

Title VI Revisions

Part 655 - International Education Programs - General Provisions

§ 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 [\(HEA\)](#));

(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);

[\(e\) The Centers for International Business Education Program \(section 612\);](#) and

[\(f\) 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) [Reserved]

(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)[Reserved]

(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);

(6) 34 CFR part 668 (Centers for International Business Education Program); and

~~(7)~~ 34 CFR part 669 (Language Resource Centers Program).

(d)(1) 2 CFR part 180 (OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)), as adopted at 2 CFR part 3485; and

(2) 2 CFR part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards), as adopted at 2 CFR part 3474.

(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; 79 FR 76104, Dec. 19, 2014]

§ 655.4 What definitions apply to the International Education Programs?

(a) *General definitions.* The following terms used in this part and 34 CFR parts 656, 657, 658, 660, 661, 668, and 669 are defined in 2 CFR part 200, subpart A, or 34 CFR 77.1:

- 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.

Diverse perspectives means multiple points of view based not on a person's membership in a group but on, for example, particular intellectual premises, research findings, or positions on international strategy.

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).

Minority-Serving Institution means an institution that is eligible to receive assistance under sections 316 through 320 of part A of title III, under part B of title III, or under title V of the HEA.

(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; 79 FR 76104, Dec. 19, 2014]

§ 655.10 What kinds of projects does the Secretary assist?

(a) Subpart A of 34 CFR parts 656, 657, 668, 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.

(b) Because of the particular goals of the International Education Programs, no assistance may be used for any project or part of a project that does not seek to contribute to the security, stability, and economic vitality of the United States. Disqualified projects and parts of projects include, but are not limited to, those that take as a premise or seek to advance the idea that:

(1) The interests of another country should take precedence over the interests of the United States;

(2) The United States is fundamentally or irredeemably racist or sexist;

(3) The American rule of law is primarily a series of power relationships and struggles among racial or other groups;

(4) All Americans are not created equal or are not endowed with certain unalienable rights, including, life, liberty, and the pursuit of happiness; or

(5) A government should deny to any person within its jurisdiction the equal protection of the law.

(Authority: 20 U.S.C. 1121-1127) [74 FR 35072, July 17, 2009, as amended at 79 FR 76104, Dec. 19, 2014]

§ 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, 668, and 669.

(c) Each external reader of applications must provide an assurance to the Secretary that, as a reader, he or she will rate more highly projects that contribute to the security, stability, and economic vitality of the United States.

(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, including the extent to which:

(A) the applicant, its partners, and the project seek to contribute to the security, stability, and economic vitality of the United States;

(B) the applicant provides an explanation of how the activities funded by the grant will reflect diverse perspectives and a wide range of views and generate debate on world regions and international affairs; and

(C) the applicant will link with domestic and foreign partners and share funding with domestic partners other than entities that directly support the applicant, such as a university foundation or charitable foundation;

(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; and

(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.~~

(3) The elements of quality referred to in paragraph (a)(2)(i) of this section are evaluated as part of the review form and selection criteria for each of the International Education Programs.

(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 each person referred to in paragraphs (b)(2) (i) and (ii) of this section desires to contribute to the security, stability, and economic vitality of the United States through the project. 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?

(a) *Prior participation points.*

(1) 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, **from a geographical perspective**, throughout the Nation.

(2) To the extent allowed by law and to achieve this goal, in competitions that are scored using points, the Secretary deducts at least two percent of the maximum available points (for example, two points when the maximum score is 100 points) from the score of each applicant that has received at least one grant under the relevant program in the previous five years.

(b) The Secretary shall allocate at least 20 percent of annual HEA Title VI funding to the Centers for International Business Education Program.

(c) The Secretary shall allocate at least 20 percent of annual HEA Title VI funding to the Business and International Education Program.

(Authority: 20 U.S.C. 1121-1130b, 1126(b)). [58 FR 32575, June 10, 1993]

§ 655.40 Severability.

If any provision of this part 655 or any provision of part 656, 657, 658, 660, 661, 668, or 669, or any such provision's application to any person, act, or practice is held invalid, the remainder of the part or of the application of its provisions to any person, act, or practice shall not be affected thereby.

Part 656 - National Resource Centers Program for Foreign Language and Area Studies or Foreign Language and International Studies

§ 656.1 What is the National Resource Centers Program?

Under the National Resource Centers Program for Foreign Language and Area 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]

§ 656.2 Who is eligible to receive a grant?

An institution of higher education or a consortium of institutions of higher education is eligible to receive a grant under this part.

(Authority: 20 U.S.C. 1122) [61 FR 50193, Sept. 24, 1996, as amended at 74 FR 35072, July 17, 2009]

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

A comprehensive or undergraduate National Resource Center -

(a) Teaches at least one modern foreign language;

(b) Provides -

(1) Instruction in fields necessary to provide a full understanding of the areas, regions, or countries in which the modern foreign language taught is commonly used, including economics;

(2) Resources for research and training in international studies, and the international and foreign language aspects of professional and other fields of study, including economics; or

(3) Instruction and research on issues in world affairs that concern one or more countries, including economics when relevant;

(c) Provides outreach and consultative services on a national, regional, and local basis;

(d) Maintains linkages with overseas institutions of higher education and other organizations that may contribute to the teaching and research of the Center;

(e) Maintains important library collections;

(f) Employs faculty engaged in training and research that relates to the subject area of the Center and who desire to contribute to the security, stability, and economic vitality of the United States;

(g) Conducts projects in cooperation with other centers addressing themes of world, regional, cross-regional, international, or global importance;

(h) Conducts summer institutes in the United States or abroad designed to provide language and area training in the Center's field or topic;

(i) Supports instructors of the less commonly taught languages; and

(j) Encourages projects that support students in the science, technology, engineering, and mathematics fields to achieve foreign language proficiency.

(Authority: 20 U.S.C. 1122) [64 FR 7739, Feb. 16, 1999, as amended at 74 FR 35072, July 17, 2009]

§ 656.4 What types of Centers receive grants?

The Secretary awards grants to Centers that -

(a) Focus on -

(1) A single country or on a world area (such as East Asia, Africa, or the Middle East) and offer instruction in the principal language or languages of that country or area and those disciplinary fields necessary to provide a full understanding of the country or area, including economics; or

(2) International studies or the international aspects of contemporary issues or topics (such as international business or energy) while providing instruction in modern foreign languages; and

(b) Provide training at the -

(1) Graduate, professional, and undergraduate levels, as a comprehensive Center; or

(2) Undergraduate level only, as an undergraduate Center.

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

§ 656.5 What activities may be carried out?

(a) A Center may carry out any of the activities described in § 656.3 under a grant received under this part.

(b) The Secretary may make an additional grant to a Center for any one or a combination of the following purposes:

(1) Linkage or outreach between foreign language, area studies, and other international fields and professional schools and colleges.

(2) Linkage or outreach with 2- and 4-year colleges and universities.

(3) Linkage or outreach between or among -

(i) Postsecondary programs or departments in foreign language, area studies, or other international fields; and

(ii) State educational agencies or local educational agencies.

(4) Partnerships or programs of linkage and outreach with departments or agencies of Federal and State governments, including Federal or State scholarship programs for students in related areas.

(5) Linkage or outreach with the news media, business, professional, or trade associations.

(6) Summer institutes in area studies, foreign ~~H~~language, and other international fields designed to carry out the activities in paragraphs (b)(1) through (b)(5) of this section.

(c) The Secretary will not make a grant for linkage to any entity unless the applicant provides the Secretary an assurance that the entity desires to contribute to the security, stability, and economic vitality of the United States.

(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]

§ 656.6 What regulations apply?

The following regulations apply to this program:

(a) The regulations in 34 CFR part 655.

(b) The regulations in this part 656.

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

§ 656.7 What definitions apply?

The following definitions apply to this part:

(a) The definitions in 34 CFR part 655.

(b) *Area studies* means a program of comprehensive study of the aspects of a world area's society or societies, including study of history, culture, economy, politics, international relations, and languages.

(c) *Center* means an administrative unit of an institution of higher education that has direct access to highly qualified faculty and library resources, and coordinates a concentrated effort of educational resources, including language training and various academic disciplines, in the area and subject matters described in § 656.3.

(d) *Comprehensive Center* means a Center that -

(1) Contributes significantly to the national interest in advanced research and scholarship, in order to contribute to the security, stability, and economic vitality of the United States;

- (2) Offers intensive language instruction;
- (3) Maintains important library collections related to the area of its specialization;
- (4) Makes training available to a graduate, professional, and undergraduate clientele; and
- (5) Engages in curriculum development and community outreach.

(e) For purposes of this section, *intensive language instruction* means instruction of at least five contact hours per week during the academic year or the equivalent of a full academic year of language instruction during the summer.

(f) *Undergraduate Center* means an administrative unit of an institution of higher education that -

- (1) Contributes significantly to the national interest, namely by contributing to the security, stability, and economic vitality of the United States, through the education of students who matriculate into advanced language and area studies programs or professional school programs;
- (2) Incorporates substantial international and foreign language content, including economics, into its baccalaureate degree programs;
- (3) Makes training available predominantly to undergraduate students; and
- (4) Engages in research, curriculum development, and community outreach.

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

§ 656.10 What combined application may an institution submit?

An institution that wishes to apply for a grant under this part and for an allocation of fellowships under 34 CFR part 657 may submit one application for both.

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

§ 656.20 How does the Secretary evaluate an application?

- (a) The Secretary evaluates an application for a comprehensive Center under the criteria contained in § 656.21, and for an undergraduate Center under the criteria contained in § 656.22.
- (b) The Secretary informs applicants of the maximum possible score for each criterion in the application package or in a notice published in the Federal Register.

(c) For applicants proposing to establish a new center, criteria that normally would be backward-looking, such as the number of students in a Center program, are evaluated on the basis of forward-looking statements.

(Authority: 20 U.S.C. 1122) [61 FR 50193, Sept. 24, 1996, as amended at 70 FR 13375, Mar. 21, 2005]

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

The Secretary evaluates an application for a comprehensive Center on the basis of the criteria in this section.

(a) *Program planning and budget.* The Secretary reviews each application to determine -

(1) The extent to which the activities for which the applicant seeks funding are of high quality and directly related to the purpose of the National Resource Centers Program, including the extent to which both the applicant and the project seek to contribute to the security, stability, and economic vitality of the United States and an explanation of how the activities funded by the grant will reflect diverse perspectives and a wide range of views and generate debate on world regions and international affairs;

(2) The extent to which the applicant provides a development plan or timeline demonstrating how the proposed activities will contribute to a strengthened program and whether the applicant uses its resources and personnel effectively to achieve the proposed objectives;

(3) The extent to which the costs of the proposed activities are reasonable in relation to the objectives of the program; and

(4) The long-term impact of the proposed activities on the institution's undergraduate, graduate, and professional training programs.

(b) *Quality of staff resources.* The Secretary reviews each application to determine -

(1) The extent to which teaching faculty and other staff are qualified for the current and proposed Center activities and training programs, including the demonstrated extent to which they desire to contribute to the security, stability, and economic vitality of the United States through the proposed activities, are provided professional development opportunities (including overseas experience), and participate in teaching, supervising, and advising students;

(2) The adequacy of Center staffing and oversight arrangements, including outreach and administration and the extent to which faculty from a variety of departments, professional schools, and the library are involved; and

(3) The extent to which the applicant desires to contribute to the security, stability, and economic vitality of the United States through the proposed activities, ~~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, persons with disabilities, and the elderly.~~

(c) *Impact and evaluation.* The Secretary reviews each application to determine -

(1) The extent to which the Center's activities and training programs contribute to the security, stability, and economic vitality of the United States by having a significant impact on the university, community, region, and the Nation as shown through indices such as enrollments, graduate placement data, participation rates for events, and usage of Center resources; and the extent to which the applicant ~~supplies a clear description of how the applicant will link with domestic and foreign partners and share funding with domestic partners provide equal access and treatment of eligible project participants who are members of groups that have been traditionally underrepresented, such as members of racial or ethnic minority groups, women, persons with disabilities, and the elderly;~~

(2) The extent to which the applicant provides an evaluation plan that is comprehensive and objective and that will produce quantifiable, outcome-measure-oriented data; and the extent to which recent evaluations have been used to improve the applicant's program;

(3) The degree to which activities of the Center address national needs, including areas of need in the education, business, and nonprofit sectors, and generate information for and disseminate information to the public; and

(4) The applicant's record of placing students into post-graduate employment, education, or training in areas of national need, including areas of need in the education, business, and nonprofit sectors, and the applicant's stated efforts to increase the number of such students ~~that~~ who go into such placements.

(d) *Commitment to the subject area on which the Center focuses.* The Secretary reviews each application to determine the extent to which the institution provides financial and other support to the operation of the Center, teaching staff for the Center's subject area, library resources, linkages with institutions abroad, outreach activities, and qualified students in fields related to the Center.

(e) *Strength of library.* The Secretary reviews each application to determine -

(1) The strength of the institution's library holdings (both print and non-print, English and foreign language) in the subject area and at the educational levels (graduate, professional, undergraduate) on which the Center focuses; and the extent to which the institution provides financial support for the acquisition of library materials and for library staff in the subject area of the Center; and

(2) The extent to which research materials at other institutions are available to students through cooperative arrangements with other libraries or on-line databases and the extent to which teachers, students, and faculty from other institutions are able to access the library's holdings.

(f) *Quality of the Center's non-language instructional program.* The Secretary reviews each application to determine -

(1) The quality and extent of the Center's course offerings in a variety of disciplines, including economics when relevant, and including the extent to which courses in the Center's subject matter are available in the institution's professional schools;

(2) The extent to which the Center offers depth of specialized course coverage in one or more disciplines of the Center's subject area;

(3) The extent to which the institution employs a sufficient number of teaching faculty who seek to contribute to the security, stability, and economic vitality of the United States, to enable the Center to carry out its purposes; and the extent to which instructional assistants are provided with pedagogy training in the teaching of the Center's subject matter; and

(4) The extent to which interdisciplinary courses are offered for undergraduate and graduate students.

(g) *Quality of the Center's language instructional program.* The Secretary reviews each application to determine -

(1) The extent to which the Center provides instruction in the languages of the Center's subject area, ~~and~~ the extent to which students enroll in the study of the languages of the subject area through programs or instruction offered by the Center or other providers;

(2) The extent to which the Center provides three or more levels of language training and the extent to which courses in disciplines other than language, linguistics, and literature are offered in appropriate foreign languages;

(3) Whether sufficient numbers of language faculty are available to teach the languages and levels of instruction described in the application, ~~and~~ the extent to which language teaching staff (including faculty and instructional assistants) have been exposed to current language pedagogy training appropriate for performance-based teaching, and whether these faculty and staff seek to contribute to the security, stability, and economic vitality of the United States; and

(4) The quality of the language program as measured by the performance-based instruction being used or developed, the adequacy of resources for language teaching and practice, ~~and~~ language proficiency requirements, and the demonstrated progress in language proficiency of the program's students.

(h) *Quality of curriculum design.* The Secretary reviews each application to determine -

(1) The extent to which the Center's curriculum has incorporated undergraduate instruction in the applicant's area or topic of specialization into baccalaureate degree programs (for example, major, minor, or certificate programs) and the extent to which these programs and their requirements (including language requirements) are appropriate for a Center in this subject area and will result in an undergraduate training program of high quality, including the extent to which the curriculum contributes to the security, stability, and economic vitality of the United States;

(2) The extent to which the Center's curriculum provides training options for graduate students from a variety of disciplines and professional fields and the extent to which these programs and their requirements (including language requirements) are appropriate for a Center in this subject area and result in graduate training programs of high quality, including the extent to which the curriculum contributes to the security, stability, and economic vitality of the United States; and

(3) The extent to which the Center provides academic and career advising services for students; the extent to which the Center has established formal arrangements for students to conduct research or study abroad and the extent to which these arrangements are used; and the extent to which the institution facilitates student access to other institutions' study abroad and summer language programs.

