

distributed based on the LEA's quintile so that an LEA that has used 100 percent of its bonding capacity receives all five points and an LEA that has used less than 20 percent of its bond limit receives only one point. LEAs that do not have limits on bonded indebtedness established by their States will be evaluated by assuming value of real property in the LEA. LEAs deemed to have no practical capacity to issue bonds will receive all five points. (up to 5 points)

(b) Assessed value of real property per students (applicant LEA's total assessed valuation of real property per pupil as a percentile ranking of all LEAs in the State. Five points to be distributed by providing all five points to LEAs in the poorest quintile and only one point to LEAs in the wealthiest quintile). (up to 5 points)

(c) Total tax rate for capital or school purposes (applicant LEA's tax rate for capital or school purposes as a percentile ranking of all LEAs in the State. If the State authorizes a tax rate for capital expenditures, then these data must be used, otherwise data on the total tax rate for school purposes are used. Five points to be distributed by providing all five points to LEAs in the highest taxing quintile and only one point to LEAs in the lowest quintile). (up to 5 points)

**Application Screening:** Upon receipt, Impact Aid program staff will screen all applications to identify any that should not be included in the panel review process. Applications that do not meet the eligibility standards or are incomplete or late will be eliminated. As part of its initial application review, program staff will also calculate the objective scores for each application under criteria 3 and 4. Panel reviewers will receive an applicant's scores under criteria 3 and 4 and will assess the applications under criteria 1 and 2.

Except as provided in 34 CFR 222.190, all eligible applications in the "first priority" emergency category must be funded before applications in the next priority can be funded. The Secretary will not subject applications in the second, third, and fourth priorities to the panel review process if the need for funds in the first priority and the number of eligible applications received greatly exceeds the \$27 million available. Likewise, if the numbers of applications and need for funds in the first and second priorities greatly exceed the available funds, the Secretary will not submit applications from the third and fourth priorities for a panel review. However, as prescribed in section 8007(b) of the Act and the implementing regulations, any unfunded application

in any of the four priorities will be retained and considered along with the next fiscal year's pool of applicants.

**Applications:** Electronic applications are not available for the FY 2002 application for these grants. However, you should access and download the application at: <http://www.ed.gov/offices/OESE/ImpactAid>.

**Waiver of Proposed Rulemaking:** It is the Secretary's practice, in accordance with the Administrative Procedure Act (5 U.S.C. 553), to offer interested parties the opportunity to comment on proposed rules. Section 437(d)(1) of the General Education Provisions Act (GEPA), however, allows the Secretary to exempt from rulemaking requirements rules governing the first grant competition under a new or substantially revised program authority (20 U.S.C. 1232(d)(1)). Funding for this new program was provided in the Department's FY 2002 appropriations act and authorized under section 8007(b) of the Elementary and Secondary Education Act, as amended by the No Child Left Behind Act of 2001. The Secretary, in accordance with section 437(d)(1) of GEPA, has decided to forego public comment in order to ensure timely grant awards.

**FOR FURTHER INFORMATION CONTACT:** Catherine Schagh, Impact Aid Program, U.S. Department of Education, 400 Maryland Avenue, SW., FOB6, Washington, DC 20202-6244. Telephone: (202) 260-3858 or via Internet, at: [Impact.Aid@ed.gov](mailto:Impact.Aid@ed.gov).

Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-888-877-8339.

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request using the contact information provided in the preceding paragraph.

**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/legislation/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.

The Department intends to offer further information about the program at the following Internet site: <http://www.ed.gov/offices/OESE/ImpactAid/>.

**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.access.gpo.gov/nara/index.html>.

**Program Authority:** Elementary and Secondary Education Act of 1965, Title VIII, as amended by the No Child Left Behind Act of 2001.

Dated: August 26, 2002.

**Susan B. Neuman,**

*Assistant Secretary for Elementary and Secondary Education.*

[FR Doc. 02-22111 Filed 8-28-02; 8:45 am]

**BILLING CODE 4000-01-M**

## DEPARTMENT OF EDUCATION

### Federal Family Education Loan (FFEL) Program and William D. Ford Federal Direct Loan (Direct Loan) Program

**AGENCY:** Office of Postsecondary Education, Department of Education.

**ACTION:** Notice of child care provider loan forgiveness demonstration program for fiscal year (FY) 2002.

**SUMMARY:** The Secretary announces the eligibility criteria and procedures for implementation of the child care provider loan forgiveness demonstration program authorized by section 428K of the Higher Education Act of 1965, as amended (HEA), for FY 2002. Under the demonstration program, some child care providers may have a portion of their student loans forgiven for continued work in certain child care facilities each year up to 5 years.

