

Technical Assistance and Dissemination Network and Technical Assistance Communities of Practice; the Office of Vocational and Adult Education's National Research Center for Career and Technical Education; and the NIDRR network of knowledge translation grantees. This consultation must be designed to avoid duplication of efforts and to facilitate the exchange of information, pool resources, and improve the overall effectiveness of the Center's activities.

### Definitions

The Assistant Secretary for Special Education and Rehabilitative Services, the Assistant Secretary for Vocational and Adult Education, and the Assistant Secretary for Postsecondary Education jointly establish the following definitions for the purpose of the *Center on Postsecondary Education for Students With Intellectual Disabilities* priority:

(1) *Adaptive skill areas*, as used in the definition of *students with intellectual disabilities*, means the basic skills needed for everyday life, such as communication, self-care, home living, social skills, leisure, health and safety, self-direction, functional academics (reading, writing, basic math), and work.

(2) *Scientifically based research* has the meaning given the term in 20 U.S.C. 7801(37): Research that involves the application of rigorous, systematic, and objective procedures to obtain reliable and valid knowledge relevant to education activities and programs. It includes research that—

(a) Employs systematic, empirical methods that draw on observation or experiment;

(b) Involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn;

(c) Relies on measurements or observational methods that provide reliable and valid data across evaluators and observers, across multiple measurements and observations, and across studies by the same or different investigators;

(d) Is evaluated using experimental or quasi-experimental designs in which individual entities, programs, or activities are assigned to different conditions and with appropriate controls to evaluate the effects of the condition of interest, with a preference for random-assignment experiments, or other designs to the extent that those designs contain within-condition or across-condition controls;

(e) Ensures that experimental studies are presented in sufficient detail and clarity to allow for replication or, at a

minimum, offer the opportunity to build systematically on their findings; and

(f) Has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective, and scientific review.

(3) *Students with intellectual disabilities* means—

(a) Individuals ages 13 through 26 whose intellectual functioning levels require significant changes in instructional methods and modifications to the curriculum in order to participate in postsecondary education programs;

(b) Individuals who have significant limitations in adaptive skill areas as expressed in conceptual, social, and practical adaptive skills; and

(c) Individuals whose disabilities originated before the age of 18.

### Executive Order 12866

This NFP has been reviewed in accordance with Executive Order 12866. Under the terms of the order, we have assessed the potential costs and benefits of this regulatory action.

The potential costs associated with this NFP are those resulting from statutory requirements and those we have determined as necessary for administering this program effectively and efficiently.

In assessing the potential costs and benefits—both quantitative and qualitative—of this NFP, we have determined that the benefits of the final priority and definitions justify the costs.

### Summary of Potential Costs and Benefits

The benefits of the DRRP programs have been well established over the years in that other DRRP projects have been completed successfully. The priority and definitions announced in this notice will generate new knowledge through research, dissemination, utilization, and technical assistance.

Another benefit of the final priority and definitions is that establishing a new DRRP will support the President's NFI and improve the lives of individuals with disabilities. The new DRRP will generate, disseminate, and promote the use of new information that will improve the options for individuals with intellectual disabilities to achieve improved education, employment, and independent living outcomes.

*Applicable Program Regulations:* 34 CFR part 350.

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(Catalog of Federal Domestic Assistance Numbers 84.133A Disability Rehabilitation Research Projects)

**Program Authority:** 29 U.S.C. 762(g) and 764(a).

Dated: April 22, 2008.

**Tracy R. Justesen,**

*Assistant Secretary for Special Education and Rehabilitative Services.*

[FR Doc. E8-9108 Filed 4-24-08; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF EDUCATION

### Privacy Act of 1974; System of Records—Adult English as a Second Language (ESL) Literacy Impact Study

**AGENCY:** Institute of Education Sciences, Department of Education.

**ACTION:** Notice of a new system of records.

**SUMMARY:** In accordance with the Privacy Act of 1974, as amended (Privacy Act), the Department of Education (Department) publishes this notice of a new system of records entitled "Adult English as a Second Language (ESL) Literacy Impact Study" (18-13-19). The National Center for Education Evaluation and Regional Assistance at the Department's Institute of Education Sciences (IES) commissioned this evaluation. It will be conducted under a contract that IES awarded in September 2004.

