#### **DEPARTMENT OF EDUCATION**

Office of Special Education and Rehabilitative Services; Postsecondary **Education Programs for Individuals** With Disabilities

**AGENCY:** Department of Education. **ACTION:** Notice of a final funding priority.

**SUMMARY:** The Secretary announces a final funding priority for four Regional Centers on Postsecondary Education for Individuals who are Deaf, a program administered by the Office of Special Education and Rehabilitative Services (OSERS) under the Individuals with Disabilities Education Act. The Secretary may use this priority in Fiscal Year 1996 and subsequent years. The Secretary takes this action to focus Federal assistance on identified needs to improve educational opportunities and outcomes for postsecondary students who are deaf and hard of hearing. The final funding priority is intended to ensure wide and effective use of program funds. The Secretary also announces selection criteria that will be applied in evaluating applications submitted for this competition. **EFFECTIVE DATE:** This priority takes effect on July 31, 1996.

FOR FURTHER INFORMATION CONTACT:

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Ramon\_\_Rodriguez@ed.gov **SUPPLEMENTARY INFORMATION: This** notice contains information on the Regional Centers on Postsecondary Education for Individuals who are Deaf, authorized under section 625 of the Individuals with Disabilities Education Act, the Postsecondary Education Program for Individuals with Disabilities. The purpose of this program is to provide assistance for the development, operation, and dissemination of specially designed model programs of postsecondary, academic, vocational, technical, continuing, or adult education for individuals with disabilities.

This final funding priority supports the National Education Goal of every adult American being literate and possessing the knowledge and skills necessary to compete in a global economy by helping students who are deaf and hard of hearing to reach higher levels of academic achievement.

Funding of particular projects depends on the availability of funds, the content of the final funding priority, and the quality of the applications received. Further, the activities of the projects funded under this priority could be affected by the enactment of legislation reauthorizing the program. The publication of the final funding priority does not preclude the Secretary from proposing additional priorities, nor does it limit the Secretary to funding only this priority, subject to meeting applicable rulemaking requirements.

Note: This notice of final funding priority does not solicit applications. A notice inviting applications under this competition is published in a separate notice in this issue of the Federal Register.

Analysis of Comments and Changes

On March 18, 1996, the Secretary published a notice of proposed priority for this program in the Federal Register (61 FR 11086).

It was brought to our attention during the comment period that it is necessary to clarify what population is to be served by the regional centers. These centers have traditionally served individuals who are deaf and hard of hearing. This priority is not intended to change the population being served by the centers. The Secretary has therefore added references to individuals who are hard of hearing throughout the priority.

In response to the Secretary's invitation in the notice of proposed priority, 28 comments were received. All 28 commenters expressed interest in the Department holding a competition under the proposed priority. Eleven of the commenters suggested changes in the activities the regional centers must complete. An analysis of the comments and of the changes in the proposed priority follows. Technical and other minor changes—as well as suggested changes the Secretary is not legally authorized to make under the applicable statutory authority—are not addressed.

Comment: Eight commenters recommended that the Secretary fund direct student support services programs such as interpreting and notetaking at current levels.

Discussion: Although funding of direct student support services such as interpreting and notetaking was allowed through this program in the past, the Secretary believes that the limited funds available to support four regional centers are more effectively used for the activities described in the priority, including assisting institutions of higher education that are currently not serving students who are deaf and hard of hearing. Each of the currently funded regional centers has developed a model

of providing support services to students who are deaf and hard of hearing, and provided limited technical assistance and outreach services to other postsecondary institutions. The Secretary believes a technical assistance model will most efficiently use scarce resources and is the most effective strategy to ultimately increase postsecondary educational opportunities for students who are deaf and hard of hearing. Further, under Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act (ADA), institutions of higher education have the responsibility to provide these direct services. Under paragraph (e) of the priority, each center is required to disseminate information about these responsibilities and financial and other resources available for such purposes.

Changes: None.

Comment: Nineteen commenters recommended that the Secretary continue funding the current regional centers located at St. Paul Technical College, Seattle Community College, California State University at Northridge and the University of Tennessee at Knoxville.

