



# Federal Register

---

**Thursday,  
August 8, 2002**

---

**Part VII**

## **Department of Education**

---

**Office of Special Education and  
Rehabilitative Services, Office of Special  
Education Programs; Final Priority Under  
the State Improvement Grant Program;  
Notice Inviting Applications for New  
Awards for Fiscal Year 2002; Notices**

**DEPARTMENT OF EDUCATION****Office of Special Education Programs;  
Final Priority Under the State  
Improvement Grant Program**

**AGENCY:** Office of Special Education  
And Rehabilitative Services,  
Department of Education.

**ACTION:** Notice of final priority.

**SUMMARY:** The Assistant Secretary for Special Education and Rehabilitative Services announces a priority under the State Program Improvement Grant Program administered by the Office of Special Education and Rehabilitative Services (OSERS) under the Individuals with Disabilities Education Act (IDEA), as amended. The Assistant Secretary may use this priority for competitions in fiscal year 2002 and in later years. We take this action to focus Federal financial assistance on identified needs to improve results for children with disabilities. The priority is intended to ensure wide and effective use of program funds.

**EFFECTIVE DATE:** This priority is effective September 9, 2002.

**FOR FURTHER INFORMATION CONTACT:**  
Larry Wexler, U.S. Department of  
Education, 400 Maryland Avenue, SW.,  
room 3630, Switzer Building,  
Washington, DC 20202-2641.  
Telephone: (202) 205-5390. FAX: (202)  
205-9179 or via Internet:  
[Larry.Wexler@ed.gov](mailto:Larry.Wexler@ed.gov)

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

Individuals with disabilities may obtain a copy of this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

**SUPPLEMENTARY INFORMATION:** We published a notice of proposed priority for this program in the **Federal Register** on June 18, 2002 (67 FR 41586).

Except for minor editorial and technical revisions, there are no differences between the notice of proposed priority and this notice of final priority.

**Public Comment**

In the notice of proposed priority, we invited comments on the proposed priority. We did not receive any substantive comments. However, we have made a change in the second paragraph under (d) on page 41587, to clarify that the awards are not new projects but are supplements to existing projects.

**Note:** This notice does *not* solicit applications. In any year in which we choose to use this priority, we invite applications through a notice in the **Federal Register**. When inviting applications we designate the priority as absolute, competitive preference, or invitational. The effect of each type of priority follows:

**Absolute priority:** Under an absolute priority we consider only applications that meet the priority (34 CFR 75.105(c)(3)).

**Competitive preference priority:** Under a competitive preference priority we give competitive preference to an application by either (1) awarding additional points, depending on how well or the extent to which the application meets the priority (34 CFR 75.105(c)(2)(i)); or (2) selecting an application that meets the priority over an application of comparable merit that does not meet the priority (34 CFR 75.105(c)(2)(ii)).

**Invitational priority:** Under an invitational priority we are particularly interested in applications that meet the invitational priority. However, we do not give an application that meets the priority a competitive or absolute preference over other applications (34 CFR 75.105(c)(1)).

**Priority***Competitive Supplement to State  
Program Improvement Grants***Background**

There are currently 36 State educational agencies that are funded under the State Program Improvement Grant program. These grants are meant to improve results for children with disabilities by addressing personnel training needs of States, as identified by the States, and have been an example of the Department's continuing effort to improve educational opportunities for all children. Congress established the State Program Improvement Grant program when it reauthorized IDEA in 1997. The money helps State educational agencies reform their systems for providing educational, early intervention and transitional services for children with disabilities. It also supports technical assistance for local schools and dissemination of knowledge about best practices. Seventy-five percent of each grant must be used for professional development.

As part of the competition, each State, in conjunction with required partners, including local education agencies and other State agencies that provide special education services (at its option the State may also include other partners such as the Governor, parents of children with disabilities, organizations

representing individuals with disabilities and their parents, the lead State agency for part C IDEA, institutions of higher education within the State, etc.), submitted improvement plans focused on such areas as: (1) Training and personnel; (2) recruitment and retention of special education, related services and early intervention staff; (3) performance of children with disabilities; and (4) improving overall program effectiveness. The States receiving the grants have used the funds to implement the improvement strategies that they proposed in their plans. The Secretary anticipates that there will be additional fiscal year 2001 funds available subsequent to making awards under this year's competition. To utilize additional funds that may become available, the Secretary is conducting a separate competition under which only grantees from the FY 1999, 2000 and 2001 competitions would be eligible.