This notice explains the criteria for both new applicants and for borrowers who have previously applied for, and received, loan forgiveness under this loan forgiveness program during a prior fiscal year. For the purpose of program administration, borrowers who have previously applied for, and received, loan forgiveness under this loan forgiveness program during a prior fiscal year are called "renewal applicants".

**EFFECTIVE DATE:** This notice is effective August 29, 2002.

**Deadline for Submission of Applications:** If you are a new applicant, the demonstration program will accept completed Child Care Provider Loan Forgiveness Applications until such time as the funds appropriated for the current fiscal year 2002 have been fully committed.

**Eligible New Applicants:**

(A) To qualify for the child care provider loan forgiveness demonstration program, an applicant must:

(1) Be a new borrower with eligible loans, in the FFEL or Direct Loan Programs, as defined in the "Program Definitions" section of this notice;

(2) Have received an associate or bachelor's degree in the field of early childhood education or child care that was awarded by an institution of higher education after October 7, 1998; and

(3) After receiving an associate's or bachelor's degree in early childhood education or child care, have worked full-time for at least two consecutive years preceding the year during which forgiveness is requested as a child care provider in a facility that serves a low-income community.

(B) A borrower may not receive benefits for the same child care service under both subtitles D of title I of the National and Community Service Act of 1990 (AmeriCorps) and this demonstration program.

*Renewal Applicants Who Received a Partial Forgiveness in FY 2001:*

(A) To qualify for further loan forgiveness under the Child Care Provider Loan Forgiveness Demonstration Program, a borrower must:

(1) Have been determined previously to meet the eligibility requirements for a forgiveness as described in this notice and continues to meet those criteria; and

(2) Have completed the third consecutive year of full-time employment as a provider in a child care facility that serves a low-income community.

**FOR FURTHER INFORMATION CONTACT:** Mr. Don Watson at the U.S. Department of Education, 830 First Street NE., Washington, DC 20202-5346. Telephone: (202) 377-4008. To receive an application, you may call the Child Care Provider Loan Forgiveness support desk toll free at 1-888-562-7002. You may also write to the Child Care Provider Loan Forgiveness Program to receive an application at, P.O. Box 4639, Utica, NY 13504-4639. In addition, free Internet access to the application and forbearance forms are available, in Adobe Portable Document Format (PDF) at the following site: <http://www.ed.gov/offices/OSFAP/Students/>.

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, audiotape, or computer diskette) on request to the program contact persons listed under **FOR FURTHER INFORMATION CONTACT**.

**SUPPLEMENTARY INFORMATION:**

**Background**

This notice announces the continuation of the demonstration program, first implemented in FY 2001, of loan forgiveness for child care providers as authorized under section 428K of the HEA. The HEA authorizes the Secretary, contingent upon the availability of annual appropriations, to undertake a loan forgiveness demonstration program for borrowers under the FFEL and the Direct Loan programs who have received an associate's or bachelor's degree in early childhood education or child care and who are providing full-time child care services in child care facilities that serve certain low income communities. The child care provider loan forgiveness demonstration program is intended to bring more highly trained individuals into the early child care profession and to retain those providers for longer periods of time. The Congress has appropriated \$1,000,000 for new applicants under the demonstration program for fiscal year 2002. As described in the notice published in the **Federal Register** on July 27, 2001 (66 FR 39263-39265), the Secretary committed funds from the FY 2001 appropriation for this demonstration program to cover the full five years of loan forgiveness for borrowers who were granted loan forgiveness during that fiscal year. Thus, any additional forgiveness granted to borrowers who received forgiveness during FY 2001 will be funded from FY 2001 appropriations and not from FY 2002 appropriations.

