

- (14) Project evaluation.
 - (15) Budget management.
 - (16) Personnel management.
 - (17) Reporting student and project performance.
 - (18) Coordinating project activities with other available resources and activities.
 - (19) General project management for new directors.
 - (20) Legislative and regulatory requirements for the operation of programs.
 - (21) The design and operation of model programs for projects funded under the Federal TRIO Programs.
- (b) The Secretary annually funds training on the subjects listed in paragraphs (a)(6), (19), (20), and (21) of this section.

(c) The Secretary may consider an application for a Training Program project that does not address one of the established priorities if the applicant addresses another significant training need in the local area being served by the Federal TRIO Programs.

(Authority: 20 U.S.C. 1070a-11 and 1070a-17)

[54 FR 7737, Feb. 22, 1989, as amended at 58 FR 51520, Oct. 1, 1993]

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

§ 642.40 Allowable costs.

Allowable project costs may include the following costs reasonably related to carrying out a Training Program project:

- (a) Rental of space, if space is not available at a sponsoring institution and if the space is not owned by a sponsoring institution.
- (b) Printing.
- (c) Postage.
- (d) Purchase or rental of equipment if approved in writing by the Secretary.
- (e) Consumable supplies.
- (f) Transportation costs for participants and training staff.
- (g) Lodging and subsistence costs for participants and training staff.
- (h) Transportation costs, lodging and subsistence costs and fees for consultants, if any.
- (i) Honorariums for speakers who are not members of the staff or consultants to the project.

(j) Other costs that are specifically approved in advance and in writing by the Secretary.

(Authority: 20 U.S.C. 1070a-11 and 1070a-17)

§ 642.41 Nonallowable costs.

Costs that may not be charged against a grant under this program include the following:

- (a) Research not directly related to the evaluation or improvement of the project.
- (b) Construction, renovation, or remodeling of any facilities.
- (c) Stipends, tuition fees, and other direct financial assistance to trainees other than those participating in internships.

(Authority: 20 U.S.C. 1070a-11 and 1070a-17)

PART 643—TALENT SEARCH

Subpart A—General

Sec.

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- 643.2 Who is eligible for a grant?
- 643.3 Who is eligible to participate in a project?
- 643.4 What services may a project provide?
- 643.5 How long is a project period?
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Subpart B—Assurances

- 643.10 What assurances must an applicant submit?

Subpart C—How Does the Secretary Make a Grant?

- 643.20 How does the Secretary decide which new grants to make?
- 643.21 What selection criteria does the Secretary use?
- 643.22 How does the Secretary evaluate prior experience?
- 643.23 How does the Secretary set the amount of a grant?

Subpart D—What Conditions Must Be Met by a Grantee?

- 643.30 What are allowable costs?
- 643.31 What are unallowable costs?
- 643.32 What other requirements must a grantee meet?

AUTHORITY: 20 U.S.C. 1070a-11 and 1070a-12, unless otherwise noted.

SOURCE: 58 FR 59145, Nov. 5, 1993, unless otherwise noted.

Subpart A—General

§ 643.1 What is the Talent Search program?

The Talent Search program provides grants for projects designed to—

(a) Identify qualified youths with potential for education at the postsecondary level and encourage them to complete secondary school and undertake a program of postsecondary education;

(b) Publicize the availability of student financial assistance for persons who seek to pursue postsecondary education; and

(c) Encourage persons who have not completed education programs at the secondary or postsecondary level, but who have the ability to do so, to reenter these programs.

(Authority: 20 U.S.C. 1070a-12)

§ 643.2 Who is eligible for a grant?

The following are eligible for a grant to carry out a Talent Search project:

(a) An institution of higher education.

(b) A public or private agency or organization.

(c) A combination of the types of institutions, agencies, and organizations described in paragraphs (a) and (b) of this section.

(d) A secondary school, under exceptional circumstances such as if no institution, agency, or organization described in paragraphs (a) and (b) of this section is capable of carrying out a Talent Search project in the target area to be served by the proposed project.

(Authority: 20 U.S.C. 1070a-11)

§ 643.3 Who is eligible to participate in a project?