Discussion: The Secretary does not have authority to non-competitively continue the current grantees. Section 625(a)(6) of the Individuals with Disabilities Education Act required the Secretary to continue to provide assistance to the current grantees operating the four regional centers for the deaf through September 30, 1995. Because current law does not provide authority for continuation of the current grantees, the Secretary must conduct a competition for fiscal year 1996 funds for this activity.

Change: None.

Comment: Three commenters suggested that the priority address the need to recruit or train interpreters, stenographers and other service specialists to provide services at a reasonable cost. In addition, an effort should be made to standardize training and develop compensation policies for interpreters and other support services personnel.

Discussion: The Secretary is aware of the need to train more interpreters and other service providers. The Office of Special Education Programs, Division of Personnel Preparation, and the Rehabilitation Services Administration have specific authorities to train both educational and general-service interpreters and are currently funding 28 projects for this purpose. It is anticipated that through technical assistance and outreach, the regional centers will be able to assist these

institutions in locating resources and to provide leadership to address support service issues.

Changes: None.

Comment: Twelve commenters strongly stressed that the needs assessment to be performed by each regional center should also address the technical assistance needs of postsecondary institutions related to retaining and instructing students who are deaf and hard of hearing.

Discussion: The Secretary agrees with the commenters that the centers must identify the needs of institutions related to retaining and instructing deaf and hard of hearing students in order to provide assistance to postsecondary education institutions in developing strategies that will result in more deaf and hard of hearing students completing their programs.

Changes: The issue of retaining and instructing deaf and hard of hearing students has been added to the list of areas in paragraph (a) of the priority that must be addressed in the technical needs assessment to be performed by each regional center.

Comment: One commenter recommended that the Secretary add 'and accommodation' to paragraph (b). The commenter states that the Secretary should distinguish between "access" and "accommodation." If this is not stressed, he suspects that many applications will focus on recruitment and admission variables, and give inadequate attention to factors which sustain the student throughout his or her postsecondary educational experiences. The commenter indicated also that the ability of applicants to articulate what "accommodation" means will help distinguish between strong and weak applications.

Discussion: The Secretary agrees with the commenter that adding "and accommodation of individuals who are deaf and hard of hearing throughout their postsecondary educational experiences," to paragraph (b) will clarify the distinction between "access" and "accommodation." Furthermore, it will ensure that the regional centers will not only provide postsecondary institutions with consultation and technical assistance related to special needs such as interpreters, notetakers, assistive devices and other essential aids, but continue providing accommodation support throughout the students' postsecondary educational programs.

Change: The phrase "and accommodation of individuals who are deaf and hard of hearing, including traditionally underserved populations who are deaf and hard of hearing,

throughout their postsecondary educational experiences" has been added to paragraph (b).

Comment: One commenter asked the Secretary to clarify what is meant by "develop training materials" in paragraph (f) and expressed concern that resources could be drained unless the regional centers collaborate on what materials should be developed and cooperate in their dissemination. Five commenters recommended that the Secretary require the centers to plan for national networking, coordination and collaboration to expand and share resources. These commenters expressed concern that the centers will duplicate many activities and that the centers should coordinate activities.

Discussion: The Secretary agrees with the commenters that clarification is needed regarding paragraph (f) and the phrase "develop training materials." It is the intent of the Secretary to have the regional centers make available, through development or acquisition, awarenesstraining materials for administration, faculty, and staff of postsecondary education institutions. It is anticipated that the regional centers will cooperate and collaborate in developing materials, standards, and other criteria that are needed. The regional centers are expected to collaborate in developing and conducting all major activities, such as the content of needs assessment and other instruments to be used, information about postsecondary education programs, administration/ faculty/staff orientation materials used in serving students who are deaf and hard of hearing, training materials, evaluation criteria and instruments and other similar materials.

Change: Paragraph (f) is changed by deleting "develop training materials" and inserting: "Make available through development and acquisition, awareness-training materials for administrators, faculty and staff \* In order to ensure coordination and collaboration among the regions, paragraph (j) has been changed to: 'Coordinate and collaborate on the development and establishment of needs-assessment activities, material development, technical assistance, outreach, information dissemination, and evaluation of the regional center's activities for the purpose of avoiding overlap and duplication of efforts

Comment: One commenter recommended that three regional centers and a national center be funded. Another commenter suggested that the Secretary fund six regional centers. Two commenters recommended five centers, two to be located in the southwest. They

also suggested that a national research and evaluation component be added.