(i) *Outreach activities.* The Secretary reviews each application to determine the extent to which the Center demonstrates a significant and measurable regional and national impact of, and faculty and professional school involvement in, domestic outreach activities that involve -

(1) Elementary and secondary schools;

(2) Postsecondary institutions; and

(3) Business, media, and the general public.

(j) *Degree to which priorities are served.* If, under the provisions of § 656.23, the Secretary establishes competitive priorities for Centers, the Secretary considers the degree to which those priorities are being served.

(Approved by the Office of Management and Budget under control number 1840-0068)
(Authority: 20 U.S.C. 1122) [61 FR 50193, Sept. 24, 1996, as amended at 70 FR 13375, Mar. 21, 2005; 74 FR 35073, July 17, 2009]

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

The Secretary evaluates an application for an undergraduate Center on the basis of the criteria in this section.

(a) *Program planning and budget.* The Secretary reviews each application to determine -

(1) The extent to which the activities for which the applicant seeks funding are of high quality and directly related to the purpose of the National Resource Centers Program, including the extent to which the activities contribute to the security, stability, and economic vitality of the United States;

(2) The extent to which the applicant provides a development plan or timeline demonstrating how the proposed activities will contribute to a strengthened program and whether the applicant uses its resources and personnel effectively to achieve the proposed objectives;

(3) The extent to which the costs of the proposed activities are reasonable in relation to the objectives of the program; and

(4) The long-term impact of the proposed activities on the institution's undergraduate training program.

(b) *Quality of staff resources.* The Secretary reviews each application to determine -

(1) The extent to which teaching faculty and other staff are qualified for the current and proposed Center activities and training programs, including whether these faculty and staff seek to contribute to the security, stability, and economic vitality of the United States; are provided professional development opportunities (including overseas experience); and participate in teaching, supervising, and advising students;

(2) The adequacy of Center staffing and oversight arrangements, including outreach and administration and the extent to which faculty from a variety of departments, professional schools, and the library are involved; and

(3) The extent to which the applicant seeks to contribute to the security, stability, and economic vitality of the United States, ~~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, persons with disabilities, and the elderly.~~

(c) *Impact and evaluation.* The Secretary reviews each application to determine -

(1) The extent to which the Center's activities and training programs contribute to the security, stability, and economic vitality of the United States by having a significant impact on the university, community, region, and the Nation as shown through indices such as enrollments, graduate placement data, participation rates for events, and usage of Center resources; and the extent to which students matriculate into advanced language and area or international studies programs or related professional programs; and the extent to which the applicant ~~supplies a clear description of how the applicant will link with domestic and foreign partners and share funding with domestic partners~~ provide equal access and treatment of eligible project participants who are members of groups that have been traditionally underrepresented, such as members of racial or ethnic minority groups, women, persons with disabilities, and the elderly;

(2) The extent to which the applicant provides an evaluation plan that is comprehensive and objective and that will produce quantifiable, outcome-measure-oriented data; and the extent to which recent evaluations have been used to improve the applicant's program;

(3) The degree to which activities of the Center address national needs, including areas of need in the education, business, and nonprofit sectors, and generate information for and disseminate information to the public; and

(4) The applicant's record of placing students into post-graduate employment, education, or training in areas of national need, including areas of need in the education, business, and nonprofit sectors, and the applicant's stated efforts to increase the number of such students ~~that~~ who go into such placements.

(d) *Commitment to the subject area on which the Center focuses.* The Secretary reviews each application to determine the extent to which the institution provides financial and other support to the operation of the Center, teaching staff for the Center's subject area, library resources, linkages with institutions abroad, outreach activities, and qualified students in fields related to the Center. The Secretary will not make a grant for linkage to any institution unless it provides the Secretary an assurance that it desires to contribute to the security, stability, and economic vitality of the United States.

(e) *Strength of library.* The Secretary reviews each application to determine -

(1) The strength of the institution's library holdings (both print and non-print, English and foreign language) in the subject area and at the educational levels (graduate, professional, undergraduate) on which the Center focuses; and the extent to which the institution provides financial support for the acquisition of library materials and for library staff in the subject area of the Center; and

(2) The extent to which research materials at other institutions are available to students through cooperative arrangements with other libraries or on-line databases and the extent to which teachers, students, and faculty from other institutions are able to access the library's holdings.

(f) *Quality of the Center's non-language instructional program.* The Secretary reviews each application to determine -

(1) The quality and extent of the Center's course offerings in a variety of disciplines, including economics when relevant;

(2) The extent to which the Center offers depth of specialized course coverage in one or more disciplines of the Center's subject area;

(3) The extent to which the institution employs a sufficient number of teaching faculty to enable the Center to carry out its purposes and the extent to which instructional assistants are provided with pedagogy training in the teaching of the Center's subject matter; and

(4) The extent to which interdisciplinary courses are offered for undergraduate students.

(g) *Quality of the Center's language instructional program.* The Secretary reviews each application to determine -

(1) The extent to which the Center provides instruction in the languages of the Center's subject area; ~~and~~ the extent to which students enroll in the study of the languages of the subject area through programs offered by the Center or other providers;

(2) The extent to which the Center provides three or more levels of language training and the extent to which courses in disciplines other than language, linguistics, and literature are offered in appropriate foreign languages;

(3) Whether sufficient numbers of language faculty are available to teach the languages and levels of instruction described in the application; ~~and~~ the extent to which language teaching staff (including faculty and instructional assistants) have been exposed to current language pedagogy training appropriate for performance-based teaching; and whether these faculty and staff seek to contribute to the security, stability, and economic vitality of the United States; and

(4) The quality of the language program as measured by the performance-based instruction being used or developed, the adequacy of resources for language teaching and practice, ~~and~~ language proficiency requirements, and the demonstrated progress in language proficiency of the program's students.

(h) *Quality of curriculum design.* The Secretary reviews each application to determine -

(1) The extent to which the Center's curriculum has incorporated undergraduate instruction in the applicant's area or topic of specialization into baccalaureate degree programs (for example, major, minor, or certificate programs) and the extent to which these programs and their requirements (including language requirements) are appropriate for a Center in this subject area and will result in an undergraduate training program of high quality, including the extent to which the curriculum contributes to the security, stability, and economic vitality of the United States; and

(2) The extent to which the Center provides academic and career advising services for students; the extent to which the Center has established formal arrangements for students to conduct research or study abroad and the extent to which these arrangements are used; and the extent to which the institution facilitates student access to other institutions' study abroad and summer language programs.

(i) *Outreach activities.* The Secretary reviews each application to determine the extent to which the Center demonstrates a significant and measurable regional and national impact of, and faculty and professional school involvement in, domestic outreach activities that involve -

(1) Elementary and secondary schools;

(2) Postsecondary institutions; and

(3) Business, media and the general public.

(j) *Degree to which priorities are served.* If, under the provisions of § 656.23, the Secretary establishes competitive priorities for Centers, the Secretary considers the degree to which those priorities are being served.

(Approved by the Office of Management and Budget under control number 1840-0068)
 (Authority: 20 U.S.C. 1122) [61 FR 50193, Sept. 24, 1996, as amended at 70 FR 13375, Mar. 21, 2005; 74 FR 35073, July 17, 2009]

§ 656.23 What priorities may the Secretary establish?

(a) The Secretary may select one or more of the following funding priorities:

(1) Specific countries or world areas, such as, for example, East Asia, Africa, or the Middle East.

(2) Specific focus of a Center, such as, for example, a single world area; international studies; a particular issue or topic, e.g., business, development issues, or energy; or any combination.

(3) Level or intensiveness of language instruction, such as intermediate or advanced language instruction, or instruction at an intensity of 10 contact hours or more per week.

(4) Types of activities to be carried out, for example, cooperative summer intensive language programs, course development, or teacher training activities.

(5) Types of institutions that may have greater interest or ability in contributing to the security, stability, and economic vitality of the United States, such as military academies.

(6) Any other priorities that the Secretary determines to be proper to carry out this program, except that the Secretary will not establish a priority for applications from Minority-Serving Institutions or from consortia or partnerships that include Minority-Serving Institutions.

(b) The Secretary may select one or more of the activities listed in § 656.5 as a funding priority.

(c) To the extent allowed by law, the Secretary will announce a competitive or absolute priority stating that to meet the priority, applicants must partner with and share at least 40 percent of the grant with a domestic entity other than an institution of higher education and other than an entity that directly supports the applicant, such as a university foundation or other charitable foundation.

(1) If the Secretary makes this priority a competitive priority, it will be worth at least five percent of the total available score for an applicant.

(2) Pursuant to § 656.30(5), the domestic entity may be one that provides sanctuary and assistance to persecuted scholars in other countries by partnering with institutions of higher education to employ such scholars as visitors at these institutions. The salary and benefits of such visiting scholars will count toward the 40 percent sharing.

(de) The Secretary announces any priorities in the application notice published in the Federal Register.

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

§ 656.30 What are allowable costs and limitations on allowable costs?

(a) *Allowable costs.* Except as provided under paragraph (b) of this section, a grant awarded under this part may be used to pay all or part of the cost of establishing, strengthening, or operating a comprehensive or undergraduate Center including, but not limited to, the cost of -

- (1) Faculty and staff salaries and travel;
- (2) Library acquisitions;
- (3) Teaching and research materials;
- (4) Curriculum planning and development;
- (5) Bringing visiting scholars and faculty to the Center to teach, conduct research, or participate in conferences or workshops;
- (6) Training and improvement of staff;
- (7) Projects conducted in cooperation with other centers or linked entities addressing themes of world, regional, cross-regional, international, or global importance; and
- (8) Summer institutes in the United States or abroad designed to provide language and area training in the Center's field or topic.

(b) *Limitations on allowable costs.* The following are limitations on allowable costs:

- (1) Equipment costs exceeding 10 percent of the grant are not allowable.
- (2) Funds for undergraduate travel are allowable only in conjunction with a formal program of supervised study in the subject area on which the Center focuses.
- (3) Grant funds may not be used to supplant funds normally used by applicants for purposes of this part.

(Authority: 20 U.S.C. 1122) [61 FR 50193, Sept. 24, 1996, as amended at 64 FR 7739, Feb. 16, 1999]

Part 657 - Foreign Language and Area Studies Fellowships Program

§ 657.1 What is the Foreign Language and Area Studies Fellowships Program?

Under the Foreign Language and Area Studies Fellowships Program, the Secretary awards fellowships, through institutions of higher education, to students who are -

(a) Enrolled for undergraduate or graduate training in a Center or program approved by the Secretary under this part; or who will attend an instructional program run by the institution or any of its partners, and

(b) Undergoing performance-based modern foreign language training or training in a program for which performance-based modern foreign language instruction is being developed, in combination with area studies, international studies, international business, or the international aspects of other professional studies.

(Authority: 20 U.S.C. 1122) [61 FR 50202, Sept. 24, 1996, as amended at 74 FR 35073, July 17, 2009]

§ 657.2 Who is eligible to receive an allocation of fellowships?

(a) The Secretary awards an allocation of fellowships to an institution of higher education or to a consortium of institutions of higher education that -

(1) Operates a Center or program approved by the Secretary under this part;

(2) Teaches modern foreign languages under a program described in paragraph (b) of this section, or partners with an institution that does so; and

(3) In combination with the teaching described in paragraph (a)(2) of this section -

(i) Provides instruction in the disciplines needed for a full understanding of the area, regions, or countries in which the foreign languages are commonly used, including economics; or

(ii) Conducts training and research in international studies, the international aspects of professional and other fields of study, or issues in world affairs that concern one or more countries.

(b) In teaching those modern foreign languages for which an allocation of fellowships is made available, the institution or its partner must be either using a program of performance-based training or developing a performance-based training program.

(c) The Secretary uses the criteria in § 657.21 both to approve Centers and programs for the purpose of receiving an allocation of fellowships and to evaluate applications for an allocation of fellowships.

(d) An institution does not need to receive a grant under the National Resource Center Program (34 CFR part 656) to receive an allocation of fellowships under this part.

(Authority: 20 U.S.C. 1122) [61 FR 50202, Sept. 24, 1996, as amended at 74 FR 35073, July 17, 2009]

§ 657.3 Who is eligible to receive a fellowship?

A student is eligible to receive a fellowship if the student -

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

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

(b) Is accepted for enrollment or is enrolled -

(1) In an institution receiving an allocation of fellowships, whether or not in a degree or certificate program, or in a program run by a partner of the institution; and

(2) In a program that combines modern foreign language training with -

(i) Area or international studies; or

(ii) Research and training in the international aspects of professional and other fields of study, including international business;

(c) Shows potential for high academic achievement based on such indices as grade point average, class ranking, letters of recommendation, or similar measures that the institution may determine;

(d) Is enrolled in a program of modern foreign language training in a language for which the institution or its partner has developed or is developing performance-based instruction;

(e) In the case of an undergraduate student, is in the intermediate or advanced study of a less commonly taught language; or

(f) In the case of a graduate student, is engaged in -

(1) Predissertation level study;

(2) Preparation for dissertation research;

(3) Dissertation research abroad; or

(4) Dissertation writing;-

(g) In the case of a student not in a degree or certificate program, is or will be engaged in private-sector or other work that contributes to the security, stability, and economic vitality of the United States;

(h) Documents a demonstrated desire to contribute to the security, stability, and economic vitality of the United States as a result of the fellowship.

(Authority: 20 U.S.C. 1122) [61 FR 50202, Sept. 24, 1996, as amended at 74 FR 35073, July 17, 2009]

§ 657.4 What regulations apply?

The following regulations apply to this program:

- (a) The regulations in 34 CFR part 655.
- (b) The regulations in this part 657.

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

§ 657.5 What definitions apply?

The following definitions apply to this part:

- (a) The definitions in 34 CFR 655.4.
- (b) *Center* means an administrative unit of an institution of higher education that has direct access to highly qualified faculty and library resources, and coordinates a concentrated effort of educational activities, including training in modern foreign languages and various academic disciplines, in its subject area.
- (c) *Fellow* means a person who receives a fellowship under this part.
- (d) *Fellowship* means the payment a fellow receives under this part.
- (e) *Program* means a concentration of educational resources and activities in modern foreign language training and related studies.

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

§ 657.10 What combined application may an institution submit?

An institution that wishes to apply for an allocation of fellowships and for a grant to operate a Center under 34 CFR part 656 may submit a combined application for both grants to the Secretary.

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

§ 657.11 How does a student apply for a fellowship?

- (a) A student shall apply for a fellowship directly to an institution of higher education that has received an allocation of fellowships, or to one of the institution's partners.

(b) The applicant shall provide sufficient information to enable the institution or partner to determine whether he or she is eligible to receive a fellowship and whether he or she should be selected to receive a fellowship.

(c) The applicant shall document a demonstrated desire to contribute to the security, stability, and economic vitality of the United States.

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

§ 657.20 How does the Secretary evaluate an institutional application for an allocation of fellowships?

(a) The Secretary evaluates an institutional application for an allocation of fellowships on the basis of the quality of the applicant's Center or program. The applicant's Center or program is evaluated and approved under the criteria in § 657.21.

(b) The Secretary informs applicants of the maximum possible score for each criterion in the application package or in a notice published in the Federal Register.

