



Federal Register

**Monday,
December 11, 2006**

Part VI

**Department of
Education**

Semiannual Regulatory Agenda

DEPARTMENT OF EDUCATION (ED)

DEPARTMENT OF EDUCATION

Office of the Secretary

34 CFR Subtitles A and B

Unified Agenda of Federal Regulatory and Deregulatory Actions

AGENCY: Office of the Secretary, Education.

ACTION: Semiannual regulatory agenda.

SUMMARY: The Secretary of Education publishes a semiannual agenda of Federal regulatory and deregulatory actions. The agenda is issued under the authority of section 4(b) of Executive Order 12866 “Regulatory Planning and Review.” The purpose of the agenda is to encourage more effective public participation in the regulatory process by providing the public with early information about pending regulatory activities.

FOR FURTHER INFORMATION CONTACT: Questions or comments related to specific regulations listed in this agenda should be directed to the agency contact listed for the regulations. Questions or comments related to preparation of this agenda should be directed to Stanley M. Cohen, Division of Regulatory Services, Office of the General Counsel, Department of Education, Room 6E117, FB-6, 400 Maryland Avenue SW., Washington, DC 20202-2241; telephone: (202) 401-8300. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1-800-877-8339.

SUPPLEMENTARY INFORMATION: Section 4(b) of Executive Order 12866, dated September 30, 1993, requires the Department of Education (ED) to publish, at a time and in a manner specified by the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, an agenda of all regulations under development or review. The Regulatory Flexibility Act, 5 U.S.C. 602(a), requires ED to publish, in

October and April of each year, a regulatory flexibility agenda.

The regulatory flexibility agenda may be combined with any other agenda that satisfies the statutory requirements (5 U.S.C. 605(a)). In compliance with the Executive order and the Regulatory Flexibility Act, the Secretary publishes this agenda.

For each set of regulations listed, the agenda provides the title of the document, the type of document, a citation to any rulemaking or other action taken since publication of the most recent agenda, and planned dates of future rulemaking. In addition, the agenda provides the following information:

- An abstract that includes a description of the problem to be addressed, any principal alternatives being considered, and potential costs and benefits of the action.
- An indication of whether the planned action is likely to have significant economic impact on a substantial number of small entities as defined by the Regulatory Flexibility Act (5 U.S.C. 601(6)).
- A reference to where a reader can find the current regulations in the Code of Federal Regulations.
- A citation of legal authority.
- The name, address, and telephone number of the contact person at ED from whom a reader can obtain additional information regarding the planned action.

In accordance with ED’s Principles for Regulating listed in its regulatory plan, ED is committed to regulation that improves the quality and equality of services to its customers, learners of all ages. ED will regulate only when absolutely necessary and then in the most flexible, most equitable, least burdensome way possible.

Interested members of the public are invited to comment on any of the items listed in this agenda that they believe are not consistent with the Principles for Regulating. Members of the public

are also invited to comment on any regulations listed in this agenda that ED plans to review under section 610 of the Regulatory Flexibility Act (5 U.S.C. 610) to determine their economic impact on small entities. ED has identified in this agenda the regulations it will review under section 610.

This publication in the **Federal Register** does not impose any binding obligation on ED with regard to any specific item in the agenda. ED may elect not to pursue any of the regulatory actions listed here, and regulatory action in addition to the items listed is not precluded. Dates of future regulatory actions are subject to revision in subsequent agendas.

This edition of the Unified Agenda of Federal Regulatory and Deregulatory Actions includes The Regulatory Plan, which appears in part II of this issue of the **Federal Register**. ED’s Statement of Regulatory and Deregulatory Priorities is included in part II.

Electronic Access to This Document

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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:
www.gpoaccess.gov/nara/index.html

Dated: August 31, 2006.

Kent D. Talbert,
General Counsel.