The study will address the following questions:

(1) How effective is instruction based on a literacy workbook in improving the English reading and speaking skills of low-literate adult ESL learners?

(2) Is instruction based upon the workbook more effective for certain groups of students (e.g., native Spanish speakers)?

(3) How well do instructors implement the instruction based upon the workbook?

The system will contain information about approximately 40 adult ESL teachers and two cohorts of approximately 900 adult learners per cohort. Within each cohort, approximately 450 learners will participate in classes in which instruction based upon the literacy workbook is implemented and approximately 450 learners will participate in classes in which instruction that is not based upon the literacy workbook is implemented. The first cohort of learners will be enrolled in adult education classes during the Fall semester of 2008. The second cohort of learners will be enrolled in adult education classes during the Spring semester of 2009.

The system of records will include information about the adult learners participating in the evaluation, including names and addresses; demographic information such as race, ethnicity, gender, age, and educational background; and scores on literacy assessments. The system of records will also include information about the teachers participating in the evaluation, including names; demographic information such as race, ethnicity, gender, and educational background; and teaching experience.

**DATES:** The Department seeks comment on the new system of records described in this notice, in accordance with the requirements of the Privacy Act. We must receive your comments on the proposed routine uses for the system of records referenced in this notice on or before May 27, 2008.

The Department filed a report describing the new system of records covered by this notice with the Chair of the Senate Committee on Homeland Security and Governmental Affairs, the Chair of the House Committee on Oversight and Government Reform, and the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB) on April 22, 2008. This system of records will become effective at the later date of—(1) the expiration of the 40-day period for OMB review on June 2, 2008 or (2) May 27, 2008, unless the system of records needs to be changed as a result of public comment or OMB review.

**ADDRESSES:** Address all comments about the proposed routine uses to Dr. Ricky Takai, Director, Evaluation Division, National Center for Education Evaluation and Regional Assistance, Institute of Education Sciences, U.S. Department of Education, 555 New Jersey Avenue, NW., room 502D, Washington, DC 20208-0001.

Telephone: (202) 208-7083. If you prefer to send comments through the Internet, use the following address: [comments@ed.gov](mailto:comments@ed.gov).

You must include the term “Adult ESL Literacy Impact Study” in the subject line of the electronic message.

During and after the comment period, you may inspect all comments about this notice at the U.S. Department of Education in room 502D, 555 New Jersey Avenue, NW., Washington, DC, between the hours of 8 a.m. and 4:30 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 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 this notice. If you want to schedule an appointment for this type of aid, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

**FOR FURTHER INFORMATION CONTACT:** Dr. Ricky Takai. Telephone: (202) 208-7083. 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 paragraph.

#### **SUPPLEMENTARY INFORMATION:**

##### **Introduction**

The Privacy Act (5 U.S.C. 552a) requires the Department to publish in the **Federal Register** this notice of a new system of records maintained by the Department. The Department's regulations implementing the Privacy Act are contained in part 5b of title 34 of the Code of Federal Regulations (CFR).

The Privacy Act applies to information about individuals that contains individually identifying information and that is retrieved by a unique identifier associated with each individual, such as a name or social security number. The information about each individual is called a “record,” and the system, whether manual or computer-based, is called a “system of records.”

The Privacy Act requires each agency to publish a notice of a system of records in the **Federal Register** and to

prepare and send a report to OMB whenever the agency publishes a new system of records. Each agency is also required to send copies of the report to the Chair of the Senate Committee on Homeland Security and Governmental Affairs and the Chair of the House Committee on Oversight and Government Reform. These reports are intended to permit an evaluation of the probable effect of the proposal on the privacy rights of individuals.

