee must provide notification (certification) to the scholar at the time of exit from the program that includes all of the obligee's obligations under section E of the notice. Upon receipt of such notification, the obligee must also certify, in writing, that the information is correct (see section 304.23(c)). The required certification must identify—

- (1) the number of years the individual obligee must to work to satisfy the service obligation requirements of the notice;
- (2) the total amount of scholarship assistance received that is subject to the work-or-repayment requirements;
- (3) the time period during which the obligee must satisfy the service obligation;
- (4) all other obligations of the obligee, as applicable.

Upon receipt of such written certification from individual obligees, the grantee administering the grant through which individual scholarships have been provided must enter in the NCSO web-based Service Obligation Tracking System (SOTS) the information contained in items 1 through 4 above, each obligee's name, address, e-mail address, social security number, and complete written certification as well as any other information that is necessary to carry out the Secretary's functions under section 662 of IDEA. If the grantee is aware that any scholar has chosen not to fulfill or will be unable to fulfill the obligation under section F(d) of the notice, the grantee must enter the relevant information in the SOTS when the scholar exits the program.

36. Which entity is responsible for receiving and maintaining information and tracking the service obligation of the scholars/obligees?

ED is responsible for tracking scholars who exit programs supported by grants initially awarded beginning in FY 2005. ED has contracted with Optimal Solutions Group, LLC (Optimal) to establish the NCSO to track and verify the service obligation fulfillment of all scholars/obligees.

37. To whom must the obligee report his or her whereabouts, employment settings, or employment status?

Once a record is submitted for an exited or completed scholar/obligee, the scholar/obligee is given access to the database for input of employment information. Once an obligee has exited the program, he or she must return the signed exit certification to the grantee (See question 35). Obligees are required to provide all information that the Secretary needs to monitor their service obligation within 60 days after exiting the program, and as necessary thereafter for any changes (including any change related to an obligee choosing not to fulfill or being unable to fulfill the obligation). This includes: social security number, address, employment setting, and employment status. Any changes to the information above must be submitted on an annual basis.

38. How will the service obligations of obligees be monitored?

NCSO was established to monitor the fulfillment of service obligations required of students who received scholarship assistance from federally funded university projects through the Office of Special Education Programs Personnel Development Program. NCSO tracks the scholarships funded by grants awarded to IHEs in federal fiscal year 2005 and any year thereafter. NCSO is available to answer questions and provide technical support for the SOTS.

39. Who collects the funds repaid by an obligee if he or she does not fulfill the service obligation through eligible employment?

If an obligee does not comply with the service obligation requirements by fulfilling the terms of his or her obligation, ED is responsible for collecting the funds (scholarship, interest, and collection costs) according to a schedule established by the Secretary. Interest is charged in accordance with the Debt Collection Act of 1982, as amended 31 U.S.C. 3717.

NCSO CONTACT INFORMATION

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The NCSO Web site and the Service Obligation Tracking System are located at
<http://serviceobligations.ed.gov>.