

women to participate in athletics under Title IX at this meeting, you are requested to reserve time on the agenda of the meeting by contacting the Commission office by email or fax.

We request that you submit a request to the Commission office by email or fax. Please include your name, the organization you represent if appropriate, and a brief description of the issue you would like to present. Participants will be allowed approximately three to five minutes to present their comments, depending on the number of individuals who reserve time on the agenda. At the meeting, participants are also encouraged to submit two written copies of their comments. Persons interested in making comments are encouraged to address the issues and questions discussed under **SUPPLEMENTARY INFORMATION**.

Given the expected number of individuals interested in providing comments at the meetings, reservations for presenting comments should be made as soon as possible. Persons who are unable to obtain reservations to speak during the meetings are encouraged to submit written comments. Written comments will be accepted at each meeting site or may be mailed to the Commission at the address listed under **ADDRESSES**.

In addition to making reservations, individuals attending the public meetings, for security purposes, must be prepared to show photo identification in order to enter the meeting location.

*Request for Written Comments:* In addition to soliciting input during the public meetings, we invite the public to submit written comments relevant to the Commission.

**DATES:** We would like to receive your written comments on the Act by November 29, 2002.

**ADDRESSES:** Submit all comments to the Commission using one of the following methods:

1. *Internet.* We encourage you to send your comments through the Internet to the following address:

*OpportunityinAthletics@ed.gov.*

2. *Mail.* You may submit your comments to The Secretary of Education's Commission on Opportunity in Athletics, 400 Maryland Avenue, SW., ROB-3 Room 3060, Washington, DC 20202. Due to delays in mail delivery caused by heightened security, please allow adequate time for the mail to be received.

3. *Facsimile.* You may submit comments by facsimile at (202) 260-4560.

**FOR FURTHER INFORMATION CONTACT:** See the Commission address under the

**ADDRESSES** section of this notice. View the Commission's web site at: <http://www.ed.gov/inits/commissionsboards/athletics>. The Commission office number is 202-708-7417.

**SUPPLEMENTARY INFORMATION:** The nation is commemorating the 30th anniversary of the passage of Title IX, the landmark legislation prohibiting recipients of Federal funds from discriminating on the basis of sex. Since this legislation was enacted, there has been a dramatic increase in the number of women participating in athletics at the high school and college levels. The Secretary of Education has determined that this anniversary provides an appropriate time to review the application of Title IX to educational institutions' efforts to provide equal opportunity in athletics to women and men. In order to do so, the Secretary established the Commission on Opportunity in Athletics. The Commission will produce a report no later than January 31, 2003, outlining its findings relative to the opportunities for men and women in athletics in order to improve the effectiveness of Title IX.

Comments are encouraged on the following priority areas:

1. Are Title IX standards for assessing equal opportunity in athletics working to promote opportunities for male and female athletes?

2. Is there adequate Title IX guidance that enables colleges and school districts to know what is expected of them and to plan for an athletic program that effectively meets the needs and interests of their students?

3. Is further guidance or are other steps needed at the junior and senior high school levels where the availability or absence of opportunities will critically affect the prospective interests and abilities of student athletes when they reach college age?

4. How should activities such as cheerleading or bowling factor into the analysis of equitable opportunities?

5. How do revenue producing and large-roster teams affect the provision of equal athletic opportunities? The Department has heard from some parties that whereas some men athletes will "walk-on" to intercollegiate teams—without athletic financial aid and without having been recruited—women rarely do this. Is this accurate and, if so, what are its implications for Title IX analysis?

6. In what ways do opportunities in other sports venues, such as the Olympics, professional leagues, and community recreation programs, interact with the obligations of colleges and school districts to provide equal

athletic opportunity? What are the implications for Title IX?

7. Apart from Title IX enforcement, are there other efforts to promote athletic opportunities for male and female students that the Department might support, such as public-private partnerships to support the efforts of schools and colleges in this area?

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Dated: November 1, 2002.

**Rod Paige,**

*Secretary of Education.*

[FR Doc. 02-28288 Filed 11-6-02; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF EDUCATION

### Office of Special Education and Rehabilitative Services; List of Correspondence

**AGENCY:** Department of Education.

**ACTION:** List of correspondence from April 1, 2002 through June 30, 2002.

**SUMMARY:** The Secretary is publishing the following list pursuant to section 607(d) of the Individuals with Disabilities Education Act (IDEA). Under section 607(d) of IDEA, the Secretary is required, on a quarterly basis, to publish in the **Federal Register** a list of correspondence from the Department of Education received by individuals during the previous quarter that describes the interpretations of the Department of Education of IDEA or the regulations that implement IDEA.

**FOR FURTHER INFORMATION CONTACT:** Melisande Lee or JoLeta Reynolds. Telephone: (202) 205-5507.

If you use a telecommunications device for the deaf (TDD) you may call (202) 205-5637 or the Federal Information Relay Service (FIRS) at 1-800-877-8339.

Individuals with disabilities may obtain a copy of this notice in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to Katie Mincey, Director of the Alternate Format Center. Telephone: (202) 205-8113.