(a) An individual is eligible to participate in a Talent Search project if the individual meets all the following requirements:

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

(ii) Is a permanent resident of the United States;

(iii) Is in the United States for other than a temporary purpose and provides evidence from the Immigration and

Naturalization Service of his or her intent to become a permanent resident;

(iv) Is a permanent resident of Guam, the Northern Mariana Islands, or the Trust Territory of the Pacific Islands (Palau); or

(v) Is a resident of the Freely Associated States—the Federated States of Micronesia or the Republic of the Marshall Islands.

(2)(i) Has completed five years of elementary education or is at least 11 years of age but not more than 27 years of age.

(ii) However, an individual who is more than 27 years of age may participate in a Talent Search project if the individual cannot be appropriately served by an Educational Opportunity Center project under 34 CFR part 644 and if the individual's participation would not dilute the Talent Search project's services to individuals described in paragraph (a)(2)(i) of this section.

(3)(i) Is enrolled in or has dropped out of any grade from six through 12, or has graduated from secondary school, has potential for a program of postsecondary education, and needs one or more of the services provided by the project in order to undertake such a program; or

(ii) Has undertaken, but is not presently enrolled in, a program of postsecondary education, has the ability to complete such a program, and needs one or more of the services provided by the project to reenter such a program.

(b) A veteran as defined in § 643.6(b), regardless of age, is eligible to participate in a Talent Search project if he or she satisfies the eligibility requirements in paragraph (a) of this section other than the age requirement in paragraph (a)(2).

(Authority: 20 U.S.C. 1070a-11 and 1070a-12)

§ 643.4 What services may a project provide?

A Talent Search project may provide the following services:

(a) Academic advice and assistance in secondary school and college course selection.

(b) Assistance in completing college admission and financial aid applications.

- (c) Assistance in preparing for college entrance examinations.
- (d) Guidance on secondary school re-entry or entry to other programs leading to a secondary school diploma or its equivalent.
- (e) Personal and career counseling.
- (f) Tutorial services.
- (g) Exposure to college campuses as well as cultural events, academic programs, and other sites or activities not usually available to disadvantaged youth.
- (h) Workshops and counseling for parents of students served.
- (i) Mentoring programs involving elementary or secondary school teachers, faculty members at institutions of higher education, students, or any combination of these persons.
- (j) Activities described in paragraphs (a) through (i) of this section that are specifically designed for students of limited English proficiency.
- (k) Other activities designed to meet the purposes of the Talent Search program stated in §643.1, including activities to meet the specific educational needs of individuals in grades six through eight.

(Authority: 20 U.S.C. 1070a-12)

§ 643.5 How long is a project period?

- (a) Except as provided in paragraph (b) of this section, a project period under the Talent Search program is four years.
- (b) The Secretary approves a project period of five years for applications that score in the highest ten percent of all applications approved for new grants under the criteria in §643.21.

(Authority: 20 U.S.C. 1070a-11)

§ 643.6 What regulations apply?

The following regulations apply to the Talent Search program:

- (a) The Education Department General Administrative Regulations (EDGAR) as follows:
 - (1) 34 CFR part 74 (Administration of Grants to Institutions of Higher Education, Hospitals, and Nonprofit Organizations).
 - (2) 34 CFR part 75 (Direct Grant Programs), except for §75.511.
 - (3) 34 CFR part 77 (Definitions That Apply to Department Regulations), ex-

cept for the definition of “secondary school” in §77.1.

- (4) 34 CFR part 79 (Intergovernmental Review of Department of Education Programs and Activities).
- (5) 34 CFR part 82 (New Restrictions on Lobbying).
- (6) 34 CFR part 85 (Governmentwide Debarment and Suspension (Non-procurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)).
- (7) 34 CFR part 86 (Drug-Free Schools and Campuses).
- (b) The regulations in this part 643.

(Authority: 20 U.S.C. 1070a-11 and 1070a-12)

§ 643.7 What definitions apply?

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

Applicant
 Application
 Budget
 Budget period
 EDGAR
 Equipment
 Facilities
 Fiscal year
 Grant
 Grantee
 Private
 Project
 Project period
 Public
 Secretary
 Supplies

- (b) *Other definitions.* The following definitions also apply to this part:

HEA means the Higher Education Act of 1965, as amended.

