

Officers and State Directors of Special Education, regarding the State funds that must be included in the calculation of State financial support for special education and related services.

Topic Addressed: Children in Private Schools

○ Letter dated December 8, 2009 to New York Attorney Lawrence D. Weinberg, regarding whether parents can obtain reimbursement under Part B of the IDEA for the cost of a private placement for a child not previously found eligible for special education and related services.

*Section 613—Local Educational Agency Eligibility*

Topic Addressed: Maintenance of Effort

○ Letter dated October 29, 2009 to Learning Disabilities Association of Connecticut Board of Directors Secretary Diane Willcuts, regarding the use of ARRA Part B, IDEA funds by local educational agencies (LEAs) and LEA maintenance of effort requirements.

○ Letter dated November 13, 2009 to Iowa Department of Education Chief Lana Michelson and Legal Consultant Thomas A. Mayes, reaffirming the Department's position that a State educational agency (SEA) must prohibit an LEA from taking advantage of the LEA maintenance of effort reduction if the SEA identifies the LEA as having significant disproportionality.

*Section 616—Monitoring, Technical Assistance, and Enforcement*

Topic Addressed: State Determinations on the Performance of Each Local Educational Agency

○ Letter dated October 21, 2009 to Chief State School Officers and State Directors of Special Education urging States to maintain high standards and not compromise the determination process under section 616(d)(2) of the IDEA.

○ Letter dated October 30, 2009 to Montana Office of Public Instruction Director of Special Education Tim Harris, clarifying that an SEA must prohibit an LEA that receives a determination of "needs assistance," "needs intervention," or "needs substantial intervention" pursuant to section 616(d)(2) of the IDEA from taking advantage of the 50 percent LEA maintenance of effort reduction.

**Part C—Infants and Toddlers With Disabilities**

*Section 635—Requirements for Statewide System*

Topic Addressed: Complaint Resolution

○ Letter dated October 27, 2009 to Nevada Aging and Disability Services Division Part C Coordinator Wendy Whipple, regarding the obligation of the State lead agency to provide compensatory services under Part C of the IDEA for children who were denied early intervention services, even after they moved out of the State.

*Section 639—Procedural Safeguards*

Topic Addressed: Evaluations, Parental Consent, and Reevaluations

○ Letter dated November 13, 2009 to California Early Start Part C Coordinator Rick Ingraham, regarding when parental consent must be obtained for changes in the individualized family service plan.

*Other Letters That Do Not Interpret the Idea But May Be of Interest To Readers*

Topic Addressed: Seclusion and Restraint

○ Letter dated December 8, 2009 to Senator Christopher J. Dodd, Representative George Miller, and Congresswoman Cathy McMorris Rodgers, outlining principles for Congress to consider in developing legislation to limit the use of physical restraint and seclusion in schools and other educational settings that receive Federal funds.

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

Dated: May 24, 2010.

**Alexa Posny,**

*Assistant Secretary for Special Education and Rehabilitative Services.*

[FR Doc. 2010-12946 Filed 5-27-10; 8:45 am]

**BILLING CODE 4000-01-P**

**DEPARTMENT OF EDUCATION**

**Submission for OMB Review; Comment Request**

**AGENCY:** Department of Education.

**SUMMARY:** The Acting Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before June 28, 2010.

**ADDRESSES:** Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Education Desk Officer, Office of Management and Budget, 725 17th Street, NW., Room 10222, New Executive Office Building, Washington, DC 20503, be faxed to (202) 395-5806 or e-mailed to [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov) with a cc: to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov).

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Acting Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g. new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6)

Reporting and/or Recordkeeping burden. OMB invites public comment.

Dated: May 25, 2010.

**James Hyler,**

*Acting Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management.*

## Office of Elementary and Secondary Education

*Type of Review:* New.

*Title:* Striving Readers Comprehensive Literacy State Formula Grant Application.

*Frequency:* Annually.

*Affected Public:* State, Local, or Tribal Gov't, SEAs or LEAs.

*Reporting and Recordkeeping Hour Burden:*

Responses: 52.

Burden Hours: 5,200.