Under the demonstration program, new FFEL and Direct Loan borrowers (as defined in the "Program Definitions" section of this notice) may receive forgiveness of up to 100 percent of their total eligible loans made under the FFEL subsidized and unsubsidized Federal Stafford Loan, Direct Subsidized Loan, and Direct Unsubsidized Loan programs. A loan is eligible for forgiveness only if it (1) was made on or after October 7, 1998, the date of enactment of the Higher Education Amendments of 1998, which authorized the program; (2) was received for the purpose of obtaining an associate's or bachelor's degree in early childhood education or child care; and (3) was made before the beginning of qualifying service. Loan forgiveness is provided to eligible borrowers on a progressive basis (i.e., 20 percent of the total amount of loans following two years of service; 20 percent following the third year of service; and 30 percent following each of the fourth and fifth years of service) following completion of consecutive

years of full-time child care employment in a child care facility serving a low-income community.

Under section 428K of the HEA, loan forgiveness is available to eligible borrowers on a first-come, first-served basis, contingent upon the availability of funds. Priority for loan forgiveness in subsequent fiscal years is given to borrowers who received loan forgiveness in the preceding fiscal year.

The Secretary is required to evaluate the success of the demonstration program in achieving the statutory goals of attracting and retaining highly trained individuals into the early child care profession. In order to perform this evaluation and to ensure priority for eligible applicants for subsequent-year funding, the Secretary is continuing his practice from last year of committing funds from the current fiscal year to cover the full five years of loan forgiveness for eligible new applicants.

**Procedures**

The Secretary has determined that the issuance of regulations to implement the loan forgiveness demonstration program for child care is not necessary at this time. Section 428K of the HEA creates the loan forgiveness for child care providers program as a demonstration program. Funding was provided for the second year of this demonstration program in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act 2002, enacted on January 10, 2002 (Pub. L. 107-116), in which \$1,000,000 was appropriated.

In light of the limited amount of funds available and the fact that the loan forgiveness program for child care providers is a demonstration program, the Secretary has decided to issue this notice to continue the loan forgiveness demonstration program for the 2002 application year and to explain the procedures for granting loan forgiveness to new applicants and renewal applicants for the 2002 application year. These procedures are based on the statutory language, and further regulations are not needed at this time.

**Program Definitions**

*Child care facility* means a facility, including a home, that provides child care services and meets applicable State or local government licensing, certification, approval, or registration requirements.

*Child care services* means activities and services for the education and care of children from birth through age five by an individual who has a degree in early childhood education.

*Consecutive years of employment* means maintaining full-time employment for successive, uninterrupted 12-month periods as a child care provider in an eligible facility.

*Degree* means an associate's or a bachelor's degree awarded by an institution of higher education.

*Early childhood education* means education in the areas of early child education, child care, or any other educational area related to child care that the Secretary determines appropriate.

*Eligible loan* means a loan made after October 7, 1998 to a new borrower under the subsidized or unsubsidized Federal Stafford Loan, Direct Subsidized Loan, or Direct Unsubsidized Loan programs and made for the purpose of obtaining the borrower's associate's or bachelor's degree in early childhood education or child care prior to employment as a child care provider.

*Full-time employment* means working as a child care provider in a child care facility at least 30 hours per week.

*Institution of higher education* means a public or nonprofit private institution of higher education as defined in section 101 of title I of the HEA.

*Low-income community* means a community in which at least 70 percent of the individuals are from families that earn less than 85 percent of the State median household income. For the purposes of this notice, the community comprises the children who receive child care at the facility.

*New borrower* means a borrower who had no outstanding loan balance under the FFEL or Direct Loan program on October 7, 1998, or who had no outstanding loan balance on the date that he or she obtains a loan after October 7, 1998.

*Renewal applicant* means a FFEL or Direct Loan program borrower who has previously applied for, and received, loan forgiveness benefits under this loan forgiveness program in a prior fiscal year.

#### Forgiveness Amounts

(A) A borrower employed full-time as a child care provider may receive forgiveness of the borrower's eligible loans in the amount of:

(1) Twenty percent of the total amount of eligible loans after the second consecutive year (24 continuous months) of full-time employment;

(2) Twenty percent of the total amount of eligible loans after the third consecutive year (36 continuous months) of full-time employment; and

(3) Thirty percent of the total amount of eligible loans after each of the fourth

and fifth consecutive years (48 and 60 continuous months respectively) of full-time employment.

(B) An eligible borrower not previously participating in the loan forgiveness program who secures an associate's or bachelor's degree in early childhood education or child care after previously graduating from an institution of higher education in an area other than early childhood education is eligible to receive forgiveness of the total amount of eligible loans received for a maximum of two academic years in pursuit of that early childhood education or child care degree, according to the percentages specified in paragraph (A) of this section.