#### **Electronic Access to This Document**

You may view this document, as well as all other documents of this Department 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/index.html>.

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Dated: April 8, 2008.

**Grover Whitehurst,**

*Director, Institute of Education Sciences.*

For the reasons discussed in the preamble, the Director of the Institute of Education Sciences, U.S. Department of Education, publishes a notice of a new system of records to read as follows:

#### **18-13-19**

##### **SYSTEM NAME:**

Adult English as a Second Language (ESL) Literacy Impact Study.

##### **SECURITY CLASSIFICATION:**

None.

##### **SYSTEM LOCATION:**

(1) Evaluation Division, National Center for Education Evaluation and Regional Assistance, Institute of Education Sciences (IES), U.S. Department of Education, 555 New Jersey Avenue, NW., room 502D, Washington, DC 20208-0001.

(2) American Institutes for Research, 1000 Thomas Jefferson Street, Washington, DC 20007-3839.

(3) Berkeley Policy Associates, 440 Grand Avenue, Suite 500, Oakland, CA 94610-5012.

(4) Mathematica Policy Associates, 600 Alexander Park, Princeton, NJ 08540-6346.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

This system contains records on adult ESL students and teachers who are participating in an evaluation of the effectiveness of a literacy workbook and teacher training in improving the English reading and speaking skills of adult ESL learners who have low levels of literacy in their native language. Teachers and adult ESL learners at recruited sites will volunteer to participate in the study.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

The system will contain information about 40 adult ESL teachers and two cohorts of approximately 900 adult ESL learners per cohort. The system of records will include information about the adult learners participating in the evaluation, including the learners' names; addresses; demographic information such as race/ethnicity, gender, age, educational background; and scores on literacy assessments. The system of records will also include information about the teachers participating in the evaluation, including the teachers' names; demographic information such as race/ethnicity, gender, educational background; and teaching experience.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

The evaluation being conducted is authorized under section 243 of the Adult Education and Family Literacy Act (20 U.S.C. 9253), as well as sections 171(b) and 173 of the Education Sciences Reform Act of 2002 (ESRA) (20 U.S.C. 9561(b) and 9563).

**PURPOSE(S):**

The information in this system is used for the following purpose: To study the effectiveness of a literacy workbook and teacher training in improving the English reading and speaking skills of adult ESL learners who have low levels of literacy skills in their native language.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

The Department of Education (Department) may disclose information contained in a record in this system of records under the routine uses listed in this system of records without the consent of the individual if the disclosure is compatible with the purposes for which the record was collected. These disclosures may be made on a case-by-case basis or, if the Department has complied with the computer matching requirements of the Privacy Act, under a computer matching agreement. Any disclosure of

individually identifiable information from a record in this system must also comply with the requirements of section 183 of the ESRA (20 U.S.C. 9573) providing for confidentiality standards that apply to all collections, reporting, and publication of data by IES.

*Contract Disclosure.* If the Department contracts with an entity for the purposes of performing any function that requires disclosure of records in this system to employees of the contractor, the Department may disclose the records to those employees. Before entering into such a contract, the Department shall require the contractor to maintain Privacy Act safeguards as required under 5 U.S.C. 552a(m) with respect to the records in the system.

**DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

Not applicable to this system notice.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:****STORAGE:**

The Department maintains records on CD-ROM, and the contractor (American Institutes for Research) and subcontractors (Berkeley Policy Associates and Mathematica Policy Associates) maintain data for this system on computers and in hard copy.

**RETRIEVABILITY:**

Records in this system are indexed and retrieved by a number assigned to each individual that is cross-referenced by the individual's name on a separate list.

