

(i) Performance and evaluation reports submitted by the applicant;

(ii) Audit reports submitted on behalf of the applicant; and

(iii) Other information obtained by the Secretary, including reports prepared by the Department.

(b) If the Secretary initially determines that the applicant did not fulfill the goals and objectives of a previous grant or is not making substantial progress towards fulfilling those goals and objectives, the Secretary affords the applicant the opportunity to respond to that initial determination.

(c) If the Secretary determines that the applicant did not fulfill the goals and objectives of a previous grant or is not making substantial progress towards fulfilling those goals and objectives, the Secretary may—

(1) Decide not to fund the applicant; or

(2) Fund the applicant but impose special grant terms and conditions, such as specific reporting and monitoring requirements.

(Authority: 20 U.S.C. 1066)

[59 FR 41925, Aug. 15, 1994, as amended at 64 FR 70155, Dec. 15, 1999]

§ 607.25 What priority does the Secretary use in awarding cooperative arrangement grants?

Among applications for cooperative arrangement grants, the Secretary gives priority to proposed cooperative arrangements that are geographically and economically sound, or will benefit the institutions applying for the grant.

(Authority: 20 U.S.C. 1057, 1069)

[59 FR 41925, Aug. 15, 1994]

Subpart D—What Conditions Must a Grantee Meet?

§ 607.30 What are allowable costs and what are the limitations on allowable costs?

(a) *Allowable costs.* Except as provided in paragraphs (b) and (c) of this section, a grantee may expend grant funds for activities that are related to carrying out the allowable activities included in its approved application.

(b) *Supplement and not supplant.* Grant funds shall be used so that they supplement and, to the extent prac-

tical, increase the funds that would otherwise be available for the activities to be carried out under the grant and in no case supplant those funds.

(c) *Limitations on allowable costs.* A grantee may not use an indirect cost rate to determine allowable costs under its grant.

(Authority: 20 U.S.C. 1057-1059 and 1066)

§ 607.31 How does a grantee maintain its eligibility?

(a) A grantee shall maintain its eligibility under the requirements in § 607.2, except for § 607.2(a) (1) and (2), for the duration of the grant period.

(b) The Secretary reviews an institution's application for a continuation award to ensure that—

(1) The institution continues to meet the eligibility requirements described in paragraph (a) of this section; and

(2) The institution is making substantial progress toward achieving the objectives set forth in its grant application including, if applicable, the institution's success in institutionalizing practices and improvements developed under the grant.

(Authority: 20 U.S.C. 1057-1059b, 1066-1069f)

[59 FR 41925, Aug. 15, 1994]

PART 608—STRENGTHENING HISTORICALLY BLACK COLLEGES AND UNIVERSITIES PROGRAM

Subpart A—General

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AUTHORITY: 20 U.S.C. 1060 through 1063a, 1063c, 1066, 1068, 1069c, 1069d, and 1069f, unless otherwise noted.

SOURCE: 58 FR 38713, July 20, 1993, unless otherwise noted.

Subpart A—General

§ 608.1 What is the Strengthening Historically Black Colleges and Universities (HBCU) Program?

The Strengthening Historically Black Colleges and Universities Program, hereafter called the HBCU Program, provides grants to Historically Black Colleges and Universities (HBCUs) to assist these institutions in establishing and strengthening their physical plants, academic resources and student services so that they may continue to participate in fulfilling the goal of equality of educational opportunity.

(Authority: 20 U.S.C. 1060)

§ 608.2 What institutions are eligible to receive a grant under the HBCU Program?

(a) To be eligible to receive a grant under this part, an institution must—

(1) Satisfy section 322(2) of the Higher Education Act of 1965, as amended (HEA);

(2) Be legally authorized by the State in which it is located—

(i) To be a junior or community college; or

(ii) To provide an educational program for which it awards a bachelor's degree; and

(3) Be accredited or preaccredited by a nationally recognized accrediting agency or association.

(b) The Secretary has determined that the following institutions satisfy section 322(2) of the HEA.

ALABAMA

Alabama A&M University—Huntsville
Alabama State University—Montgomery
Carver State Technical College—Mobile
Concordia College—Selma
Fredd State Technical College—Tuscaloosa
J.F. Drake State Technical College—Huntsville
S.D. Bishop State Junior College—Mobile
Lawson State College—Birmingham
Miles College—Birmingham
Oakwood College—Huntsville
Selma University—Selma
Stillman College—Tuscaloosa
Talladega University—Talladega
Trenholm State Technical College—Montgomery
Tuskegee University—Tuskegee

ARKANSAS

Arkansas Baptist College—Little Rock
Philander Smith College—Little Rock
Shorter College—Little Rock
University of Arkansas at Pine Bluff—Pine Bluff

DELAWARE

Delaware State College—Dover

DISTRICT OF COLUMBIA

Howard University
University of the District of Columbia

FLORIDA

Bethune Cookman College—Daytona Beach
Edward Waters College—Jacksonville
Florida A&M University—Tallahassee
Florida Memorial College—Miami

GEORGIA

Albany State College—Albany
Atlanta University—Atlanta
Clark College—Atlanta
Fort Valley State College—Fort Valley
Interdenominational Theological Center—Atlanta
Morehouse College—Atlanta
Morris Brown College—Atlanta
Paine College—Augusta
Savannah State College—Savannah
Spelman College—Atlanta

KENTUCKY

Kentucky State University—Frankfurt

LOUISIANA

Dillard University—New Orleans
Grambling State University—Grambling
Southern University A&M College—Baton Rouge