Discussion: The Secretary is aware that the centers will need to form a network for intra/inter-regional cooperation. As noted in paragraphs (d) and (j) of the priority, the centers must undertake such efforts. The centers are also required to carry out evaluation activities, as described in paragraph (i). Finally, the Secretary believes that four regional centers, rather than three or six as suggested, represents the best combination of effort and national scope.

*Changes:* None.

Comments: One commenter recommended that the northeast region could be served by the two national institutions, Gallaudet University and the National Technical Institute for the Deaf at the Rochester Institute of Technology and, instead, the Secretary should create an additional region in the west. Four commenters recommended that the States in the four proposed regions be realigned. They indicated that the southern region accounted for approximately 33 percent of the Nation's population.

Discussion: The Secretary believes that the proposed regions represent a fair and reasonable geographical distribution. However, he agrees that each application must be assessed for the evidence of need in the target area and scope of work proposed by the project. The application notice, published elsewhere in this issue of the Federal Register, specifies a range of award amounts to allow the Secretary to take these factors into consideration in making awards.

Changes: None.

Comment: One commenter recommended that the priority stress cooperation with participating postsecondary educational institutions within each region in order to develop consistent outreach strategies and disseminate information to individuals who are deaf and hard of hearing to enhance their awareness of available postsecondary educational opportunities both within and outside the region.

Discussion: The Secretary agrees with the commenter on the need for coordination and collaboration of major center activities within each region and the need to develop consistent outreach strategies and disseminate information to individuals who are deaf and hard of hearing to enhance their awareness of available postsecondary educational opportunities both within and outside the region.

*Change:* Language has been added to paragraph (d) to ensure cooperation

with participating postsecondary educational institutions within the region in developing outreach strategies and disseminating information to individuals who are deaf and hard of hearing to enhance their awareness of available postsecondary educational opportunities, both within and outside the region.

Comment: Two commenters recommended that the Secretary require the centers to provide technical assistance and transitional outreach services to secondary schools serving students who are deaf and hard of hearing, and linkages with other programs. One of the commenters indicated that there is no mention of a job-placement component to ensure linkages to employment opportunities. The commenter added that emphasis should be placed on these activities because, at the present time, there are few programs that offer strong jobplacement activities for individuals graduating from postsecondary institutions.

Discussion: In paragraph (g), the Secretary directs the centers to "address the educational, remedial, support service, transitional, independent living, and employment needs of individuals who are deaf and hard of hearing. While the Secretary is aware of the need for comprehensive transitional services for students who are deaf and hard of hearing in secondary schools, scarce resources limit the level of regional centers' interaction with these schools to providing information about postsecondary educational opportunities. In order to ensure linkages to employment opportunities, the Secretary anticipates that the regional centers will coordinate their programs and activities with vocational rehabilitation and independent living agencies.

Change: None.

Comment: Two commenters recommended that the Secretary direct the centers to provide technical assistance to postsecondary education institutions in implementing strategies that will enhance the integration of students who are deaf and hard of hearing with other students.

Discussion: The Secretary expects the regional centers to provide training materials and disseminate information about proven models, components of models, and other exemplary practices that enhance the integration of students who are deaf and hard of hearing with other students. The Secretary believes that this issue is adequately addressed in paragraph (f).

Change: None.

Comments: Three commenters recommended the utilization of distance learning and other technologies in order to provide consultation and support services to a variety of postsecondary institutions regarding technical accommodations and model service programs.

Discussion: The Secretary anticipates that applicants will recommend creative and innovative ways that postsecondary institutions can provide services to students who are deaf and hard of hearing. Distance learning technology would be one appropriate method. However, the Secretary does not believe that it is appropriate to suggest or limit the potential methods for meeting the needs of students who are deaf and hard of hearing.

Changes: None.

Comments: Nine commenters indicated that for a support services program to be efficient and cost beneficial, a "critical mass" or significant number of deaf and hard of hearing students is required.

