

**DATES:** Consideration will be given to all comments received by August 1, 2008.

**ADDRESSES:** You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Mail:* Federal Docket Management System Office, 1160 Defense Pentagon, Washington, DC 20301-1160.

*Instructions:* All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

**FOR FURTHER INFORMATION CONTACT:** To request more information on this proposed information collection or to obtain a copy of the proposed and associated collection instruments, please write to United States Air Force Academy, Office of Admissions, 2304 Cadet Drive, Suite 236, USAFA, CO 80840, or call United States Air Force Academy, Office of Admissions (719) 333-7291.

*Title, Associated Form, and OMB Number:* Air Force Academy Applications, United States Air Force Academy Form 149, OMB Number 0701-0087.

*Needs and Uses:* The information collection requirement is necessary to obtain data on candidate's background and aptitude in determining eligibility and selection to the Air Force Academy.

*Affected Public:* Individuals or households.

*Annual Burden Hours:* 4,925.

*Number of Respondents:* 9,850.

*Responses Per Respondent:* 1.

*Average Burden Per Response:* 30 Minutes.

*Frequency:* On occasion.

#### **SUPPLEMENTARY INFORMATION:**

##### **Summary of Information Collection**

The information collected on this form is required by 10 U.S.C. 9346. The respondents are students who are applying for admission to the United States Air Force Academy. Each student's background and aptitude is reviewed to determine eligibility. If the information on this form is not collected the individual cannot be considered for admittance to the Air Force Academy.

Dated: May 23, 2008.

**Patricia L. Toppings**

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

[FR Doc. E8-12182 Filed 5-30-08; 8:45 am]

**BILLING CODE 5001-06-P**

## **DEPARTMENT OF DEFENSE**

### **Department of the Army**

#### **Board of Visitors, Defense Language Institute Foreign Language Center**

**AGENCY:** Department of the Army, DoD.

**ACTION:** Notice of open meeting.

**SUMMARY:** In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following committee meeting:

*Name of Committee:* Board of Visitors, Defense Language Institute Foreign Language Center, Subcommittee of the Army Education Advisory Committee.

*Date:* June 18-19, 2008.

*Place of Meeting:* Defense Language Institute Foreign Language Center and Presidio of Monterey (DLIFLC & POM), Weckerling Center and Building 614, Conference Room, Monterey, CA 93944.

*Time of Meeting:* Approximately 8 a.m. through 4:30 p.m.

*Board Mission:* The DLIFLC Board of Visitors (BoV) is governed by the Federal Advisory Committee Act (FACA) of 1972, as amended, and is a subcommittee of the Army Education Advisory Committee (AEAC). The purpose of the DLIFLC BoV is to provide the Commandant, through the Army Education Advisory Committee, with advice on matters related to the Institute's mission, specifically: academic policies, staff and faculty development, student success indicators, curricula, educational methodology and objectives, program effectiveness, instructional methods, research, and academic administration.

*Board Membership:* The Board is composed of 10 members.

**FOR FURTHER INFORMATION CONTACT:** Dr. Robert Savukinas, ATFL-APO-AR, Monterey, CA 93944, [Robert.Savukinas@us.army.mil](mailto:Robert.Savukinas@us.army.mil), (831) 242-5828.

**SUPPLEMENTARY INFORMATION:** Proposed Agenda: The Defense Language Institute Board of Visitors will receive briefings and information on how DLIFLC teaches area studies and integrates culture into teaching and learning. The Board will meet with students and faculty. The Board will deliberate findings and forward recommendations. All proceedings are open to the public. Advance notice of five (5) working days is required to observe the meeting. Please contact Dr. Savukinas (above) for further instructions.

*Public Inquiry at Board Meetings:* Any member of the public is permitted to file a written statement with the DLIFLC Board of Visitors. Written statements should be sent to the Board Designated Federal Officer (DFO) at ATFL-APO-AR, Monterey, CA 93944 or faxed to (831) 242-5146. Written statements must be received no later than five (5) working days prior to the next meeting in order to provide time for member consideration.