(C) For each year of qualifying service, the Secretary forgives the percentage of the eligible loans plus the proportionate amount of interest that accrues on the loan.

(D) The loan holder does not refund payments that were received from, or paid on behalf of, a borrower who qualifies for loan forgiveness under this section.

#### Application Procedures for Cancellation and Payment Processing

(A) After completing the eligible child care service, a borrower may request loan forgiveness from the Secretary on a form approved by the Secretary and accompanied by any required supporting documentation.

(B) The Secretary, after receiving a completed and accurate application:

(1) Makes a loan forgiveness commitment to a qualified new applicant on a first-come, first-served basis according to the date that a complete and accurate application is received and contingent upon the availability of funds; and

(2) Reaffirms the prior commitment for a renewal applicant if the renewal applicant continues to meet the eligibility requirements.

(C) The Secretary notifies applicants of their eligibility or ineligibility for loan forgiveness and the amount that is being forgiven for that application year.

(D) If the Secretary approves the borrower's request for forgiveness of the loan, the Secretary forwards payment of the forgiven amount to the holder of the borrower's largest current outstanding unsubsidized loan, if any, for payment on that loan. If the borrower has no outstanding unsubsidized loans, the Secretary forwards the forgiven amount to the holder of the borrower's largest current outstanding subsidized loan.

(E) If the holder determines that the amount of the loan forgiveness payment received from the Secretary exceeds the

remaining balance of the loan to which it is designated, the holder shall apply the remaining balance to another eligible loan of the borrower held by the holder. If the holder does not hold any of the borrower's other eligible loans, the lender shall refund the balance to the Secretary. If applicable, the Secretary then forwards the balance to another holder of the borrower's eligible loans.

#### Application Procedures for Forbearance

(A) At the written request of the borrower, the Secretary or the holder of eligible loans grants forbearance in annual increments to a borrower performing the type of service that would qualify the borrower for loan forgiveness, unless the borrower has been granted a deferment for that period of service.

(B) Before a new applicant receives forbearance for eligible child care service, the borrower must:

(1) Submit documentation to the Secretary or the holder for the period of the annual forbearance request showing the beginning and anticipated ending dates that the borrower is expected to perform, for that year, eligible child care service; and

(2) Certify the borrower's understanding that receiving forbearance for eligible service does not guarantee receipt of loan forgiveness benefits.

(C) Before a renewal applicant receives forbearance for eligible child care service, the renewal applicant must submit documentation to the Secretary or the holder for the period of the annual forbearance request showing the beginning and anticipated ending dates that the borrower is expected to perform, for that year, eligible child care service.

#### Electronic Access to This Document

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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.access.gpo.gov/nara/index.html>.

**Program Authority:** 20 U.S.C. 1078–11.

Dated: August 26, 2002.

**Sally L. Stroup,**

*Assistant Secretary, Office of Postsecondary Education.*

[FR Doc. 02–22113 Filed 8–28–02; 8:45 am]

**BILLING CODE 4000–01–P**

## DEPARTMENT OF EDUCATION

### Secretary of Education's Commission on Opportunity in Athletics; Meeting

**AGENCY:** Secretary of Education's Commission on Opportunity in Athletics; Department of Education.

**ACTION:** Notice of open meeting.

**SUMMARY:** This notice sets forth the schedule and proposed agenda of a forthcoming public meeting of the Secretary of Education's Commission on Opportunity in Athletics (the Commission). The Commission invites comments from the public regarding the application of current Federal standards for ensuring equal opportunity for men and women and boys and girls to participate in athletics under Title IX of the Education Amendments of 1972 ("Title IX"). The meeting will take place in Chicago, Illinois. This meeting will primarily focus on Title IX as it relates to High Schools and Two-Year Colleges; however there will be an opportunity to comment on Title IX in general.

Individuals who will need accommodations for a disability in order to attend the meetings should notify the Commission office no later than September 12, 2002. We will attempt to meet requests after this date, but cannot guarantee availability of the requested accommodation. The meeting site is accessible to individuals with disabilities.

Notice of this meeting is required under section 10(a)(2) of the Federal Advisory Committee Act. **DATES:** September 17–18, 2002.