Institution of higher education means an educational institution as defined in sections 1201(a) and 481 of the HEA.

Low-income individual means an individual whose family’s taxable income did not exceed 150 percent of the poverty level amount in the calendar year preceding the year in which the individual initially participated in the project. The poverty level amount is determined by using criteria of poverty established by the Bureau of the Census of the U.S. Department of Commerce.

Participant means an individual who—

- (1) Is determined to be eligible to participate in the project under §643.3; and

§ 643.10

(2) Receives project services designed for his or her age or grade level.

Postsecondary education means education beyond the secondary school level.

Potential first-generation college student means—

(1) An individual neither of whose natural or adoptive parents received a baccalaureate degree;

(2) An individual who, prior to the age of 18, regularly resided with and received support from only one parent and whose supporting parent did not receive a baccalaureate degree; or

(3) An individual who, prior to the age of 18, did not regularly reside with or receive support from a natural or an adoptive parent.

Secondary school means a school that provides secondary education as determined under State law, except that it does not include education beyond grade 12.

Target area means a geographic area served by a Talent Search project.

Target school means a school designated by the applicant as a focus of project services.

Veteran means a person who served on active duty as a member of the Armed Forces of the United States—

(1) For a period of more than 180 days, any part of which occurred after January 31, 1955, and who was discharged or released from active duty under conditions other than dishonorable; or

(2) After January 31, 1955, and who was discharged or released from active duty because of a service-connected disability.

(Authority: 20 U.S.C. 1070a-11, 1070a-12 and 1141)

Subpart B—Assurances

§ 643.10 What assurances must an applicant submit?

An applicant shall submit, as part of its application, assurances that—

(a) At least two-thirds of the individuals it serves under its proposed Talent Search project will be low-income individuals who are potential first-generation college students;

(b) Individuals who are receiving services from another Talent Search project or an Educational Opportunity

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Center project under 34 CFR part 644 will not receive services under the proposed project;

(c) The project will be located in a setting or settings accessible to the individuals proposed to be served by the project; and

(d) If the applicant is an institution of higher education, it will not use the project as a part of its recruitment program.

(Authority: 20 U.S.C. 1070a-12)

Subpart C—How Does the Secretary Make a Grant?

§ 643.20 How does the Secretary decide which new grants to make?

(a) The Secretary evaluates an application for a new grant as follows:

(1)(i) The Secretary evaluates the application on the basis of the selection criteria in § 643.21.

(ii) The maximum score for all the criteria in § 643.21 is 100 points. The maximum score for each criterion is indicated in parentheses with the criterion.

(2)(i) For an application for a new grant to continue to serve substantially the same populations or campuses that the applicant is serving under an expiring project, the Secretary evaluates the applicant's prior experience in delivering services under the expiring project on the basis of the criteria in § 643.22.

(ii) The maximum score for all the criteria in § 643.22 is 15 points. The maximum score for each criterion is indicated in parentheses with the criterion.

(3) The Secretary awards additional points equal to 10 percent of the application's score under paragraphs (a)(1) and (2) of this section to an application for a project in Guam, the Virgin Islands, American Samoa, the Trust Territory of the Pacific Islands (Palau), or the Northern Mariana Islands if the applicant meets the requirements of subparts A, B, and D of this part.

(b) The Secretary makes new grants in rank order on the basis of the applications' total scores under paragraphs (a)(1) through (3) of this section.

(c) If the total scores of two or more applications are the same and there are

insufficient funds for these applications after the approval of higher-ranked applications, the Secretary uses the remaining funds to serve geographic areas and eligible populations that have been underserved by the Talent Search program.

(d) The Secretary may decline to make a grant to an applicant that carried out a project that involved the fraudulent use of funds under section 402A(c)(2)(B) of the HEA.

(Authority: 20 U.S.C. 1070a-11, 1070a-12, and 1144a(a))

§ 643.21 What selection criteria does the Secretary use?

