

## DEPARTMENT OF EDUCATION

## Rehabilitation Training: Rehabilitation Long-Term Training

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

**ACTION:** Notice of final priority for fiscal year 1999 and subsequent fiscal years.

**SUMMARY:** The Secretary announces a final funding priority for fiscal year 1999 and subsequent fiscal years under the Rehabilitation Training: Rehabilitation Long-Term Training program. The Secretary takes this action in order to assist State vocational rehabilitation (VR) agencies in carrying out their Comprehensive System of Personnel Development (CSPD) plans.

**EFFECTIVE DATE:** This priority takes effect on November 16, 1998.

**FOR FURTHER INFORMATION CONTACT:** Beverly Steburg, U.S. Department of Education, 61 Forsyth Street, SW., Room 18T91, Atlanta, Georgia 30303. Telephone: (404) 562-6336. Individuals who use a telecommunications device for the deaf (TDD) may call the TDD number at (404) 562-6347. Internet address: Beverly\_Steburg@ed.gov

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 person listed in the preceding paragraph.

**SUPPLEMENTARY INFORMATION:** This notice contains a final priority under the Rehabilitation Training: Rehabilitation Long-Term Training program. This program provides financial assistance for—

- (1) Projects that provide training leading to academic degrees or academic certificates in areas as identified by the Secretary; and
- (2) Projects that provide support for medical residents enrolled in residency training programs in the specialty of physical medicine and rehabilitation.

On June 11, 1998 the Secretary published a notice of proposed priority for this program in the **Federal Register** (63 FR 32106). This notice of final priority contains one change from the notice of proposed priority, adding language to clarify that projects must fund only academic degree or academic certificate granting programs. The change is fully explained in the Analysis of Comments and Changes located elsewhere in this notice.

**Note:** This notice of final priority does *not* solicit applications. In any year in which the Secretary chooses to use this priority, the Secretary invites applications through a notice in the **Federal Register**. A notice

inviting applications under this competition is published elsewhere in this issue of the **Federal Register**.

**Analysis of Comments and Changes**

In response to the invitation in the notice of proposed priority, 14 parties submitted comments. An analysis of the comments and of the changes in the priority since publication of the notice of proposed priority follows. Technical and other minor changes—and suggested changes the Secretary is not legally authorized to make under the applicable statutory authority—are not addressed.

*Comment:* Five commenters offered suggestions concerning the format of the training. Suggestions were made encouraging the support of programs that will provide an academic certificate in specialty areas that could be counted toward a Masters degree; be based on adult learning principles; demonstrate collaboration between State VR agencies and training programs; accommodate schedules of working staff (e.g., distance learning programs, competency-based programs, and other non-traditional approaches), cover tuition as well as non-tuition costs, such as books, travel, and fees; and allow part-time students.

*Discussion:* This priority is premised on the concept that applicants should design the training approach best suited to provide academic degrees and academic certificates to VR counselors. Many of these and other approaches were included in the Supplementary Information section of the proposed priority as examples of possible approaches. If an applicant proposes to carry out any of these approaches, the peer review process will be used to evaluate the merits of the approach. However, the Secretary has no basis for requiring all applicants to carry out any of these approaches.

*Changes:* None.

*Comment:* One commenter suggested that the priority require a written agreement between the State VR agency or agencies and the training institution.

*Discussion:* There must be a strong link between the training institution and State VR agencies involved in this effort. In fact, the regulations require an applicant to allow the State VR agency an opportunity to review and comment upon the application before it is submitted. The importance of this linkage is also recognized in one of the selection criteria, which pertains to the "relevance to the State-Federal rehabilitation service program." While an applicant may enter into a written agreement with a State VR agency, the Secretary has no basis for requiring it. For example, an applicant may propose

to include a distance learning training component, which cuts across State lines. As the distance learning training program develops, it may become available to students nationwide. This would require a training institution to have a written agreement with every participating State, which would not be feasible for the training institution to manage. Thus, the Secretary believes that the requirement of State agency review and the review criteria of relevance to the State-Federal service program will adequately address the concerns of linkage between the State agency and the training institution.

*Changes:* None.

*Comment:* One commenter suggested limiting the competition to training institutions that are accredited by the Council on Rehabilitation Education (CORE), as opposed to allowing institutions that have applied for, but not yet received, CORE accreditation to compete.

*Discussion:* Training institutions that have applied for CORE accreditation are eligible to compete for Rehabilitation Long-Term Training program grants in the field of rehabilitation counseling. There is no basis upon which to limit eligibility in this regard. However, the Secretary notes that the support of those institutions has been used in the past to foster the growth of accredited programs.

*Changes:* None.

*Comment:* Two commenters suggested waiver of the requirement that 75 percent of the project funds be used for student scholarships and stipends. One commenter suggested that this be done to allow for the building of educational infrastructure, especially in the first year of a grant. Another commenter noted that the 75 percent requirement eliminates a continuing education approach by programs that operate on "soft money" (i.e., grant funds).

