

§ 1170.53

45 CFR Ch. XI (10–1–03 Edition)

in the program or activity had the discrimination not occurred.

(b) *Voluntary action.* A recipient may take steps, in addition to any action that is required by this part, to overcome the effects of conditions that resulted in limited participation in the recipient's program or activity by qualified handicapped persons.

(c) A recipient shall within one year of the effective date of this part:

(1) Evaluate, with the assistance of interested persons, including handicapped persons or organizations representing handicapped persons, its current policies and practices and the effects thereof that do not or may not meet the requirements of this part;

(2) Modify, after consultation with interested persons, including handicapped persons or organizations representing handicapped persons, any policies and practices that do not meet the requirements of this part;

(3) Take, after consultation with interested persons, including handicapped persons or organizations representing handicapped persons, appropriate remedial steps to eliminate the effects of any discrimination that resulted from adherence to these policies and practices.

(4) A recipient that employs fifteen or more persons shall maintain on file, make available for public inspection, and provide to the Endowment upon request, for at least three years following completion of the self-evaluation:

(i) A list of the interested persons consulted;

(ii) A description of areas examined and any problems identified; and

(iii) A description of any modifications made and of any remedial steps taken.

(5) The completed self-evaluation should be signed by a responsible official designated to coordinate the recipient's efforts in connection with this section.

[46 FR 55897, Nov. 12, 1981, as amended at 68 FR 51386, Aug. 26, 2003]

§ 1170.53 Designation of responsible employee and adoption of grievance procedures.

(a) *Designation of responsible employee.* A recipient that employs fifteen or more persons shall designate at least

one person to coordinate its efforts to comply with this part.

(b) *Adoption of grievance procedures.* A recipient that employs fifteen or more persons shall adopt grievance procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints alleging any action prohibited by this part. Such procedures need not be established with respect to complaints from applicants for employment or from applicants for admission to postsecondary educational institutions.

§ 1170.54 Notice.

(a) A recipient that employs fifteen or more persons shall take appropriate initial and continuing steps to notify participants, beneficiaries, applicants, and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipient that it does not discriminate on the basis of handicap in violation of section 504 and this part. The notification shall state, where appropriate, that the recipient does not discriminate in admission or access to, or treatment or employment in, its programs or activities. The notification shall also include an identification of the responsible employee designated pursuant to § 1170.53(a). A recipient shall make the initial notification required by this paragraph within 90 days of the effective date of this part. Methods of initial and continuing notification may include the posting of notices, publication in newspapers and magazines, placement of notices in recipients' publication, and distribution of memoranda or other written communications.

(b) If a recipient publishes or uses recruitment materials or publications containing general information that it makes available to participants, beneficiaries, applicants, or employees, it shall include in those materials or publications a statement of the policy described in paragraph (a) of this section. A recipient may meet the requirement of this paragraph either by including appropriate inserts in existing materials and publications or by revising

National Foundation on the Arts and the Humanities

§ 1174.3

and reprinting the materials and publications.

[46 FR 55897, Nov. 12, 1981, as amended at 68 FR 51386, Aug. 26, 2003]

§ 1170.55 Endowment enforcement and compliance procedures.

The procedural provisions applicable to Title VI of the Civil Rights Act of 1964 apply to this part. These procedures are found in §§1110.6 through 1110.11 of part 1100 of this title.

§§ 1170.56–1170.99 [Reserved]

PART 1174—UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS

Subpart A—General

Sec.

- 1174.1 Purpose and scope of this part.
- 1174.2 Scope of subpart.
- 1174.3 Definitions.
- 1174.4 Applicability.
- 1174.5 Effect on other issuances.
- 1174.6 Additions and exceptions.

Subpart B—Pre-Award Requirements

- 1174.10 Forms for applying for grants.
- 1174.11 State plans.
- 1174.12 Special grant or subgrant conditions for “high-risk” grantees.

Subpart C—Post-Award Requirements

FINANCIAL ADMINISTRATION

- 1174.20 Standards for financial management systems.
- 1174.21 Payment.
- 1174.22 Allowable costs.
- 1174.23 Period of availability of funds.
- 1174.24 Matching or cost sharing.
- 1174.25 Program income.
- 1174.26 Non-Federal audit.

CHANGES, PROPERTY, AND SUBAWARDS

- 1174.30 Changes.
- 1174.31 Real property.
- 1174.32 Equipment.
- 1174.33 Supplies.
- 1174.34 Copyrights.
- 1174.35 Subawards to debarred and suspended parties.
- 1174.36 Procurement.
- 1174.37 Subgrants.

REPORTS, RECORDS, RETENTION, AND ENFORCEMENT

- 1174.40 Monitoring and reporting program performance.
- 1174.41 Financial reporting.
- 1174.42 Retention and access requirements for records.
- 1174.43 Enforcement.
- 1174.44 Termination for convenience.

Subpart D—After-the-Grant Requirements

- 1174.50 Closeout.
- 1174.51 Later disallowances and adjustments.
- 1174.52 Collection of amounts due.

Subpart E—Entitlements [Reserved]

AUTHORITY: 20 U.S.C. 959(a)(1).

SOURCE: 53 FR 8082, 8087, Mar. 11, 1988, unless otherwise noted.

Subpart A—General

§ 1174.1 Purpose and scope of this part.

This part establishes uniform administrative rules for Federal grants and cooperative agreements and subawards to State, local and Indian tribal governments.

§ 1174.2 Scope of subpart.

This subpart contains general rules pertaining to this part and procedures for control of exceptions from this part.

§ 1174.3 Definitions.

As used in this part:

Accrued expenditures mean the charges incurred by the grantee during a given period requiring the provision of funds for: (1) Goods and other tangible property received; (2) services performed by employees, contractors, subgrantees, subcontractors, and other payees; and (3) other amounts becoming owed under programs for which no current services or performance is required, such as annuities, insurance claims, and other benefit payments.

Accrued income means the sum of: (1) Earnings during a given period from services performed by the grantee and goods and other tangible property delivered to purchasers, and (2) amounts becoming owed to the grantee for