

## § 654.60

funds received for the period during which he or she was ineligible.

(Authority: 20 U.S.C. 1070d-35, 1070d-36 to 1070d-38)

### Subpart G—What Post-Award Conditions Must an SEA Meet?

#### § 654.60 What requirements must an SEA meet in the administration of this program?

(a) To receive and continue to receive payments under this part, an SEA shall—

(1) Comply with the criteria, procedures, and assurances in its approved participation agreement;

(2) Disburse the scholarship funds in accordance with § 654.50 to the scholar, the institution of higher education in which the scholar enrolls, or copayable to the scholar and the institution of higher education in which the scholar enrolls;

(3) Collect any scholarship funds improperly disbursed under § 654.50;

(4) Make reports to the Secretary that the Secretary deems necessary to carry out the Secretary's functions under this part; and

(5) Except as provided in paragraph (b) of this section, expend all funds received from the Secretary for scholarships during the award period specified by the Secretary for those funds.

(b) After awarding all scholarship funds during an award year, as required by paragraph (a)(5) of this section, an SEA may retain any funds that are subsequently returned or collected for scholarship awards in the following award period.

(Approved by the Office of Management and Budget under control number 1840-0612)

(Authority: 20 U.S.C. 1070d-33, 1070d-35)

## PART 655—INTERNATIONAL EDUCATION PROGRAMS—GENERAL PROVISIONS

### Subpart A—General

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AUTHORITY: 20 U.S.C 1121-1130b, unless otherwise noted.

SOURCE: 47 FR 14116, Apr. 1, 1982, unless otherwise noted.

### Subpart A—General

#### § 655.1 Which programs do these regulations govern?

The regulations in this part govern the administration of the following programs in international education:

(a) The National Resource Centers Program for Foreign Language and Area Studies or Foreign Language and International Studies (section 602 of the Higher Education Act of 1965, as amended);

(b) The Language Resource Centers Program (section 603);

(c) The Undergraduate International Studies and Foreign Language Program (section 604);

(d) The International Research and Studies Program (section 605); and

(e) The Business and International Education Program (section 613).

(Authority: 20 U.S.C. 1121-1130b)

[47 FR 14116, Apr. 1, 1982, as amended at 58 FR 32575, June 10, 1993; 64 FR 7739, Feb. 16, 1999]

#### § 655.3 What regulations apply to the International Education Programs?

The following regulations apply to the International Education Programs:

(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).

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(2) 34 CFR part 75 (Direct Grant Programs).

(3) 34 CFR part 77 (Definitions that Apply to Department Regulations).

(4) 34 CFR part 79 (Intergovernmental Review of Department of Education Programs and Activities), except that part 79 does not apply to 34 CFR parts 660, 669, and 671.

(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 655; and

(c) As appropriate, the regulations in—

(1) 34 CFR part 656 (National Resource Centers Program for Foreign Language and Area Studies or Foreign Language and International Studies);

(2) 34 CFR part 657 (Foreign Language and Area Studies Fellowships Program);

(3) 34 CFR part 658 (Undergraduate International Studies and Foreign Language Program);

(4) 34 CFR part 660 (International Research and Studies Program);

(5) 34 CFR part 661 (Business and International Education Program); and

(6) 34 CFR part 669 (Language Resource Centers Program).

(Authority: 20 U.S.C. 1121-1127; 1221e-3)

[47 FR 14116, Apr. 1, 1982, as amended at 58 FR 32575, June 10, 1993; 64 FR 7739, Feb. 16, 1999]

**§ 655.4 What definitions apply to the International Education Programs?**

(a) *Definitions in EDGAR.* The following terms used in this part and 34 CFR parts 656, 657, 658, 660, 661, and 669 are defined in 34 CFR part 77:

- Acquisition
- Applicant
- Application
- Award
- Budget
- Contract
- EDGAR
- Equipment
- Facilities
- Fiscal year

- Grant
- Grantee
- Grant period
- Local educational agency
- Nonprofit
- Project
- Project period
- Private
- Public
- Secretary
- State educational agency
- Supplies

(Authority: 20 U.S.C. 1121-1127)

(b) *Definitions that apply to these programs:* The following definitions apply to International Education Programs:

*Consortium of institutions of higher education* means a group of institutions of higher education that have entered into a cooperative arrangement for the purpose of carrying out a common objective, or a public or private nonprofit agency, organization, or institution designated or created by a group of institutions of higher education for the purpose of carrying out a common objective on their behalf.

*Critical languages* means each of the languages contained in the list of critical languages designated by the Secretary pursuant to section 212(d) of the Education for Economic Security Act, except that, in the implementation of this definition, the Secretary may set priorities according to the purposes of title VI of the Higher Education Act of 1965, as amended.

*Institution of higher education* means, in addition to an institution that meets the definition of section 101(a) of the Higher Education Act of 1965, as amended, an institution that meets the requirements of section 101(a) except that (1) it is not located in the United States, and (2) it applies for assistance under title VI of the Higher Education Act of 1965, as amended, in consortia with institutions that meet the definitions in section 101(a).

(Authority: 20 U.S.C. 1121-1127, and 1141)

[47 FR 14116, Apr. 1, 1982, as amended at 58 FR 32575, June 10, 1993; 64 FR 7739, Feb. 16, 1999; 74 FR 35072, July 17, 2009]

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

**§ 655.10 What kinds of projects does the Secretary assist?**

Subpart A of 34 CFR parts 656, 657, and 669 and subpart B of 34 CFR parts 658, 660, 661 describe the kinds of projects that the Secretary assists under the International Education Programs.

(Authority: 20 U.S.C. 1121–1127)  
[74 FR 35072, July 17, 2009]

**Subpart C [Reserved]**

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

**§ 655.30 How does the Secretary evaluate an application?**

The Secretary evaluates an applications for International Education Programs on the basis of—

- (a) The general criteria in § 655.31; and
- (b) The specific criteria in, as applicable, subpart D of 34 CFR parts 658, 660, 661, and 669.

(Authority: 20 U.S.C. 1121–1127)  
[64 FR 7739, Feb. 16, 1999]

**§ 655.31 What general selection criteria does the Secretary use?**

(a) *Plan of operation.* (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 ensures 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; and
- (C) Handicapped persons.

(b) *Quality of key personnel.* (1) The Secretary reviews each application for information that shows the quality of the 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. In the case of faculty, the qualifications of the faculty and the degree to which that faculty is directly involved in the actual teaching and supervision of students; and
- (iii) The time that each person referred to in paragraphs (b)(2) (i) and (ii) of this section plans to 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 members of racial or ethnic minority groups, women, handicapped persons, and the elderly.

(3) To determine the qualifications of a person, the Secretary considers evidence of past 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.* (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.* (1) The Secretary reviews each application for information that shows the quality of the evaluation plan for the project.

(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.* (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) Other than library, facilities that the applicant plans to use are adequate (language laboratory, museums, etc.); and

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

(Authority: 20 U.S.C. 1121–1127)

**§ 655.32 What additional factors does the Secretary consider in making grant awards?**

Except for 34 CFR parts 656, 657, and 661, to the extent practicable and consistent with the criterion of excellence, the Secretary seeks to achieve an equitable distribution of funds throughout the Nation.

(Authority: 20 U.S.C. 1126(b)).

[58 FR 32575, June 10, 1993]

**PART 656—NATIONAL RESOURCE CENTERS PROGRAM FOR FOREIGN LANGUAGE AND AREA STUDIES OR FOREIGN LANGUAGE AND INTERNATIONAL STUDIES**

**Subpart A—General**

Sec.

656.1 What is the National Resource Centers Program?

656.2 Who is eligible to receive a grant?

656.3 What activities define a comprehensive or undergraduate National Resource Center?

656.4 What types of Centers receive grants?

656.5 What activities may be carried out?

656.6 What regulations apply?

656.7 What definitions apply?

**Subpart B—How Does One Apply for a Grant?**

656.10 What combined application may an institution submit?

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

656.20 How does the Secretary evaluate an application?

656.21 What selection criteria does the Secretary use to evaluate an application for a comprehensive Center?

656.22 What selection criteria does the Secretary use to evaluate an application for an undergraduate Center?

656.23 What priorities may the Secretary establish?

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

656.30 What are allowable costs and limitations on allowable costs?

AUTHORITY: 20 U.S.C. 1122, unless otherwise noted.

SOURCE: 61 FR 50193, Sept. 24, 1996, unless otherwise noted.

**Subpart A—General**

**§ 656.1 What is the National Resource Centers Program?**

Under the National Resource Centers Program for Foreign Language and Areas Studies or Foreign Language and International Studies (National Resource Centers Program), the Secretary awards grants to institutions of higher education and consortia of institutions to establish, strengthen, and operate comprehensive and undergraduate Centers that will be national resources for—

(a) Teaching of any modern foreign language;

(b) Instruction in fields needed to provide full understanding of areas, regions, or countries in which the modern foreign language is commonly used;

(c) Research and training in international studies and the international and foreign language aspects of professional and other fields of study; and

(d) Instruction and research on issues in world affairs that concern one or more countries.

(Authority: 20 U.S.C. 1122)

[61 FR 50193, Sept. 24, 1996, as amended at 64 FR 7739, Feb. 16, 1999; 74 FR 35072, July 17, 2009]