Discussion: The Department's survey, Deaf and Hard of Hearing Students in Postsecondary Education, by the National Center for Education Statistics through its postsecondary education quick information system (PEQIS) indicated that 1.850 institutions were providing services to varying numbers of deaf and hard of hearing students. The Secretary believes that many of these institutions, including those who do not have a significant number of deaf and hard of hearing students, need assistance. The type of assistance needed will depend on the type and size of the program and needs of the students enrolled. The centers will be able to provide technical assistance and outreach services to many institutions that wish to develop or improve service delivery.

Changes: None.

Comment: Three commenters recommended that the centers emphasize services to individuals from traditionally underserved populations. These individuals are late-deafened, deaf-blind, have multiple disabilities, or are from minority populations, including language minorities, who typically do not have services or resources readily available to them.

Discussion: The Secretary believes that the technical assistance needs assessments to be performed by each center will identify the technical assistance needs of the institutions of higher education, including how to serve deaf and hard of hearing populations that may be underserved. These identified needs will generate the necessary technical assistance services.

However, the Secretary agrees that it is important to emphasize that technical assistance to enhance the access and accommodation of individuals who are deaf and hard of hearing to postsecondary education and training must include individuals from traditionally underserved populations.

Changes: In order to address the needs of individuals from traditionally underserved populations, "including those from language minorities" has been added to paragraph (a), and "including traditionally underserved populations who are deaf and hard of hearing" has been added to paragraph (b).

Comment: One commenter recommended that the Secretary include a provision to involve families of students who are deaf and hard of hearing, and students themselves, and to include parent training and information centers and the National Parent Network on Disabilities among the organizations listed in paragraph (h).

Discussion: The majority of students who are deaf and hard of hearing have reached the age of maturity as they prepare to attend postsecondary education programs. Therefore, they are the primary targets of this assistance. The Secretary anticipates that information about postsecondary education opportunities provided to students who are deaf and hard of hearing and their teachers and counselors in secondary programs through informational materials and orientation as indicated in paragraphs (d), (e), and (g) also will be shared with parents and families. Further, information for parents and families will be available through the clearinghouses and organizations listed in paragraph (h).

Change: None.

### **Priority**

Under 34 CFR 75.105(c)(3) the Secretary gives an absolute preference to applications that meet this priority. The Secretary will fund under this competition only applications that meet the priority.

Absolute Priority—Regional Centers on Postsecondary Education for Individuals who are Deaf.

# Purpose

The purpose of this priority is to support projects that assist educational institutions to implement proven models, components of models, and other exemplary practices, including innovative technology, to increase and improve postsecondary educational opportunities for individuals who are deaf and hard of hearing.

### Background

This priority would support four regional centers on postsecondary education for individuals who are deaf and hard of hearing. Each center will provide technical assistance to a range of postsecondary institutions, including academic, vocational, technical, continuing, and adult education programs, to expand the array of educational opportunities within the region that are available to students who are deaf and hard of hearing. The centers must provide technical assistance to institutions currently not serving students who are deaf and hard of hearing to assist them to develop services. The centers must also provide technical assistance to institutions currently serving students who are deaf and hard of hearing to assist them to improve existing programs. In carrying out the objectives of this priority, projects must distribute technical assistance services and resources equitably, taking into account population and geographic size, within each State in its targeted geographic region.

Each regional center must:
(a) Conduct assessments of the technical assistance needs of postsecondary education institutions related to recruiting; enrolling; retaining; instructing; addressing the varying communication needs and methods used by individuals who are deaf and hard of hearing, including those from language minorities; and, otherwise effectively serving students

who are deaf and hard of hearing;
(b) Provide consultation, in-service training, and planning and development assistance to postsecondary education institutions and their staff to enhance the access and accommodation of individuals who are deaf and hard of hearing, including traditionally underserved populations who are deaf and hard of hearing, throughout their postsecondary educational experiences, to postsecondary education and training.