(Authority: 20 U.S.C. 1122) [61 FR 50202, Sept. 24, 1996, as amended at 70 FR 13375, Mar. 21, 2005]

§ 657.21 What criteria does the Secretary use in selecting institutions for an allocation of fellowships?

The Secretary evaluates an institutional application for an allocation of fellowships on the basis of the criteria in this section.

(a) *Foreign language and area studies fellowships awardee selection procedures.* The Secretary reviews each application to determine whether the selection plan is of high quality, showing how awards will be advertised, how students apply, what selection criteria are used, who selects the fellows, when each step will take place, and how the process will result in awards being made to correspond to any announced priorities.

(b) *Quality of staff resources.* The Secretary reviews each application to determine -

(1) The extent to which teaching faculty and other staff are qualified for the current and proposed activities and training programs, are provided professional development opportunities (including overseas experience), and participate in teaching, supervising, and advising students;

(2) If student training will occur at the applicant institution, the adequacy of applicant staffing and oversight arrangements and the extent to which faculty from a variety of departments, professional schools, and the library are involved; and

(3) If student training will occur under the supervision of the applicant institution's partner, the adequacy of that entity's staffing and oversight arrangements and the extent to which the

~~applicant institution's resources are involved. 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, persons with disabilities, and the elderly.~~

(c) *Impact and evaluation.* The Secretary reviews each application to determine -

(1) The extent to which the applicant's or its partner's activities and training programs have contributed to an improved supply of specialists on the program's subject as shown through indices such as undergraduate and graduate enrollments and placement data; ~~and the extent to which the applicant supplies a clear description of how the applicant will provide equal access and treatment of eligible project participants who are members of groups that have been traditionally underrepresented, such as members of racial or ethnic minority groups, women, persons with disabilities, and the elderly;~~

(2) The extent to which the applicant provides an evaluation plan that is comprehensive and objective and that will produce quantifiable, outcome-measure-oriented data; and the extent to which recent evaluations have been used to improve the applicant's program;

(3) The degree to which fellowships awarded by the applicant address national needs, including areas of need in the education, business, and nonprofit sectors; and contribute to the security, stability, and economic vitality of the United States.

(4) The applicant's record of placing students into post-graduate employment, education, or training in areas of national need, including areas of need in the education, business, and nonprofit sectors, and the applicant's stated efforts to increase the number of such students that go into such placements.

(d) *Commitment to the subject area on which the applicant or program focuses.* The Secretary reviews each application to determine -

(1) The extent to which the institution or its partner provides financial and other support to the operation of the applicant, teaching staff for the applicant's subject area, library resources, and linkages with institutions abroad; and

(2) The extent to which the institution provides financial support to students in fields related to the applicant's teaching program.

(e) *Strength of library.* The Secretary reviews each application to determine -

(1) The strength of the institution's library holdings (~~both print and or~~ non-print, English and foreign language) for students; and the extent to which the institution provides financial support for the acquisition of online or other library materials and for library staff in the subject area of the applicant; and

(2) The extent to which research materials at other institutions are available to students through cooperative arrangements with other libraries or on-line databases.

(f) *Quality of the applicant's non-language instructional program.* The Secretary reviews each application to determine -

(1) The quality and extent of the applicant's course offerings in a variety of disciplines, including economics, and the extent to which courses in the applicant's subject matter are available in the institution's professional schools;

(2) The extent to which the applicant offers depth of specialized course coverage in one or more disciplines on the applicant's subject area;

(3) The extent to which the institution or its partner employs a sufficient number of teaching faculty to enable the applicant to carry out its purposes and the extent to which instructional assistants are provided with pedagogy training; and

(4) The extent to which interdisciplinary courses are offered for students.

(g) *Quality of the applicant's language instructional program.* The Secretary reviews each application to determine -

(1) The extent to which the applicant or its partner provides instruction in the languages of the applicant's subject area and the extent to which students enroll in the study of the languages of the subject area through programs or instruction offered by the applicant or other providers;

(2) The extent to which ~~the applicant provides three or more levels of language training and the extent to which~~ courses in disciplines other than language, linguistics, and literature are offered in appropriate foreign languages;

(3) Whether sufficient numbers of language faculty are available to teach the languages and levels of instruction described in the application and the extent to which language teaching staff (including faculty and instructional assistants) have been exposed to ~~current~~ language pedagogy that has been demonstrated to be effective ~~training appropriate~~ for performance-based teaching; and

(4) The quality of the language program as measured by the performance-based instruction being used or developed, the adequacy of resources for language teaching and practice, and language proficiency requirements.

(h) *Quality of curriculum design.* The Secretary reviews each application to determine -

(1) The extent to which the applicant's curriculum provides training options for students from a variety of disciplines and professional fields, including economics, and the extent to which these programs and their requirements (including language requirements) are appropriate for an applicant in this subject area and result in graduate training programs of high quality;

(2) The extent to which the applicant or its partner provides academic and career advising services for students; and

(3) The extent to which the applicant or its partner has established formal arrangements for students to conduct research or study abroad and the extent to which these arrangements are used; and the extent to which the institution or its partner facilitates student access to ~~other institutions'~~ study abroad and summer language programs.

(i) *Priorities.* If one or more competitive priorities have been established under § 657.22, the Secretary reviews each application for information that shows the extent to which the Center or program meets these priorities.

(Approved by the Office of Management and Budget under control number 1840-0068)
(Authority: 20 U.S.C. 1122) [61 FR 50202, Sept. 24, 1996, as amended at 70 FR 13375, Mar. 21, 2005; 74 FR 35073, July 17, 2009]

§ 657.22 What priorities may the Secretary establish?

(a) The Secretary may establish one or more of the following priorities for the allocation of fellowships:

(1) Specific world areas, or countries, such as East Asia or Mexico.

(2) Languages, such as Chinese.

(3) Levels of language offerings.

(4) Academic disciplines, such as linguistics, economics, or sociology.

(5) Professional studies, such as business, law, economics, or education;

(6) Particular subjects, such as population growth and planning, or international trade and business.

(7) Types of institutions that may have greater interest or ability in contributing to the security, stability, and economic vitality of the United States, such as military academies.

(8) Partnerships between institutions and other entities.

(9) Any other priorities that the Secretary determines to be proper to carry out this program, except that the Secretary will not establish a priority for applications from Minority-Serving Institutions or from consortia or partnerships that include Minority-Serving Institutions.

(107) A combination of any of these categories.

(b) The Secretary announces any priorities in the application notice published in the Federal Register.

(c) To the extent allowed by law, the Secretary will announce a competitive or absolute priority stating that to meet the priority, applicants must partner with and share at least 30 percent of the grant with at least one domestic entity other than an institution of higher education and other than an entity that directly supports the applicant, such as a university foundation or other charitable foundation.

(1) If the applicant offers fellowships to a partner's staff or students for instruction by the applicant, the fellowship amounts count toward the 30 percent sharing.

(2) If the Secretary makes this priority a competitive priority, it will be worth at least five percent of the total available score for an applicant.

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

§ 657.30 What is the duration of and what are the limitations on fellowships awarded to individuals by institutions?

(a) *Duration.* An institution or its partner may award a fellowship to a student for -

(1) One academic year; or

(2) One summer session if the summer session provides the fellow with the equivalent of one academic year of modern foreign language study.

(b) *Vacancies.* If a fellow vacates a fellowship before the end of an award period, the institution to which the fellowship is allocated may reaward the balance of the fellowship to another student if -

(1) The student meets the eligibility requirements in § 657.3; and

(2) The remaining fellowship period comprises at least one full academic quarter, semester, trimester, or summer session as described in paragraph (a)(2) of this section.

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

§ 657.31 What is the amount of a fellowship?

(a)(1) An institution or its partner shall award a stipend to fellowship recipients.

(2) Each fellowship includes an institutional payment and a subsistence allowance to be determined by the Secretary.

(3) If the institutional payment determined by the Secretary is greater than the tuition and fees charged by the institution or its partner, the institutional payment portion of the fellowship is limited to actual tuition and fees. The difference between actual tuition and fees and the Secretary's institutional payment shall be used to fund additional fellowships to the extent that funds are available for at least half of a full subsistence allowance.

(4) If permitted by the Secretary, a stipend awarded to a graduate level recipient may include allowances for dependents and travel for research and study in the United States and abroad.

(5) A stipend awarded to an undergraduate level recipient may include an allowance for educational programs in the United States or educational programs abroad that -

(i) Are closely linked to the overall goals of the recipient's course of study as relevant to this program; and

(ii) Have the purpose of promoting foreign language fluency and knowledge of foreign cultures.

(6) If fellowships will be operated by an institution's partner, the institution will provide -

(i) 100% of the institutional payment (the amount that would have gone to the institution for actual tuition and fees if the fellowship recipient were enrolled at the institution) to the partner for each fellowship recipient who is not enrolled at the institution; and

(ii) An amount agreed upon between the institution and its partner for each fellowship recipient who is enrolled at the institution.

(b) The Secretary announces in an application notice published in the Federal Register -

(1) The amounts of the subsistence allowance and the institutional payment for an academic year and the subsistence allowance and the institutional payment for a summer session;

(2) Whether travel and dependents' allowances will be permitted; and

(3) The amount of travel and dependents' allowances.

(Authority: 20 U.S.C. 1122) [61 FR 50202, Sept. 24, 1996, as amended at 74 FR 35073, July 17, 2009]

§ 657.32 What is the payment procedure for fellowships?

(a) An institution shall pay a fellow his or her subsistence and any other allowance in installments during the term of the fellowship.

(b) An institution shall make a payment only to a fellow who is in good academic and disciplinary standing and is making satisfactory progress.

(c) The institution shall make appropriate adjustments of any overpayment or underpayment to a fellow.

(d) Funds not used by one recipient for reasons of withdrawal are to be used for alternate recipients to the extent that funds are available for at least half of a full subsistence allowance.

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

§ 657.33 What are the limitations on the use of funds for overseas fellowships?

(a) Before awarding a fellowship for use outside the United States, an institution shall obtain the approval of the Secretary.

(b) An overseas program or institution described in paragraph (c) must certify to the Secretary that it seeks to contribute to the security, stability, and economic vitality of the United States.

~~(c)~~ The Secretary may approve the use of a fellowship outside the United States if the student is -

(1) Enrolled in an overseas foreign language program approved by the institution at which the student is enrolled in the United States for study at an intermediate or advanced level or at the beginning level if appropriate equivalent instruction is not available in the United States; or

(2) Engaged during the academic year in research that cannot be done effectively in the United States and is affiliated with an institution of higher education or other appropriate organization in the host country.

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

§ 657.34 Under what circumstances must an institution terminate a fellowship?

An institution shall terminate a fellowship if -

(a) The fellow is not making satisfactory progress, is no longer enrolled, or is no longer in good academic or disciplinary standing at the institution; ~~or~~

(b) The fellow fails to follow the course of study, including modern foreign language study, for which he or she applied, unless a revised course of study is otherwise approvable under this part; or

(c) The fellow no longer seeks to contribute to the security, stability, and economic vitality of the United States.

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

Part 658 - Undergraduate International Studies and Foreign Language Program

§ 658.1 What is the Undergraduate International Studies and Foreign Language Program?

The Undergraduate International Studies and Foreign Language Program is designed to provide assistance to institutions of higher education, consortia of those institutions, or partnerships between nonprofit educational organizations and institutions of higher education, to assist those institutions, consortia, or partnerships in planning, developing, and carrying out programs to improve undergraduate instruction in international studies and foreign languages.

(Authority: 20 U.S.C. 1124) [64 FR 7739, Feb. 16, 1999, as amended at 74 FR 35073, July 17, 2009]

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

The following are eligible to apply for assistance under this part:

- (a) Institutions of higher education.
- (b) Consortia of institutions of higher education.
- (c) Partnerships between nonprofit educational organizations and institutions of higher education.
- (d) Public and private nonprofit agencies and organizations, including professional and scholarly associations.

(Authority: 20 U.S.C. 1124) [47 FR 14122, Apr. 1, 1982, as amended at 64 FR 7739, Feb. 16, 1999; 74 FR 35073, July 17, 2009]

§ 658.3 What regulations apply?

The following regulations apply to this program:

- (a) The regulations in 34 CFR part 655.
- (b) The regulations in this part 658.

(Authority: 20 U.S.C. 1121-1127) [58 FR 32576, June 10, 1993]

§ 658.4 What definitions apply to the Undergraduate International Studies and Foreign Language Program?

The definitions in 34 CFR 655.4 apply to this program.

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

§ 658.10 For what kinds of projects does the Secretary assist institutions of higher education?

(a) The Secretary may provide assistance to an institution of higher education, a consortium of institutions of higher education, or a partnership between a nonprofit educational organization and an institution of higher education to plan, develop, and carry out a program to improve undergraduate instruction in international studies and foreign languages. Those grants must be awarded to institutions, consortia, or partnerships seeking to create new programs or to strengthen existing programs in foreign languages, area studies, and other international fields such as international business.

(b) The Secretary gives consideration to an applicant that proposes a program that -

- (1) Initiates new or revised courses in international or area studies;
- (2) Makes instruction in foreign languages available to students in the program; and
- (3) Takes place primarily in the United States.

(c) The program shall focus on -

- (1) International or global studies;
- (2) One or more world areas and their languages; or
- (3) Issues or topics, such as international business~~environmental studies or international health~~.

(Authority: 20 U.S.C. 1124(a)) [47 FR 14122, Apr. 1, 1982, as amended at 52 FR 28422, July 29, 1987; 58 FR 32576, June 10, 1993; 64 FR 7740, Feb. 16, 1999; 74 FR 35074, July 17, 2009]

§ 658.11 What projects and activities may a grantee conduct under this program?

The Secretary awards grants under this part to assist in carrying out projects and activities that are an integral part of a program to improve undergraduate instruction in international studies and foreign languages. These include projects such as -

(a) Planning for the development and expansion of undergraduate programs in international studies and foreign languages;

(b) Teaching, research, curriculum development, faculty training in the United States or abroad, and other related activities, including -

- (1) Expanding library and teaching resources;
- (2) Conducting faculty workshops, conferences, and special lectures;

- (3) Developing and testing new curricular materials, including self-instructional materials in foreign languages, or specialized language materials dealing with a particular subject (such as health or the environmentbusiness);
- (4) Initiating new and revised courses in international studies or area studies and foreign languages; and
- (5) Conducting pre-service teacher training and in-service teacher professional development;
- (c) Expanding the opportunities for learning foreign languages, including less commonly taught languages;
- (d) Providing opportunities for which foreign faculty and scholars may visit institutions as visiting faculty;
- (e) Placing U.S. faculty members who seek to contribute to the security, stability, and economic vitality of the United States in internships with international associations or with governmental or nongovernmental organizations in the U.S. or abroad to improve their understanding of international affairs;
- (f) Developing international education programs designed to develop or enhance linkages between 2- and 4-year institutions of higher education, or baccalaureate and post-baccalaureate programs or institutions;
- (g) Developing undergraduate educational programs -
- (1) In locations abroad where those opportunities are not otherwise available or that serve students for whom those opportunities are not otherwise available; and
 - (2) That provide courses that are closely related to on-campus foreign language and international curricula;
- (h) Integrating new and continuing education abroad opportunities for undergraduate students into curricula of specific degree programs;
- (i) Developing model programs to enrich or enhance the effectiveness of educational programs abroad, including pre-departure and post-return programs, and integrating educational programs abroad into the curriculum of the home institution;
- (j) Providing grants for educational programs abroad that -
- (1) Are closely linked to the program's overall goals; and
 - (2) Have the purpose of promoting foreign language fluency and knowledge of world regions;

(k) Developing programs designed to integrate professional and technical education with foreign languages, area studies, and other international fields;

(l) Establishing linkages overseas with institutions of higher education and organizations that contribute to the educational programs assisted under this part;

(m) Developing partnerships between -

(1) Institutions of higher education; and

(2) The private sector, government, or elementary and secondary education institutions in order to enhance international knowledge and skills; and

(n) Using innovative technology to increase access to international education programs.

