

Dated: October 31, 2005.

Angela C. Arrington,

Leader, Information Management Case Services Team, Regulatory Information Management Services, Office of the Chief Information Officer.

Office of Special Education and Rehabilitative Services

Type of Review: Reinstatement.

Title: Annual State Application Under Part B of the IDEA as Amended in 2004.

Abstract: The Individuals with Disabilities Education Improvement Act of 2004, signed on December 3, 2004, became Pub. L. 108-446. In accordance with 20 U.S.C. 1412(a) a State is eligible for assistance under part B for a fiscal year if the State submits a plan that provides assurances to the Secretary that the State has in effect policies and procedures to ensure that the State meets each of the conditions found in 20 U.S.C. 1412. Information Collection 1820-0030 is being revised so that a State can provide assurances that it either has or does not have in effect policies and procedures to meet the eligibility requirements of part B of the Act as found in Pub. L. 108-446.

Additional Information: In accordance with 20 U.S.C. 1412(a) and 300.100 of proposed regulations, a State is eligible for assistance under Part B for a fiscal year if the State submits a plan that provides assurances to the Secretary that the State has in effect policies and procedures to ensure that the State meets each of the conditions found in 20 U.S.C. 1412 and proposed 300.101 through 300.176 and the requirements at 300.182 and 300.804.

Frequency: Annually.

Affected Public: State, local, or tribal gov't, SEAs or LEAs.

Reporting and Recordkeeping Hour Burden:

Responses: 57.

Burden Hours: 456.

Requests for copies of the proposed information collection request may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 2928. 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., Potomac Center, 9th Floor, Washington, DC 20202-4700. Requests may also be electronically mailed to the Internet address OCIO_RIMG@ed.gov or faxed to 202-245-6621. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements,

contact Sheila Carey at her e-mail address Sheila.Carey@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.

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BILLING CODE 4000-01-P

DEPARTMENT OF EDUCATION

Notice of Proposed Information Collection Requests

AGENCY: Department of Education.

ACTION: Notice of Proposed Information Collection Requests.

SUMMARY: The Leader, Information Management Case Services Team, Regulatory Information Management Services, Office of the Chief Information Officer, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

DATES: An emergency review has been requested in accordance with the Act (44 U.S.C. Chapter 3507 (j)), since public harm is reasonably likely to result if normal clearance procedures are followed. Approval by the Office of Management and Budget (OMB) has been requested by November 29, 2005.

ADDRESSES: Written comments regarding the emergency review should be addressed to the Office of Information and Regulatory Affairs, Attention: Rachel Potter, Desk Officer, Department of Education, Office of Management and Budget; 725 17th Street, NW., Room 10222, New Executive Office Building, Washington, DC 20503 or faxed to (202) 395-6974.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Director of OMB provide interested Federal agencies and the public an early opportunity to comment on information collection requests. The Office of Management and Budget (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 Leader, Information Management Case Services Team, Regulatory Information Management Services, Office of the Chief Information Officer, publishes this notice containing proposed information collection

requests at the beginning of the Departmental review of the information collection. 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. ED invites public comment.

The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner, (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected, and (5) how might the Department minimize the burden of this collection on respondents, including through the use of information technology.

Dated: October 31, 2005.

Angela C. Arrington,

Leader, Information Management Case Services Team, Regulatory Information Management Services, Office of the Chief Information Officer.

Office of Special Education and Rehabilitative Services

Type of Review: Revision.

Title: Annual State Application Under Part C of the IDEA as Amended in 2004.

Abstract: The Individuals with Disabilities Education Improvement Act of 2004, signed on December 3, 2004, became Pub. L. 108-446. In order to be eligible for a grant under 20 U.S.C. 1433, a State shall provide assurance to the Secretary that the State has adopted a policy that appropriate early intervention services are available to all infants and toddlers with disabilities in the State and their families, including Indian infants and toddlers with disabilities and their families residing on a reservation geographically located in the State, infants and toddlers with disabilities who are homeless children and their families, and has in effect a statewide system that meets the requirements of 20 U.S.C. 1435. Information Collection 1820-0550 is being revised so that a State can provide assurances that it either has or does not have in effect policies, procedures, methods, descriptions, and assurances that meet the application requirements of part C of the Act as found in Pub. L. 108-446.