(c) Provide technical assistance on the responsibilities of postsecondary education institutions under Federal statutes, including Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act;

(d) Cooperate with participating postsecondary educational institutions within the region in developing outreach strategies and disseminating information to individuals who are deaf and hard of hearing to enhance their

awareness of available postsecondary educational opportunities, both within and outside the regions;

(e) Disseminate information about financial and other resources available to students who are deaf and hard of hearing and to postsecondary institutions to help them accommodate these students;

(f) Make available, through development and acquisition, awareness-training materials for administrators, faculty and staff, and disseminate information on proven models, components of models, and other exemplary practices, including innovative technology, among postsecondary educational programs to assist them in implementing effective and cost-efficient service-delivery systems that foster integration of students who are deaf and hard of hearing with other students;

(g) Encourage the use of consortia of postsecondary education institutions and other cooperative arrangements to provide services and assistance to students who are deaf and hard of hearing, including coordination of postsecondary education options with existing public and private community services that may address the educational, remedial, support service, transitional, independent living, and employment needs of individuals who are deaf and hard of hearing:

(h) Coordinate technical assistance and dissemination activities with relevant information clearinghouses and organizations such as the National Clearinghouse on Postsecondary Education for Individuals with Disabilities (HEATH), National Information Center for Children and Youth with Disabilities, National Transition Alliance, and Association of Higher Education and Disability;

(i) Evaluate the impact, effectiveness, and results of postsecondary institutions within the region in accommodating students who are deaf and hard of hearing; and

(j) Coordinate and collaborate on the development and establishment of needs-assessment activities, material development, technical assistance, outreach, information dissemination, and evaluation of the regional centers' activities for the purpose of avoiding overlap and duplication of efforts; ensuring that individuals who are deaf and hard of hearing have information on postsecondary programs throughout the country that provide accommodations; and ensuring that information on proven models, components of models, and other exemplary practices, including innovative technology, are equally available in each of the four

regions. This coordination must include carrying out collaborative activities and cross-regional initiatives, where appropriate.

The Secretary anticipates funding four cooperative agreements, each for a project period of up to 60 months, subject to the requirements of 34 CFR 75.253(a), for continuation awards. In determining whether to continue a center for the fourth and fifth years of the project period, in addition to applying the requirements of 34 CFR 75.253(a), the Secretary will consider the recommendations of a review team consisting of three experts selected by the Secretary. The services of the review team, including a two-day visit to the center, are to be performed during the last half of the center's second year and must be included in that year's evaluation required under 34 CFR 75.590. Funds to cover the costs of the review team must be included in the center's budget for year two. These costs are estimated to be approximately \$4,000.

To ensure that all States benefit from these projects, the Secretary intends to support four projects which will be required to serve each State within one of the following geographic regions:

Northeast Region—Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, and Vermont.

Southern Region—Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, Virgin Islands, and West Virginia.

Midwest Region—Iowa, Illinois, Indiana, Kansas, Ohio, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin.

Western Region—Alaska, American Samoa, Arizona, California, Colorado, Guam, Hawaii, Idaho, Northern Marinas Islands, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

Selection Criteria for Evaluating Applications

The Secretary will use the following weighted criteria to evaluate an application under the Regional Centers on Postsecondary Education for Individuals who are Deaf competition.

The maximum score for all the criteria is 100 points.

(a) *Project design.* (40 points) (1) The Secretary reviews each application to evaluate the quality of the proposed technical assistance project design.

(2) The Secretary determines the extent to which-

(i) The technical assistance objectives are designed to meet the purpose of the priority and are clearly defined, measurable, and achievable; and

(ii) The proposed technical assistance addresses the needs of a range of postsecondary institutions, including academic, vocational, technical, continuing, and adult education programs.

(3) The Secretary determines the extent to which each application

provides for-

(i) Use of current research findings and information on model practices;

(ii) Methods for linking postsecondary institutions in need of technical assistance:

(iii) Innovative procedures for disseminating information and imparting skills to postsecondary institutions, staff of these institutions, and postsecondary students and potential postsecondary students who are deaf and hard of hearing; and

(iv) Innovative procedures for collaborating and coordinating with other entities that are involved with broader technical assistance efforts.

(b) Plan of operation. (20 points)

(1) The Secretary reviews each application to determine the quality of the plan of operation for the project.

(2) The Secretary considers

(i) The extent to which the management plan will ensure proper and efficient administration of the project;

(ii) The quality of the activities proposed to accomplish the goals and

objectives;

(iii) The adequacy of proposed timelines for accomplishing those activities: and

(iv) Effectiveness in the ways in which the applicant plans to use the resources and personnel to accomplish the program's goals and objectives.