(Authority: 20 U.S.C. 1124) [64 FR 7740, Feb. 16, 1999, as amended at 74 FR 35074, July 17, 2009]

§ 658.12 For what kinds of projects does the Secretary assist associations and organizations?

The Secretary may award grants under this part to public and private nonprofit agencies and organizations including scholarly associations, that propose projects that will make an especially significant contribution to strengthening and improving undergraduate instruction in international studies and foreign languages at institutions of higher education.

(Authority: 20 U.S.C. 1124(b))

§ 658.30 How does the Secretary evaluate an application?

(a) The Secretary evaluates an application from an institution of higher education or a consortium of such institutions on the basis of the criteria in §§ 658.31 and 658.32. The Secretary informs applicants of the maximum possible score for each criterion in the application package or in a notice published in the Federal Register.

(b) The Secretary evaluates an application from an agency or organization or professional or scholarly association on the basis of the criteria in §§ 658.31 and 658.33. The Secretary informs applicants of the maximum possible score for each criterion in the application package or in a notice published in the Federal Register.

(Authority: 20 U.S.C. 1124) [70 FR 13375, Mar. 21, 2005, as amended at 74 FR 35074, July 17, 2009]

§ 658.31 What selection criteria does the Secretary use?

The Secretary evaluates an application for a project under this program on the basis of the criteria in this section.

- (a) *Plan of operation.* (See 34 CFR 655.31(a))
- (b) *Quality of key personnel.* (See 34 CFR 655.31(b))
- (c) *Budget and cost effectiveness.* (See 34 CFR 655.31(c))
- (d) *Evaluation plan.* (See 34 CFR 655.31(d))
- (e) *Adequacy of resources.* (See 34 CFR 655.31(e))

(Authority: 20 U.S.C. 1124) [47 FR 14122, Apr. 1, 1982, as amended at 70 FR 13375, Mar. 21, 2005]

§ 658.32 What additional criteria does the Secretary apply to institutional applications?

In addition to the criteria referred to in § 658.31, the Secretary evaluates an application submitted by an institution of higher education or a consortium of such institutions on the basis of the criteria in this section.

(a) *Commitment to international studies.* (1) The Secretary reviews each application for information that shows the applicant's commitment to the international studies program.

(2) The Secretary looks for information that shows -

(i) The institution's current strength as measured by the number of international studies courses offered;

(ii) The extent to which planning for the implementation of the proposed program has involved the applicant's faculty, as well as administrators;

(iii) The institutional commitment to the establishment, operation, and continuation of the program as demonstrated by optimal use of available personnel and other resources; and

(iv) The institutional commitment to the program as demonstrated by the use of institutional funds in support of the program's objectives.

(b) *Elements of the proposed international studies program.* (1) The Secretary reviews each application for information that shows the nature of the applicant's proposed international studies program.

(2) The Secretary looks for information that shows -

(i) The extent to which the proposed activities will contribute to the implementation of a program in international studies and foreign languages at the applicant institution;

(ii) The interdisciplinary aspects of the program;

(iii) The number of new and revised courses with an international perspective that will be added to the institution's programs; and

(iv) The applicant's plans to improve or expand language instruction.

(c) *Need for and prospective results of the proposed program.* (1) The Secretary reviews each application for information that shows the need for and the prospective results of the applicant's proposed program.

(2) The Secretary looks for information that shows -

(i) The extent to which the proposed activities are needed at the applicant institution to contribute to the security, stability, and economic vitality of the United States;

(ii) The extent to which the proposed use of Federal funds will result in the implementation of a program in international studies and foreign languages at the applicant institution;

(iii) The likelihood that the activities initiated with Federal funds will be continued after Federal assistance is terminated; and

(iv) The adequacy of the provisions for sharing the materials and results of the program with other institutions of higher education.

(Authority: 20 U.S.C. 1124) [47 FR 14122, Apr. 1, 1982, as amended at 52 FR 28422, July 29, 1987; 70 FR 13375, Mar. 21, 2005; 74 FR 35074, July 17, 2009]

§ 658.33 What additional criteria~~are~~ does the Secretary apply to applications from organizations and associations?

In addition to the criteria referred to in § 658.31, the Secretary evaluates an application submitted by an organization or association on the basis of the criteri~~are~~ in this section.

(a) Need for and potential impact of the proposed project in improving international studies and the study of modern foreign language at the undergraduate level, for the sake of contributing to the security, stability, and economic vitality of the United States.

(b) The Secretary reviews each application for information that shows the need for and the potential impact of the applicant's proposed projects in improving international studies and the study of modern foreign language at the undergraduate level, for the sake of contributing to the security, stability, and economic vitality of the United States.

(1) The Secretary looks for information that shows -

(i) The extent to which the applicant's proposed apportionment of Federal funds among the various budget categories for the proposed project will contribute to achieving results;

- (ii) The international nature and contemporary relevance of the proposed project;
- (iii) The extent to which the proposed project will make an especially significant contribution to the improvement of the teaching of international studies or modern foreign languages at the undergraduate level, for the sake of contributing to the security, stability, and economic vitality of the United States; and
- (iv) The adequacy of the applicant's provisions for sharing the materials and results of the proposed project with the higher education community.

(2) [Reserved]

(Authority: 20 U.S.C. 1124(b)) [47 FR 14122, Apr. 1, 1982, as amended at 70 FR 13375, Mar. 21, 2005]

§ 658.34 What additional factors does the Secretary consider in selecting grant recipients?

In addition to applying the selection criteria in, as appropriate, §§ 658.31, 658.32, and 658.33, the Secretary, to the extent practicable and consistent with the criterion of excellence, seeks to encourage programmatic diversity by ensuring that a variety of types of projects ~~and institutions~~ receive funding.

(Authority: 20 U.S.C. 1124 and 1126) [58 FR 32576, June 10, 1993]

§ 658.35 What ~~priority~~ iesy does the Secretary ~~give~~ establish?

(a) The Secretary gives priority to applications from institutions of higher education or consortia of these institutions that require entering students to have successfully completed at least two years of secondary school foreign language instruction or that require each graduating student to earn two years of postsecondary credit in a foreign language (or have demonstrated equivalent competence in the foreign language) or, in the case of a 2-year degree granting institution, offer two years of postsecondary credit in a foreign language.

(b) The Secretary announces the number of points to be awarded under this priority in the application notice published in the Federal Register. The number of points shall be sufficient to ensure that all high-quality applications meeting this priority are awarded grants before any other application is awarded a grant.

(c) To the extent allowed by law, the Secretary will announce a competitive or absolute priority stating that to meet the priority, applicants must partner with and share at least 20 percent of the grant with a domestic entity other than an institution of higher education and other than an entity that directly supports the applicant, such as a university foundation or other charitable foundation.

(1) If the Secretary makes this priority a competitive priority, it will be worth at least five percent of the total available score for an applicant.

(2) Pursuant to § 658.11(d), the domestic entity may be one that provides sanctuary and assistance to persecuted scholars in other countries by partnering with institutions of higher education to employ such scholars as visitors at these institutions. The salary and benefits of such visiting scholars will count toward the 20 percent sharing.

(Authority: 20 U.S.C. 1124) [58 FR 32576, June 10, 1993, as amended at 74 FR 35074, July 17, 2009]

§ 658.40 What are the limitations on allowable costs?

- (a) Equipment costs may not exceed five percent of the grant amount; and
- (b) No more than ten percent of the total amount of grant funds awarded to a grantee under this part may be used for the activity described in § 658.11(j).

(Authority: 20 U.S.C. 1124) [74 FR 35074, July 17, 2009]

§ 658.41 What are the cost-sharing requirements?

- (a) The grantee's share may be derived from cash contributions from private sector corporations or foundations in the amount of one-third of the total cost of the project.
- (b) The grantee's share may be derived from cash or in-kind contributions from institutional and noninstitutional funds, including State and private sector corporation or foundation contributions, equal to one-half of the total cost of the project.
- (c) In-kind contributions means property or services that benefit a grant-supported project or program and that are contributed by non-Federal third parties without charge to the grantee.
- (d) The Secretary may waive or reduce the required non-Federal share for institutions that -
 - (1) Are eligible to receive assistance under part A or B of title III or under title V of the Higher Education Act of 1965, as amended; and
 - (2) Have submitted a grant application under this part that demonstrates a need for a waiver or reduction.

(Authority: 20 U.S.C. 1124 and 3474; OMB Circular A-110) [58 FR 32577, June 10, 1993, as amended at 64 FR 7740, Feb. 16, 1999; 74 FR 35074, July 17, 2009]

Part 660 - The International Research and Studies Program

§ 660.1 What is the International Research and Studies Program?

The Secretary may, directly or through grants or contracts, conduct research and studies which contribute to the purposes of the International Education Program authorized by part A of title VI of the Higher Education Act of 1965, as amended (HEA). The research and studies may include, but are not limited to -

- (a) Studies and surveys to determine needs for increased or improved instruction in modern foreign languages, area studies, or other international fields, including the demand for foreign language, area, and other international specialists in government, education, and the private sector;
- (b) Research on more effective methods of providing instruction and achieving competency in foreign languages, area studies, or other international fields;
- (c) Research on applying performance tests and standards across all areas of foreign language instruction and classroom use;
- (d) Developing and publishing specialized materials for use in foreign language, area studies, and other international fields or for training foreign language, area, and other international specialists;
- (e) Studies and surveys to assess the use of graduates of programs supported under title VI of the HEA by governmental, educational, and private-sector organizations and other studies assessing the outcomes and effectiveness of supported programs;
- (f) Comparative studies of the effectiveness of strategies to provide international capabilities at institutions of higher education;
- (g) Evaluations of the extent to which programs assisted under title VI of the HEA that address national needs would not otherwise be offered;
- (h) Studies and surveys of the use of technologies in foreign language, area studies, and international studies programs;
- (i) Studies and evaluations of effective practices in the dissemination of international information, materials, research, teaching strategies, and testing techniques throughout the educational community, including elementary and secondary schools;
- (j) Evaluations of the extent to which programs assisted under title VI of the HEA reflect diverse perspectives and a wide range of views and generate debate on world regions and international affairs, as described in the grantee's application;
- (k) Systematic collection, analysis, and dissemination of data that contribute to achieving the purposes of title VI, part A of the HEA; and
- (l) Support for programs or activities to make data collected, analyzed, or disseminated under this part publicly available and easy to understand.

(Authority: 20 U.S.C. 1125) [47 FR 14124, Apr. 1, 1982, as amended at 58 FR 32577, June 10, 1993; 64 FR 7740, Feb. 16, 1999; 74 FR 35074, July 17, 2009]

§ 660.2 Who is eligible to apply for grants under this program?

Public and private agencies, organizations, and institutions, and individuals are eligible to apply for grants under this part.

(Authority: 20 U.S.C. 1125)

§ 660.3 What regulations apply?

The following regulations apply to this program:

- (a) The regulations in 34 CFR part 655.
- (b) The regulations in this part 660.

(Authority: 20 U.S.C. 1121-1125) [58 FR 32577, June 10, 1993]

§ 660.4 What definitions apply to the International Research and Studies Program?

The definitions in 34 CFR 655.4 apply to this program.

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

§ 660.10 What activities does the Secretary assist?

An applicant may apply for funds to carry out any of the following types of activities:

- (a) Studies and surveys to determine the need for increased or improved instruction in -
 - (1) Modern foreign languages; and
 - (2) Area studies and other international fields needed to provide full understanding of the places in which those languages are commonly used.
 - (b) Research and studies -
 - (1) On more effective methods of instruction and achieving competency in modern foreign languages, area studies, or other international fields;
 - (2) To evaluate competency in those foreign languages, area studies, or other international fields;
- or

(3) On the application of performance tests and standards across all areas of foreign language instruction and classroom use.

(c) The development and publication of specialized materials -

(1) For use by students and teachers of modern foreign languages, area studies, and other international fields; and

(2) For use in -

(i) Providing such instruction and evaluation; or

(ii) Training individuals to provide such instruction and evaluation.

(d) Research, surveys, studies, or the development of instructional materials that serve to enhance international understanding.

(e) Other research or material development projects that further the purposes of the International Education Program authorized by part A of title VI of the HEA.

(f) Studies and surveys to assess the use of graduates of programs supported under title VI of the HEA by governmental, educational, and private-sector organizations, and other studies assessing the outcomes and effectiveness of supported programs.

(g) Comparative studies of the effectiveness of strategies to provide international capabilities at institutions of higher education.

(h) Evaluations of the extent to which programs assisted under title VI of the HEA that address national needs would not otherwise be offered.

(i) Studies and surveys of the uses of technology in foreign language, area studies, and international studies programs.

(j) Studies and evaluations of effective practices in the dissemination of international information, materials, research, teaching strategies, and testing techniques through the education community, including elementary and secondary schools.

(k) Evaluations of the extent to which programs assisted under title VI of the HEA reflect diverse perspectives and a wide range of views and generate debate on world regions and international affairs, as described in the grantee's application.

(l) Systematic collection, analysis, and dissemination of data that contribute to achieving the purposes of title VI, part A of the HEA.

(m) Support for programs or activities to make data collected, analyzed, or disseminated under this part publicly available and easy to understand.

(Authority: 20 U.S.C. 1125) [47 FR 14124, Apr. 1, 1982, as amended at 52 FR 28424, July 29, 1987; 58 FR 32577, June 10, 1993; 64 FR 7740, Feb. 16, 1999; 74 FR 35074, July 17, 2009]

§ 660.30 How does the Secretary evaluate an application?

(a) The Secretary evaluates an application for a research project, a study, or a survey on the basis of the criteria in §§ 660.31 and 660.32. The Secretary informs applicants of the maximum possible score for each criterion in the application package or in a notice published in the Federal Register.

(b) The Secretary evaluates an application for the development of specialized instructional materials on the basis of the criteria in §§ 660.31 and 660.33. The Secretary informs applicants of the maximum possible score for each criterion in the application package or in a notice published in the Federal Register.

(Authority: 20 U.S.C. 1125) [70 FR 13375, Mar. 21, 2005]

§ 660.31 What selection criteria does the Secretary use for all applications for a grant?

The Secretary evaluates an application for a project under this program on the basis of the criteria in this section. The Secretary informs applicants of the maximum possible score for each criterion in the application package or in a notice published in the Federal Register.

(a) *Plan of operation.* (See 34 CFR 655.31(a))

(b) *Quality of key personnel.* (See 34 CFR 655.31(b))

(c) *Budget and cost effectiveness.* (See 34 CFR 655.31(c))

(d) *Evaluation plan.* (See 34 CFR 655.31(d))

(e) *Adequacy of resources.* (See 34 CFR 655.31(e))

(Authority: 20 U.S.C. 1125) [47 FR 14124, Apr. 1, 1982, as amended at 58 FR 32577, June 10, 1993; 70 FR 13376, Mar. 21, 2005]

§ 660.32 What additional selection criteria does the Secretary use for an application for a research project, a survey, or a study?

In addition to the criteria referred to in § 660.31, the Secretary evaluates an application for a research project, study, or survey on the basis of the criteria in this section.

(a) *Need for the project.* The Secretary reviews each application for information that shows -

(1) A need for the proposed project in the field of study on which the project focuses; and

(2) That the proposed project will provide information about the present and future needs of the United States for study in foreign language and other international fields, for the sake of contributing to the security, stability, and economic vitality of the United States.