Additional Information: In order to be eligible for a grant under 20 U.S.C. 1433, a State must provide assurance to the Secretary that the State has adopted a policy that appropriate early intervention services are available to all infants and toddlers with disabilities in the State and their families, including Indian infants and toddlers with disabilities and their families residing on a reservation geographically located in the State, infants and toddlers with disabilities who are homeless children and their families, and has in effect a statewide system that meets the requirements of 20 U.S.C. 1435.

Frequency: Annually.

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

Reporting and Recordkeeping Hour Burden:

Responses: 56.

Burden Hours: 560.

Requests for copies of the proposed information collection request may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 2927. 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., Potomac Center, 9th Floor, Washington, DC 20202-4700. Requests may also be electronically mailed to the Internet address OCIO_RIMG@ed.gov or faxed to 202-245-6621. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements, contact Sheila Carey at her e-mail address Sheila.Carey@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.

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DEPARTMENT OF EDUCATION

Research Misconduct

AGENCY: Department of Education.

ACTION: Notice of policy on research misconduct.

SUMMARY: The United States Department of Education (Department) announces the establishment of a policy regarding research misconduct (Department's Policy). The Department's Policy implements the Federal Policy on Research Misconduct (Federal Policy)

issued by the Executive Office of the President's Office of Science and Technology Policy on December 6, 2000 (65 FR 76260).

EFFECTIVE DATE: The Department's Policy is effective December 2, 2005.

FOR FURTHER INFORMATION CONTACT:

Brenda Wolff, U.S. Department of Education, 555 New Jersey Avenue, NW., room 508C, Washington, DC 20208-5643. Telephone: (202) 219-2067 or by e-mail: Brenda.Wolff@ed.gov.

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 in this section.

SUPPLEMENTARY INFORMATION:

Statement of Department of Education Policy Regarding Research Misconduct

The Department recognizes the significant threat that research misconduct poses to the integrity, accuracy, and reliability of research funded by the Federal Government, including research funded by the Department. As an agency that provides funding for research, the Department is aware of the importance of establishing throughout the Government uniform policies and guidelines, to the extent practicable, as called for in the Federal Policy.

The Federal Policy seeks to establish uniformity among Federal agencies in several key areas including the adoption of common definitions of research misconduct and related terms, as well as the establishment of uniform criteria for determining a finding of research misconduct (65 FR 76260, 76262, and 76263). In addition, the Federal Policy recommends that Federal agencies adhere to certain common policies and procedures in applying their respective research misconduct policies, including establishing guidelines to ensure fair and timely procedures for responding to allegations of research misconduct. The Federal Policy also provides guidance to assist Federal agencies in determining the appropriate sanctions for research misconduct.

The Department has determined that the best method of fulfilling its obligation is to establish a policy that (1) adopts the Federal Policy and (2) within the framework of regulations governing research funded by the Department, applies the common definitions and criteria for responding to allegations of research misconduct.

Adoption of Common Definitions

The Department adopts, and applies to research funded by it, the definition of research misconduct in the Federal Policy (65 FR 76260 and 76262). Accordingly, the Department applies the following definitions:

Research misconduct means fabrication, falsification, or plagiarism in proposing, performing, or reviewing research or in reporting research results. However, the term does not include honest error or differences of opinion.

Fabrication means making up data or results and recording or reporting them.

Falsification means manipulating research materials, equipment, or processes, or changing or omitting data or results so that the research is not accurately represented in the research record.

Plagiarism means appropriating another person's ideas, processes, results, or words without giving proper credit.

Consistent with the Federal Policy, the definition of *research* for purposes of the Department's Policy includes all basic, applied, and demonstration research in all fields, as more fully described in the Federal Policy (65 FR 76260 and 76263). The definition of *research record* as used in the Department's Policy is identical to the definition used in the Federal Policy (65 FR 76260 and 76263).

Adoption of Common Standards for the Purpose of Finding Research Misconduct

As stated in the Federal Policy, the Department considers that research misconduct has occurred if (1) there is a significant departure from the accepted practices of the relevant research community; (2) the misconduct occurs as the result of an intentional act or a knowingly or recklessly committed act; and (3) the allegation is proven by a preponderance of evidence.

General Responsibilities of the Department and Research Institutions

The Federal Policy describes, in general terms, the responsibilities that Federal agencies and research institutions share in responding to research misconduct. For purposes of the Department's Policy, the Department has adopted the Federal Policy's definition of *research institution* (65 FR 76260 and 76263). Thus, this term includes all organizations, regardless of size, using Department funds for research, including intramural research conducted for the Department by employees and contractors.

To the extent that the responsibilities of the Department and research