

## § 319.31

telecommunication technology, no distinction may be made with respect to the mode of instruction in determining costs. This paragraph may not be construed to permit including the cost of rental or purchase of equipment.

(Authority: 20 U.S.C. 108711)

### **§ 319.31 What are the student financial assistance criteria?**

Direct financial assistance under § 319.2 (a) and (b) may only be paid to students in preservice programs and only if the student—

(a) Is qualified for admission to the program of study;

(b) Maintains satisfactory progress in a course of study as provided in 34 CFR 668.16(e); and

(c)(1) Is a citizen or national of the United States;

(2) Provides evidence from the U.S. Immigration and Naturalization Service that he or she—

(i) Is a permanent resident of the United States; or

(ii) Is in the United States for other than a temporary purpose with the intention of becoming a citizen or permanent resident; or

(3) Has a permanent or lasting—as distinguished from temporary—principal, actual dwelling place in fact, without regard to intent, in Palau or the Commonwealth of the Northern Mariana Islands.

(Authority: 20 U.S.C. 1091)

### **§ 319.32 May the grantee use funds if a financially assisted student withdraws or is dismissed?**

Financial assistance awarded to a student that is unexpended because the student withdraws or is dismissed from the training program may be used for financial assistance to other eligible students during the grant period.

(Authority: 20 U.S.C. 108711)

### **§ 319.33 What are the reporting requirements under this program?**

Recipients shall, if appropriate, prepare reports describing their procedures, findings, and other relevant information in a form that will maximize the dissemination and use of those procedures, findings, and information. The Secretary requires their delivery, as

## 34 CFR Ch. III (7–1–98 Edition)

appropriate, to the Regional and Federal Resource Centers, the Clearinghouses, and the Technical Assistance to Parents Program (TAPP) assisted under parts C and D of the IDEA, as well as the National Diffusion Network, the ERIC Clearinghouse on the Handicapped and Gifted, and the Child and Adolescent Service Systems Program (CASSP) under the National Institute of Mental Health, appropriate, parent and professional organizations, organizations representing individuals with disabilities, and other networks the Secretary may determine to be appropriate.

(Approved by the Office of Management and Budget under control number 1820–0530)

(Authority: 20 U.S.C. 1409(g))

## **PART 320—CLEARINGHOUSES**

### **Subpart A—General**

Sec.

320.1 What is the Clearinghouse program?

320.2 Who is eligible to apply for assistance under this program?

320.3 What activities are required of clearinghouses?

320.4 What regulations apply to this program?

320.5 What definitions apply to this program?

320.6–320.9 [Reserved]

### **Subpart B—What Kinds of Projects Does the Secretary Assist Under This Program?**

320.10 What kinds of activities may be supported under this part?

320.11–320.19 [Reserved]

### **Subpart C [Reserved]**

### **Subpart D—How Does the Secretary Make a Grant?**

320.30 What are the selection criteria used to award a grant?

320.31 What are the priorities for funding under this program?

320.32 What additional factors does the Secretary consider?

320.33–320.39 [Reserved]

### **Subpart E—What Conditions Must Be Met by a Grantee?**

320.40 What evaluation and coordination requirements must be met by a grantee?

320.41 What other conditions must be met by grantees under this program?

320.42—320.49 [Reserved]

AUTHORITY: 20 U.S.C. 1433, unless otherwise noted.

SOURCE: 49 FR 25986, June 25, 1984, unless otherwise noted.

EFFECTIVE DATE NOTE: At 63 FR 23601, Apr. 29, 1998, part 320 was removed, effective Oct. 1, 1998.

**Subpart A—General**

**§ 320.1 What is the Clearinghouse program?**

The Clearinghouses program provides financial assistance for—

(a) A national clearinghouse on the education of children and youth with disabilities that disseminates information and provides technical assistance to parents, professionals, and other interested parties;

(b) A national clearinghouse on post-secondary education for individuals with disabilities; and

(c) A national clearinghouse designed to encourage students to seek careers and professional personnel to seek employment in the various fields relating to the education of children and youth with disabilities.

(Authority: 20 U.S.C. 1433)

[56 FR 54695, Oct. 22, 1991]

**§ 320.2 Who is eligible to apply for assistance under this program?**

Parties eligible to apply for assistance under this part are public agencies or nonprofit private organizations or institutions.