(b) *Usefulness of expected results.* The Secretary reviews each application for information that shows the extent to which the results of the proposed project are likely to be used by other research projects or programs with similar objectives.

(c) *Development of new knowledge.* The Secretary reviews each application for information that shows ~~that~~ the extent to which the proposed project is likely to develop new knowledge that will contribute to the purposes of the International Education Program authorized by part A of title VI of the HEA.

(d) *Formulation of problems and knowledge of related research.* The Secretary reviews each application for information that shows that problems, questions, or hypotheses to be dealt with by the applicant -

(1) Are well formulated; and

(2) Reflect adequate knowledge of related research.

(e) *Specificity of statement of procedures.* The Secretary reviews each application for the specificity and completeness of the statement of procedures to be followed, including a discussion of such components as sampling techniques, controls, data to be gathered, and statistical and other analyses to be undertaken.

(f) *Adequacy of methodology and scope of project.* The Secretary reviews each application for information that shows -

(1) The adequacy of the proposed teaching, testing, and research methodology; and

(2) The size, scope, and duration of the proposed project.

(g) At least once every three years, the Secretary will apply an absolute priority for a total of at least \$750,000, or the maximum amount available under 20 U.S.C. 1132-4 annual spending limits, for research projects, high-quality surveys, or studies that -

(1) Assess the use of graduates of programs supported under title VI of the HEA by governmental, educational, and private-sector organizations and other studies assessing the outcomes and effectiveness of supported programs;

(2) Evaluate the extent to which programs assisted under title VI of the HEA that address national needs, including areas of need in the education, business, and nonprofit sectors, would not otherwise be offered; or

(3) Evaluate the extent to which programs assisted under title VI of the HEA reflect diverse perspectives and a wide range of views and generate debate on world regions and international affairs.

(Authority: 20 U.S.C. 1125) [47 FR 14124, Apr. 1, 1982, as amended at 58 FR 32577, June 10, 1993; 70 FR 13376, Mar. 21, 2005]

§ 660.33 What additional selection criteria does the Secretary use for an application to develop specialized instructional materials?

In addition to the criteria referred to in § 660.31, the Secretary evaluates an application to develop specialized instructional materials on the basis of the criteria in this section.

(a) *Need for the project.* The Secretary reviews each application for information that shows that -

(1) The proposed materials are needed in the educational field of study on which the project focuses; and

(2) The language or languages, the area, region, or country, or the issues or studies for which the materials are to be developed, are of sufficient priority and significance to the national interest to warrant financial support by the Federal Government.

(b) *Potential for the use of materials in other programs.* The Secretary reviews each application for information that shows the extent to which the proposed materials may be used elsewhere in the United States.

(c) *Account of related materials.* The Secretary reviews each application for information that shows that, within reason -

(1) All existing related or similar materials have been accounted for and the critical commentary on their adequacy is appropriate and accurate; and

(2) The proposed materials will not duplicate any existing adequate materials.

(d) *Likelihood of achieving results.* The Secretary reviews each application for information that shows that the outlined methods and procedures for preparing the materials are practicable and can be expected to produce the anticipated results.

(e) *Expected contribution to other programs.* The Secretary reviews each application for information that shows the extent to which the proposed work may contribute significantly to strengthening, expanding, or improving programs of foreign language studies, area studies, or international studies in the United States, for the sake of contributing to the security, stability, and economic vitality of the United States.

(f) *Description of final form of materials.* The Secretary reviews each application for information that shows a high degree of specificity in the description of the contents and final form of the proposed materials.

(g) *Provisions for pretesting and revision.* The Secretary reviews each application for information that shows that adequate provision has been made for -

- (1) Pretesting the proposed materials; and
- (2) If necessary, revising the proposed materials before publication.

(Authority: 20 U.S.C. 1125) [47 FR 14124, Apr. 1, 1982, as amended at 58 FR 32577, June 10, 1993; 70 FR 13376, Mar. 21, 2005]

§ 660.34 What priorities may the Secretary establish?

(a) The Secretary may each year select for funding from among the following priorities:

- (1) Categories of eligible projects described in § 660.10.
- (2) Specific languages or regions for study or materials development; for example, the Near or Middle East, South Asia, Southeast Asia, Eastern Europe, Inner Asia, the Far East, Africa or Latin America, or the languages of those regions.
- (3) Topics of research and studies; for example, language acquisition processes, methodology of foreign language instruction, foreign language performance testing, or assessments of resources and needs.
- (4) Levels of education; for example, elementary, secondary, postsecondary, or university-level education, or teacher education.

(5) Types of institutions that may have greater interest or ability in contributing to the security, stability, and economic vitality of the United States, such as military academies.

(6) Partnerships between institutions and other entities.

(7) Any other priorities that the Secretary determines to be proper to carry out this program, except that the Secretary will not establish a priority for applications from Minority-Serving Institutions or from consortia or partnerships that include Minority-Serving Institutions.

(b) The Secretary uses the absolute priority described in § 660.32.

(~~c~~b) The Secretary announces any priorities in the application notice published in the Federal Register.

(Authority: 20 U.S.C. 1126) [47 FR 14124, Apr. 1, 1982, as amended at 58 FR 32577, June 10, 1993]

§ 660.40 What are the limitations on allowable costs?

Funds awarded under this part may not be used for the training of students and teachers.

(Authority: 20 U.S.C. 1125)

Part 661 - Business and International Education Program

§ 661.1 What is the Business and International Education Program?

The Business and International Education Program is designed to promote linkages between institutions of higher education and American businesses engaged in international economic activities. The purpose of each project assisted under this part is both to enhance the international academic programs of institutions of higher education, and to provide appropriate services to the business community that will enable it to expand its capacity to engage in commerce ~~sell its goods and services~~ outside the United States.

(Authority: 20 U.S.C. 1130)

§ 661.2 Who is eligible to apply for a grant under the Business and International Education Program?

Under this program the Secretary considers applications from institutions of higher education that have entered into agreements with business enterprises, trade organizations or associations engaged in international economic activity - or a combination or consortium of these enterprises, organizations or associations - for the purposes of pursuing the activities authorized under this program.

(Authority: 20 U.S.C. 1130a)

§ 661.3 What regulations apply?

The following regulations apply to this program:

- (a) The regulations in 34 CFR part 655.
- (b) The regulations in this part 661.

(Authority: 20 U.S.C. 1130-1130b) [58 FR 32577, June 10, 1993]

§ 661.4 What definitions apply to the Business and International Education Program?

(a) *General definitions.* The following terms used in this part are defined in 2 CFR part 200, subpart A, or 34 CFR 77.1:

- Applicant
- Application
- Award
- Budget
- Contract
- EDGAR
- Equipment
- Facilities
- Fiscal Year
- Grant
- Grantee
- Nonprofit
- Profit
- Private
- Public
- Secretary
- Supplies

(b) *Definitions in 34 CFR part 655.* The following terms used in this part are defined in 34 CFR part 655.4(b):

- Combinations of institutions
- Institution of higher education
- Minority-Serving Institution

(Authority: 20 U.S.C. 1130-1130a) [49 FR 24362, June 12, 1984, as amended at 79 FR 76104, Dec. 19, 2014]

§ 661.10 What activities does the Secretary assist under this program?

The activities that the Secretary may assist institutions of higher education to conduct under this program, include but are not limited to -

- (a) Innovation and improvement of international education curricula to serve the needs of the business community, including the development of new programs for nontraditional, mid-career, or part-time students;
- (b) Development of programs to inform the public of increasing international economic interdependence and the role of American business within the international economic system;
- (c) Internationalization of curricula at junior and community colleges, and at undergraduate and graduate schools of business;
- (d) Development of area studies programs and interdisciplinary international programs;

- (e) Establishment of export education programs through cooperative arrangements with regional and world trade centers and councils, and with bilateral and multilateral trade associations;
- (f) Research for and development of teaching materials relating to international education, including language materials, and facilities appropriate to business-oriented students;
- (g) Establishment of student and faculty fellowships and internships for training and education in international business activities;
- (h) Development of opportunities for business and other professional school junior faculty to acquire or strengthen international skills and perspectives;
- (i) Development of research programs on issues of common interest to institutions of higher education and private sector organizations and associations engaged in or promoting international economic activity;
- (j) The establishment of internships overseas to enable foreign language students to develop their foreign language skills and their knowledge of foreign cultures and societies;
- (k) Establishing linkages overseas with institutions of higher education and organizations that contribute to the educational objectives of this program; and
- (l) Summer institutes in international business, foreign [areas](#), and other international studies designed to carry out the purposes of this program.

(Authority: 20 U.S.C. 1130-1130b) [49 FR 24362, June 12, 1984, as amended at 52 FR 28426, July 29, 1987; 58 FR 32577, June 10, 1993]

§ 661.20 What must an application include?

An institution that applies for a grant under this program shall include the following in its application:

- (a)(1) A copy of the agreement between the applicant and the other party or parties described in § 661.2 for the purpose of carrying out the activities for which the applicant seeks assistance.
- (2) The agreement must be signed by all parties, and it must describe the manner in which the business enterprise, trade association, or organization will assist in carrying out the activities proposed in the application.
- (b) An assurance that the applicant will use the funds to supplement and not ~~to~~ supplant activities conducted by the applicant.
- (c) An assurance that, where applicable, the activities funded by the grant will reflect diverse perspectives and a wide range of views on world regions and international affairs.

(d) An assurance that the applicant seeks to improve understanding of how free markets expand the capacity of American businesses to engage in commerce outside the United States.

(e) An assurance that the applicant seeks to contribute to the ability of United States business to prosper in an international economy.

(Authority: 20 U.S.C. 1130, 1130a) [49 FR 24362, June 12, 1984, as amended at 74 FR 35074, July 17, 2009]

§ 661.30 How does the Secretary evaluate an application?

The Secretary evaluates an application for a grant under this program on the basis of the criteria in § 661.31. The Secretary informs applicants of the maximum possible score for each criterion in the application package or in a notice published in the Federal Register.

(Authority: 20 U.S.C. 1130a) [70 FR 13376, Mar. 21, 2005]

§ 661.31 What selection criteria does the Secretary use?

The Secretary evaluates an application for a grant under this program on the basis of the criteria in this section.

(a) *Plan of operation.* (See 34 CFR 655.31(a).)

(b) *Qualifications of the key personnel.* (See 34 CFR 655.31(b).)

(c) *Budget and cost effectiveness.* (See 34 CFR 655.31(c).)

(d) *Evaluation plan.* (See 34 CFR 655.31(d).)

(e) *Adequacy of resources.* (See 34 CFR 655.31(e).)

(f) *Need for the project.*

The Secretary reviews each application for information that shows the need for the project, and the extent to which the proposed project will promote linkages between institutions of higher education and the business community involved in international economic activities in order to expand the capacity of American businesses to engage in commerce outside the United States.

(Authority: 20 U.S.C. 1130a) [49 FR 24362, June 12, 1984, as amended at 70 FR 13376, Mar. 21, 2005]

§ 661.32 What priorities may the Secretary establish?

(a) The Secretary may each year establish priorities for funding from the activities described in § 661.10.

(b) The Secretary announces any priorities in the application notice published in the Federal Register.

(c) Types of institutions that may have greater interest or ability in contributing to the security, stability, and economic vitality of the United States, such as military academies.

(d) The Secretary may employ the following priority: "Institutions, projects, or programs that promote free markets as a way to expand the capacity of American businesses to engage in commerce outside the United States."

(e) The Secretary may employ the following priority: "Partnerships or consortia among institutions and entities that promote the role of free markets in expanding the capacity of American businesses to engage in commerce outside the United States."

(f) Any other priorities that the Secretary determines to be proper to carry out this program, except that the Secretary will not establish a priority for applications from Minority-Serving Institutions or from consortia or partnerships that include Minority-Serving Institutions.

(g) The Secretary establishes a competitive priority in each grant competition as follows, and this priority is worth at least five percent of the available points (for example, at least five points over a baseline maximum score of 100 points): "The applicant will engage in development or operation of programs to inform the public of increasing international economic interdependence and the role of American business within the international economic system, emphasizing the role of free markets."

(h) The Secretary establishes a competitive priority in each grant competition as follows, and this priority is worth at least five percent of the available points: "The applicant will engage in development or operation of research programs on issues of common interest to institutions of higher education and private sector organizations and associations engaged in or promoting international economic activity, emphasizing the role of free markets, and prioritizing new faculty hires and graduate fellowships." Among other possible requests, applicants may request up to and including one million dollars for each proposed faculty hire.

(i) The Secretary establishes a competitive priority in each grant competition as follows, and this priority is worth at least five percent of the available points: "The applicant partners with an academic program that combines philosophy, politics or political science, and economics into a single program (a 'PPE' program)."

(Authority: 20 U.S.C. 1130a)

§ 661.40 What are the matching requirements?

A grantee shall pay a minimum of 50 percent of the cost of the project for each fiscal year.

(Authority: 20 U.S.C. 1130a)

Part 662 - Fulbright-Hays Doctoral Dissertation Research Abroad Fellowship Program

§ 662.1 What is the Fulbright-Hays Doctoral Dissertation Research Abroad Fellowship Program?

(a) The Fulbright-Hays Doctoral Dissertation Research Abroad Fellowship Program is designed to contribute to the development and improvement of the study of modern foreign languages and area studies in the United States by providing opportunities for scholars to conduct research abroad for the purposes of improving their skill in languages and their knowledge of the culture of the people of the countries they visit and of strengthening international cooperative relations in order to benefit the United States.

(b) Under the program, the Secretary awards fellowships, through institutions of higher education, to doctoral candidates who propose to conduct dissertation research abroad in modern foreign languages and area studies.

(Authority: 22 U.S.C. 2452(b)(6))

§ 662.2 Who is eligible to receive an institutional grant under this program?

An institution of higher education is eligible to receive an institutional grant.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

§ 662.3 Who is eligible to receive a fellowship under this program?

An individual is eligible to receive a fellowship if the individual -

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

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

(b)(1) Is a graduate student in good standing at an institution of higher education; and

(2) When the fellowship period begins, is admitted to candidacy in a doctoral degree program in modern foreign languages and area studies at that institution;

(c) Is planning a teaching career in the United States upon completion of his or her doctoral program; ~~and~~

(d) Possesses sufficient foreign language skills to carry out the dissertation research project; and

(e) Certifies a desire to strengthen international cooperative relations in order to benefit the United States.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

§ 662.4 What is the amount of a fellowship?

(a) The Secretary pays -

(1) Travel expenses to and from the residence of the fellow and the country or countries of research;

(2) A maintenance stipend for the fellow and his or her dependents related to cost of living in the host country or countries;

(3) An allowance for research-related expenses overseas, such as books, copying, tuition and affiliation fees, local travel, and other incidental expenses; and

(4) Health and accident insurance premiums.

(b) In addition, the Secretary may pay -

(1) Emergency medical expenses not covered by health and accident insurance; and

(2) The costs of preparing and transporting the remains of a fellow or dependent who dies during the term of the fellowship to his or her former home.

(c) The Secretary announces the amount of benefits expected to be available in an application notice published in the Federal Register.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e) (1) and (2))

§ 662.5 What is the duration of a fellowship?

(a) A fellowship is for a period of not fewer than six nor more than twelve months.

(b) A fellowship may not be renewed.

(Authority: 22 U.S.C. 2452(b)(6))

§ 662.6 What regulations apply to this program?

The following regulations apply to this program:

(a) The regulations in this part 662; and

(b) The Education Department General Administrative Regulations (EDGAR) (34 CFR parts 75, 77, 81, 82, and 86).