Office of the Chief Financial Officer—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
906	Direct Grant Programs and Definitions That Apply to Department Regulations	1890-AA14

ED

Office of the Chief Financial Officer—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
907	State-Administered Programs	1890-AA13

Office of the Chief Financial Officer—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
908	Protection of Human Subjects (Classified Research)	1890-AA08

Office for Civil Rights—Completed Actions

Sequence Number	Title	Regulation Identifier Number
909	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance	1870-AA11

Office of Elementary and Secondary Education—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
910	Title I, Improving the Academic Achievement of the Disadvantaged; Individuals With Disabilities Education Act (IDEA)—Assistance to States for the Education of Children With Disabilities	1810-AA98

Office of Elementary and Secondary Education—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
911	Migrant Education Program	1810-AA99

Office of Elementary and Secondary Education—Completed Actions

Sequence Number	Title	Regulation Identifier Number
912	Title I, Improving the Academic Achievement of the Disadvantaged	1810-AA97

Office of Postsecondary Education—Completed Actions

Sequence Number	Title	Regulation Identifier Number
913	Student Assistance General Provisions and Federal Student Aid Programs—Academic Competitiveness and National Science and Mathematics Access To Retain Talent Grant Programs	1840-AC86
914	Institutional Eligibility Under the Higher Education Act of 1965, as Amended; Student Assistance General Provisions and Federal Student Aid Programs	1840-AC87

ED

Office of Special Education and Rehabilitative Services—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
915	Early Intervention Program for Infants and Toddlers With Disabilities	1820-AB59
916	Assistance to States for the Education of Children With Disabilities and Preschool Grants for Children With Disabilities Programs	1820-AB60

Office of Special Education and Rehabilitative Services—Completed Actions

Sequence Number	Title	Regulation Identifier Number
917	National Instructional Materials Accessibility Standard	1820-AB56
918	Assistance to States for the Education of Children With Disabilities and Preschool Grants for Children With Disabilities (Completion of a Section 610 Review)	1820-AB57
919	Final Regulations—Service Obligations Under Special Education—Personnel Development To Improve Services and Results for Children With Disabilities	1820-AB58

Office of Innovation and Improvement—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
920	Student Rights in Research, Experimental Programs, and Testing	1855-AA03
921	Family Educational Rights and Privacy	1855-AA05

Department of Education (ED)

Proposed Rule Stage

Office of the Chief Financial Officer (OCFO)

906. • DIRECT GRANT PROGRAMS AND DEFINITIONS THAT APPLY TO DEPARTMENT REGULATIONS

Priority: Other Significant

Legal Authority: 20 USC 1221e-3; 20 USC 3474

CFR Citation: 34 CFR 75; 34 CFR 77

Legal Deadline: None

Abstract: The Secretary proposes to amend the regulations in 34 CFR part 75 and part 77 to align the discretionary grant selection criteria and continuation award standards with the performance management standards established for Department of Education programs. These

amendments would improve the Department’s ability to determine whether discretionary grant programs are achieving established performance measures under the Government Performance and Results Act and other performance management requirements and whether projects funded by the Department are establishing and meeting challenging and realistic performance milestones and targets. The Secretary also proposes amendments to improve financial management of discretionary grants, including requiring that applicants provide the Secretary financial information that would be considered in selecting grants for funding.

Timetable:

Action	Date	FR Cite
NPRM	12/00/06	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Peter Wathen-Dunn, Office of the General Counsel, Department of Education, Room 6E211, FB-6, 400 Maryland Avenue SW, Washington, DC 20202-2243
Phone: 202 401-6700

RIN: 1890-AA14

Department of Education (ED)

Final Rule Stage

Office of the Chief Financial Officer (OCFO)

907. • STATE-ADMINISTERED PROGRAMS**Priority:** Other Significant**Legal Authority:** 20 USC 1221e-3 and 3474, unless otherwise noted**CFR Citation:** 34 CFR 76**Legal Deadline:** None

Abstract: The Department proposes to amend the regulations in 34 CFR part 76 governing State reporting requirements. Under these regulations, States would be required to submit their performance reports, financial reports, and any other required reports, in the manner prescribed by the Secretary, including through electronic submission, if the Secretary has obtained approval from the Office of Management and Budget under the

