

(b) Indirect costs in excess of the 10 percent limit may be used to satisfy matching or cost-sharing requirements.

(c) The 10 percent limit does not apply to federally recognized Indian tribal governments and their tribal representatives.

(Authority: 29 U.S.C. 711(c))

**§ 373.23 What additional requirements must be met?**

(a) Each grantee must do the following:

(1) Ensure equal access and treatment for eligible project participants who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, or disabilities.

(2) Encourage applications for employment from persons who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, or disabilities.

(3) Advise individuals with disabilities who are applicants for or recipients of the services, or the applicants' representatives or the individuals' representatives, of the availability and purposes of the Client Assistance Program, including information on means of seeking assistance under that program.

(4) Provide, through a careful appraisal and study, an assessment and evaluation of the project that indicates the significance or worth of processes, methodologies, and practices implemented by the project.

(b) A grantee may not make a subgrant under this part. However, a grantee may contract for supplies, equipment, and other services, in accordance with 34 CFR part 74, subpart C—Post-Award Requirements, Procurement Standards.

(Authority: 29 U.S.C. 711(c) and 717)

**§ 373.24 What are the special requirements pertaining to the protection, use, and release of personal information?**

(a) All personal information about individuals served by any project under this part, including lists of names, ad-

resses, photographs, and records of evaluation, must be confidential.

(b) The use of information and records concerning individuals must be limited only to purposes directly connected with the project, including project reporting and evaluation activities. This information may not be disclosed, directly or indirectly, other than in the administration of the project unless the consent of the agency providing the information and the individual to whom the information applies, or his or her representative, has been obtained in writing. The Secretary or other Federal officials responsible for enforcing legal requirements have access to this information without written consent being obtained. The final products of the project may not reveal any personal identifying information without written consent of the individual or his or her representative.

(Authority: 29 U.S.C. 711(c))

**PART 376—SPECIAL PROJECTS AND DEMONSTRATIONS FOR PROVIDING TRANSITIONAL REHABILITATION SERVICES TO YOUTH WITH DISABILITIES**

**Subpart A—General**

Sec.

376.1 What is the program of Special Projects and Demonstrations for Providing Transitional Rehabilitation Services to Youths with Disabilities?

376.2 Who is eligible for assistance under this program?

376.3 What regulations apply to this program?

376.4 What definitions apply to this program?

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

376.10 What types of projects are authorized under this program?

**Subpart C [Reserved]**

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

376.30 What priorities are considered for support by the Secretary under this part?

## § 376.1

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

376.40 What are the matching requirements?

376.41 What are the requirements for co-operation between grantees and other agencies and organizations?

AUTHORITY: 29 U.S.C. 777a(b), unless otherwise noted.

SOURCE: 51 FR 3895, Jan. 30, 1986, unless otherwise noted.

### Subpart A—General

#### § 376.1 What is the program of Special Projects and Demonstrations for Providing Transitional Rehabilitation Services to Youths with Disabilities?

This program is designed to provide job training for youths with disabilities to prepare them for entry into the labor force, including competitive or supported employment.

(Authority: Sec. 311(b); 29 U.S.C. 777a(b))

[51 FR 3895, Jan. 30, 1986, as amended at 57 FR 28441, June 24, 1992; 59 FR 8340, Feb. 18, 1994]

#### § 376.2 Who is eligible for assistance under this program?

State and other public and nonprofit agencies and organizations are eligible for assistance under this program.

(Authority: Sec. 311(b); 29 U.S.C. 777a(b))

#### § 376.3 What regulations apply to this program?

The following regulations apply to this program:

(a) The regulations in 34 CFR part 369.

(b) The regulations in this part 376.

(c) The regulations in 34 CFR 380.20.

(Authority: Secs. 12(c) and 311(b); 29 U.S.C. 711(c) and 777a(b))

[51 FR 3895, Jan. 30, 1986, as amended at 57 FR 28441, June 24, 1992]

#### § 376.4 What definitions apply to this program?

(a) The definitions in 34 CFR part 369.