The Secretary uses the following criteria to evaluate an application for a new grant:

(a) *Need for the project* (24 points). The Secretary evaluates the need for a Talent Search project in the proposed target area on the basis of the extent to which the application contains clear evidence of the following:

(1) A high number or percentage, or both, of low-income families residing in the target area;

(2) A high number or percentage, or both, of individuals residing in the target area with education completion levels below the baccalaureate level;

(3) A high student dropout rate in the proposed target schools in the preceding three years;

(4) A low rate of enrollment in programs of postsecondary education by graduates of the target schools in the preceding three years;

(5) A high ratio of students to school counselors in the target schools; and

(6) Other indicators of need for a Talent Search project, including the presence of unaddressed academic or socioeconomic problems of students in the target schools or the target area.

(b) *Objectives* (8 points). The Secretary evaluates the quality of the applicant's proposed project objectives on the basis of the extent to which they—

(1) Include both process and outcome objectives relating to each of the purposes of the Talent Search program stated in § 643.1;

(2) Address the needs of the target area;

(3) Are clearly described, specific, and measurable; and

(4) Are ambitious but attainable within each budget period and the project period given the project budget and other resources.

(c) *Plan of operation* (30 points). The Secretary evaluates the quality of the applicant's plan of operation on the basis of the following:

(1) (4 points) The plan to inform the residents, schools, and community organizations in the target area of the goals, objectives, and services of the project and the eligibility requirements for participation in the project;

(2) (4 points) The plan to identify and select eligible participants and ensure their participation without regard to race, color, national origin, gender, or disability;

(3) (2 points) The plan to assess each participant's need for services provided by the project;

(4) (12 points) The plan to provide services that meet participants' needs and achieve the objectives of the project; and

(5) (8 points) The plan, including the project's organizational structure and the time committed to the project by the project director and other personnel, to ensure the proper and efficient administration of the project.

(d) *Applicant and community support* (16 points). The Secretary evaluates the applicant and community support for the proposed project on the basis of the extent to which the applicant has made provision for resources to supplement the grant and enhance the project's services, including—

(1) (8 points) Facilities, equipment, supplies, personnel, and other resources committed by the applicant; and

(2) (8 points) Resources secured through written commitments from schools, community organizations, and others.

(e) *Quality of personnel* (9 points). (1) The Secretary evaluates the quality of the personnel the applicant plans to use in the project on the basis of the following:

(i) The qualifications required of the project director.

(ii) The qualifications required of each of the other personnel to be used in the project.

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(iii) The plan to employ personnel who have succeeded in overcoming the disadvantages of circumstances like those of the population of the target area.

(2) In evaluating the qualifications of a person, the Secretary considers his or her experience and training in fields related to the objectives of the project.

(f) *Budget* (5 points). The Secretary evaluates the extent to which the project budget is reasonable, cost-effective, and adequate to support the project.

(g) *Evaluation plan* (8 points). The Secretary evaluates the quality of the evaluation plan for the project on the basis of the extent to which the applicant's methods of evaluation—

(1) Are appropriate to the project's objectives;

(2) Provide for the applicant to determine, using specific and quantifiable measures, the success of the project in—

(i) Making progress toward achieving its objectives (a formative evaluation); and

(ii) Achieving its objectives at the end of the project period (a summative evaluation); and

(3) Provide for the disclosure of unanticipated project outcomes, using quantifiable measures if appropriate.

(Approved by the Office of Management and Budget under control number 1840-0549)

(Authority: 20 U.S.C. 1070a-12)

§ 643.22 How does the Secretary evaluate prior experience?

(a) In the case of an application described in § 643.20(a)(2)(i), the Secretary reviews information relating to an applicant's performance under its expiring Talent Search project. This information includes performance reports, audit reports, site visit reports, and project evaluation reports.

(b) The Secretary evaluates the applicant's prior experience in delivering services on the basis of the following criteria:

(1) (3 points) (i) Whether the applicant provided services to the number of participants required to be served under the approved application; and

(ii) Whether two-thirds of all participants served were low-income individ-

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uals and potential first-generation college students.

(2) (6 points) The extent to which the applicant met or exceeded its objectives regarding the retention, reentry, and graduation levels of secondary school participants.

(3) (6 points) The extent to which the applicant met or exceeded its objectives regarding the admission or reentry of participants to programs of postsecondary education.