**SUPPLEMENTARY INFORMATION:**

The following list identifies correspondence from the Department issued from April 1, 2002 through June 30, 2002.

Included on the list are those letters that contain interpretations of the requirements of IDEA and its implementing regulations, as well as letters and other documents that the Department believes will assist the public in understanding the requirements of the law and its regulations. The date and topic addressed by a letter are identified, and summary information is also provided, as appropriate. To protect the privacy interests of the individual or individuals involved, personally identifiable information has been deleted, as appropriate.

**Part A—General Provisions**

*Section 602—Definitions.*

Topic Addressed: Special Education AND Related Services

- Letter dated April 19, 2002 to individual, (personally identifiable information redacted), regarding the circumstances under which transportation must be provided as a related service; and clarifying that IDEA does not address whether parents are entitled to reimbursement for transporting their child if transportation is not a required related service on the individualized education program.

**Part B—Assistance for Education of All Children With Disabilities**

*Section 611—Authorization; Allotment; Use of Funds; Authorization of Appropriations.*

Topic Addressed: Distribution of Funds

- OSEP memorandum 02-06 dated April 26, 2002, regarding implementation of the new funding formula under IDEA, specifically the year of age cohorts for which a free appropriate public education (FAPE) is ensured.

Topic Addressed: Use of Funds

- Letter dated May 22, 2002 to Louisiana Department of Education Division of Appropriation Control Director Kitty Littlejohn regarding the ability to add program income, generated from registration fees assessed on participants at conferences

conducted by the State Department of Education, to the IDEA Part B grant award.

*Section 612—State Eligibility.*

Topic Addressed: Condition of Assistance and Annual Count

- Letter dated April 2, 2002 to individual, (personally identifiable information redacted), clarifying that (1) the Florida Department of Education (FDE) operates a one-tier due process system; (2) the FDE is revising its eligibility documents which will be reviewed by the Office of Special Education Programs; (3) the FDE is developing a State Improvement Plan; and (4) a school district may include in its annual count children placed by their parents in private schools through Florida's program of Scholarships to Public or Private Schools of Choice for Students with Disabilities if these children are being provided special education or related services under 34 CFR 300.452-300.462.

Topic Addressed: State Educational Agency General Supervisory Authority

- Letter dated June 27, 2002 to Dina O. Harris, Esq., John F. Walsh, Esq. and Arizona Assistant Attorney General Kacey Gregson, regarding the ability of a State educational agency (SEA) to reduce or withhold funds from a local educational agency (LEA) that is not meeting its obligation to provide FAPE to all students with disabilities it is responsible for serving.

Topic Addressed: Personnel Standards

- Letter dated April 2, 2002 to G. Emerson Dickman, Esquire, clarifying requirements regarding qualifications of personnel under both the IDEA and the No Child Left Behind Act (NCLB Act) and a parent's right to be informed about the qualifications of individuals providing services to a child.

*Section 614—Evaluations, Eligibility Determinations, Individualized Education Programs, and Educational Placements*

Topic Addressed: Individualized Education Programs

- Letter dated June 27, 2002 to Illinois State Board of Education Director of Special Education Dr. Anthony E. Sims, clarifying that, although the Part B "at no cost" requirement does not preclude incidental fees normally charged to nondisabled students or their parents as part of the regular education program, it would be impermissible for a public agency to charge parents a fee for extended school year services if summer

school services, for which incidental fees are charged, are not a part of the extended school year services provided to the student.

*Section 615—Procedural Safeguards*

Topic Addressed: Timelines For Appeals

- Letter dated June 26, 2002 to Connecticut Department of Education Bureau Chief George P. Dowaliby clarifying that to require that issues be raised at a planning and placement team meeting before they can be addressed at a due process hearing establishes impermissible notice and exhaustion burdens inconsistent with the IDEA and its implementing regulations.

- Letters dated June 25, 2002 to Minnesota Department of Children Families and Learning Director of Special Education Norena A. Hale, Mississippi State Department of Education Program Improvement and Outreach Bureau Director Dr. Melody Bounds, and Missouri Department of Elementary and Secondary Education Coordinator of Special Education Services Melodie Friedebach, clarifying that the States must revise or delete their 30-day time limits because Circuit Court decisions applicable to these States have specifically rejected a 30-day time for appealing due process hearing decisions since it conflicts with the policies and purposes of the IDEA.

- Letter dated June 4, 2002 to Arkansas Department of Education Associate Director of Special Education Marcia Harding, requesting that Arkansas revise its 30-day time limit for filing a civil action under IDEA to be consistent with a case involving the Arkansas time limit.

- Letters dated June 4, 2002 to Minnesota Department of Children, Families and Learning Director of Special Education Norena A. Hale, Mississippi State Department of Education Program Improvement and Outreach Bureau Director Dr. Melody Bounds, Missouri Department of Elementary and Secondary Education Coordinator of Special Education Services Melodie Friedebach, and Nebraska Department of Education Special Populations Administrator Gary M. Sherman, requesting that the States either explain why case law rejecting a 30-day time limit for judicial review of IDEA claims is not applicable to civil actions in their States or revise their 30-day time limits.