(Authority: 20 U.S.C. 1433)

[49 FR 25986, June 25, 1984, as amended at 56 FR 54695, Oct. 22, 1991]

**§ 320.3 What activities are required of clearinghouses?**

The clearinghouses are required to—

(a) Collect, develop, and disseminate information;

(b) Provide technical assistance;

(c) Conduct coordinated outreach activities;

(d) Provide for the coordination and networking with other relevant national, State, and local organizations and information and referral resources;

(e) Respond to individuals and organizations seeking information; and

(f) Provide for the synthesis of information for its effective utilization by parents, professionals, individuals with disabilities, and other interested parties.

(Authority: 20 U.S.C. 1433)

[56 FR 54695, Oct. 22, 1991]

**§ 320.4 What regulations apply to this program?**

The following regulations apply to grants awarded under this program:

(a) The regulations in this part 320.

(b) The Education Department General Administrative Regulations (EDGAR) in title 34 of the *Code of Federal Regulations* in—

(1) Part 74 (Administration of Grants to Institutions of Higher Education, Hospitals, and Nonprofit Organizations);

(2) Part 75 (Direct Grant Programs);

(3) Part 77 (Definitions);

(4) Part 79 (Intergovernmental Review of Department of Education Programs and Activities);

(5) Part 80 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments);

(6) Part 81 (General Education Provisions Act—Enforcement);

(7) Part 82 (New Restrictions on Lobbying);

(8) Part 85 (Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)); and

(9) Part 86 (Drug-Free Schools and Campuses).

(Authority: 20 U.S.C. 1433; 20 U.S.C. 3474(a))

[49 FR 25986, June 25, 1984. Redesignated and amended at 56 FR 54695, 54696, Oct. 22, 1991]

**§ 320.5 What definitions apply to this program?**

(a) *Definitions in EDGAR.* The following terms used in this part are defined in 34 CFR 77.1:

- Contract
- EDGAR
- Grant
- Nonprofit
- Private
- Project
- Public
- Secretary

State

(Authority: 20 U.S.C. 3474(a))

(b) *Definitions in 34 CFR part 300.* The term *parent* as used in this part is defined in 34 CFR 300.10.

(Authority: 20 U.S.C. 1433)

[49 FR 25986, June 25, 1984. Redesignated at 56 FR 54695, Oct. 22, 1991]

**§§ 320.6—320.9 [Reserved]**

**Subpart B—What Kinds of Projects Does the Secretary Assist Under This Program?**

**§320.10 What kinds of activities may be supported under this part?**

The Secretary may provide funds under this part to—

(a) Establish and operate a national clearinghouse for children and youth with disabilities that will do the following:

(1) Collect and disseminate information (including the development of materials) on characteristics of infants, toddlers, children, and youth with disabilities and on programs, legislation, and services relating to their education under this Act and other Federal laws.

(2) Participate in programs and services related to disability issues for providing outreach, technical assistance; collection, and dissemination of information; and promoting networking of individuals with appropriate national, State, and local agencies and organizations.

(3) Establish a coordinated network and conduct outreach activities with relevant Federal, State, and local organizations and other sources for promoting public awareness of disability issues and the availability of information, programs, and services.

(4) Collect, disseminate, and develop information on current and future national, Federal, regional, and State needs for providing information to parents, professionals, individuals with disabilities, and other interested parties relating to the education and related services of individuals with disabilities.

(5) Provide technical assistance to national, Federal, regional, State and local agencies and organizations seeking to establish information and refer-

ral services for individuals with disabilities and their families.

(6) Include strategies to disseminate information to underrepresented groups such as those with limited English proficiency, in carrying out the activities in this section.

(b) Establish and operate a national clearinghouse on postsecondary education for individuals with disabilities that will do the following:

(1) Collect and disseminate information nationally on characteristics of individuals entering and participating in education and training programs after high school; legislation affecting such individuals and such programs; policies; procedures, and support services, as well as adaptations, and other resources available or recommended to facilitate the education of individuals with disabilities; available programs and services that include, or can be adapted to include, individuals with disabilities; and sources of financial aid for the education and training of individuals with disabilities.

(2) Identify areas of need for additional information.

(3) Develop new materials (in both print and nonprint form), especially by synthesizing information from a variety of fields affecting disability issues and the education, rehabilitation, and retraining of individuals with disabilities.

(4) Develop a coordinated network of professionals, related organizations and associations, mass media, other clearinghouses, and governmental agencies at the Federal, regional, State, and local level for the purposes of disseminating information and promoting awareness of issues relevant to the education of individual with disabilities after high school and referring individuals who request information to local resources.

(5) Respond to requests from individuals with disabilities, their parents, and professionals who work with them, for information that will enable them to make appropriate decisions about postsecondary education and training.