By rule, no member of the public attending open meetings will be allowed to present questions from the floor or speak to any issue under consideration by the Board.

**Brenda S. Bowen,**

*Army Federal Register Liaison Officer.*

[FR Doc. E8-12109 Filed 5-30-08; 8:45 am]

**BILLING CODE 3710-08-P**

## **DEPARTMENT OF EDUCATION**

### **Arbitration Panel Decision Under the Randolph-Sheppard Act**

**AGENCY:** Department of Education.

**ACTION:** Notice of arbitration panel decision under the Randolph-Sheppard Act.

**SUMMARY:** The Department of Education (Department) gives notice that on December 5, 2007, an arbitration panel rendered a decision in the matter of *Calvin Scott v. Alabama Department of Rehabilitation Services (Case No. R-S/06-8)*. This panel was convened by the Department under the Randolph-Sheppard Act, 20 U.S.C. 107d-1(a), after the Department received a complaint filed by the petitioner, Calvin Scott.

**FOR FURTHER INFORMATION CONTACT:** You may obtain a copy of the full text of the arbitration panel decision from Suzette E. Haynes, U.S. Department of Education, 400 Maryland Avenue, SW., room 5022, Potomac Center Plaza, Washington, DC 20202-2800. Telephone: (202) 245-7374. If you use a telecommunications device for the deaf (TDD), you may call the Federal Relay Service (FRS) at 1-800-877-8339.

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

**SUPPLEMENTARY INFORMATION:** Under section 6(c) of the Randolph-Sheppard Act (the Act), 20 U.S.C. 107d-2(c), the Secretary publishes in the **Federal Register** a synopsis of each arbitration panel decision affecting the

administration of vending facilities on Federal and other property.

### Background

Calvin Scott (Complainant) alleged violations by the Alabama Department of Rehabilitation Services, the State Licensing Agency (SLA), of the Act, the implementing regulations in 34 CFR part 395, and State rules and regulations concerning his management of Facility #562 in the Gordon Persons State Office Building (GPSO Building) in Montgomery, Alabama.

Facility #562 is comprised of vending machines located throughout the GPSO Building. The GPSO Building also houses the Alabama Department of Finance, where confidential tax records are maintained. In 2004, in order to service his snack machines, Complainant requested from building management a "swipe key" to enable him to easily access his vending machines and a designated parking space in the loading dock.

Shortly after Complainant made his request to building management, there was a disagreement between the son of the building manager and Complainant's assistant, who is his wife. Subsequently, on February 7, 2005, the SLA received a letter from the building manager requesting immediate removal of Complainant from the GPSO Building because of Complainant's alleged threatening behavior and lack of responsiveness to refunding money from the vending machines.

Following the February 7 letter, SLA personnel met with the building manager. At the meeting, building management rescinded the request that Complainant be immediately removed and agreed to his conditional return to Facility #562 with several stipulations. The conditions were: (a) Complainant's wife was barred from the facility as the result of an unrelated personal dispute; (b) Complainant was instructed to obtain a different assistant approved by the SLA; (c) Complainant would agree to cooperate with building officials regarding secured areas, and (d) Complainant would establish a more streamlined method to respond to customer complaints and requests for refunds.

By letter dated February 9, 2005, the SLA informed the Complainant of the building manager's terms for his return to Facility #562. Upon receipt of the February 9 letter, Complainant ceased going to Facility #562 and servicing the vending machines.

On February 22, 2005, after an exchange of letters between the Complainant and the SLA, the SLA informed Complainant that due to his

abandonment of Facility #562, the SLA would remove him from the facility and conduct an exit inventory on February 24, 2005. However, on February 25, 2005, the Department of Finance granted the Complainant's requests to: (a) Allow his wife to serve as his assistant; (b) provide Complainant with a designated parking space in the loading dock; (c) relocate a snack machine as previously requested by Complainant; (d) and provide Complainant a swipe key to access secured areas. Subsequently, Complainant returned to Facility #562.