Paperwork Reduction Act of 1995. The amendments proposed in this notice would provide that: (1) Failure to submit these reports in the manner prescribed by the Secretary constitutes a failure, under section 454 of the General Education Provisions Act, 20 U.S.C. 1234c, to comply substantially with a requirement of law applicable to the funds made available under the program for which the reports are submitted; and (2) if the Secretary chooses to require submission of information electronically, the Secretary may establish a transition period during which a State would not be required to submit that information electronically in the format prescribed by the Secretary, if the State meets certain requirements.

Timetable:

Action	Date	FR Cite
NPRM	04/27/06	71 FR 24824
Correction	05/15/06	71 FR 27980
NPRM Comment Period End	05/30/06	
Final Action	12/00/06	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** State

Agency Contact: Bonny Long, Department of Education, Room 7E222, 400 Maryland Avenue SW, Washington, DC 20202
Phone: 202 401-0325

RIN: 1890-AA13

Department of Education (ED)

Long-Term Actions

Office of the Chief Financial Officer (OCFO)

908. PROTECTION OF HUMAN SUBJECTS (CLASSIFIED RESEARCH)**Priority:** Substantive, Nonsignificant**CFR Citation:** 34 CFR 97**Timetable:**

Action	Date	FR Cite
Interim Final Rule	To Be Determined	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Jeffrey Rodamar
Phone: 202 245-6153

RIN: 1890-AA08

Department of Education (ED)

Completed Actions

Office for Civil Rights (OCR)

909. NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE**Priority:** Other Significant**CFR Citation:** 34 CFR 106**Completed:**

Reason	Date	FR Cite
Final Action	10/25/06	71 FR 62530

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Sandra G. Battle
Phone: 202 245-6767

RIN: 1870-AA11

Department of Education (ED)

Final Rule Stage

Office of Elementary and Secondary Education (OESE)

910. TITLE I, IMPROVING THE ACADEMIC ACHIEVEMENT OF THE DISADVANTAGED; INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA)—ASSISTANCE TO STATES FOR THE EDUCATION OF CHILDREN WITH DISABILITIES**Priority:** Other Significant**Legal Authority:** 20 USC 6301; 20 USC 1400 to 1482**CFR Citation:** 34 CFR 200; 34 CFR 300**Legal Deadline:** None

Abstract: These regulations would amend the regulations governing programs administered under title I of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001, and the regulations governing programs under part B of the Individuals With Disabilities Education Act. The regulations would provide States with additional flexibility

regarding State, local educational agency, and school accountability for the achievement of a group of students with disabilities who can make significant progress but may not reach grade-level achievement standards within the same time frame as other students. The regulations would permit a State to measure the achievement of this group of students based on modified achievement standards.

ED—OESE

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	12/15/05	70 FR 74624
NPRM Comment Period End	02/28/06	
Final Action	01/00/07	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jacquelyn Jackson,
Department of Education, Office of
Elementary and Secondary Education,
Room 3W230, 400 Maryland Avenue
SW, Washington, DC 20202-6132
Phone: 202 260-0826

Alexa Posny, Department of Education,
Office of Special Education and
Rehabilitative Services, Room 4109,
PCP, 400 Maryland Avenue SW,
Washington, DC 20202-2641
Phone: 202 245-7459

RIN: 1810-AA98

Department of Education (ED)

Long-Term Actions

Office of Elementary and Secondary Education (OESE)

**911. • MIGRANT EDUCATION
PROGRAM**

Priority: Other Significant

Legal Authority: 20 USC 6393, 6394,
6399

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The Secretary proposes to
modify regulations for the Migrant
Education Program. These regulations

would modify requirements concerning
State funding allocations and clarify
requirements concerning migrant child
eligibility and State procedures for
quality control.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Francisco Garcia,
Department of Education, Office of
Elementary and Secondary Education,
Room 3E317, 400 Maryland Avenue
SW, Washington, DC 20202
Phone: 202 260-1164