(c) Establish and operate a national clearinghouse designed to encourage students to seek careers and professional personnel to seek employment

in the various fields related to the education of children and youth with disabilities that will do the following:

(1) Collect and disseminate information on current and future national, regional, and State needs for special education and related services personnel.

(2) Disseminate information to high school counselors and others concerning current career opportunities in special education, location of programs, and various forms of financial assistance (such as scholarships, stipends, and allowances).

(3) Identify training programs available around the country.

(4) Establish a network among local and State educational agencies and institutions of higher education concerning the supply of graduates and available openings.

(5) Provide technical assistance to institutions seeking to meet State and professionally recognized standards.

(Authority: 20 U.S.C. 1433)

[56 FR 54696, Oct. 22, 1991]

**§§ 320.11—320.19 [Reserved]**

**Subpart C [Reserved]**

**Subpart D—How Does the Secretary Make a Grant?**

**§ 320.30 What are the selection criteria used to award a grant?**

The Secretary uses the criteria in this section to evaluate applications for new grants. The maximum score for all the criteria is 100 points. The maximum score for each complete criterion is indicated in parentheses.

(a) *Plan of operation.* (40 points) (1) The Secretary reviews each application for information that shows the quality of the plan of operation for the project.

(2) The Secretary looks for information that shows—

(i) High quality in the design of the project;

(ii) An effective plan of management that insures proper and efficient administration of the project;

(iii) A clear description of how the objectives of the project relate to the purpose of the program;

(iv) The way the applicant plans to use its resources and personnel to achieve each objective; and

(v) A clear description of how the applicant will provide equal access and treatment for eligible project participants who are members of groups that have been traditionally underrepresented such as—

(A) Members of racial or ethnic minority groups;

(B) Women;

(C) Individuals with disabilities; and

(D) The elderly.

(b) *Quality of key personnel.* (15 points) (1) The Secretary reviews each application for information that shows the qualifications of key personnel the applicant plans to use on the project.

(2) The Secretary looks for information that shows—

(i) The qualifications of the project director (if one is to be used);

(ii) The qualifications of each of the other key personnel to be used in the project;

(iii) The time that each person referred to in paragraphs (b)(2) (i) and (ii) of this section will commit to the project; and

(iv) The extent to which the applicant, as part of its nondiscriminatory employment practices, encourages applications for employment from persons who are members of groups that have been traditionally underrepresented, such as—

(A) Members of racial or ethnic minority groups;

(B) Women;

(C) Individuals with disabilities; and

(D) The elderly.

(3) To determine personnel qualifications, the Secretary considers experience and training, in fields related to the objectives of the project, as well as other information that the applicant provides.

(c) *Budget and cost effectiveness.* (10 points) (1) The Secretary reviews each application for information that shows that the project has an adequate budget and is cost effective.

(2) The Secretary looks for information that shows—

(i) The budget for the project is adequate to support the project activities; and

(ii) Costs are reasonable in relation to the objectives of the project.

(d) *Evaluation plan.* (10 points) (1) The Secretary reviews each application for information that shows the quality of the evaluation plan for the project. (See 34 CFR 75.590.) *Evaluation by the grantee.*

(2) The Secretary looks for information that shows methods of evaluation that are appropriate for the project, and to the extent possible, are objective and produce data that are quantifiable.

(e) *Adequacy of resources.* (5 points) (1) The Secretary reviews each application for information that shows that the applicant plans to devote adequate resources to the project.

(2) The Secretary looks for information that shows—

(i) The facilities that the applicant plans to use are adequate; and

(ii) The equipment and supplies that the applicant plans to use are adequate.

(f) *Experience and ability.* (10 points) The Secretary looks for information that shows the applicant's—

(1) National experience relevant to performance of the functions supported by this program;

(2) Ability to conduct its proposed project;

(3) Ability to communicate with the intended consumers of information; and

(4) Ability to maintain the necessary communication with other agencies and organizations.

(g) *Cooperation and coordination with other agencies.* (10 points) (1) The Secretary reviews each application for information that shows the activities funded under this section will be coordinated with—

(i) Similar activities funded from grants and contracts awarded under this part and under part C of the Act; and

(ii) Other agencies and organizations conducting or eligible to conduct activities essential to the effective implementation of the proposed project.

(2) The Secretary looks for information that shows the nature and extent of, and timeline for, coordination which the applicant has had and proposes to have to facilitate implementa-

tion and continuation of the project activities after termination of Federal funding.