On February 14, 2005, the Complainant requested that the SLA conduct an administrative review pursuant to the Act. Shortly thereafter, the Complainant indicated that he would not participate and the hearing was cancelled. He subsequently filed two lawsuits against the SLA in Federal court requesting relief that included monetary damages and incarceration of SLA employees. In the two cases, which were jointly administered, the court ordered the parties to reinstitute the administrative process. The SLA held a full evidentiary hearing on this matter on October 6, 2005. On October 13, 2005, the hearing officer concluded that the Complainant had failed to preserve any issue upon which relief could be granted and ruled in the SLA's favor. The SLA adopted the hearing officer's order as final agency action. On October 23, 2005, Complainant sought review by a Federal arbitration panel of that decision. A hearing on this matter was held on May 23, 2007.

### Arbitration Panel Decision

The arbitration panel began by discussing the issues that the panel would not decide. First, the panel raised the issue whether it had statutory authority to hear the merits of the case, since Complainant did not participate in an administrative review or a State evidentiary hearing that addressed the merits of the case, but rather filed an appeal in Federal district court, which directed the SLA to hold a hearing. The panel concluded that this issue did not have to be addressed because the panel found that the Complainant was not entitled to the relief requested.

Secondly, the panel ruled that Complainant's request to seek monetary relief from and incarceration of some SLA employees was improper because the Alabama Department of Rehabilitation Services is the official agency responsible for the Act and implementing regulations and not the individual State employees.

Lastly, the panel ruled that, under the Act and regulations, the panel could

only hear complaints regarding actions arising from dissatisfaction with the operation or administration of the Randolph-Sheppard vending facility program. Thus, Complainant's allegations of slander, defamation, and violations of his civil rights based on race or disability, and his seeking to impose criminal liability were outside the proper jurisdiction of the arbitration panel.

After reviewing all the records and hearing testimony of witnesses, the panel majority ruled on the merits of the case. The first issue raised by the Complainant is that he was terminated from the Randolph-Sheppard vending facility program without receiving a full evidentiary hearing as required by State law. However, the panel determined that the SLA made a decision to remove him from the facility and never took any steps to suspend or terminate his license and remove him from the program. In fact, the SLA's decision to remove him from the facility was never implemented and the Complainant was allowed to return to the facility. Thus, even if he had been removed from the facility, the SLA had no obligation under State law to provide him a hearing because he was not terminated from the program. Furthermore, notwithstanding the panel's decision on State law requirements, the panel found that, even if the SLA had removed him from the facility, the Act does not require a fair hearing prior to the action. The Act only requires that an SLA grant a hearing when a blind licensee is dissatisfied with any action already taken.

The second issue addressed by the panel was whether the SLA, as the designated state licensing agency, breached its responsibility under the Act and implementing regulations to serve as the Complainant's advocate. The panel concluded that the SLA's successful advocacy on behalf of Complainant helped to retain his position at Facility #562. Although the Complainant's own advocacy was successful in reinstating his wife/assistant, in obtaining a swipe key, and in the relocation of a snack machine, the actions of the SLA were sufficient to comply with the statutory requirements of the Act. The arbitration panel denied Complainant's claim for relief.

One panel member concurred in part and dissented in part from the majority's opinion. The panel member concurred with the majority opinion that many of the allegations of the Complainant were unsubstantiated. However, the panel member dissented from the majority opinion in the belief that the SLA failed to forcefully advocate and protect the Complainant

regarding the initial request to remove him and to impose the restrictive terms for Complainant to remain at Facility #562.

The views and opinions expressed by the panel do not necessarily represent the views and opinions of the Department.

### Electronic Access to This Document

You may view this document, as well as all other Department of Education documents published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/news/fedregister>.

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using 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.gpoaccess.gov/nara/index.html>.

Dated: May 28, 2008.

**Tracy R. Justesen,**

*Assistant Secretary for Special Education and Rehabilitative Services.*

[FR Doc. E8-12262 Filed 5-30-08; 8:45 am]

BILLING CODE 4000-01-P

## DEPARTMENT OF EDUCATION

### Office of Special Education and Rehabilitative Services; Overview Information; Technology and Media Services for Individuals With Disabilities—Family Center on Technology and Disability; Notice Inviting Applications for New Awards for Fiscal Year (FY) 2008.