(b) The definition of “Supported employment” in 34 CFR part 363.

(c) The definitions of “Competitive employment”, “Integrated setting”, “On-going support services”, “Transi-

## 34 CFR Ch. III (7–1–02 Edition)

tional employment”, and “Time-limited services” in 34 CFR part 380.

(d) The following definitions also apply to this program:

(1) *Extended services* means on-going support services and other appropriate services provided by a State agency, a private nonprofit organization, employer, or any other appropriate resource, from funds other than funds under this part, part 361, part 363, or part 380, after an individual with the most severe disabilities has made the transition from project support.

(2) *Transitional rehabilitation services* means any vocational rehabilitation services available under the State plan for vocational rehabilitation services under 34 CFR part 361 or the State plan for independent living services under 34 CFR part 365 and may also include—

(i) Jobs search assistance;

(ii) On-the-job training;

(iii) Job development, including work-site modification and use of advanced learning technology for skills training; and

(iv) Follow-up services for individuals placed in employment.

(3) *Youths with disabilities* means individuals with disabilities between the ages of 12 and 26.

(Authority: 29 U.S.C. 711(c) and 777a(b))

[57 FR 28441, June 24, 1992, as amended at 59 FR 8340, Feb. 18, 1994; 62 FR 6363, Feb. 11, 1997]

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

#### § 376.10 What types of projects are authorized under this program?

(a) This program supports special projects and demonstrations, including research and evaluation, for the following purposes:

(1) To demonstrate effective ways in which to provide job training, placement, and other transitional rehabilitation services to youths with disabilities to prepare them for entry in the labor force, including competitive or supported employment.

(2) To demonstrate service programs for youths with disabilities reflecting

cooperative efforts between local educational agencies, business and industry, vocational rehabilitation agencies, community rehabilitation programs, parent groups, public or other non-profit developmental disabilities agencies, organizations representing labor, and organizations responsible for promoting or assisting in local economic development.

(3) To develop and implement new patterns or practices of transitional rehabilitation service delivery and to conduct the field-testing and evaluation of these patterns or practices to determine the efficacy of their being replicated in other settings.

(b) Research and evaluation activities carried out under this program must be specifically related to a transitional rehabilitation service model under which direct services are provided.

(c) Projects funded under this part must serve youths with disabilities.

(d) A project funded under this part may include dissemination of information on project activities to business and industry.

(Authority: Secs. 12(c) and 311(b); 29 U.S.C. 711a(c) and 777(b))

[51 FR 3895, Jan. 30, 1986, as amended at 59 FR 8340, Feb. 18, 1994]

### Subpart C [Reserved]

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

#### § 376.30 What priorities are considered for support by the Secretary under this part?

The Secretary may select annually in a notice published in the FEDERAL REGISTER, one or more of the following priority areas for funding under this program:

(a) *Community-based transitional rehabilitation service delivery.* This priority supports projects that demonstrate exemplary models for developing and establishing community-based transitional rehabilitation service programs that result directly in competitive or supported employment for youths with disabilities within the labor force.

(b) *Statewide transitional rehabilitation service delivery.* This priority supports

projects that demonstrate effective Statewide approaches to transitional rehabilitation service delivery for youths with disabilities and demonstrate cooperative efforts between State agencies responsible for service to youths with disabilities including but not limited to, special education, vocational rehabilitation, and day services for adults with developmental disabilities.

(c) *Transitional rehabilitation services for youths with disabilities who have special needs.* This priority supports projects that demonstrate transitional rehabilitation service programs focused on meeting the special job training and placement needs of one or more groups of individuals with physical or mental disabilities which present unusual and difficult rehabilitation problems including, but not limited to, blindness, cerebral palsy, deafness, epilepsy, mental illness, mental retardation, and learning disability.

