

``SEC. 682. <<NOTE: 20 USC 1482.>> ADMINISTRATIVE PROVISIONS.

``(a) Applicant and Recipient Responsibilities.--

``(1) Development and assessment of projects.--The Secretary shall require that an applicant for, and a recipient of, a grant, contract, or cooperative agreement for a project under subpart 2 or 3--

``(A) involve individuals with disabilities or parents of individuals with disabilities ages birth through 26 in planning, implementing, and evaluating the project; and

``(B) where appropriate, determine whether the project has any potential for replication and adoption by other entities.

``(2) Additional responsibilities.--The Secretary may require a recipient of a grant, contract, or cooperative agreement under subpart 2 or 3 to--

``(A) share in the cost of the project;

``(B) prepare any findings and products from the project in formats that are useful for specific audiences, including parents, administrators, teachers, early intervention personnel, related services personnel, and individuals with disabilities;

``(C) disseminate such findings and products; and

``(D) collaborate with other such recipients in carrying out subparagraphs (B) and (C).

``(b) Application Management.--

``(1) Standing panel.--

``(A) In general.--The Secretary shall establish and use a standing panel of experts who are qualified, by virtue of their training, expertise, or experience, to evaluate each application under subpart 2 or 3 that requests more than \$75,000 per year in Federal financial assistance.

``(B) Membership.--The standing panel shall include, at a minimum--

``(i) individuals who are representatives of institutions of higher education that plan, develop, and carry out high quality programs of personnel preparation;

``(ii) individuals who design and carry out scientifically based research targeted to the improvement of special education programs and services;

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``(iii) individuals who have recognized experience and knowledge necessary to integrate and apply scientifically based research findings to improve educational and transitional results for children with disabilities;

``(iv) individuals who administer programs at the State or local level in which children with disabilities participate;

``(v) individuals who prepare parents of

children with disabilities to participate in making decisions about the education of their children;

``(vi) individuals who establish policies that affect the delivery of services to children with disabilities;

``(vii) individuals who are parents of children with disabilities ages birth through 26 who are benefiting, or have benefited, from coordinated research, personnel preparation, and technical assistance; and

``(viii) individuals with disabilities.

``(C) Term.--No individual shall serve on the standing panel for more than 3 consecutive years.

``(2) Peer-review panels for particular competitions.--

``(A) Composition.--The Secretary shall ensure that each subpanel selected from the standing panel that reviews an application under subpart 2 or 3 includes--

``(i) individuals with knowledge and expertise on the issues addressed by the activities described in the application; and

``(ii) to the extent practicable, parents of children with disabilities ages birth through 26, individuals with disabilities, and persons from diverse backgrounds.

``(B) Federal employment limitation.--A majority of the individuals on each subpanel that reviews an application under subpart 2 or 3 shall be individuals who are not employees of the Federal Government.

``(3) Use of discretionary funds for administrative purposes.--

``(A) Expenses and fees of non-federal panel members.--The Secretary may use funds available under subpart 2 or 3 to pay the expenses and fees of the panel members who are not officers or employees of the Federal Government.

``(B) Administrative support.--The Secretary may use not more than 1 percent of the funds appropriated to carry out subpart 2 or 3 to pay non-Federal entities for administrative support related to management of applications submitted under subpart 2 or 3, respectively.

## **EDGAR §75.217**

### **How the Secretary selects applications for new grants.**

(a) The Secretary selects applications for new grants on the basis of the authorizing statute, the selection criteria, and any priorities or other requirements that have been published in the FEDERAL REGISTER and apply to the selection of those applications.

(b)(1) The Secretary may use experts to evaluate the applications submitted under a program.

(2) These experts may include persons who are not employees of the Federal Government.

(c) The Secretary prepares a rank order of the applications based solely on the evaluation of their quality according to the selection criteria.

(d) The Secretary then determines the order in which applications will be selected for grants. The Secretary considers the following in making these determinations:

(1) The information in each application.

(2) The rank ordering of the applications.

(3) Any other information—

(i) Relevant to a criterion, priority, or other requirement that applies to the selection of applications for new grants;

(ii) Concerning the applicant's performance and use of funds under a previous award under any Department program; and

(iii) Concerning the applicant's failure under any Department program to submit a performance report or its submission of a performance report of unacceptable quality.

(Authority: 20 U.S.C. 1221e-3 and 3474)

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