

**§ 472.20**

**34 CFR Ch. IV (7-1-03 Edition)**

*Private industry council* means the private industry council established under section 102 of the Job Training Partnership Act (29 U.S.C. 1512).

*Project director* means the person with day-to-day operational responsibility for the project.

*Site* means an entity other than a partner that participates in a project by providing adult workers to be trained and, at the site's option, space for this training. A site may not be a recipient of funds from partners or serve as a contractor.

*Small business* means a business entity that—

(1) Is organized for profit, with a place of business located in the United States and that makes a significant contribution to the U.S. economy through payment of taxes or use of American products, materials, or labor, or both; and

(2) May be in the legal form of an individual proprietorship, partnership, corporation, joint venture, association, trust or a cooperative, except that if the form is a joint venture, there can be no more than 49 percent participation by foreign business entities in the joint venture; and

(3) Meets the requirements found in 13 CFR part 121 concerning Standard Industrial Classification codes and size standards.

(Authority: 20 U.S.C. 1211(a))

[54 FR 34418, Aug. 18, 1989. Redesignated at 57 FR 24091, June 5, 1992, and amended at 59 FR 1443, Jan. 10, 1994]

**Subpart B [Reserved]**

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

**§ 472.20 What priorities may the Secretary establish?**

(a) The Secretary may announce through one or more notices published in the FEDERAL REGISTER the priorities for this program, if any, from the types of projects described in paragraph (b) of this section.

(b) Priority may be given to projects training adult workers who have inadequate basic skills and who—

(1) Are currently unable to perform their jobs effectively or are ineligible

for career advancement due to an identified lack of basic skills;

(2) Are employed in industries retooling with high technology and for whom training in basic skills is expected to result in continued employment;

(3) Require training in English-as-a-second-language in order to increase productivity, to continue employment, or to be eligible for career advancement; or

(4) Are employed in an industry adversely impacted by competitiveness in the world economy and for whom training is expected to result in the increased competitiveness of that industry in world markets.

(Authority: 20 U.S.C. 1211(a))

[54 FR 34418, Aug. 18, 1989. Redesignated and amended at 57 FR 24091, 24102, June 5, 1992; 59 FR 1443, Jan. 10, 1994]

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

(a) The Secretary evaluates an application on the basis of the criteria in § 472.22.

(b) The Secretary may award up to 100 points, including a reserved 10 points to be distributed in accordance with paragraph (d) of this section, based on the criteria in § 472.22.

(c) Subject to paragraph (d) of this section, the maximum possible score for each criterion is indicated in parentheses.

(d) For each competition as announced through a notice published in the FEDERAL REGISTER, the Secretary may assign the reserved points among the criteria in § 472.22.

(e) In addition to the points to be awarded based on the criteria in § 472.22, the Secretary awards five points to applications from partnerships that include as a partner a small business that has signed the partnership agreement.

(Authority: 20 U.S.C. 1211(a))

[54 FR 34418, Aug. 18, 1989. Redesignated at 57 FR 24091, June 5, 1992, and amended at 59 FR 1443, Jan. 10, 1994]

**§ 472.22 What selection criteria does the Secretary use?**

The Secretary uses the following criteria to evaluate an application: