

(b) The Secretary may award points to an application under a competitive preference priority for applicants that have not previously received a grant under the program.

(c) The Secretary may elect to consider the points awarded under these priorities only for proposals that exhibit sufficient quality to warrant funding under the selection criteria in § 226.12 of this part.

(Approved by the Office of Management and Budget under control number 1855-0012)

(Authority: 20 U.S.C. 7221d(b))

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

**§ 226.21 How may charter schools use these funds?**

(a) Charter schools that receive grant funds through their State must use the funds for facilities. Except as provided in paragraph (b) of this section, allowable expenditures include:

- (1) Rent.
- (2) Purchase of building or land.
- (3) Construction.
- (4) Renovation of an existing school facility.
- (5) Leasehold improvements.
- (6) Debt service on a school facility.

(b) Charter schools may not use these grant funds for purchasing land when they have no immediate plans to construct a building on that land.

(Authority: 20 U.S.C. 7221d(b))

**§ 226.22 May grantees use grant funds for administrative costs?**

State grantees may use up to five percent of their grant award for administrative expenses that include: indirect costs, evaluation, technical assistance, dissemination, personnel costs, and any other costs involved in administering the State's per-pupil facilities aid program.

(Authority: 20 U.S.C. 7221d(b))

**§ 226.23 May charter schools use grant funds for administrative costs?**

(a) Except as provided in paragraph (b) of this section, charter school subgrantees may use grant funds for administrative costs that are necessary and reasonable for the proper and effi-

cient performance and administration of this Federal grant. This use of funds, as well as indirect costs and rates, must comply with EDGAR and the Office of Management and Budget Circular A-87 (Cost Principles for State, Local, and Indian Tribal Governments).

(b) Consistent with the requirements in 34 CFR 75.564(c)(2), any charter school subgrantees that use grant funds for construction activities may not be reimbursed for indirect costs for those activities.

(Authority: 20 U.S.C. 1221e-3; 7221d(b))

**PART 230—Innovation for Teacher Quality**

**Subpart A—Troops-to-Teachers Program**

Sec.

230.1 What is the Troops-to-Teachers program?

230.2 What definitions apply to the Troops-to-Teacher program?

230.3 What criteria does the Secretary use to select eligible participants in the Troops-to-Teachers program?

**Subpart B [Reserved]**

AUTHORITY: 20 U.S.C. 1221e-3, 3474, and 6671-6684, unless otherwise noted.

SOURCE: 70 FR 38021, July 1, 2005, unless otherwise noted.

**Subpart A—Troops-to-Teachers Program**

**§ 230.1 What is the Troops-to-Teacher program?**

Under the Troops-to-Teachers program, the Secretary of Education transfers funds to the Department of Defense for the Defense Activity for Non-Traditional Education Support (DANTES) to provide assistance, including a stipend of up to \$5,000, to an eligible member of the Armed Forces so that he or she can obtain certification or licensing as an elementary school teacher, secondary school teacher, or vocational/technical teacher and become a highly qualified teacher by demonstrating competency in each of the subjects he or she teaches. In addition, the program helps the individual find employment in a high-need local educational agency or public charter

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school. In lieu of a stipend, DANTES may pay a bonus of \$10,000 to a participant who agrees to teach in a high-need school.

(Authority:  
20 U.S.C. 1221e-3, 3474, and 6671-6677)

### § 230.2 What definitions apply to the Troops-to-Teacher program?

As used in this subpart—

*Act* means the Elementary and Secondary Education Act of 1965, as amended.

*Children from families with incomes below the poverty line* means the updated data on the number of children ages 5 through 17 from families with incomes below the poverty line provided by the Department of Commerce that the Secretary uses to allocate funds in a given year to local educational agencies under Title I, Part A of the Act.

*High-Need Local Educational Agency* as used in section 2304(a) of the Act means a local educational agency—

(1) That serves not fewer than 10,000 children from families with incomes below the poverty line;

(2) For which not less than 20 percent of the children served by the agency are from families with incomes below the poverty line; or

(3) For which 10 percent or more but less than 20 percent of the children served by the agency are from families with incomes below the poverty line and that assigns all teachers funded by the Troops-to-Teachers program to a high-need school as defined in section 2304(d)(3) of the Act for the duration of their service commitment under the Act.

*Public Charter School* means a charter school as defined in section 5210(1) of the Act.

(Authority:  
20 U.S.C. 1221e-3, 3474, and 6672(c)(1))

### § 230.3 What criteria does the Secretary use to select eligible participants in the Troops-to-Teacher program?

(a) The Secretary establishes the following criteria for the selection of eligible participants in the Troops-to-Teachers program in the following order:

(1) First priority is given to eligible service members who are not employed

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as an elementary or secondary school teacher at the time that they enter into a participation agreement with the Secretary under section 2304(a) of the Act, which requires participants to teach in a high-need local educational agency or public charter school for at least three years, who will be selected in the following order:

(i) Those who agree to obtain certification to teach science, mathematics, or special education and who agree to teach in a “high-need school” as defined in section 2304(d)(3) of the Act.

