

Special Education
Part 100

Friday
December 17, 1999

Part VIII

**Department of
Education**

**Office of Special Education and
Rehabilitative Services; Special
Education—Technology and Media
Services for Individuals With Disabilities
Program; Notice**

DEPARTMENT OF EDUCATION**Office of Special Education and Rehabilitative Services; Special Education—Technology and Media Services for Individuals With Disabilities Program****AGENCY:** Department of Education.**ACTION:** Notice inviting public comments.

SUMMARY: Section 687(c)(2) of the Individuals with Disabilities Education Act (IDEA), as amended, requires that, after September 30, 2001, funds from an award made under this authority may only be used for video description and captioning of educational, news, and informational television, videos, or materials. The Secretary of Education invites comments and recommendations from the public on what the term “educational, news, and informational” encompasses in reference to the description and captioning of television, videos, and materials.

DATES: All comments must be received by the Department on January 18, 2000.**ADDRESSES:** Written comments should be addressed to Debra Sturdivant, Office of Special Education and Rehabilitative Services, U.S. Department of Education, 400 Maryland Avenue, SW., Room 3527, Switzer Building, Washington, DC 20202–2641. FAX: (202) 205–8105 (FAX is the preferred method for requesting information). Telephone: (202) 205–8038. If you prefer to send your comments through the Internet, use the following address: comments@ed.gov

You must include the phrase “educational media activities” in the subject line of your electronic message.

FOR FURTHER INFORMATION CONTACT: Debra Sturdivant (202) 205–8038 or Jo Ann McCann (202) 205–8475, U.S. Department of Education, 400 Maryland Avenue, SW., Washington DC 20202–2641. 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 this document in an alternate format (*e.g.*, Braille, large print, audiotape, or computer diskette) on request to the contact persons listed in the preceding paragraph.**SUPPLEMENTARY INFORMATION:****Invitation To Comment**

We invite you to submit comments regarding what the term “educational, news, and informational” means in reference to the description and captioning of television, videos or materials.

During and after the comment period, you may inspect all public comments concerning this issue in Room 3512, 330 C Street SW., Washington, DC, between the hours of 8:30 a.m. and 4 p.m., Eastern time, Monday through Friday of each week except Federal holidays.

On request, we will supply an appropriate aid, such as a reader or print magnifier, to an individual with a disability who needs assistance to review the comments. If you want to schedule an appointment for this type of aid, you may call (202) 205–8113 or (202) 260–9895. If you use a TDD, you may call the Federal Information Relay Service at 1–800–877–8339.

Background

On June 4, 1997, the President signed into law Public Law 105–17, the Individuals with Disabilities Education Act Amendments of 1997. In accordance with section 687(c)(2) of the amended IDEA, after September 30, 2001, funds from an award made under this authority may only be used for video description and captioning of educational, news, and informational television, videos, or materials. Based on this provision, the Secretary proposes to provide guidance to awardees as well as potential applicants regarding the range of television, videos, or materials appropriate for description or captioning under this program. After September 30, 2001, an awardee may be required to substitute some or all of the television, videos, and materials that it describes or captions under an award made under this authority with different television, videos, and materials in order to comply with the requirement that all videos description and captioning be of educational, news, or informational programming and materials.

The Department currently provides funding for the description of network and cable television programming and home videos, which makes television programming and home videos more accessible to individuals who are blind or have low vision. In addition to presenting the visual elements of a television program or home video, description helps these individuals to better understand concepts such as facial expressions, body language, fashion, colors, shapes and relative sizes.

The Department currently funds the description of a limited number of programs for PBS, Nostalgia Television, Turner Classic Movies, and Kaleidoscope Television. Additional hours of programming are available on the World Wide Web at NarrativeTV.com. Popular videos are

described and made available for sale to individuals. Many libraries also purchase these described versions for their patrons. Described movies include such movies as Dumbo, Sneakers, The Rock, Casablanca, and Jurassic Park.

The Department also provides funding for the closed captioning of television and videos, which provides a visual presentation of the audio portion and enables individuals who are deaf or hard of hearing to watch television or videos along with their non-disabled family members and peers. Individuals, who can hear, as well as those with a hearing loss, may also advance their literacy skills through incidental learning by watching captioned television or videos.

The Department currently funds a wide range of closed captioned national television programming. Department funded captioned programming is available on the major networks, ABC, CBS, NBC, FOX, and Telemundo, which broadcasts and is captioned in Spanish, as well as on a wide variety of cable networks such as ESPN, DISCOVERY, The History Channel, PAX–TV, Nickelodeon, Lifetime, SCI–FI, MSNBC, CNN Headline News, and Disney.

Closed captioned news and public information programming includes major national broadcast news and cable news. Closed captioned children’s programming includes Sesame Street, Saturday morning cartoons, nature programming and children’s specials. Closed captioned daytime programming provides access to daytime drama, talk shows, baby care, and home and family programming. Closed captioning of sports programming provides access to major regional and national sporting events, including football, baseball, golf, soccer, tennis, hockey, and fishing. Closed captioned syndicated programs make it possible to have captioned versions of the reruns of programs such as “M*A*S*H”, “I Love Lucy”, “Beverly Hillbillies”, and the “Twilight Zone”.

The Department provides funding for projects to close caption local news programming in cities across the country.

The Department also provides funding for open captioning of educational videos. Open captioned videos, which include a small percentage in Spanish, are used by students and other individuals who are deaf or hard of hearing, and teachers, parents and other individuals directly involved in activities promoting the advancement of individuals who are deaf or hard of hearing. Popular open captioned educational videos funded by the Department include shows on deaf

culture, sign language, holidays, science, social studies, and history. Sample titles include, "Deaf Culture Lecture", "Playing in the Park" and "Read Any Good Fingers Lately".

Intergovernmental Review

This program is subject to 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

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<http://ocfo.ed.gov/fedreg.htm>

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To use the PDF you must have the Adobe Acrobat Reader Program with Search, which is available free at either of the previous sites. If you have questions about using the 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 84.327: Technology and Media Services for Individuals with Disabilities Program)

Dated: December 13, 1999.

Judith E. Heumann,

Assistant Secretary for Special Education and Rehabilitative Services.

[FR Doc. 99-32722 Filed 12-16-99; 8:45 am]

BILLING CODE 4000-01-U