

**§ 472.33**

otherwise available for the purposes of this program.

(b)(1) The project period may include a start-up period, not to exceed six months, during which the project is being established and prior to the time services are provided to adult workers.

(2) Applicants shall minimize the start-up period, if any, proposed for their projects.

(c) [Reserved]

(d) An award under this program may be used to pay—

(1) 100 percent of the administrative costs incurred in establishing a project during the start-up period described in paragraph (b) of this section by an SEA, LEA, or other entity described in § 472.2(a), that receives a grant under this part; and

(2) 70 percent of the costs of a project after the start-up period.

(e) Each recipient of an award under this program shall provide for a project director.

(Authority: 20 U.S.C. 1211(a)(2) and (4)(E))

[54 FR 34418, Aug. 18, 1989. Redesignated and amended at 57 FR 24091, 24102, June 5, 1992. Redesignated and amended at 59 FR 1444, 1445, Jan. 10, 1994]

**§ 472.33 How must projects that serve adults with limited English proficiency provide for the needs of those adults?**

(a) Projects serving adults with limited English proficiency or no English proficiency shall provide for the needs of these adults by teaching literacy skills needed in the workplace.

(b) Projects may teach workplace literacy skills—

(1) To the extent necessary, in the native language of these adults; or

(2) Exclusively in English.

(c) Projects must be carried out in coordination with programs assisted under the Bilingual Education Act and with bilingual vocational education programs under the Carl D. Perkins Vocational Education Act.

(Authority: 20 U.S.C. 1206a(d) and 1211(a))

[54 FR 34418, Aug. 18, 1989. Redesignated at 59 FR 1444, Jan. 10, 1994]

**34 CFR Ch. IV (7–1–04 Edition)**

**§ 472.34 Under what circumstances may a project continue if a partner withdraws?**

(a) A project may continue despite the withdrawal of a partner that is unable to perform its role as outlined in the grant award document if all of the following conditions are met:

(1) Written approval is given by the Secretary.

(2) The partnership continues to meet the requirements in § 472.2(b).

(3) The partnership will be able to complete the remainder of the project.

(4) The partner's withdrawal will not cause a change in the scope or objectives of the grant or cooperative agreement.

(b) In determining that the condition in paragraph (a)(4) of this section is satisfied, the Secretary considers such factors as whether—

(1) A similar new partner will sign the partnership agreement and agree to carry out the role of the withdrawing partner as described in the grant agreement;

(2) One or more of the remaining partners will agree to carry out the role of the withdrawing partner as described in the grant agreement; or

(3) One or more of the remaining partners will expand its activities as approved under the grant in order to compensate for the activities that would have been carried out under the grant agreement by the partner that is withdrawing without a change in the project's scope or objectives.

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

[59 FR 1445, Jan. 10, 1994]

**PART 477—STATE PROGRAM ANALYSIS ASSISTANCE AND POLICY STUDIES PROGRAM**

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AUTHORITY: 20 U.S.C. 1213b(a), unless otherwise noted.

SOURCE: 54 FR 34428, Aug. 18, 1989, unless otherwise noted. Redesignated at 57 FR 24091, June 5, 1992.

**Subpart A—General**

**§ 477.1 What is the State Program Analysis Assistance and Policy Studies Program?**

The State Program Analysis Assistance and Policy Studies Program assists States in evaluating the status and progress of adult education in achieving the purposes of the Act.

(Authority: 20 U.S.C. 1213b(a))

**§ 477.2 Who is eligible for an award?**

(a) Public or private nonprofit agencies, organizations, or institutions are eligible for a grant or cooperative agreement under this program.

(b) Business concerns or public or private nonprofit agencies, organizations, or institutions are eligible for a contract under this program.

(Authority: 20 U.S.C. 1213b(a))

**§ 477.3 What activities may the Secretary fund?**

The Secretary may support the following directly or through awards:

(a) An analysis of State plans and of the findings of evaluations conducted in accordance with section 352 of the Act, with suggestions to State educational agencies for improvements in planning or program operation.

(b) The provision of an information network (in conjunction with the National Diffusion Network) on the results of research in adult education, the operation of model or innovative programs (including efforts to continue activities and services under the program after Federal funding has been discontinued), successful experiences in the planning, administration, and conduct of adult education programs, ad-

vances in curriculum and instructional practices, and other information useful in the improvement of adult education.

(c) Any other activities, including national policy studies, which the Secretary may designate, that assist States in evaluating the status and progress of adult education in achieving the purposes of the Act.

(Authority: 20 U.S.C. 1213b(a))

**§ 477.4 What regulations apply?**

The following regulations apply to the State Program Analysis Assistance and Policy Studies Program:

(a) The Federal Acquisition Regulation (FAR) in 48 CFR chapter 1 and the Department of Education Acquisition Regulation (EDAR) in 48 CFR chapter 34 (applicable to contracts).

(b) The regulations in this part 477.

(c) The regulations in 34 CFR part 425.

(Authority: 20 U.S.C. 1213b(a))

**§ 477.5 What definitions apply?**

The definitions in 34 CFR 425.4 apply to this part.

(Authority: 20 U.S.C. 1213b(a))

**Subpart B [Reserved]**

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

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

(a) The Secretary evaluates an application for a grant or cooperative agreement on the basis of the criteria in § 477.21.

(b) The Secretary may award up to 100 points, including a reserved 15 points to be distributed in accordance with paragraph (d) of this section, based on the criteria in § 477.21.

(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 § 477.21.

(Authority: 20 U.S.C. 1213b(a))