Catalog of Federal Domestic Assistance (CFDA) Number: 84.327F.

**DATES:** *Applications Available:* June 2, 2008.

*Deadline for Transmittal of Applications:* July 2, 2008.

*Deadline for Intergovernmental Review:* September 2, 2008.

### Full Text of Announcement

#### I. Funding Opportunity Description

**Purpose of Program:** The purposes of the Technology and Media Services for Individuals with Disabilities program are to: (1) Improve results for children with disabilities by promoting the development, demonstration, and use of technology, (2) support educational

media services activities designed to be of educational value in the classroom setting to children with disabilities, and (3) provide support for captioning and video description of educational materials that are appropriate for use in the classroom setting.

**Priority:** In accordance with 34 CFR 75.105(b)(2)(v), this priority is from allowable activities specified, or otherwise authorized, in the statute (see sections 674 and 681(d) of the Individuals with Disabilities Education Act (IDEA)).

**Absolute Priority:** For FY 2008 and any subsequent year in which we make awards based on the list of unfunded applicants from this competition, this priority is an absolute priority. Under 34 CFR 75.105(c)(3), we consider only applications that meet this priority.

This priority is:

*Family Center on Technology and Disability (84.327F).*

**Background:** Section 602 of IDEA defines an assistive technology device as any item, piece of equipment, or product system, whether acquired, commercially off the shelf, modified or customized, that is used to increase, maintain, or improve the functional capabilities of a child with a disability, and an assistive technology service as any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device. For purposes of this priority, assistive technology refers to any assistive technology device or assistive technology service. Assistive technology can be anything from a simple magnifying glass to help a child with low vision to a complex computer system that uses the movement of a child's eyes to turn on a light or to call for help. Assistive technology also includes, for example, software to animate or make a computer cursor larger for children with visual disabilities and speech recognition software to convert speech to digital text for children unable to write or use a keyboard.

Instructional technology combines computer technology and learning theory to improve educational outcomes for all children, including children with disabilities. Examples of instructional technology include software that helps children with dyslexia learn to read and software that helps children with autism learn to interpret facial expressions and improve their social interactions with others.

Having informed parents actively involved in their children's education contributes to positive educational outcomes (Casper & Lopez, 2006). Studies suggest that parents of children

with disabilities want to be involved and engaged in technology planning and that their involvement in technology planning can be instrumental in reaching desired outcomes for their children (Lode, 1992; Long, Huang, Woodbridge, Woolverton, & Minkel, 2003; Parette & McMahan, 2002). In contrast, the absence of family involvement in planning and implementing technology-supported interventions for children with disabilities may lead to disuse or misuse of promising technologies for those children (Alper & Raharinirina, 2006; Zabala & Carl, 2005). In order for parents to participate effectively in planning and implementing technology-supported interventions, particularly during the development of their child's individualized family service plan (IFSP) or individualized education program (IEP), they need current, accurate information about assistive and instructional technologies, as well as strategies to work with early intervention and school personnel to foster the effective implementation of assistive and instructional technology interventions (Edyburn, 2004).

Families frequently receive information on assistive and instructional technology interventions from a variety of sources, including from their State educational agency (SEA), local educational agency (LEA), and State lead agency for early intervention programs funded under Part C of IDEA. Families may also receive information directly from parent organizations, disability and advocacy groups, professional associations, and community groups. While these associations and groups provide general information about assistive and instructional technology interventions, they typically do not provide the most specific or evidence-based information currently available. Additionally, the technical information about emerging technologies that is provided is often designed for practitioners or service providers rather than for families of children with disabilities. For these reasons, the Office of Special Education Programs (OSEP) funded a Family Center on Technology and Disability (FCTD) in 2003 to work primarily with organizations and programs that work with families of children and youth with disabilities to improve the availability and quality of technology-related information and support for families. (For further information on the work of the FCTD, see <http://www.fctd.info>.) The FCTD formed a "Knowledge Network" of more than 3,000 organizations and assisted them in