(c)(1) 2 CFR part 180 (OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)), as adopted at 2 CFR part 3485; and

(2) 2 CFR part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards), as adopted at 2 CFR part 3474.

(Authority: 22 U.S.C. 2452(b)(6)) [63 FR 46361, Aug. 31, 1998, as amended at 79 FR 76104, Dec. 19, 2014]

§ 662.7 What definitions apply to this program?

(a) Definitions of the following terms as used in this part are contained in 2 CFR part 200, subpart A, or 34 CFR part 77:

- Applicant
- Application
- Award
- EDGAR
- Fiscal year
- Grant
- Secretary

(b) The definition of *institution of higher education* as used in this part is contained in 34 CFR 600.4.

(c) The following definitions of other terms used in this part apply to this program:

Area studies means a program of comprehensive study of the aspects of a society or societies, including the study of their geography, history, culture, economy, politics, international relations, and languages.

Binational commission means an educational and cultural commission established, through an agreement between the United States and either a foreign government or an international organization, to carry out functions in connection with the program covered by this part.

Dependent means any of the following individuals who accompany the recipient of a fellowship under this program to his or her training site for the entire fellowship period if the individual receives more than 50 percent of his or her support from the recipient during the fellowship period:

- (1) The recipient's spouse.
- (2) The recipient's or spouse's children who are unmarried and under age 21.

J. William Fulbright Foreign Scholarship Board means the presidentially-appointed board that is responsible for supervision of the program covered by this part.

Minority-Serving Institution means an institution that is eligible to receive assistance under sections 316 through 320 of part A of title III, under part B of title III, or under title V of the HEA.

(Authority: 22 U.S.C. 2452(b)(6), 2456) [63 FR 46361, Aug. 31, 1998, as amended at 79 FR 76104, Dec. 19, 2014]

§ 662.10 How does an individual apply for a fellowship?

(a) An individual applies for a fellowship by submitting an application to the Secretary through the institution of higher education in which the individual is enrolled.

(b) The applicant shall provide sufficient information concerning his or her personal and academic background and proposed research project to enable the Secretary to determine whether the applicant -

(1) Is eligible to receive a fellowship under § 662.3; and

(2) Should be selected to receive a fellowship under subparts C and D of this part.

(Authority: 22 U.S.C. 2452(b)(6))

§ 662.11 What is the role of the institution in the application process?

An institution of higher education that participates in this program is responsible for -

(a) Making fellowship application materials available to its students;

(b) Accepting and screening applications in accordance with its own technical and academic criteria;

(c) Not engaging in any form of unlawful affirmative action at any point, such as discriminating on the basis of race or sex in promoting the opportunity, screening applicants, or selecting applicants;

(d) Assuring the Secretary that the institution, if a public institution, does not and will not violate any constitutional right of any fellow, and if a private institution, does and will comply with its stated institutional policies regarding freedom of speech, including academic freedom; and

(ee) Forwarding screened applications to the Secretary and requesting an institutional grant.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

§ 662.20 How is a Fulbright-Hays Doctoral Dissertation Research Abroad Fellow selected?

(a) The Secretary considers applications for fellowships under this program that have been screened and submitted by eligible institutions. The Secretary evaluates these applications on the basis of the criteria in § 662.21.

(b) The Secretary does not consider applications to carry out research in a country in which the United States has no diplomatic representation.

(c) In evaluating applications, the Secretary obtains the advice of panels of United States academic specialists in modern foreign languages and area studies. Each panelist must provide an assurance to the Secretary that, in providing advice, he or she seeks to strengthen international cooperative relations in order to benefit the United States.

(d) The Secretary gives preference to applicants who have served in the armed services of the United States if their applications are reasonably equivalent to those of other applicants on the basis of the criteria in § 662.21.

(e) The Secretary considers information on budget, political sensitivity, and feasibility from binational commissions or United States diplomatic missions, or both, in the proposed country or countries of research.

(f) The Secretary presents recommendations for recipients of fellowships to the J. William Fulbright Foreign Scholarship Board, which reviews the recommendations and approves recipients.

(Authority: 22 U.S.C. 2452(b)(6), 2456)

§ 662.21 What criteria does the Secretary use to evaluate an application for a fellowship?

(a) *General.* The Secretary evaluates an application for a fellowship on the basis of the criteria in this section. The Secretary informs applicants of the maximum possible score for each criterion in the application package or in a notice published in the Federal Register.

(b) *Quality of proposed project.* The Secretary reviews each application to determine the quality of the research project proposed by the applicant. The Secretary considers -

(1) The statement of the major hypotheses to be tested or questions to be examined, and the description and justification of the research methods to be used;

(2) The relationship of the research to the literature on the topic and to major theoretical issues in the field, and the project's originality and importance in terms of the concerns of the discipline;

(3) The preliminary research already completed in the United States and overseas or plans for such research prior to going overseas, and the kinds, quality and availability of data for the research in the host country or countries;

(4) The justification for overseas field research and preparations to establish appropriate and sufficient research contacts and affiliations abroad;

(5) The applicant's plans to share the results of the research in progress and a copy of the dissertation with scholars and officials of the host country or countries; and

(6) The guidance and supervision of the dissertation advisor or committee at all stages of the project, including guidance in developing the project, understanding research conditions abroad, and acquainting the applicant with research in the field.

(c) *Qualifications of the applicant.* The Secretary reviews each application to determine the qualifications of the applicant. The Secretary considers -

(1) The overall strength of the applicant's graduate academic record;

(2) The extent to which the applicant's academic record demonstrates strength in area studies relevant to the proposed project;

(3) The applicant's proficiency in one or more of the languages (other than English and the applicant's native language) of the country or countries of research, and the specific measures to be taken to overcome any anticipated language barriers; ~~and~~

(4) The applicant's ability to conduct research in a foreign cultural context, as evidenced by the applicant's references or previous overseas experience, or both; and

(5) The applicant's desire to strengthen international cooperative relations in order to benefit the United States.

(d) *Priorities.* (1) The Secretary determines the extent to which the application responds to any priority that the Secretary establishes for the selection of fellows in any fiscal year. The Secretary announces any priorities in an application notice published in the Federal Register.

(2) Priorities may relate to certain world areas, countries, academic disciplines, languages, topics, institutions, or combinations of any of these categories. For example, the Secretary may establish a priority for -

(i) A specific geographic area or country, such as the Caribbean or Poland;

(ii) An academic discipline, such as economics or political science;

(iii) A language, such as Tajik or Indonesian; ~~or~~

(iv) A topic, such as international business ~~public health issues or the environment;~~ or

(v) Types of institutions that may have greater interest or ability in strengthening international cooperative relations in order to benefit the United States, such as military academies.

(3) The Secretary will not establish a priority for applications from Minority-Serving Institutions.

(Approved by the Office of Management and Budget under control number 1840-0005)
(Authority: 22 U.S.C. 2452(b)(6), 2456(a)(2)) [63 FR 46361, Aug. 31, 1998, as amended at 70 FR 13376, Mar. 21, 2005]

§ 662.22 How does the J. William Fulbright Foreign Scholarship Board select fellows?

(a) The J. William Fulbright Foreign Scholarship Board selects fellows on the basis of the Secretary's recommendations and the information described in § 662.20(e) from binational commissions or United States diplomatic missions.

(b) No applicant for a fellowship may be awarded more than one graduate fellowship under the Fulbright-Hays Act from appropriations for a given fiscal year.

(Authority: 22 U.S.C. 2452(b)(6), 2456(a)(1))

§ 662.30 What are an institution's responsibilities after the award of a grant?

(a) An institution to which the Secretary awards a grant under this part is responsible for administering the grant in accordance with the regulations described in § 662.6.

(b) The institution is responsible for processing individual applications for fellowships in accordance with procedures described in § 662.11.

(c) The institution is responsible for disbursing funds in accordance with procedures described in § 662.4.

(d) The Secretary awards the institution an administrative allowance of \$100 for each fellowship listed in the grant award document.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

§ 662.41 What are a fellow's responsibilities after the award of a fellowship?

As a condition of retaining a fellowship, a fellow shall -

(a) Maintain satisfactory progress in the conduct of his or her research;

(b) Devote full time to research on the approved topic;

(c) Not engage in unauthorized (by the home institution) income-producing activities during the period of the fellowship that occupy more than 20 hours in any one-week period; and

(d) Remain a student in good academic and disciplinary standing with the grantee institution during the period of the fellowship.

(Authority: 22 U.S.C. 2452(b)(6))

§ 662.42 How may a fellowship be revoked?

(a) The fellowship may be revoked only by the J. William Fulbright Foreign Scholarship Board upon the recommendation of the Secretary.

(b) The Secretary may recommend a revocation of a fellowship on the basis of -

(1) The fellow's failure to meet any of the conditions in § 662.41; ~~or~~

(2) Any violation of the standards of conduct adopted by the J. William Fulbright Foreign Scholarship Board, insofar as those standards are consistent with freedom of speech, academic freedom, and religious liberty, and insofar as alleged violations are judged on the basis of a clear-and-convincing standard of evidence and by affording due process to the fellow; or

(3) The fellow's declaration to the Secretary that he or she no longer desires to strengthen international cooperative relations in order to benefit the United States.

(Authority: 22 U.S.C. 2452(b)(6), 2456, and Policy Statements of the J. William Fulbright Foreign Scholarship Board, 1990)

§ 662.50 Severability.

If any provision of this part 662 or its application to any person, act, or practice is held invalid, the remainder of the part or the application of its provisions to any person, act, or practice shall not be affected thereby.

Part 663 - Fulbright-Hays Faculty Research Abroad Fellowship Program

§ 663.1 What is the Fulbright-Hays Faculty Research Abroad Fellowship Program?

(a) The Fulbright-Hays Faculty Research Abroad Program is designed to contribute to the development and improvement of modern foreign language and area studies in the United States by providing opportunities for scholars to conduct research abroad for the purposes of improving their skill in languages and their knowledge of the culture of the people of the countries they visit and of strengthening international cooperative relations in order to benefit the United States.

(b) Under the program, the Secretary awards fellowships, through institutions of higher education, to faculty members who propose to conduct research abroad in modern foreign languages and area studies to improve their skill in languages and knowledge of the culture of the people of these countries and to strengthen international cooperative relations in order to benefit the United States.

(Authority: 22 U.S.C. 2452(b)(6))

§ 663.2 Who is eligible to receive an institutional grant under this program?

An institution of higher education is eligible to receive an institutional grant.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

§ 663.3 Who is eligible to receive a fellowship under this program?

An individual is eligible to receive a fellowship if the individual -

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

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

(b) Is employed by an institution of higher education;

(c) Has been engaged in teaching relevant to his or her foreign language or area studies specialization for the two years immediately preceding the date of the award;

(d) Proposes research relevant to his or her modern foreign language or area specialization which is not dissertation research for a doctoral degree; ~~and~~

(e) Possesses sufficient foreign language skills to carry out the research project; and

(f) Certifies a desire to strengthen international cooperative relations in order to benefit the United States.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

§ 663.4 What is the amount of a fellowship?

(a) The Secretary pays -

(1) Travel expenses to and from the residence of the fellow and the country or countries of research;

(2) A maintenance stipend for the fellow related to his or her academic year salary; and

(3) An allowance for research-related expenses overseas, such as books, copying, tuition and affiliation fees, local travel, and other incidental expenses.

(b) The Secretary may pay -

(1) Emergency medical expenses not covered by the faculty member's health and accident insurance; and

(2) The costs of preparing and transporting the remains of a fellow or dependent who dies during the term of the fellowship to his or her former home.

(c) The Secretary announces the amount of benefits expected to be available in an application notice published in the Federal Register.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e) (1) and (2))

§ 663.5 What is the duration of a fellowship?

(a) A fellowship is for a period of not fewer than three nor more than twelve months.

(b) A fellowship may not be renewed.

(Authority: 22 U.S.C. 2452(b)(6))

§ 663.6 What regulations apply to this program?

The following regulations apply to this program:

(a) The regulations in this part 663; and

(b) The Education Department General Administrative Regulations (EDGAR) (34 CFR parts 75, 77, 81, 82, and 86).

(c)(1) 2 CFR part 180 (OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)), as adopted at 2 CFR part 3485; and

(2) 2 CFR part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards), as adopted at 2 CFR part 3474.

(Authority: 22 U.S.C. 2452(b)(6)) [63 FR 46363, Aug. 31, 1998, as amended at 79 FR 76104, Dec. 19, 2014]

§ 663.7 What definitions apply to this program?

(a) Definitions of the following terms as used in this part are contained in 2 CFR part 200, subpart A, or 34 CFR part 77:

- Applicant
- Application
- Award
- EDGAR
- Fiscal year
- Grant

- Secretary

(b) The definition of *institution of higher education* as used in this part is contained in 34 CFR 600.4.

(c) The following definitions of other terms used in this part apply to this program:

Area studies means a program of comprehensive study of the aspects of a society or societies, including the study of their geography, history, culture, economy, politics, international relations, and languages.

Binational commission means an educational and cultural commission established, through an agreement between the United States and either a foreign government or an international organization, to carry out functions in connection with the program covered by this part.

Dependent means any of the following individuals who accompany the recipient of a fellowship under this program to his or her training site for the entire fellowship period if the individual receives more than 50 percent of his or her support from the recipient during the fellowship period:

- (1) The recipient's spouse.
- (2) The recipient's or spouse's children who are unmarried and under age 21.

J. William Fulbright Foreign Scholarship Board means the presidentially-appointed board that is responsible for supervision of the program covered by this part.

Minority-Serving Institution means an institution that is eligible to receive assistance under sections 316 through 320 of part A of title III, under part B of title III, or under title V of the HEA.

(Authority: 22 U.S.C. 2452(b)(6), 2456) [63 FR 46363, Aug. 31, 1998, as amended at 79 FR 76104, Dec. 19, 2014]

§ 663.10 How does an individual apply for a fellowship?

(a) An individual applies for a fellowship by submitting an application to the Secretary through the institution of higher education at which the individual is employed.

(b) The applicant shall provide sufficient information concerning his or her personal and academic background and proposed research project to enable the Secretary to determine whether the applicant -

- (1) Is eligible to receive a fellowship under § 663.3; and
- (2) Should be selected to receive a fellowship under subparts C and D of this part.

(Authority: 22 U.S.C. 2452(b)(6))

§ 663.11 What is the role of the institution in the application process?

An institution of higher education that participates in this program is responsible for -

- (a) Making fellowship application materials available to its faculty;
- (b) Accepting and screening applications in accordance with its own technical and academic criteria;

(c) Not engaging in any unlawful form of affirmative action at any point, such as discriminating on the basis of race or sex in promoting the opportunity, screening applicants, or selecting applicants;

(d) Assuring the Secretary that the institution, if a public institution, does not and will not violate any constitutional right of any fellow, and if a private institution, does and will comply with its stated institutional policies regarding freedom of speech, including academic freedom; and

(ee) Forwarding screened applications to the Secretary through a request for an institutional grant.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

§ 663.20 How is a Fulbright-Hays Faculty Research Abroad Fellow selected?

(a) The Secretary considers applications for fellowships under this program that have been screened and submitted by eligible institutions. The Secretary evaluates these applications on the basis of the criteria in § 663.21.

(b) The Secretary does not consider applications to carry out research in a country in which the United States has no diplomatic representation.

(c) In evaluating applications, the Secretary obtains the advice of panels of United States academic specialists in modern foreign languages and area studies. Each panelist must provide an assurance to the Secretary that, in providing advice, he or she seeks to strengthen international cooperative relations in order to benefit the United States.

(d) The Secretary gives preference to applicants who have served in the armed services of the United States if their applications are reasonably equivalent to those of other applicants on the basis of the criteria in § 663.21.

(e) The Secretary considers information on budget, political sensitivity, and feasibility from binational commissions or United States diplomatic missions, or both, in the proposed country or countries of research.

(f) The Secretary presents recommendations for recipients of fellowships to the J. William Fulbright Foreign Scholarship Board, which reviews the recommendations and approves recipients.

(Authority: 22 U.S.C. 2452(b)(6), 2456)

§ 663.21 What criteria does the Secretary use to evaluate an application for a fellowship?

(a) *General.* The Secretary evaluates an application for a fellowship on the basis of the criteria in this section. The Secretary informs applicants of the maximum possible score for each criterion in the application package or in a notice published in the Federal Register.

(b) *Quality of proposed project.* The Secretary reviews each application to determine the quality of the research project proposed by the applicant. The Secretary considers -

(1) The statement of the major hypotheses to be tested or questions to be examined, and the description and justification of the research methods to be used;

(2) The relationship of the research to the literature on the topic and to major theoretical issues in the field, and the project's importance in terms of the concerns of the discipline;

(3) The preliminary research already completed or plans for research prior to going overseas, and the kinds, quality and availability of data for the research in the host country or countries;

(4) The justification for overseas field research, and preparations to establish appropriate and sufficient research contacts and affiliations abroad;

(5) The applicant's plans to share the results of the research in progress with scholars and officials of the host country or countries and the American scholarly community; and

(6) The objectives of the project regarding the sponsoring institution's plans for developing or strengthening, or both, curricula in modern foreign languages and area studies.

(c) *Qualifications of the applicant.* The Secretary reviews each application to determine the qualifications of the applicant. The Secretary considers -

(1) The overall strength of applicant's academic record (teaching, research, contributions, professional association activities);

(2) The applicant's excellence as a teacher or researcher, or both, in his or her area or areas of specialization;

(3) The applicant's proficiency in one or more of the languages (other than English and the applicant's native language), of the country or countries of research, and the specific measures to be taken to overcome any anticipated language barriers; ~~and~~

(4) The applicant's ability to conduct research in a foreign cultural context, as evidenced by the applicant's previous overseas experience, or documentation provided by the sponsoring institution, or both; ~~and-~~

(5) The applicant's desire to strengthen international cooperative relations in order to benefit the United States.

(d) *Priorities.* (1) The Secretary determines the extent to which the application responds to any priority that the Secretary establishes for the selection of fellows in any fiscal year. The Secretary announces any priorities in an application notice published in the Federal Register.

(2) Priorities may relate to certain world areas, countries, academic disciplines, languages, topics, institutions, or combinations of any of these categories. For example, the Secretary may establish a priority for -

(i) A specific geographic area or country, such as East Asia or Latvia;

(ii) An academic discipline, such as history or political science;

(iii) A language, such as Hausa or Telegu; ~~or~~

(iv) A topic, such as religious fundamentalism or migration; or-

(v) Types of institutions that may have greater interest or ability in strengthening international cooperative relations in order to benefit the United States, such as military academies.

(3) The Secretary will not establish a priority for applications from Minority-Serving Institutions.

(Approved by the Office of Management and Budget under control number 1840-0005)
(Authority: 22 U.S.C. 2452(b)(6), 2456(a)(2)) [63 FR 46363, Aug. 31, 1998, as amended at 70 FR 13376, Mar. 21, 2005]

§ 663.22 How does the J. William Fulbright Foreign Scholarship Board select fellows?

The J. William Fulbright Foreign Scholarship Board selects fellows on the basis of the Secretary's recommendations and the information described in § 663.20(e) from binational commissions or United States diplomatic missions.

(Authority: 22 U.S.C. 2452(b)(6), 2456(a)(1))

§ 663.30 What are an institution's responsibilities after the award of a grant?

(a) An institution to which the Secretary awards a grant under this part is responsible for administering the grant in accordance with the regulations described in § 663.6.

(b) The institution is responsible for processing individual applications for fellowships in accordance with procedures described in § 663.11.

(c) The institution is responsible for disbursing funds in accordance with procedures described in § 663.4.

(d) The Secretary awards the institution an administrative allowance of \$100 for each fellowship listed in the grant award document.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

§ 663.41 What are a fellow's responsibilities after the award of a fellowship?

As a condition of retaining a fellowship, a fellow shall -

(a) Maintain satisfactory progress in the conduct of his or her research;

(b) Devote full time to research on the approved topic;

(c) Not engage in unauthorized (by the home institution) income-producing activities during the period of the fellowship that occupy more than 20 hours in any one-week period; and

(d) Remain employed by the grantee institution during the period of the fellowship.

(Authority: 22 U.S.C. 2452(b)(6))

§ 663.42 How may a fellowship be revoked?

(a) The fellowship may be revoked only by the J. William Fulbright Foreign Scholarship Board upon the recommendation of the Secretary.

(b) The Secretary may recommend a revocation of a fellowship on the basis of -

(1) The fellow's failure to meet any of the conditions in § 663.41; ~~or~~

(2) Any violation of the standards of conduct adopted by the J. William Fulbright Foreign Scholarship Board, insofar as those standards are consistent with freedom of speech, academic freedom, and religious liberty, and insofar as alleged violations are judged on the basis of a clear-and-convincing standard of evidence and by affording due process to the fellow; or

(3) The fellow's declaration to the Secretary that he or she no longer desires to strengthen international cooperative relations in order to benefit the United States.

(Authority: 22 U.S.C. 2452(b)(6), 2456, and Policy Statements of the J. William Fulbright Foreign Scholarship Board, 1990)

§ 663.50 Severability.

If any provision of this part 663 or its application to any person, act, or practice is held invalid, the remainder of the part or the application of its provisions to any person, act, or practice shall not be affected thereby.

Part 664 - Fulbright-Hays Group Projects Abroad Program

§ 664.1 What is the Fulbright-Hays Group Projects Abroad Program?

(a) The Fulbright-Hays Group Projects Abroad Program is designed to contribute to the development and improvement of the study of modern foreign languages and area studies in the United States by providing opportunities for teachers, students, and faculty to study in foreign countries for the purposes of improving their skill in languages and their knowledge of the culture of the people of the countries they visit and of strengthening international cooperative relations in order to benefit the United States.

(b) Under the program, the Secretary awards grants to eligible institutions, departments, and organizations to conduct overseas group projects in research, training, and curriculum development.

(Authority: 22 U.S.C. 2452(b)(6))

§ 664.2 Who is eligible to apply for assistance under the Fulbright-Hays Group Projects Abroad Program?

The following are eligible to apply for assistance under this part:

- (a) Institutions of higher education;
- (b) State departments of education;
- (c) Private non-profit educational organizations; and
- (d) Consortia of institutions, departments, and organizations described in paragraphs (a), (b), or (c) of this section.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

§ 664.3 Who is eligible to participate in projects funded under the Fulbright-Hays Group Projects Abroad Program?

An individual is eligible to participate in a Fulbright-Hays Group Projects Abroad, if the individual -

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

(2) Is a permanent resident of the United States; and

(b)(1) Is a faculty member who teaches modern foreign languages or area studies in an institution of higher education;

(2) Is a teacher in an elementary or secondary school;

(3) Is an experienced education administrator responsible for planning, conducting, or supervising programs in modern foreign languages or area studies at the elementary, secondary, or postsecondary level; or

(4) Is a graduate student, or a junior or senior in an institution of higher education, who plans a teaching career in modern foreign languages or area studies; ~~and~~.

(5) Seeks to strengthen international cooperative relations in order to benefit the United States.

(Authority: 22 U.S.C. 2452(b)(6))

§ 664.4 What regulations apply to the Fulbright-Hays Group Projects Abroad Program?

The following regulations apply to this program:

(a) The regulations in this part 664; and

(b) The Education Department General Administrative Regulations (EDGAR) (34 CFR parts 75, 77, 81, 82, and 86).

(c)(1) 2 CFR part 180 (OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)), as adopted at 2 CFR part 3485; and

(2) 2 CFR part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards), as adopted at 2 CFR part 3474.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1), 2456(a)(2)) [63 FR 46366, Aug. 31, 1998, as amended at 79 FR 76104, Dec. 19, 2014]

§ 664.5 What definitions apply to the Fulbright-Hays Group Projects Abroad Program?

(a) *General definitions.* The following terms used in this part are defined in 2 CFR part 200, subpart A, or 34 CFR part 77:

- Applicant
- Application
- Award
- EDGAR
- Equipment

- Facilities
- Grant
- Grantee
- Nonprofit
- Project
- Private
- Public
- Secretary
- State
- State educational agency
- Supplies
- (Authority: 22 U.S.C. 2452(b)(6))

(b) *Definitions that apply to this program:* The following definitions apply to the Fulbright-Hays Group Projects Abroad Program:

Area studies means a program of comprehensive study of the aspects of a society or societies, including the study of their geography, history, culture, economy, politics, international relations, and languages.

Binational commission means an educational and cultural commission established, through an agreement between the United States and either a foreign government or an international organization, to carry out functions in connection with the program covered by this part.

Institution of higher education means an educational institution in any State that -

- (1) Admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate;
- (2) Is legally authorized within such State to provide a program of education beyond secondary education;
- (3) Provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree;
- (4) Is a public or other nonprofit institution; and
- (5) Is accredited by a nationally recognized accrediting agency or association.

J. William Fulbright Foreign Scholarship Board means the presidentially appointed board that is responsible for supervision of the program covered by this part.

Minority-Serving Institution means an institution that is eligible to receive assistance under sections 316 through 320 of part A of title III, under part B of title III, or under title V of the HEA.

(Authority: 22 U.S.C. 2452(b)(6), 2456) [63 FR 46366, Aug. 31, 1998, as amended at 79 FR 76104, Dec. 19, 2014]

§ 664.10 What kinds of projects does the Secretary assist?

The Secretary assists projects designed to develop or improve programs in modern foreign language or area studies at the elementary, secondary, or postsecondary level by supporting overseas projects in research, training, and curriculum development by groups of individuals engaged in a common endeavor. Projects may include, as described in §§ 664.11 through 664.14, short-term seminars, curriculum development teams, group research or study, and advanced intensive language programs.

(Authority: 22 U.S.C. 2452(b)(6))

§ 664.11 What is a short-term seminar project?

A short-term seminar project is -

- (a) Designed to help integrate international studies into an institution's or school system's general curriculum; and
- (b) Normally four to six weeks in length and focuses on a particular aspect of area study, such as, for example, the culture of the area or a portion of the culture.

(Authority: 22 U.S.C. 2452(b)(6))

§ 664.12 What is a curriculum development project?

(a) A curriculum development project -

- (1) Is designed to permit faculty and administrators in institutions of higher education and elementary and secondary schools, and administrators in State departments of education the opportunity to spend generally from four to eight weeks in a foreign country acquiring resource materials for curriculum development in modern foreign language and area studies; and
 - (2) Must provide for the systematic use and dissemination in the United States of the acquired materials.
- (b) For the purpose of this section, resource materials include artifacts, books, documents, educational films, museum reproductions, recordings, and other instructional material.

(Authority: 22 U.S.C. 2452(b)(6))

§ 664.13 What is a group research or study project?

(a)(1) A group research or study project is designed to permit a group of faculty of an institution of higher education and graduate and undergraduate students to undertake research or study in a foreign country.

(2) The period of research or study in a foreign country is generally from three to twelve months.

(b) As a prerequisite to participating in a research or training project, participants -

(1) Must possess the requisite language proficiency to conduct the research or study, and disciplinary competence in their area of research; and

(2) In a project of a semester or longer, shall have completed, at a minimum, one semester of intensive language training and one course in area studies relevant to the projects.

(Authority: 22 U.S.C. 2452(b)(6))

§ 664.14 What is an advanced overseas intensive language training project?

(a)(1) An advanced overseas intensive language project is designed to take advantage of the opportunities present in the foreign country that are not present in the United States when providing intensive advanced foreign language training.

(2) Project activities may be carried out during a full year, an academic year, a semester, a trimester, a quarter, or a summer.

(3) Generally, language training must be given at the advanced level, i.e., at the level equivalent to that provided to students who have successfully completed two academic years of language training.

(4) The language to be studied must be indigenous to the host country and maximum use must be made of local institutions and personnel.

(b) Generally, participants in projects under this program must have successfully completed at least two academic years of training in the language to be studied.

(Authority: 22 U.S.C. 2452(b)(6))

§ 664.30 How does the Secretary evaluate an application?

(a) The Secretary evaluates an application for a Group Project Abroad on the basis of the criteria in § 664.31. The Secretary informs applicants of the maximum possible score for each criterion in the application package or in a notice published in the Federal Register.

(b) All selections by the Secretary are subject to review and final approval by the J. William Fulbright Foreign Scholarship Board.

(c) The Secretary does not recommend a project to the J. William Fulbright Foreign Scholarship Board if the applicant proposes to carry it out in a country in which the United States does not have diplomatic representation.

(Authority: 22 U.S.C. 2452(b)(6), 2456) [63 FR 46366, Aug. 31, 1998, as amended at 70 FR 13376, Mar. 21, 2005]

§ 664.31 What selection criteria does the Secretary use?

The Secretary uses the criteria in this section to evaluate applications for the purpose of recommending to the J. William Fulbright Foreign Scholarship Board Group Projects Abroad for funding under this part.

(a) *Plan of operation.* (1) The Secretary reviews each application for information to determine 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 ensure that project participants who are otherwise eligible to participate are selected without regard to race, color, national origin, gendersex, age, or handicapping condition.

(b) *Quality of key personnel.* (1) The Secretary reviews each application for information to determine the quality 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;

(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) Whether each person referred to in paragraphs (b)(2)(i) and (ii) of this section seeks to strengthen international cooperative relations in order to benefit the United States; and

(iv) The extent to which the applicant, as part of its nondiscriminatory employment practices, will ensure that its personnel are selected for employment without regard to race, color, national origin, gender, age, or handicapping condition.

(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 that the methods of evaluation 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 that the facilities, equipment, and supplies that the applicant plans to use are adequate.

(f) *Specific program criteria.* (1) In addition to the general selection criteria contained in this section, the Secretary reviews each application for information that shows that the project meets the specific program criteria.

(2) The Secretary looks for information that shows -

(i) The potential impact of the project on the development of the study of modern foreign languages and area studies in American education.

(ii) The project's relevance to the applicant's educational goals and its relationship to its program development in modern foreign languages and area studies.

(iii) The extent to which direct experience abroad is necessary to achieve the project's objectives and the effectiveness with which relevant host country resources will be utilized.

(g) *Priorities*. The Secretary looks for information that shows the extent to which the project addresses program priorities in the field of modern foreign languages and area studies for that year.

(Approved by the Office of Management and Budget under control number 1840-0068)
(Authority: 22 U.S.C. 2452(b)(6), 2456(a)(2)) [63 FR 46366, Aug. 31, 1998, as amended at 70 FR 13376, Mar. 21, 2005]

§ 664.32 What priorities may the Secretary establish?

(a) The Secretary may establish for each funding competition one or more of the following priorities:

(1) Categories of projects described in § 664.10.

(2) Specific languages, topics, countries or geographic regions of the world; for example, Chinese and Arabic, Curriculum Development in Multicultural Education and Transitions from Planned Economies to Market Economies, Brazil and Nigeria, Middle East and South Asia.

(3) Levels of education; for example, elementary and secondary, postsecondary, or postgraduate.

(4) Types of institutions that may have greater interest or ability in strengthening international cooperative relations in order to benefit the United States, such as military academies.