(3) How the applicant will ensure that project participants who are otherwise eligible to participate are selected without regard to race, color, national origin, gender, age, or disability

(c) Quality of key personnel. (15

points)

(1) The Secretary reviews each application to determine the qualifications of the key personnel the applicant plans to use.

(2) The Secretary considers—

- (i) The qualifications of the project director and project coordinator (if one is used);
- (ii) The qualifications of each of the other key project personnel;
- (iii) The time that each person referred in paragraphs (b)(2) (i) and (ii) plans to commit to the project; and

- (iv) How the applicant will ensure that personnel are selected for employment without regard to race, color, national origin, gender, age, or disability.
- (3) To determine personnel qualifications under (b)(2) (i) and (ii), the Secretary considers-
- (i) Experience and training in fields related to the objectives of the project; and
- (ii) Any other qualifications that pertain to the quality of the project.
- (d) Budget and cost effectiveness. (10
- (1) The Secretary reviews each application to determine whether the project has an adequate budget and is cost-effective.
- (2) The Secretary considers the extent to which-
- (i) The budget for the project is adequate to support project activities;
- (ii) Costs are reasonable in relation to the objectives of the project.

(e) Evaluation plan. (10 points)

(1) The Secretary reviews each application to determine the quality of the evaluation plan for the project.

(2) The Secretary considers-

(i) The extent to which the applicant's methods of evaluation are appropriate to the project; and

(ii) To the degree possible, the extent to which the applicant's methods of evaluation are objective and produce data that are quantifiable.

(f) Adequacy of resources. (5 points)

- (1) The Secretary reviews each application to determine whether the applicant plans to devote adequate resources to the project.
- (2) The Secretary considers the adequacy of the facilities and the technology, equipment, and supplies the applicant plans to use.

# Intergovernmental Review

This notice is subject to the requirements of Executive Order 12372 and the regulations in 34 CFR Part 79. The objective of the Executive Order is to foster an intergovernmental partnership and a strengthened federalism by relying on processes developed by State and local governments for coordination and review of proposed Federal financial assistance. In accordance with the order, this document is intended to provide early notification of the Department's specific plans and actions for this program.

Program Authority: 20 U.S.C. 1424a. (Catalog of Federal Domestic Assistance Number: Regional Postsecondary Centers for Individuals Who are Deaf, 84.078A)

Dated: June 25, 1996.

Judith E. Heumann,

Assistant Secretary for Special Education and Rehabilitative Services.

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## **DEPARTMENT OF EDUCATION**

[CFDA No.: 84.078A]

Postsecondary Education Programs for Individuals with Disabilities; Notice **Inviting Applications for New Awards** for Fiscal Year (FY) 1996

Purpose of Program: To support projects that assist educational institutions to implement proven models, components of models, and other exemplary practices, including innovative technology, to increase and improve postsecondary opportunities for individuals who are deaf and hard of hearing.

This program supports the National Education Goal of every adult American being literate and possessing the knowledge and skills necessary to compete in a global economy by helping students who are deaf and hard of hearing to reach higher levels of academic achievement.

Eligible Applicants: Eligible applicants are State educational agencies, institutions of higher education, junior and community colleges, vocational and technical institutions, and other nonprofit educational agencies.

Applicable Regulations: (a) The regulations in part 338; and (b) The **Education Department General** Administrative Regulations (EDGAR) in 34 CFR Parts 74, 75, 77, 79, 80, 81, 82, 85, and 86.

Note: The regulations in 34 CFR Part 86 apply to institutions of higher education only.

Applications Available: July 2, 1996.

(a) The priority in the notice of final funding priority for this program, as published elsewhere in this issue of the Federal Register, applies to this competition.

(b) Within this priority, the Secretary particularly invites applications for projects from consortia or partnerships with expertise in accommodating students who are deaf and hard of hearing in a variety of academic, vocational, technical, continuing, and adult education environments. However, in accordance with EDGAR at 34 CFR 75.105 (c)(1), an application that meets this invitational priority receives no competitive or absolute preference