**SAFEGUARDS:**

All physical access to the Department's site and to the sites of the Department's contractor and subcontractors, where this system of records is maintained, is controlled and monitored by security personnel. The computer system employed by the Department offers a high degree of resistance to tampering and circumvention. This security system limits data access to Department and contract staff on a need-to-know basis, and controls individual users' ability to access and alter records within the system. The contractor and subcontractors will establish similar sets of procedures at their sites to ensure confidentiality of data. Their systems are required to ensure that information identifying individuals is in files physically separated from other research data. The contractor and subcontractors will maintain security of the complete set of all master data files and documentation. Access to individually

identifying data will be strictly controlled. At each site all data will be kept in locked file cabinets during nonworking hours, and work on hardcopy data will take place in a single room, except for data entry. Physical security of electronic data will also be maintained. Security features that protect project data include: Password-protected accounts that authorize users to use the contractor's and subcontractors' systems but to access only specific network directories and network software; user rights and directory and file attributes that limit those who can use particular directories and files and determine how they can use them; and additional security features that the network administrators will establish for projects as needed. The contractor and subcontractor employees who "maintain" (collect, maintain, use, or disseminate) data in this system shall comply with the requirements of the confidentiality standards in section 183 of the ESRA (20 U.S.C. 9573).

**RETENTION AND DISPOSAL:**

Records are maintained and disposed of in accordance with the Department's Records Disposition Schedules (ED/RDS, Part 3, Item 2b and Part 3, Item 5a).

**SYSTEM MANAGER AND ADDRESS:**

Director, Evaluation Division, National Center for Education Evaluation and Regional Assistance, Institute of Education Sciences, U.S. Department of Education, 555 New Jersey Avenue, NW., room 502D, Washington, DC 20208.

**NOTIFICATION PROCEDURE:**

If you wish to determine whether a record exists regarding you in the system of records, contact the systems manager. Your request must meet the requirements of regulations at 34 CFR 5b.5, including proof of identity.

**RECORD ACCESS PROCEDURE:**

If you wish to gain access to your record in the system of records, contact the system manager. Your request must meet the requirements of regulations at 34 CFR 5b.5, including proof of identity.

**CONTESTING RECORD PROCEDURE:**

If you wish to contest the content of a record regarding you in the system of records, contact the system manager. Your request must meet the requirements of the regulations at 34 CFR 5b.7, including proof of identity.

**RECORD SOURCE CATEGORIES:**

The system of records will include information collected from adult

learners and from teachers participating in the evaluation. Data collected from the learners will include learners' names; addresses; demographic information such as race/ethnicity, gender, age, educational background; and scores on literacy assessments. Data collected from the teachers will include the teachers' names; demographic information such as race/ethnicity, gender, educational background; and teaching experience.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

[FR Doc. E8-9115 Filed 4-24-08; 8:45 am]

**BILLING CODE 4000-01-P**

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**DEPARTMENT OF ENERGY**

**Biological and Environmental Research Advisory Committee**

**AGENCY:** Department of Energy; Office of Science.

**ACTION:** Notice of open meeting.

**SUMMARY:** This notice announces a meeting of the Biological and Environmental Research Advisory Committee. Federal Advisory Committee Act (Pub. L. No. 92-463, as amended) requires that public notice of these meetings be announced in the **Federal Register**.

**DATES:** Monday, May 19, 2008, 9 a.m. to 5:30 p.m.; and Tuesday, May 20, 2008, 9 a.m. to 12:30, E.D.T.

**ADDRESSES:** Hilton Hotel, 620 Perry Parkway, Gaithersburg, MD 20877.

**FOR FURTHER INFORMATION CONTACT:** Dr. David Thomassen (301-903-9817; [david.thomassen@science.doe.gov](mailto:david.thomassen@science.doe.gov)) Designated Federal Officer, Biological and Environmental Research Advisory Committee, U.S. Department of Energy, Office of Science, Office of Biological and Environmental Research, SC-23/ Germantown Building, 1000 Independence Avenue, SW., Washington, DC 20585-1290. The most current information concerning this meeting can be found on the Web site: <http://www.science.doe.gov/ober/berac/announce.html>.

**SUPPLEMENTARY INFORMATION:** *Purpose of the Meeting:* To provide advice on a continuing basis to the Director, Office of Science of the Department of Energy, on the many complex scientific and technical issues that arise in the development and implementation of the Biological and Environmental Research Program.