*Discussion:* Under the regulations for the Rehabilitation Long-Term Training program, the Secretary may waive this requirement under certain circumstances, including the establishment of new training programs. The 75 percent requirement ensures that training grants provide a sufficient number of qualified personnel to the public rehabilitation program (primarily State agencies and providers of services to State agencies) because the program requires a payback obligation on scholarship recipients, which requires them either to work in the public rehabilitation program or to repay the cost of the scholarship. Waiving the 75 percent requirement would reduce payback obligations under the grant. While providing waivers in certain

situations, such as in the first year of a project aimed at building infrastructure, seems reasonable and may be permitted, the number and extent of waivers provided under this competition need to be appropriate in relation to the purpose of the program. In addition, this priority is established to provide academic degrees and academic certificates, not to provide general continuing education.

*Changes:* Language in the priority has been added to clarify that, consistent with section 302(b)(1) of the Rehabilitation Act of 1973, as amended (Act), projects funded under this priority must fund only academic degree or academic certificate programs.

*Comment:* One commenter offered specific language for the priority relating to innovative approaches and increasing professional knowledge and skills. The commenter referred to activities such as lifelong learning, participating in dynamic learning environments, enhanced personal knowledge and skills, and building professional networks.

*Discussion:* If an applicant proposes to include those activities, the reviewers of the application will evaluate its merits. However, the Secretary has no basis for requiring all applicants to carry out any of these approaches.

*Changes:* None.

*Comment:* One commenter suggested that the priority require curriculum for counselors that includes the various disciplines that provide services to individuals with disabilities, specifically communication disorders, such as deafness, hearing loss, and speech and language disorders.

*Discussion:* The Secretary agrees with the importance of training in the various disciplines involved in rehabilitation. However, this is a curriculum matter that would be addressed by the academic training institution.

*Changes:* None.

*Comment:* One commenter suggested that the priority not be limited to Masters degree programs, but include undergraduate degrees in cases in which that degree applies.

*Discussion:* The priority does not limit efforts to training at the Master's degree level. Training to provide academic degrees and academic certificates at the undergraduate level can be provided.

*Changes:* None.

*Comment:* One commenter recommended that the priority give preference to programs that do not require or would waive the requirement for a Graduate Record Exam (GRE) or other entrance exam as a condition for acceptance into the program.

*Discussion:* The Secretary notes that the purpose of this training is to improve the academic credentials of State VR agency employees. Giving preference to programs that waive customary academic requirements, such as GREs, may be counterproductive. Furthermore, the admissions policies of academic training institutions are not an issue in which the Department becomes involved.

*Changes:* None.

*Comment:* Two commenters raised issues concerning the requirement that trainees pay back two years of paid employment within the public rehabilitation system or nonprofit rehabilitation or rehabilitation-related agencies for every year of support they receive. Three primary issues were raised. First, one commenter suggested that we allow payback only at VR agencies. A commenter asked if there is any difference in the payback obligations if the grantee is a State VR agency as opposed to a training institution. A commenter also asked whether, if a State policy requires payback in the State agency, a State agency may enforce that requirement when using Rehabilitation Services Administration (RSA) training funds.

*Discussion:* The Secretary reminds the commenters that the statute (section 302(b) of the Act) and the regulations governing the Rehabilitation Long-Term Training program (34 CFR part 386) require payback at one of the settings identified previously. Neither the Secretary nor the grantee may impose more stringent requirements. The Secretary reminds State VR agencies that they may use State Vocational Rehabilitation Unit In-service Training program funds or VR program funds for the purposes of CSPD and can impose State payback requirements.

*Change:* None.

*Comment:* One commenter suggested that awards be made only to State VR agencies, which then could negotiate with training institutions.

*Discussion:* The program statute does not permit limiting the competition to State agencies.

*Changes:* None.

*Comment:* Two commenters suggested that the Department distribute funds to States based on need (e.g., number of staff that need to be trained or training resources available).

*Discussion:* These competitions are not limited to States. The awards are competitive and will be judged on factors in the selection criteria. The Secretary agrees that need is an important factor and intends for applicants to demonstrate need in their applications. In addition, other factors

will be assessed during the peer review process.

*Changes:* None.

*Comment:* One commenter suggested that the Secretary give preference to projects that demonstrate collaboration between State VR agencies and institutions of higher education.

*Discussion:* Section 302(b)(2) of the Act requires collaboration with VR agencies for all long-term training grants.

*Changes:* None.

## Priority

### Rehabilitation Training: Rehabilitation Long-Term Training

#### Background

The Secretary has determined that it is in the best interest of the VR program to support creative, innovative approaches for assisting State agencies to meet their statutory and regulatory personnel requirements for VR counselors and to carry out their CSPD plans. Training approaches proposed by applicants must address the unique learning needs of currently employed VR counselors, reflect their learning styles and professional experiences, and be accessible at a time and in a place that would maximize participation. In an effort to maximize benefit to the VR program while minimizing costs, potential applicants may wish to consider collaborative models with, for example, community rehabilitation programs, other public agencies, or private entities. The notice of proposed priority published on June 11, 1998 in the **Federal Register** (63 FR 32106) included more detail in the **SUPPLEMENTARY INFORMATION** section of the notice.