(ii) Those who agree to obtain certification to teach another subject or subjects and who agree to teach in a “high-need school” as defined in section 2304(d)(3) of the Act.

(iii) Those who agree to obtain certification to teach science, mathematics, or special education or obtain certification to teach at the elementary school level.

(iv) All other eligible applicants.

(2) After all eligible first-priority participants are selected, second priority is given to eligible service members who are employed as an elementary or secondary school teacher at the time that they enter into a new participation agreement with the Secretary under section 2304(a) of the Act, which requires participants to teach in a high-need local educational agency or public charter school for at least three years, who will be selected in the following order:

(i) Those who agree to obtain certification to teach science, mathematics or special education rather than the subjects they currently teach and who agree to teach in a “high-need school” as defined in section 2304(d)(3) of the Act.

(ii) Those who agree to obtain certification to teach another subject or subjects and who agree to teach in a “high-need school” as defined in section 2304(d)(3) of the Act.

(iii) Those who agree to obtain certification to teach science, mathematics, or special education rather than the subjects they currently teach.

(iv) All others seeking assistance necessary to be deemed “highly qualified” by their State within the meaning of section 9101(23) of the Act.

(b) [Reserved]

(Authority: 20 U.S.C. 1221e-3, 3474, and 6672(c)(1)).

**Subpart B [Reserved]**

**PART 237—CHRISTA MCAULIFFE FELLOWSHIP PROGRAM**

**Subpart A—General**

Sec.

- 237.1 What is the Christa McAuliffe Fellowship Program?
- 237.2 Who is eligible to apply under the Christa McAuliffe Fellowship Program?
- 237.3 How are awards distributed?
- 237.4 In what amount are fellowships awarded?
- 237.5 For what purposes may a fellow use an award?
- 237.6 What priorities may the Secretary establish?
- 237.7 What regulations apply?
- 237.8 What definitions apply?

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

- 237.10 How does an individual apply for a fellowship?

**Subpart C—How Are Fellows Selected?**

- 237.20 What are statewide panels?
- 237.21 What are the responsibilities of a statewide panel?

**Subpart D—What Conditions Must Be Met by Fellows?**

- 237.30 What is the duration of a fellowship?
- 237.31 May a fellowship be awarded for two consecutive years?
- 237.32 What records and reports are required from fellows?
- 237.33 What is the service requirement for a fellowship?
- 237.34 What are the requirements for repayment of the fellowship?

AUTHORITY: 20 U.S.C. 1113-1113e.

SOURCE: 52 FR 26466, July 14, 1987, unless otherwise noted.

**Subpart A—General**

**§ 237.1 What is the Christa McAuliffe Fellowship Program?**

The Christa McAuliffe Fellowship Program (CMFP) is designed to reward excellence in teaching by encouraging outstanding teachers to continue their education, to develop innovative pro-

grams, to consult with or assist LEAs, private schools, or private school systems, and to engage in other educational activities that will improve the knowledge and skills of teachers and the education of students.

(Authority: 20 U.S.C. 1113, 1113b)

**§ 237.2 Who is eligible to apply under the Christa McAuliffe Fellowship Program?**

An individual is eligible to apply for a Christa McAuliffe Fellowship if the individual at the time of application:

- (a)(1) Is a citizen or national of the United States;
- (2) Is a permanent resident of the United States;
- (3) Provides evidence from the Immigration and Naturalization Service that the individual is in the United States for other than a temporary purpose with the intention of becoming a citizen or permanent resident; or
- (4) Is a permanent resident of the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, the Trust Territory of the Pacific Islands, or the Northern Mariana Islands;
- (b) Is a full-time teacher in a public or private elementary or secondary school; and
- (c) Is eligible for a fellowship under 34 CFR 75.60.

(Authority: 20 U.S.C. 1113b, 1113d(a))

[52 FR 26466, July 14, 1987, as amended at 57 FR 30342, July 8, 1992]

**§ 237.3 How are awards distributed?**

(a) Except as provided in section 563(a)(3) of the Act, the Secretary awards one national teacher fellowship under this part to an eligible teacher in each of the following:

- (1) Each congressional district in each of the fifty States.
- (2) The District of Columbia.
- (3) The Commonwealth of Puerto Rico.
- (4) Guam.
- (5) The Virgin Islands.
- (6) American Samoa.
- (7) The Northern Mariana Islands.
- (8) The Trust Territory of the Pacific Islands (Republic of Palau).