RIN: 1810-AA99

Department of Education (ED)

Completed Actions

Office of Elementary and Secondary Education (OESE)

**912. TITLE I, IMPROVING THE
ACADEMIC ACHIEVEMENT OF THE
DISADVANTAGED**

Priority: Other Significant

CFR Citation: 34 CFR 200

Completed:

Reason	Date	FR Cite
Final Action	09/13/06	71 FR 54188

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jacquelyn Jackson
Phone: 202 260-0826

Related RIN: Previously reported as
1820-AB55

RIN: 1810-AA97

Department of Education (ED)

Completed Actions

Office of Postsecondary Education (OPE)

**913. • STUDENT ASSISTANCE
GENERAL PROVISIONS AND
FEDERAL STUDENT AID
PROGRAMS—ACADEMIC
COMPETITIVENESS AND NATIONAL
SCIENCE AND MATHEMATICS
ACCESS TO RETAIN TALENT GRANT
PROGRAMS**

Priority: Economically Significant

Legal Authority: 20 USC 1070a-1

CFR Citation: 34 CFR 668; 34 CFR 690;
34 CFR 691

Legal Deadline: None

Abstract: These regulations amend title
34 of the Code of Federal Regulations
by adding a new part 691 to govern
the Academic Competitiveness Grant

(ACG) and National Science and
Mathematics Access To Retain Talent
(SMART) Grant programs and by
amending certain other student loan
regulations. These regulations are
needed to implement provisions of the
Higher Education Act of 1965, as
amended by the Higher Education
Reconciliation Act of 2005, which
established these two programs. The
ACG and National SMART Grant
programs assist eligible students in
paying their college education
expenses.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/03/06	71 FR 37990

Action	Date	FR Cite
Interim Final Rule Comment Period End	08/17/06	
Final Action	11/01/06	71 FR 64402

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Fred Sellers,
Department of Education, Office of
Postsecondary Education, Room 8039,
1990 K Street NW, Washington, DC
20006-8542
Phone: 202 502-7502

RIN: 1840-AC86

ED—OPE

Completed Actions

914. • INSTITUTIONAL ELIGIBILITY UNDER THE HIGHER EDUCATION ACT OF 1965, AS AMENDED; STUDENT ASSISTANCE GENERAL PROVISIONS AND FEDERAL STUDENT AID PROGRAMS**Priority:** Economically Significant**Legal Authority:** 20 USC 1001 et seq**CFR Citation:** 34 CFR 668; 34 CFR 673; 34 CFR 682; 34 CFR 685**Legal Deadline:** None**Abstract:** These regulations amend the regulations in 34 CFR parts 668, 673, 682, and 685. These regulations are being amended to implement the changes to the Higher Education Act of 1965, as amended (HEA), resulting from the Higher Education Reconciliation Act of 2005 (HERA)

(Pub. L. 109-171), the Pell Grant Hurricane and Disaster Relief Act (Pub. L. 109-66), the Student Grant Hurricane and Disaster Relief Act (Pub. L. 107-139), and the Ronald W. Reagan National Defense Authorization Act for FY 2005 (Pub. L. 108-375). These regulations reflect the provisions of these statutes that affect students, borrowers, and program participants in the Federal student aid programs authorized under title IV of the HEA.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/09/06	71 FR 45666
Interim Final Rule Comment Period End	09/08/06	
Final Action	11/01/06	71 FR 64378

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For Public Comments:**
www.regulations.gov**Agency Contact:** Gail McLarnon, Department of Education, Office of Postsecondary Education, 8th Floor, 1990 K Street NW, Washington, DC 20006

Phone: 202 219-7048

RIN: 1840-AC87

Department of Education (ED)

Proposed Rule Stage

Office of Special Education and Rehabilitative Services (OSERS)