**Priority**

The Secretary has established a priority to award competitive supplements to State Improvement Grants awarded in 1999, 2000, or 2001 for the purpose of enhancing current grant activities. Applicants must describe additional activities that augment or complement those goals and activities that are already being implemented as part of their State Improvement Grant. Enhancement activities may be simply an expansion of activities already described in the narrative or they may be new activities that will improve the quality of the previously approved State improvement grant tasks. The Secretary is particularly interested in activities that focus on: (1) Retention and recruitment of highly qualified personnel; (2) the use of research-based reading intervention strategies; and (3) the use of research-based positive behavior supports.

Projects must—

(a) Enhance only those State Improvement Grant activities that can be shown, based on the project's data-based evaluation, to have impacted positively on the goal(s) of the project;

(b) Incorporate the expanded or new activities into the project's ongoing evaluation activities;

(c) Incorporate the expanded or new activities into the project's existing partnership agreements; and

(d) Ensure that the State uses not less than 75 percent of the funds (existing budget plus any supplemental funds) it receives under the grant for any fiscal year on professional development and training of regular education, special education, or related services personnel.

Only 50 percent of the funds must be used on professional development if the State can demonstrate to the Department that it has sufficient personnel.

Under this priority, the Secretary will make, based on available funds, up to 36 supplements.

#### Intergovernmental Review

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

This document provides early notification of our specific plans and actions for this program.

#### Electronic Access to This Document

You may view this document, as well as all other Department of Education documents published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at either of the following site: <http://www.ed.gov/legislation/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.access.gpo.gov/nara/index.html>

(Catalog of Federal Domestic Assistance Number: State Program Improvement Grants Program, 84.323A)

**Program Authority:** 20 U.S.C. 1405, 1461, 1472, 1474, and 1487.

Dated: August 5, 2002

**Robert H. Pasternack,**

*Assistant Secretary for Special Education and Rehabilitative Services.*

[FR Doc. 02-20119 Filed 8-7-02; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF EDUCATION

[CFDA No. 84.323]

### Office of Special Education and Rehabilitative Services, Office of Special Education Programs—State Program Improvement Grant Program; Notice Inviting Applications for New Awards for Fiscal Year 2002

*Purpose of Program:* The purpose of the State Program Improvement Grant program is to assist State educational agencies and their partners referred to in section 652(b) of IDEA with reforming and improving their systems for providing educational, early intervention, and transitional services, including their systems for professional development, technical assistance, and dissemination of knowledge about best practices, to improve results for children with disabilities.

*Eligible Applicants:* State educational agencies with currently funded State Improvement Grants.

*Applications Available:* August 8, 2002.

*Deadline for Transmittal of Applications:* September 9, 2002.

*Deadline for Intergovernmental Review:* September 19, 2002.

*Estimated Available Funds:* \$8,000,000.

*Estimated Number of Awards:* Under this priority, the Secretary will make, based on available funds, up to 36 supplements.

*Estimated Size of Awards:* State educational agencies with currently funded State Improvement grants may apply for up to 10 percent of the five-year total of their existing awards.

#### Page Limit

Part III of each application, the application narrative, is where an applicant addresses the selection criteria that are used by reviewers in evaluating the application. You must limit Part III to the equivalent of no more than 25 pages, using the following standards:

- A "page" is 8.5" × 11" (on one side only) with one-inch margins (top, bottom, and sides).
- Double-space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, 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 or references, or the letters of support. However, you must include all of the application narrative in Part III.

We will reject any application if—

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

*Applicable Regulations:* (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 80, 81, 82, 85, 86, 97, 98, and 99; and (b) The regulations for this program in 34 CFR part 304; and (c) The selection criteria chosen from the general selection criteria in 34 CFR 75.210. The specific selection criteria for this priority are included in the application package for this competition.

#### Priority

For FY 2002 this priority is an absolute priority. Under 34 CFR 75.105(c)(3) we consider only applications that meet the priority.

This competition focuses on projects designed to meet a priority in the notice of final priority for this program, published elsewhere in this issue of the **Federal Register**.

**FOR APPLICATION INFORMATION CONTACT:** For this priority under the Special Education—State Program Improvement Grant Program, contact Larry Wexler, U.S. Department of Education, 400 Maryland Avenue, SW., Room 3630, Switzer Building, Washington, DC 20202-2641. Telephone: (202) 205-5390. FAX: (202) 205-9179 or via Internet: [Larry.Wexler@ed.gov](mailto:Larry.Wexler@ed.gov).

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

Individuals with disabilities may obtain a copy of this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the contact person listed under **FOR APPLICATION INFORMATION CONTACT**.

#### Electronic Access to This Document

You may view this document, as well as all other Department of Education documents published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at either of the following site: <http://www.ed.gov/legislation/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-