**Tentative Agenda**

- Report on the Environmental Remediation Sciences Division Committee of Visitors.
- Report on the Low Dose Radiation Research Program BERAC Review.
- Science Talk.
- Update on BER Program for Ecosystems Research.
- Workshop Report—Next Generation of Climatic Change Ecosystem Experiments After the FACE Studies, Follow-on to October 2006, BERAC Report.
- Genomics: GTL Data Sharing Policy.
- Update on Joint ASCAC-BERAC GTL Charge
- Report on BER Carbon Cycling and Carbon Sequestration Workshop
- Comments and Discussion, Anna Palmisano, Associate Director of Science for Biological and Environmental Research.
- News from the Life and Medical Sciences, Climate Change Research, and Environmental Remediation Sciences Divisions.
- New business.
- Public Comment.

*Public Participation:* The day and a half meeting is open to the public. If you would like to file a written statement with the Committee, you may do so either before or after the meeting. If you would like to make oral statements regarding any of the items on the agenda, you should contact David Thomassen at the address or telephone number listed above. You must make your request for an oral statement at least five business days before the meeting. Reasonable provision will be made to include the scheduled oral statements on the agenda. The Chairperson of the Committee will conduct the meeting to facilitate the orderly conduct of business. Public comment will follow the 10-minute rule.

*Minutes:* The minutes of this meeting will be available for public review and copying within 45 days at the BERAC Web site: <http://www.science.doe.gov/ober/berac/Minutes.html>.

Issued in Washington, DC on April 22, 2008.

**Rachel M. Samuel,**

*Deputy Committee Management Officer.*

[FR Doc. E8-9082 Filed 4-24-08; 8:45 am]

**BILLING CODE 6450-01-P**

**DEPARTMENT OF ENERGY**

**Environmental Management Site-Specific Advisory Board, Savannah River Site**

**AGENCY:** Department of Energy.

**ACTION:** Notice of open meeting.

**SUMMARY:** This notice announces a meeting of the Environmental Management Site-Specific Advisory Board (EM SSAB), Savannah River Site. The Federal Advisory Committee Act (Pub. L. No. 92-463, 86 Stat. 770) requires that public notice of this meeting be announced in the **Federal Register**.

**DATES:** Monday, May 19, 2008, 1 p.m.–5 p.m., Tuesday, May 20, 2008, 8:30 a.m.–4 p.m.

**ADDRESSES:** DoubleTree Hotel, 411 West Bay Street, Savannah, GA 31401.

**FOR FURTHER INFORMATION CONTACT:** Gerri Flemming, Office of External Affairs, Department of Energy, Savannah River Operations Office, P.O. Box A, Aiken, SC 29802; Phone: (803) 952-7886.

**SUPPLEMENTARY INFORMATION:**

*Purpose of the Board:* The purpose of the Board is to make recommendations to DOE in the areas of environmental restoration, waste management, and related activities.

**Tentative Agenda**

*Monday, May 19, 2008*

1 p.m. Combined Committee Session.  
5 p.m. Adjourn.

*Tuesday, May 20, 2008*

8:30 a.m. Approval of Minutes, Agency Updates.  
9:30 a.m. Public Comment Session.  
9:45 a.m. Chair and Facilitator Updates.  
10:15 a.m. Waste Management Committee Report.  
11:15 a.m. Facility Disposition and Site Remediation Committee Report.  
11:45 a.m. Public Comment Session.  
12 p.m. Lunch Break.  
1 p.m. Strategic and Legacy Management Committee Report.  
2 p.m. Nuclear Materials Committee Report.  
2:45 p.m. Administrative Committee Report.  
3:45 p.m. Public Comment Session.  
4 p.m. Adjourn.

If needed, time will be allotted after public comments for items added to the agenda and administrative details. A final agenda will be available at the meeting Monday, May 19, 2008.

*Public Participation:* The meeting is open to the public. Written statements