*Abstract:* The Striving Readers Comprehensive Literacy program is authorized as part of the FY 2010 Consolidated Appropriations Act (Pub. L. No. 111-117) under the Title I demonstration authority (Part E, Section 1502 of the Elementary and Secondary Education Act (ESEA). The FY 2010 Appropriations Act provides \$250 million under Section 1502 of the ESEA for a comprehensive literacy development and education program to advance literacy skills for students from birth through grade 12. The Act reserves \$10 million for formula grants to assist States in creating or maintaining a State Literacy Team with expertise in literacy development and education for children from birth through grade 12 and to assist States in developing a comprehensive literacy plan. This request includes information collection activity covered under the Paperwork Reduction Act (PRA). The activities consist of a new application for an SEA to submit to the Department to apply for FY 2010 funds under the 2010 Appropriations Act.

Requests for copies of the information collection submission for OMB review may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 4262. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to U.S. Department of Education, 400 Maryland Avenue, SW., LBJ, Washington, DC 20202-4537. Requests may also be electronically mailed to the Internet address [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) or faxed to 202-401-0920. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements

should be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

[FR Doc. 2010-12903 Filed 5-27-10; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF EDUCATION

### Overview Information

#### Race to the Top Fund Assessment Program

Catalog of Federal Domestic Assistance (CFDA) Numbers: 84.395B (Comprehensive Assessment Systems grants) and 84.395C (High School Course Assessment Programs grants).

**AGENCY:** Office of Elementary and Secondary Education, Department of Education.

**ACTION:** Notice inviting applications for new awards for fiscal year (FY) 2010; correction.

**SUMMARY:** On April 9, 2010, the Department of Education published in the **Federal Register** (75 FR 18171) a notice inviting applications for new awards for FY 2010 (NIA) for the Race to the Top Fund Assessment Program. This notice makes two corrections to the April 9 NIA.

**FOR FURTHER INFORMATION CONTACT:** James Butler, U.S. Department of Education, 400 Maryland Avenue, SW., room 3C108, Washington, DC 20202-6400. Telephone: (202) 453-7246 or by e-mail: [racetothetop.assessment@ed.gov](mailto:racetothetop.assessment@ed.gov).

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

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#### SUPPLEMENTARY INFORMATION:

##### Correction

On page 18178, we provided a mailing address, telephone number, and fax number for the Education Publications Center (ED Pubs), from which prospective applicants can obtain an application package for either grant category under the Race to the Top Fund Assessment Program competition. The mailing address and fax number that we provided were incorrect. To correct these errors, the Department makes the following corrections to the April 9 NIA:

On page 18178, in the third column, under the heading

*A. Address To Request Application Package:*

1. Correct the third sentence to read: "To obtain a copy from ED Pubs, write, fax or call the following: Education Publications Center, P.O. Box 22207, Alexandria, VA 22304."

2. Correct the fifth sentence to read: "FAX: (703) 605-6794."

**Program Authority:** American Recovery and Reinvestment Act of 2009, Division A, Section 14006, Public Law 111-5.

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Dated: May 25, 2010.

**Thelma Meléndez de Santa Ana,**  
*Assistant Secretary for Elementary and Secondary Education.*

[FR Doc. 2010-12953 Filed 5-27-10; 8:45 am]

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## DEPARTMENT OF EDUCATION

### Teacher Incentive Fund

Catalog of Federal Domestic Assistance (CFDA) Numbers: 84.385 and 84.374.

**AGENCY:** Office of Elementary and Secondary Education, Department of Education.

**ACTION:** Notice inviting applications for new awards for fiscal year (FY) 2010; correction.

**SUMMARY:** On May 21, 2010, the Department of Education published in the **Federal Register** (75 FR 28740) a notice inviting applications for new awards for FY 2010 (NIA) for the Teacher Incentive Fund. This notice makes a correction to the May 21 NIA.

**FOR FURTHER INFORMATION CONTACT:** April Lee, U.S. Department of Education, 400 Maryland Avenue, SW., Room 3E120, Washington, DC 20202. Telephone: (202) 205-5224, or by e-mail: [TIF@ed.gov](mailto:TIF@ed.gov).