**Location:** Drake Hotel, 140 East Walton Place, Chicago, Illinois 60611.

**Times:** September 17: 9 a.m.–12:30 p.m., 2 p.m.–5 p.m. September 18: 9 a.m.–1 p.m.:

**Meeting Format:** This meeting will be held according to the following schedule:

1. Date: September 17, 2002, Time: 9 a.m. to 12:30 p.m., 2 p.m.–5 p.m.
2. Date: September 18, 2002, Time: 9 a.m. to 1 p.m.

**Attendees:** If you would like to attend any or all of the above listed meetings, we ask that you register with the

Commission Office by e-mail or fax to the address listed under **ADDRESSES**. Please provide us with your name and contact information.

**Participants:** The meeting scheduled for September 17, 2002 will begin with presentations from panels of invited speakers. After the presentations by invited speakers, there will be time reserved for comments from the public.

The meeting scheduled for September 18, 2002 will consist of review and discussion by the Commissioners of the information from the previous public meetings in preparation for the Commission's forthcoming report to the Secretary of Education. The public is invited to observe this meeting; however there will not be opportunity for public comment.

If you are interested in participating in the public comment period to present comments on the Federal standards for ensuring equal opportunity for men and women to participate in athletics under Title IX at this meeting, you are requested to reserve time on the agenda of the meeting by contacting the Commission office by e-mail or fax.

We request that you submit a request to the Commission office by e-mail or fax. Please include your name, the organization you represent if appropriate, and a brief description of the issue you would like to present. Participants will be allowed approximately 3 to 5 minutes to present their comments, depending on the number of individuals who reserve time on the agenda. At the meeting, participants are also encouraged to submit two written copies of their comments. Persons interested in making comments are encouraged to address the issues and questions discussed under **SUPPLEMENTARY INFORMATION**.

Given the expected number of individuals interested in providing comments at the meetings, reservations for presenting comments should be made as soon as possible. Persons who are unable to obtain reservations to speak during the meetings are encouraged to submit written comments. Written comments will be accepted at each meeting site or may be mailed to the Commission at the address listed under **ADDRESSES**.

In addition to making reservations, individuals attending the public meetings, for security purposes, must be prepared to show photo identification in order to enter the meeting location.

**Request for Written Comments:** In addition to soliciting input during the public meetings, we invite the public to submit written comments relevant to the Commission.

**DATES:** We would like to receive your written comments on the Act by November 29, 2002.

**ADDRESSES:** Submit all comments to the Commission using one of the following methods:

1. **Internet.** We encourage you to send your comments through the Internet to the following address:

[OpportunityinAthletics@ed.gov](mailto:OpportunityinAthletics@ed.gov)

2. **Mail.** You may submit your comments to The Secretary of Education's Commission on Opportunity in Athletics, 400 Maryland Avenue, SW., ROB–3 Room 3060, Washington, DC 20202. Due to delays in mail delivery caused by heightened security, please allow adequate time for the mail to be received.

3. **Facsimile.** You may submit comments by facsimile at (202) 260–4560.

**FOR FURTHER INFORMATION CONTACT:** See the Commission address under the **ADDRESSES** section of this notice. View the Commission's Web site at: <http://www.ed.gov/inits/commissionsboards/athletics>. The Commission office number is 202–708–7417.

**SUPPLEMENTARY INFORMATION:** The nation is commemorating the 30th anniversary of the passage of Title IX, the landmark legislation prohibiting recipients of Federal funds from discriminating on the basis of sex. Since this legislation was enacted, there has been a dramatic increase in the number of women participating in athletics at the high school and college levels. The Secretary of Education has determined that this anniversary provides an appropriate time to review the application of Title IX to educational institutions' efforts to provide equal opportunity in athletics to women and men. In order to do so, the Secretary established the Commission on Opportunity in Athletics. The Commission will produce a report no later than January 31, 2002, outlining its findings relative to the opportunities for men and women in athletics in order to improve the effectiveness of Title IX. Comments are encouraged on the following priority areas:

1. Are Title IX standards for assessing equal opportunity in athletics working to promote opportunities for male and female athletes?

2. Is there adequate Title IX guidance that enables colleges and school districts to know what is expected of them and to plan for an athletic program that effectively meets the needs and interests of their students?

3. Is further guidance or are other steps needed at the junior and senior high school levels where the availability