(b) The Secretary will not establish a priority for applications from Minority-Serving Institutions.

~~(c)~~ (b) The Secretary announces any priorities in the application notice published in the Federal Register.

(Authority: 22 U.S.C. 2452(b)(6), 2456(a)(2))

§ 664.33 What costs does the Secretary pay?

(a) The Secretary pays only part of the cost of a project funded under this part. Other than travel costs, the Secretary does not pay any of the costs for project-related expenses within the United States.

(b) The Secretary pays the cost of the following -

(1) A maintenance stipend related to the cost of living in the host country or countries;

(2) Round-trip international travel;

(3) A local travel allowance for necessary project-related transportation within the country of study, exclusive of the purchase of transportation equipment;

- (4) Purchase of project-related artifacts, books, and other teaching materials in the country of study;
 - (5) Rent for instructional facilities in the country of study;
 - (6) Clerical and professional services performed by resident instructional personnel in the country of study; and
 - (7) Other expenses in the country of study, if necessary for the project's success and approved in advance by the Secretary.
- (c) The Secretary may pay -
- (1) Emergency medical expenses not covered by a participant's health and accident insurance; and
 - (2) The costs of preparing and transporting the remains of a participant who dies during the term of a project to his or her former home.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

§ 664.40 Can participation in a Fulbright-Hays Group Projects Abroad be terminated?

- (a) Participation may be terminated only by the J. William Fulbright Foreign Scholarship Board upon the recommendation of the Secretary.
- (b) The Secretary may recommend a termination of participation on the basis of failure by the grantee to ensure that participants adhere to the standards of conduct adopted by the J. William Fulbright Foreign Scholarship Board, insofar as those standards are consistent with freedom of speech, academic freedom, and religious liberty, and insofar as alleged violations are judged on the basis of a clear-and-convincing standard of evidence and by affording due process to the accused.

(c) The Secretary may terminate a grant to an institution of higher education or to a consortium that includes an institution of higher education if the institution is a public institution that violates any constitutional right of any participant, or if the institution is a private institution that fails to comply with its stated institutional policies regarding freedom of speech, including academic freedom, in restricting the speech or academic freedom of a participant.

(Authority: 22 U.S.C. 2452(b)(6), 2456, and Policy Statements of the J. William Fulbright Foreign Scholarship Board, 1990)

§ 664.50 Severability.

If any provision of this part 664 or its application to any person, act, or practice is held invalid, the remainder of the part or the application of its provisions to any person, act, or practice shall not be affected thereby.

Part 668 - Centers for International Business Education Program

§ 668.1 What is the Centers for International Business Education Program?

The Centers for International Business Education Program is designed to establish and operate centers for international business education pursuant to 20 U.S.C. 1130-1.

(Authority: 20 U.S.C. 1130-1)

§ 668.2 Who is eligible to apply for a grant under the Centers for International Business Education Program?

Institutions of higher education, or consortia of such institutions, are eligible if they have established a center advisory council pursuant to 20 U.S.C. 1130-1.

(Authority: 20 U.S.C. 1130-1)

§ 668.3 What regulations apply?

The following regulations apply to this program:

(a) The regulations in 34 CFR part 655.

(b) The regulations in this part 668.

(Authority: 20 U.S.C. 1130-1)

§ 668.4 What definitions apply?

(a) *General definitions.* The following terms used in this part are defined in 2 CFR part 200, subpart A, or 34 CFR 77.1:

- Applicant
- Application
- Award
- Budget
- Contract
- EDGAR
- Equipment
- Facilities
- Fiscal Year
- Grant
- Grantee
- Nonprofit
- Profit
- Private

- Public
- Secretary
- Supplies

(b) Definitions in 34 CFR part 655. The following terms used in this part are defined in 34 CFR part 655.4(b):

- Combinations of institutions
- Institution of higher education
- Minority-Serving Institution

(Authority: 20 U.S.C. 1130-1)

§ 668.10 What activities does the Secretary assist under this program?

The activities that the Secretary assists under this program include, but are not limited to, the mandatory and permissible activities described in 20 U.S.C. 1130-1.

(Authority: 20 U.S.C. 1130-1)

§ 668.20 What must an application include?

An applicant shall include the following in its application:

(a) Assurance that the applicant has an Advisory Council with the membership described in 20 U.S.C. 1130-1(d) and that the council shall meet not less than once each year after the establishment of the center to assess and advise on the programs and activities conducted by the center;

(b) Evidence that the applicant, through its Advisory Council, has conducted or will conduct extensive planning prior to the establishment of a center concerning the scope of the center's activities and the design of its programs;

(c) Assurance of ongoing collaboration in the establishment and operation of the center by faculty of the business, management, foreign language, international studies, professional international affairs, and other professional schools or departments, as appropriate;

(d) Assurance that the education and training programs of the center will be open to students concentrating in each of these respective areas, as appropriate, and that diverse perspectives will be made available to students in programs under this section; and

(e) Assurance that the applicant will use the funds to supplement and not to supplant activities conducted by institutions of higher education that are described in 20 U.S.C. 1130-1(c)(1); and

(f) Assurance that the applicant, the Advisory Council, the center director or principal investigator, and key personnel seek to -

(1) Contribute to increasing and promoting the Nation's capacity for international understanding and economic enterprise through the provision of suitable international education and training for business personnel;

(2) Contribute to promoting institutional and noninstitutional educational and training activities that will contribute to the ability of United States business to prosper in an international economy; and

(3) Contribute to improvements in understanding the role of free markets in contributing to the ability of United States business to prosper in an international economy.

(Authority: 20 U.S.C. 1130, 1130-1)

§ 668.30 How does the Secretary evaluate an application?

The Secretary evaluates an application for a grant under this program on the basis of the criteria in § 668.31. The Secretary informs applicants of the maximum possible score for each criterion in the application package or in a notice published in the Federal Register.

(Authority: 20 U.S.C. 1130-1)

§ 668.31 What selection criteria does the Secretary use?

The Secretary evaluates an application for a grant under this program on the basis of the criteria in this section.

(a) Meeting the purposes of the authorizing statute.

The Secretary reviews each application to determine how well the applicant describes how it will establish and operate a center that -

(1) Will be a national resource for the teaching of improved business techniques, strategies, and methodologies which emphasize the international context in which business is transacted;

(2) Will provide instruction in critical foreign languages and international fields needed to provide understanding of the cultures and customs of United States trading partners; and

(3) Will provide research and training in the international aspects of trade, commerce, and other fields of study.

(b) Significance.

In determining the significance of the proposed project, the Secretary considers -

(1) The international, national, regional, and local significance of the proposed project.

(2) The importance or magnitude of the results or outcomes likely to be attained by the proposed project.

(c) Quality of the project design.

In determining the quality of the design of the proposed project, the Secretary considers the extent to which the proposed activities constitute a coherent, sustained program of research and development in the field, including, as appropriate, a substantial addition to one or more ongoing lines of inquiry.

(d) Quality of the management plan.

In determining the quality of the management plan for the proposed project, the Secretary considers the adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks.

(e) Quality of project personnel.

In determining the quality of project personnel, the Secretary considers -

(1) The qualifications, including relevant training and experience, of the center director or principal investigator, including the extent to which this individual is qualified to advance the goals described in § 668.20(f).

(3) The qualifications, including relevant training and experience, of key project personnel, including the extent to which these personnel are qualified to advance the goals described in § 668.20(f).

(f) Adequacy of resources.

In determining the adequacy of resources for the proposed project, the Secretary considers -

(1) The extent to which the costs are reasonable in relation to the objectives, design, and potential significance of the proposed project.

(2) The adequacy of support, including facilities, equipment, supplies, and other resources, from the applicant organization or the lead applicant organization.

(g) Quality of the project evaluation.

In determining the quality of the evaluation, the Secretary considers the following factors:

(1) The extent to which the methods of evaluation are thorough, feasible, and appropriate to the goals, objectives, and outcomes of the proposed project.

(2) The extent to which the methods of evaluation are appropriate to the context within which the project operates.

(3) The extent to which the methods of evaluation will provide timely guidance for quality assurance.

(4) The extent to which the methods of evaluation will provide performance feedback and permit periodic assessment of progress toward achieving intended outcomes.

(Authority: 20 U.S.C. 1130-1)

§ 668.32 What priorities may the Secretary establish?

(a) The Secretary may establish priorities from the activities described in § 668.10 or regarding -

(1) Institutions or consortia that may have greater interest or ability in contributing to the purposes of the authorizing statute;

(2) Institutions, consortia, projects, or programs that promote the role of free markets in expanding the capacity of American businesses to engage in commerce outside the United States; or

(3) Any other priorities that the Secretary determines to be proper to carry out this program, except that the Secretary will not establish a priority for applications from Minority-Serving Institutions or from consortia or partnerships that include Minority-Serving Institutions.

(b) The Secretary establishes a competitive priority in each grant competition as follows, and this priority is worth at least five percent of the available points (for example, at least five points over a baseline maximum score of 100 points): "The applicant provides or will provide research or education in the role of free enterprise in the international aspects of trade, commerce, or related fields of study."

(c) The Secretary establishes a competitive priority in each grant competition as follows, and this priority is worth at least five percent of the available points: "The applicant will engage in development or operation of research programs designed either to strengthen and improve the international aspects of business and professional education and to promote integrated curricula, or to promote the international competitiveness of American businesses and firms, including those not currently active in international trade." Among other possible requests, applicants may request up to and including one million dollars for each proposed faculty hire.

(d) The Secretary establishes a competitive priority in each grant competition as follows, and this priority is worth at least five percent of the available points: "The applicant includes or partners with an academic program that combines philosophy, politics or political science, and economics into a single program (a 'PPE' program)."

(e) The Secretary announces any priorities in the application notice published in the Federal Register.

(Authority: 20 U.S.C. 1130-1)

§ 668.40 What are other requirements?

(a) The Secretary shall make grants for a minimum of three years unless the Secretary determines that the provision of grants of shorter duration is necessary to carry out the program's objectives.

(b) Pursuant to 20 U.S.C. 1130-1(e), a grantee shall pay a waivable non-Federal share of the project cost based on the grant year.

(Authority: 20 U.S.C. 1130-1)

Part 669 - Language Resource Centers Program

§ 669.1 What is the Language Resource Centers Program?

The Language Resource Centers Program makes awards, through grants or contracts, for the purpose of establishing, strengthening, and operating centers that serve as resources for improving the nation's capacity for teaching and learning foreign languages effectively.

(Authority: 20 U.S.C. 1123)

§ 669.2 Who is eligible to receive assistance under this program?

An institution of higher education or a combination of institutions of higher education is eligible to receive an award under this part.

(Authority: 20 U.S.C. 1123)

§ 669.3 What activities may the Secretary fund?

Centers funded under this part must carry out activities to improve the teaching and learning of foreign languages. These activities must include effective dissemination efforts, whenever appropriate, and may include -

- (a) The conduct and dissemination of research on new and improved methods for teaching foreign languages, including the use of advanced educational technology;
- (b) The development and dissemination of new materials for teaching foreign languages, to reflect the results of research on effective teaching strategies;
- (c) The development, application, and dissemination of performance testing that is appropriate for use in an educational setting to be used as a standard and comparable measurement of skill levels in foreign languages;
- (d) The training of teachers in the administration and interpretation of foreign language performance tests, the use of effective teaching strategies, and the use of new technologies;
- (e) A significant focus on the teaching and learning needs of the less commonly taught languages, including an assessment of the strategic needs of the United States, the determination of ways to meet those needs nationally, and the publication and dissemination of instructional materials in the less commonly taught languages;
- (f) The development and dissemination of materials designed to serve as a resource for foreign language teachers at the elementary and secondary school levels; and

(g) The operation of intensive summer language institutes to train advanced foreign language students, to provide professional development, and to improve language instruction through preservice and inservice language training for teachers.

(Authority: 20 U.S.C. 1123) [64 FR 7741, Feb. 16, 1999]

§ 669.4 What regulations apply?

The following regulations apply to this program:

(a) The regulations in 34 CFR part 655.

(b) The regulations in this part 669.

(Authority: 20 U.S.C. 1123) [58 FR 32577, June 10, 1993]

§ 669.5 What definitions apply?

The following definitions apply to this part:

(a) The definitions in 34 CFR 655.4.

(b) “Language Resource Center” means a coordinated concentration of educational research and training resources for improving the nation's capacity to teach and learn foreign languages.

(Authority: 20 U.S.C. 1123)

§ 669.20 How does the Secretary evaluate an application?

The Secretary evaluates an application for an award on the basis of the criteria contained in §§ 669.21 and 669.22. The Secretary informs applicants of the maximum possible score for each criterion in the application package or in a notice published in the Federal Register.

(Authority: 20 U.S.C. 1123) [70 FR 13377, Mar. 21, 2005]

§ 669.21 What selection criteria does the Secretary use?

The Secretary evaluates an application on the basis of the criteria in this section.

(a) *Plan of operation.* (See 34 CFR 655.31(a))

(b) *Quality of key personnel.* (See 34 CFR 655.31(b))

(c) *Budget and cost-effectiveness.* (See 34 CFR 655.31(c))

(d) *Evaluation plan.* (See 34 CFR 655.31 (d))

(e) *Adequacy of resources.* (See 34 CFR 655.31(e))

(f) *Need and potential impact.* The Secretary reviews each application to determine -

- (1) The extent to which the proposed materials or activities are needed in the foreign languages on which the project focuses;
- (2) The extent to which the proposed materials may be used throughout the United States; and
- (3) The extent to which the proposed work or activity may contribute significantly to strengthening, expanding, or improving programs of foreign language study in the United States.

(g) *Likelihood of achieving results.* The Secretary reviews each application to determine -

- (1) The quality of the outlined methods and procedures for preparing the materials; and
- (2) The extent to which plans for carrying out activities are practicable and can be expected to produce the anticipated results.

(h) *Description of final form of results.* The Secretary reviews each application to determine the degree of specificity and the appropriateness of the description of the expected results from the project.

(i) *Priorities.* If, under the provisions of § 669.22, the application notice specifies priorities for this program, the Secretary determines the degrees to which the priorities are served.

(Approved by the Office of Management and Budget under control number 1840-0608)
(Authority: 20 U.S.C. 1123) [55 FR 2773, Jan. 26, 1990, as amended at 58 FR 32577, June 10, 1993; 70 FR 13377, Mar. 21, 2005]

§ 669.22 What priorities may the Secretary establish?

(a) The Secretary may each year select funding priorities from among the following:

- (1) Categories of allowable activities described in § 669.3.
- (2) Specific foreign languages for study or materials development.
- (3) Levels of education, for example, elementary, secondary, postsecondary, or teacher education.

(4) Types of institutions that may have greater interest or ability in strengthening the nation's capacity for teaching and learning foreign languages effectively, such as military academies.

(5) The Secretary will not establish a priority for applications from Minority-Serving Institutions.

(6) To the extent allowed by law, the Secretary will announce a competitive or absolute priority stating that to meet the priority, applicants must contract with a domestic entity other than an institution of higher education and other than an entity that directly supports the applicant, such as a university foundation or other charitable foundation. The contract must be for direct contributions to one or more of the proposed activities and must be for at least ten percent of the cost of the proposed project. If the Secretary makes this priority a competitive priority, it will be worth at least five percent of the total available score for an applicant.

(b) The Secretary announces any priorities in the application notice published in the Federal Register.

(Authority: 20 U.S.C. 1123)

§ 669.30 What are allowable equipment costs?

Equipment costs may not exceed fifteen percent of the grant amount.

(Authority: 20 U.S.C. 1123)