(d) *Transitional rehabilitation services for institutionalized persons.* This priority supports projects that demonstrate effective ways to assist youths and young adults who are institutionalized, including those residing in skilled nursing or intermediate care facilities, to return to community living and competitive or supported employment.

(e) *Transitional rehabilitation services for unemployed youths with disabilities.* This priority supports projects that demonstrate ways to train and place in competitive or supported employment youths with disabilities who were unable to participate in special education programs or who recently graduated from those programs but have been unable to secure and maintain employment.

(f) *Home-based transitional rehabilitation services.* This priority supports projects that demonstrate ways in which youths with disabilities, including those residing in rural areas, who because of the severity of their disabilities are precluded from employment in the community, could be gainfully employed in home settings.

(Authority: Sec. 311(b); 29 U.S.C. 777 (a), (b))

[51 FR 3895, Jan. 30, 1986, as amended at 59 FR 8340, Feb. 18, 1994]

**§ 376.40**

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

**§ 376.40 What are the matching requirements?**

The Secretary may pay all or part of the costs of activities funded under this program. If part of the costs is to be paid by a grantee, the amount of grantee participation is specified in the application notice and will not be more than 10 percent of the total cost of the project.

(Authority: Secs. 12(c) and 311(b); 29 U.S.C. 711(c) and 777a(b))

[59 FR 8340, Feb. 18, 1994]

**§ 376.41 What are the requirements for cooperation between grantees and other agencies and organizations?**

Each project must be designed to demonstrate a cooperative effort between local educational agencies, business and industry, vocational rehabilitation programs, organizations representing labor, and organizations responsible for promoting or assisting in local economic development.

(Authority: Sec. 311(b); 29 U.S.C. 777a(b))

**PART 377—DEMONSTRATION PROJECTS TO INCREASE CLIENT CHOICE PROGRAM**

**Subpart A—General**

Sec.

377.1 What is the Demonstration Projects to Increase Client Choice Program?

377.2 Who is eligible for an award?

377.3 What types of activities may the Secretary fund?

377.4 What regulations apply?

377.5 What definitions apply?

**Subpart B—How Does One Apply for an Award?**

377.10 How does an eligible entity apply for an award?

377.11 What is the content of an application for an award?

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

377.20 How does the Secretary evaluate an application?

377.21 What selection criteria does the Secretary use?

**34 CFR Ch. III (7–1–02 Edition)**

377.22 What additional factors does the Secretary consider in making grants?

**Subpart D—What Post-Award Conditions Must Be Met by a Grantee?**

377.30 What information must a grantee maintain and provide to the Secretary?

377.31 What information must a grantee provide to eligible clients?

377.32 What are the matching requirements?

AUTHORITY: Sec. 802(g) of the Rehabilitation Act of 1973; 29 U.S.C. 797a(g), unless otherwise noted.

SOURCE: 58 FR 40709, July 29, 1993, unless otherwise noted.

**Subpart A—General**

**§ 377.1 What is the Demonstration Projects to Increase Client Choice Program?**

The Demonstration Projects to Increase Client Choice Program is designed to provide financial assistance for projects that demonstrate ways to increase client choice in the vocational rehabilitation process, including choice in the selection of vocational rehabilitation goals, services, and providers.

(Authority: Sec. 802(g)(1) of the Rehabilitation Act of 1973; 29 U.S.C. 797a(g)(1))

**§ 377.2 Who is eligible for an award?**

States and public and nonprofit agencies and organizations are eligible to receive a grant under this program.

(Authority: Sec. 802(g)(1) of the Rehabilitation Act of 1973; 29 U.S.C. 797a(g)(1))

**§ 377.3 What types of activities may the Secretary fund?**

The Secretary provides financial assistance under this program for activities that are directly related to planning, operating, and evaluating projects to demonstrate effective ways to increase the choices available to eligible clients in the rehabilitation process as follows:

(a) At a minimum, all projects must demonstrate effective ways to increase the choices available to clients in selecting goals, services, and providers of services.