915. • EARLY INTERVENTION PROGRAM FOR INFANTS AND TODDLERS WITH DISABILITIES**Priority:** Other Significant**Legal Authority:** 20 USC 1431 to 1435**CFR Citation:** 34 CFR 303**Legal Deadline:** None**Abstract:** These proposed regulations would implement statutory changes made to part C of the Individuals With Disabilities Education Act governing the Early Intervention Program for Infants and Toddlers With Disabilities.**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Alexa Posny, Department of Education, Office of

Special Education and Rehabilitative Services, Room 4109, PCP, 400 Maryland Avenue SW, Washington, DC 20202-2641

Phone: 202 245-7459

RIN: 1820-AB59**916. • ASSISTANCE TO STATES FOR THE EDUCATION OF CHILDREN WITH DISABILITIES AND PRESCHOOL GRANTS FOR CHILDREN WITH DISABILITIES PROGRAMS****Priority:** Other Significant**Legal Authority:** 20 USC 1221e-3; 20 USC 1406; 20 USC 1411 to 1419**CFR Citation:** 34 CFR 300**Legal Deadline:** None**Abstract:** These proposed regulations would amend recently issued final regulations governing the Assistance to States for the Education of Children With Disabilities and Preschool Grants for Children With Disabilities programs under the Individuals With Disabilities

Education Act (71 FR 46540). Proposed new provisions, determined necessary for effective administration of certain areas of these programs and not subject to public comment in prior rulemaking, include representation of parents by non-attorneys in due process hearings, revocation of consent after a parent agrees to services, and base payments to local educational agencies.

Timetable:

Action	Date	FR Cite
NPRM	12/00/06	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Alexa Posny, Department of Education, Office of Special Education and Rehabilitative Services, Room 4109, PCP, 400 Maryland Avenue SW, Washington, DC 20202-2641

Phone: 202 245-7459

RIN: 1820-AB60

Department of Education (ED)

Completed Actions

Office of Special Education and Rehabilitative Services (OSERS)

917. NATIONAL INSTRUCTIONAL MATERIALS ACCESSIBILITY STANDARD**Priority:** Other Significant**CFR Citation:** 34 CFR 300**Completed:**

Reason	Date	FR Cite
Final Action	07/19/06	71 FR 41084

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Alexa Posny

Phone: 202 245-7459

RIN: 1820-AB56**918. ASSISTANCE TO STATES FOR THE EDUCATION OF CHILDREN WITH DISABILITIES AND PRESCHOOL GRANTS FOR CHILDREN WITH DISABILITIES (COMPLETION OF A SECTION 610 REVIEW)****Priority:** Other Significant. Major under 5 USC 801.**Legal Authority:** 20 USC 1221e-3, 1406, 1411 to 1419**CFR Citation:** 34 CFR 300 and 301**Legal Deadline:** None**Abstract:** These regulations amend the regulations governing the Assistance to States for Education of Children With Disabilities Program and the Preschool Grants for Children With Disabilities

Program. These amendments implement changes to the Individuals With Disabilities Education Act made by the Individuals With Disabilities Education Improvement Act of 2004.

Timetable:

Action	Date	FR Cite
Notice	01/10/02	67 FR 1411
NPRM	06/21/05	70 FR 35781
NPRM Comment	09/06/05	
Period End		
Final Action	08/14/06	71 FR 46540

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Alexa Posny, Department of Education, Office of Special Education and Rehabilitative Services, Room 4109, PCP, 400 Maryland Avenue SW, Washington, DC 20202-2641
Phone: 202 245-7459**Related RIN:** Split from 1820-AB58**RIN:** 1820-AB57**919. • FINAL REGULATIONS—SERVICE OBLIGATIONS UNDER SPECIAL EDUCATION—PERSONNEL DEVELOPMENT TO IMPROVE SERVICES AND RESULTS FOR CHILDREN WITH DISABILITIES****Priority:** Other Significant**Legal Authority:** 20 USC 1462(h)**CFR Citation:** 34 CFR 304**Legal Deadline:** None**Abstract:** These final regulations govern the service obligation provisions of the Personnel Development To Improve Services and Results for Children With Disabilities Program authorized under part D of the Individuals With Disabilities Education Act, as amended (IDEA). The regulations implement changes made to IDEA, as amended by the Individuals With Disabilities Education Improvement Act of 2004.**Timetable:**

