

Dated: January 17, 2003.

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*Alternate OSD Federal Register Liaison
Officer, Department of Defense.*

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DEPARTMENT OF EDUCATION

Tech-Prep Demonstration Program

AGENCY: Office of Vocational and Adult Education, Department of Education.

ACTION: Notice of proposed requirements, proposed priorities and proposed selection criteria for Fiscal Year (FY) 2003 and subsequent years.

SUMMARY: The Assistant Secretary for the Office of Vocational and Adult Education proposes requirements, priorities and selection criteria under the Tech-Prep Demonstration Program (TPDP). The Assistant Secretary will use these requirements, priorities and selection criteria for a competition in fiscal year (FY) 2003 and may use them in later years. We intend these requirements, priorities and selection criteria to support the four basic education reform principles underlying the No Child Left Behind Act of 2001 (NCLB): Stronger accountability for results, increased flexibility and local control, expanded options for parents, and an emphasis on teaching methods that have been proven to work. We take this action to clarify the Department's expectations regarding this program, so that TPDP-funded projects will help students, schools and teachers in their efforts to improve student achievement, meet high standards for high school graduation, and increase transition and persistence rates in postsecondary education.

DATES: We must receive your comments on or before February 24, 2003.

ADDRESSES: Address all comments about these proposed priorities to Karen Stratman Clark, U.S. Department of Education, OVAE, MES Room 5223, 400 Maryland Avenue SW., Washington DC 20202-7100. If you prefer to send your comments through the Internet, use the following address: Karen.clark@ed.gov. You must include the term "TPDP Proposed Requirements" in the subject line of your electronic message.

FOR FURTHER INFORMATION CONTACT: Karen Clark. Telephone: (202) 205-3779, or via Internet: karen.clark@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 this document in an alternative format (e.g., Braille, large print, audiotope, or computer diskette) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

Invitation to Comment

We invite you to submit comments regarding these proposed requirements, priorities and selection criteria. To ensure that your comments have maximum effect in developing the notice of final priorities, we urge you to identify clearly the specific proposed requirement, priority or selection criterion that each comment addresses.

We invite you to assist us in complying with the specific requirements of Executive Order 12866 and its overall requirement of reducing regulatory burden that might result from these proposed priorities. Please let me know of any further opportunities we should take to reduce potential costs or increase potential benefits while preserving the effective and efficient administration of the program.

During and after the comment period, you may inspect all public comments about these proposed priorities in Room 4328, 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.

Assistance to Individuals With Disabilities in Reviewing the Rulemaking Record

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 or other documents in the public rulemaking record for these proposed priorities. If you want to schedule an appointment for this type of aid, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

SUPPLEMENTARY INFORMATION: We propose to establish program requirements, priorities, selection criteria and a project period for the TPDP, which is authorized by section 207 of the Carl D. Perkins Vocational and Technical Education Act of 1998 (Perkins III). TPDP provides grants to consortia to carry out tech-prep education projects that involve the location of a secondary school on the site of a community college, a business as a member of the consortium, and the voluntary participation of secondary school students. We proposed to fund projects that, following an initial recruitment period, would enroll a new student cohort in each year of the

project, in addition to continuing support for each previous TPDP student cohort.

Eligibility

To be eligible for funding under the TPDP, a consortium must include at least one member in each of the following three categories:

- (1) A local educational agency, an intermediate educational agency, an area vocational and technical education school serving secondary school students, or a secondary school funded by the Bureau of Indian Affairs;
- (2)(a) A nonprofit institution of higher education that offers a 2-year associate degree, 2-year certificate, or 2-year postsecondary apprenticeship program, or (b) a proprietary institution of higher education that offers a 2-year associate degree program; and
- (3) A business.

Under the provisions of section 204(a)(1) of Perkins III, to be eligible for consortium membership both nonprofit and proprietary institutions of higher education must be qualified as institutions of higher education pursuant to section 102 of the Higher Education Act of 1965 (HEA), including institutions receiving assistance under the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801 *et seq.*) and tribally controlled postsecondary vocational and technical institutions.

In addition, nonprofit institutions of higher education are eligible only if they are not prohibited from receiving assistance under HEA, title IV, part B (20 U.S.C. 1071 *et seq.*), pursuant to the provisions of HEA section 435(a)(3) (20 U.S.C. 1083(a)). Proprietary institutions of higher education are eligible only if they are not subject to a default management plan required by the Secretary.

Under the provisions of section 204(a)(2), consortia also may include one or more: (1) Institutions of higher education that award baccalaureate degrees; (2) employer organizations; or (3) labor organizations.

Requirements

To achieve the purposes of section 207 of Perkins III, we propose to establish the following requirements. These requirements would apply to all applicants seeking funding under this competition.

- (1) Each applicant must submit a signed Consortium Agreement (Agreement), providing evidence that each of the categories of membership required under Section 207 has been satisfied, and that each of the required members is eligible for membership