(Approved by the Office of Management and Budget under control number 1820–0028)

(Authority: 20 U.S.C. 1433)

[49 FR 25986, June 25, 1984, as amended at 52 FR 26657, July 15, 1987; 56 FR 54696, Oct. 22, 1991]

**§320.31 What are the priorities for funding under this program?**

The Secretary may select as annual priorities any of the activities listed in §320.10 by publishing a notice in the FEDERAL REGISTER.

(Authority: 20 U.S.C. 1433)

**§320.32 What additional factors does the Secretary consider?**

In awarding grants, contracts, and cooperative agreements under this part, the Secretary gives priority to any applicant with:

(a) Demonstrated, proven effectiveness at the national level in performing the functions established in this part; and with the ability to conduct such projects, communicate with intended consumers of information, and maintain the necessary communication with national, regional, State and local agencies and organizations.

(b) Demonstrated, proven effectiveness at the national level in providing informational services to minorities and minority organizations.

(Approved by the Office of Management and Budget under control number 1820–0028)

[56 FR 54696, Oct. 22, 1991, as amended at 57 FR 14314, Apr. 17, 1992]

**§§ 320.33–320.39 [Reserved]**

**Subpart E—What Conditions Must Be Met by a Grantee?**

**§320.40 What evaluation and coordination requirements must be met by a grantee?**

(a) Each grantee under this part shall ensure that any printed materials it produces or disseminates have been evaluated by individuals with disabilities, parents of children and youth with disabilities, and by appropriate

professionals with respect to the quality, currency, and appropriateness of, and the need to develop or disseminate, the materials.

(b) Recipients of awards under §320.10 (a), (b), and (c) shall coordinate the dissemination of materials and information activities supported under this part.

(Authority: 20 U.S.C. 1433)

[49 FR 25986, June 25, 1984, as amended at 52 FR 26657, July 15, 1987; 56 FR 54696, Oct. 22, 1991]

**§320.41 What other conditions must be met by grantees under this program?**

(a) Grantees shall, if appropriate, prepare reports describing their procedures, findings, and other relevant information in a form that will maximize the dissemination and use of such procedures, findings, and information. The Secretary shall require their delivery, as appropriate, to the Regional and Federal Resource Centers, the Clearinghouse, and the Technical Assistance to Parents Program (TAPP) assisted under parts C and D of the Act, as well as the National Diffusion Network, the ERIC Clearinghouse on the Handicapped and Gifted, and the Child and Adolescent Service Systems Programs (CASSP) under the National Institute of Mental health, appropriate parent and professional organizations, organizations representing individuals with disabilities, and such other networks as the Secretary may determine to be appropriate.

(b) Beginning in fiscal year 1991, and for each year thereafter, each project assisted under this part provide information required by the Secretary, including—

- (1) The number of individuals served by disability category, as appropriate, including parents, professionals, students, and individuals with disabilities;
- (2) A description of responses utilized;
- (3) A listing of new products developed and disseminated; and
- (4) A description of strategies and activities utilized for outreach to urban and rural areas with populations of minorities and underrepresented groups.

(Authority: 20 U.S.C. 1409; 20 U.S.C. 1433)

(Approved by the Office of Management and Budget under control number 1820-0028)

[56 FR 54696, Oct. 22, 1991, as amended at 57 FR 14314, Apr. 17, 1992]

**§§ 320.42—320.49 [Reserved]**

**PART 324—RESEARCH IN EDUCATION OF INDIVIDUALS WITH DISABILITIES PROGRAM**

**Subpart A—General**

Sec.

- 324.1 What is the Research in Education of Individuals with Disabilities programs?
- 324.2 Who is eligible to apply for an award under this program?
- 324.3 What regulations apply to this program?
- 324.4 What definitions apply to this program?
- 324.5—324.9 [Reserved]

**Subpart B—What Priorities Does the Secretary Consider for Support Under This Program?**

- 324.10 What kinds of priorities are authorized under this part?
- 324.11 What kinds of research and model projects are supported under this part?
- 324.12—324.19 [Reserved]

**Subpart C [Reserved]**

**Subpart D—How Does the Secretary Make an Award?**

- 324.30 How does the Secretary select and announce funding priorities under this program?
- 324.31 What are the selection criteria for evaluating applications for research projects?
- 324.32 What are the selection criteria for evaluating applications for model projects?
- 324.33 What are the selection criteria for evaluating research-related activities other than research and model projects?
- 324.34—324.39 [Reserved]

**Subpart E—What Conditions Must Be Met by a Recipient?**

- 324.40 What conditions must be met by a recipient?
- 324.41 What other conditions must be met by grantees under this program?
- 324.42—324.49 [Reserved]

AUTHORITY: 20 U.S.C. 1441-1443, unless otherwise noted.