### Part C—Infants and Toddlers with Disabilities

#### Section 636—Individualized Family Service Plan

Topic Addressed: Early Intervention Services

- Letter dated June 11, 2002 to Kentucky Acting Part C Coordinator Ms. Trish Howard, clarifying that (1) guidelines established by a State to assist teams in developing an individualized family service plan (IFSP) may not be implemented in a manner that restricts the authority and responsibility of the IFSP team and (2) that the IFSP team makes the final determination of the frequency and intensity of early intervention services needed by the child.

#### Other Letters Relevant to the Administration of IDEA Programs

Topic Addressed: Free Appropriate Public Education

- Dear Colleague letter dated June 14, 2002 regarding preliminary guidance for programs which must be implemented by the 2002–2003 school year on public school choice, supplemental education services, and collective bargaining agreements under the provisions of the NCLB Act.

- Letter dated May 10, 2002 to Florida Department of Education Bureau of Instructional Support and Community Services Chief Shan Goff, regarding Florida's obligation under Federal civil rights laws to ensure that its Scholarship Program for Students with Disabilities is administered in a nondiscriminatory manner.

Topic Addressed: Personnel Standards

- Letter dated April 30, 2002 to Alabama Superintendent of Education Edward R. Richardson, clarifying Title I paraprofessional requirements under the NCLB Act.

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**Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.access.gpo.gov/nara/index.html>.

(Catalog of Federal Domestic Assistance Number 84.027, Assistance to States for Education of Children with Disabilities)

Dated: October 31, 2002.

**Robert H. Pasternack,**

*Assistant Secretary for Special Education and Rehabilitative Services.*

[FR Doc. 02–28363 Filed 11–6–02; 8:45 am]

**BILLING CODE 4000–01–P**

### ENVIRONMENTAL PROTECTION AGENCY

[FRL–7405–8]

#### Agency Information Collection Activities: Proposed Collection; Comment Request: Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction Prior to May 30, 1991 and Have Not Been Modified or Reconstructed Since May 30, 1991; EPA ICR Number 1893.03; OMB Control Number 2060–0430; Expiration Date February 28, 2003

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit the following continuing Information Collection Request (ICR) to the Office of Management and Budget (OMB): Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction Prior to May 30, 1991 and Have Not Been Modified or Reconstructed Since May 30, 1991; EPA ICR Number 1893.03; OMB Control Number 2060–0430; expiration date February 28, 2003. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

**DATES:** Comments must be submitted on or before January 6, 2003.

**ADDRESSES:** Compliance Assessment and Media Programs Division, Office of Compliance, Office of Enforcement and Compliance Assurance, Mail Code 2223A, United States Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. A hard copy of a specific ICR may be obtained without charge by calling or sending an E-mail to the contact person listed in this notice.

### FOR FURTHER INFORMATION CONTACT:

Sharie A. Centilla of the Office of Compliance at (202) 564–0697 or via E-mail at [Centilla.Sharie@epa.gov](mailto:Centilla.Sharie@epa.gov) and ask for EPA ICR Number 1893.03; OMB Control Number 2060–0430; expiration date February 28, 2003.

### SUPPLEMENTARY INFORMATION:

**Title:** Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction Prior to May 30, 1991 and Have Not Been Modified or Reconstructed Since May 30, 1991 (40 CFR Part 62, Subpart GGG); EPA ICR Number 1893.03; OMB Control Number 2060–0430; expiration date February 28, 2003.

**Affected Entities:** Entities potentially affected by this action are owners or operators of existing municipal solid waste landfills that are located in any State for which a State plan has not been approved and become effective.

**Abstract:** The Agency has determined that the emissions from municipal solid waste landfills cause, or contribute significantly to air pollution that may reasonably be anticipated to endanger public health or welfare. The Administrator is charged under Section 111 of the Clean Air Act (CAA) to establish procedures for each State to submit a plan that would establish standards of performance for any existing source for any air pollutant. If the State has not developed such a plan, then the Administrator may require any person who owns or operates any emission source or is subject to any requirements of the CAA, to establish and maintain reports; make reports; install, use, and maintain monitoring equipment or methods; sample emissions; and provide any other information as required.

All owners and operators of existing municipal solid waste landfills must submit an initial design capacity report. If the design capacity of an existing landfill is equal to or greater than 2,500,000 megagrams in weight and equal to or greater than 2,500,000 cubic meters in volume, the owner or operator is required to determine the facility's annual, nonmethane, organic compound (NMOC) emission rate. Based on a three-tier emission rate calculation system, the owner or operator is required to either install a collection and control system, or perform emission test using the criteria specified at the next tier level. If the NMOC emission rate is determined to be less than 50 megagrams per year, as determined by Tier 1, Tier 2, or Tier 3 emission rate calculations, no further calculations or testing is required for that year.

For landfills required to install collection and control systems,