(Approved by the Office of Management and Budget under control number 1840-0549)

(Authority: 20 U.S.C. 1070a-12)

§ 643.23 How does the Secretary set the amount of a grant?

(a) The Secretary sets the amount of a grant on the basis of—

(1) 34 CFR 75.232 and 75.233, for new grants; and

(2) 34 CFR 75.253, for the second and subsequent years of a project period.

(b) If the circumstances described in section 402A(b)(3) of the HEA exist, the Secretary uses the available funds to set the amount of the grant beginning in fiscal year 1994 at the lesser of—

(1) \$180,000; or

(2) The amount requested by the applicant.

(Approved by the Office of Management and Budget under control number 1840-0549)

(Authority: 20 U.S.C. 1070a-11)

Subpart D—What Conditions Must Be Met by a Grantee?

§ 643.30 What are allowable costs?

The cost principles that apply to the Talent Search program are in 34 CFR part 74, subpart Q. Allowable costs include the following if they are reasonably related to the objectives of the project:

(a) Transportation, meals, and, if necessary, lodging for participants and staff for—

(1) Visits to postsecondary educational institutions to obtain information relating to the admission of participants to those institutions;

(2) Participation in "College Day" activities; and

(3) Field trips to observe and meet with persons who are employed in various career fields in the target area and

who can act as role models for participants.

(b) Purchase of testing materials.

(c) Fees required for college admissions applications or entrance examinations if—

(1) A waiver of the fee is unavailable; and

(2) The fee is paid by the grantee to a third party on behalf of a participant.

(d) In-service training of project staff.

(e) Rental of space if—

(1) Space is not available at the site of the grantee; and

(2) The rented space is not owned by the grantee.

(f) Purchase of computer hardware, computer software, or other equipment for student development, project administration, and recordkeeping, if the applicant demonstrates to the Secretary's satisfaction that the equipment is required to meet the objectives of the project more economically or efficiently.

(Authority: 20 U.S.C. 1070a-11 and 1070a-12)

§ 643.31 What are unallowable costs?

Costs that are unallowable under the Talent Search program include, but are not limited to, the following:

(a) Tuition, stipends, and other forms of direct financial support for participants.

(b) Application fees for financial aid.

(c) Research not directly related to the evaluation or improvement of the project.

(d) Construction, renovation, and remodeling of any facilities.

(Authority: 20 U.S.C. 1070a-11 and 1070a-12)

§ 643.32 What other requirements must a grantee meet?

(a) *Eligibility of participants.* (1) A grantee shall determine the eligibility of each participant in the project at the time that the individual is selected to participate.

(2) A grantee shall determine the status of a low-income individual on the basis of the documentation described in section 402A(e) of the HEA.

(b) *Number of participants.* A grantee shall serve a minimum of 600 participants in each budget period. However, the Secretary may reduce the min-

imum number of these participants if the amount of the grant for the budget period is less than \$180,000.

(c) *Recordkeeping.* For each participant, a grantee shall maintain a record of—

(1) The basis for the grantee's determination that the participant is eligible to participate in the project under § 643.3;

(2) The grantee's needs assessment for the participant;

(3) The services that are provided to the participant; and

(4) The specific educational progress made by the participant as a result of the services.

(d) *Project director.* (1) A grantee shall employ a full-time project director unless paragraph (d)(3) of this section applies.

(2) The grantee shall give the project director sufficient authority to administer the project effectively.

(3) The Secretary waives the requirement in paragraph (d)(1) of this section if the applicant demonstrates that the requirement will hinder coordination—

(i) Among the Federal TRIO Programs (sections 402A through 402F of the HEA); or

(ii) Between the programs funded under sections 402A through 410 of the HEA and similar programs funded through other sources.

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(Authority: 20 U.S.C. 1070a-11 and 1070a-12)

PART 644—EDUCATIONAL OPPORTUNITY CENTERS

Subpart A—General

Sec.

644.1 What is the Educational Opportunity Centers program?

644.2 Who is eligible for a grant?

644.3 Who is eligible to participate in a project?

644.4 What services may a project provide?

644.5 How long is a project period?

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Subpart B—Assurances

644.10 What assurances must an applicant submit?