#### Final Priority

Under 34 CFR 75.105(c)(3) and section 302(a)(1) of the Rehabilitation Act of 1973, as amended (the Act), the Secretary gives an absolute preference to applications that meet the following priority. The Secretary funds under this competition only applications that meet this absolute priority:

Projects must—

- (1) Provide training leading to academic degrees or academic certificates to current vocational rehabilitation counselors, including counselors with disabilities, ethnic minorities, and those from diverse backgrounds, toward meeting designated State unit (DSU) personnel standards required under section 101(a)(7) of the Act, commonly referred to as the Comprehensive System of Personnel Development (CSPD);

(2) Address the academic degree and academic certificate needs specified in the CSPD plans of those States with which the project will be working; and

(3) Develop innovative approaches (e.g., distance learning, competency-based programs, and other methods) that would maximize participation in, and the effectiveness of, project training.

Multi-State projects and projects that involve consortia of institutions and agencies are also authorized, although other projects will be considered.

The regulations in 34 CFR 386.31(b) require that a minimum of 75 percent of project funds be used to support student scholarships and stipends. The regulations also provide that the Secretary may waive this requirement under certain circumstances, including new training programs.

Finally, the Secretary intends to approve a wide range of approaches for providing training and different levels of funding, based on the quality of individual projects. The Secretary takes these factors into account in making grants under this priority.

#### *Goals 2000: Educate America Act*

The Goals 2000: Educate America Act (Goals 2000) focuses the Nation's education reform efforts on the eight National Education Goals and provides a framework for meeting them. Goals 2000 promotes new partnerships to strengthen schools and expands the Department's capacities for helping communities to exchange ideas and obtain information needed to achieve the goals.

This final priority would address the National Education Goal that every adult American will be literate and will possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship. The final priority furthers the objectives of this Goal by focusing available funds on projects that improve the skills of State VR agency rehabilitation counselors, which will improve the responsiveness of the VR system to adults with disabilities and their vocational pursuits.

#### **Intergovernmental Review**

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

In accordance with the order, this document is intended to provide early notification of the Department's specific plans and actions for this program.

#### *Electronic Access to This Document*

Anyone may view this document, as well as all other Department of Education documents published in the **Federal Register**, in text or portable document format (pdf) on the World Wide Web at either of the following sites:

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

<http://www.ed.gov.news.html>

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 toll free at 1-888-293-6498.

Anyone may also view these documents in text copy only on an electronic bulletin board of the Department. Telephone: (202) 219-1511 or, toll free, 1-800-222-4922. The documents are located under Option G—Files/Announcements, Bulletins and Press Releases.

**Note:** The official version of this document is the document published in the **Federal Register**.

**Applicable Program Regulations:** 34 CFR parts 385 and 386.

**Program Authority:** 29 U.S.C. 721(b) and (e) and 796(e).

(Catalog of Federal Domestic Assistance Number: 84.129W, Rehabilitation Training: Rehabilitation Long-Term Training)

Dated: October 9, 1998.

**Judith E. Heumann,**

*Assistant Secretary for Special Education and Rehabilitative Services.*

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## **DEPARTMENT OF EDUCATION**

[CFDA No.: 84.129W]

### **Rehabilitation Training: Rehabilitation Long-Term Training—Comprehensive System of Personnel Development; Notice Inviting Applications for New Awards for Fiscal Year (FY) 1999**

*Purpose of Program:* To assist State vocational rehabilitation agencies in carrying out their Comprehensive System of Personnel Development (CSPD) plans.

*Eligible Applicants:* State agencies and other public or nonprofit agencies and organizations, including Indian Tribes and institutions of higher education, are eligible for assistance under the Rehabilitation Training:

Rehabilitation Long-Term Training program.

*Deadline for Transmittal of Applications:* December 18, 1998.

*Deadline for Intergovernmental Review:* February 16, 1999.

*Applications Available:* October 16, 1998.

*Available Funds:* \$2,000,000.

*Estimated Range of Awards:* \$75,000–\$500,000.

*Estimated Average Size of Awards:* \$200,000.

*Estimated Number of Awards:* 10.

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

*Project Period:* Up to 60 months.

*Page Limits:* Part III of the application, the application narrative, is where you, the applicant, address the selection criteria used by reviewers in evaluating the application. The applicant must limit Part III to the equivalent of no more than 45 pages, using the following standards:

(1) A "page" is 8.5" × 11", on one side only with 1" margins at the top, bottom, and both sides.

(2) You must 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.

If you use a proportional computer font, you may not use a font smaller than a 12-point font or an average character density greater than 18 characters per inch. If you use a nonproportional font or a typewriter, you may not use more than 12 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 the letters of support. However, you must include all of the application narrative in Part III.

If, in order to meet the page limit, you use print size, spacing, or margins smaller than the standards specified in this notice, we won't consider your application for funding.

*Applicable Regulations:* (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 80, 81, 82, 85, and 86; and (b) The regulations for this program in 34 CFR parts 385 and 386.

*Priority:* The Rehabilitation Training: Rehabilitation Long-Term Training priority in the notice of final priority for this program, as published elsewhere in