Action	Date	FR Cite
Notice	01/10/02	67 FR 1411
NPRM	06/21/05	70 FR 35782
NPRM Comment	09/06/05	
Period End		
Final Action	06/05/06	71 FR 32396

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Louis C. Danielson, Department of Education, Office of Special Education and Rehabilitative Services, Room 4160, PCP, 400 Maryland Avenue SW, Washington, DC 20202-2641
Phone: 202 245-7371**Related RIN:** Split from 1820-AB57**RIN:** 1820-AB58

Department of Education (ED)

Proposed Rule Stage

Office of Innovation and Improvement (OII)

920. STUDENT RIGHTS IN RESEARCH, EXPERIMENTAL PROGRAMS, AND TESTING**Priority:** Other Significant**Legal Authority:** 20 USC 1232h**CFR Citation:** 34 CFR 98**Legal Deadline:** None**Abstract:** These regulations are needed to implement amendments to section 445 of the General Education Provisions Act, as amended—commonly referred to as the Protection of Pupil Rights Amendment (PPRA)—resulting from (1) section 1017 of the Goals 2000 Educate America Act (Pub. L. 103-227; 20 U.S.C. 1232h) and (2) legislation passed as part of the No Child Left Behind Act of 2001 (NCLB)

(Pub. L. 107-110). Section 1017 of Goals 2000 amended PPRA to require schools, in certain instances, to make specific educational materials available to parents for inspection. The provision also amended PPRA to prohibit schools from requiring students to submit to certain surveys, analyses, or evaluations without parental consent. Amendments made to PPRA by NCLB specify certain subjects on which schools, in conjunction with parents, must develop and adopt policies. These amendments also require local educational agencies to directly notify parents of these policies and permit parents to opt out of certain activities. As our next action, we will issue a new NPRM incorporating the amendments resulting

from NCLB, as well as the earlier amendments resulting from the Goals 2000 Educate America Act.

Timetable:

Action	Date	FR Cite
NPRM	08/28/95	60 FR 44696
NPRM Comment	10/27/95	
Period End		
Second NPRM	02/00/07	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Ellen Campbell, Family Policy Compliance Office, Department of Education, Room

ED—OII

Proposed Rule Stage

2W117, 400 Maryland Avenue SW,
Washington, DC 20202-4605
Phone: 202 260-3887

Related RIN: Previously reported as
1880-AA66

RIN: 1855-AA03

**921. • FAMILY EDUCATIONAL RIGHTS
AND PRIVACY**

Priority: Other Significant

Legal Authority: 20 USC 1232g

CFR Citation: 34 CFR 99

Legal Deadline: None

Abstract: These proposed regulations
would implement amendments to
section 444 of the General Education

Provisions Act, as amended—
commonly referred to as the Family
Educational Rights and Privacy Act of
1974 (FERPA)—resulting from the USA
Patriot Act (Pub. L. 107-56), the
Campus Sex Crimes Prevention Act,
and section 1601(d) of the Victims of
Trafficking and Violence Protection Act
of 2000 (Pub. L. 106-386). These
amendments also would implement
two U.S. Supreme Court decisions
interpreting FERPA and make other
necessary changes regarding
permissible disclosures of education
records, the safeguarding of education
records, permissible redisclosures of
education records by State and Federal
officials, and investigation and
enforcement procedures.

Timetable:

Action	Date	FR Cite
NPRM	01/00/07	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Agency Contact: Ellen Campbell,
Family Policy Compliance Office,
Department of Education, Room
2W117, 400 Maryland Avenue SW,
Washington, DC 20202-4605
Phone: 202 260-3887

RIN: 1855-AA05

[FR Doc. 06-7687 Filed 12-08-06; 8:45 am]

BILLING CODE 4000-01-S