

who can act as role models for participants.

(b) Purchase of testing materials.

(c) Fees required for college admissions applications or entrance examinations if—

(1) A waiver of the fee is unavailable; and

(2) The fee is paid by the grantee to a third party on behalf of a participant.

(d) In-service training of project staff.

(e) Rental of space if—

(1) Space is not available at the site of the grantee; and

(2) The rented space is not owned by the grantee.

(f) Purchase of computer hardware, computer software, or other equipment for student development, project administration, and recordkeeping, if the applicant demonstrates to the Secretary's satisfaction that the equipment is required to meet the objectives of the project more economically or efficiently.

(Authority: 20 U.S.C. 1070a-11 and 1070a-12)

**§ 643.31 What are unallowable costs?**

Costs that are unallowable under the Talent Search program include, but are not limited to, the following:

(a) Tuition, stipends, and other forms of direct financial support for participants.

(b) Application fees for financial aid.

(c) Research not directly related to the evaluation or improvement of the project.

(d) Construction, renovation, and remodeling of any facilities.

(Authority: 20 U.S.C. 1070a-11 and 1070a-12)

**§ 643.32 What other requirements must a grantee meet?**

(a) *Eligibility of participants.* (1) A grantee shall determine the eligibility of each participant in the project at the time that the individual is selected to participate.

(2) A grantee shall determine the status of a low-income individual on the basis of the documentation described in section 402A(e) of the HEA.

(b) *Number of participants.* A grantee shall serve a minimum of 600 participants in each budget period. However, the Secretary may reduce the min-

imum number of these participants if the amount of the grant for the budget period is less than \$180,000.

(c) *Recordkeeping.* For each participant, a grantee shall maintain a record of—

(1) The basis for the grantee's determination that the participant is eligible to participate in the project under § 643.3;

(2) The grantee's needs assessment for the participant;

(3) The services that are provided to the participant; and

(4) The specific educational progress made by the participant as a result of the services.

(d) *Project director.* (1) A grantee shall employ a full-time project director unless paragraph (d)(3) of this section applies.

(2) The grantee shall give the project director sufficient authority to administer the project effectively.

(3) The Secretary waives the requirement in paragraph (d)(1) of this section if the applicant demonstrates that the requirement will hinder coordination—

(i) Among the Federal TRIO Programs (sections 402A through 402F of the HEA); or

(ii) Between the programs funded under sections 402A through 410 of the HEA and similar programs funded through other sources.

(Approved by the Office of Management and Budget under control number 1840-0549)

(Authority: 20 U.S.C. 1070a-11 and 1070a-12)

**PART 644—EDUCATIONAL OPPORTUNITY CENTERS**

**Subpart A—General**

Sec.

644.1 What is the Educational Opportunity Centers program?

644.2 Who is eligible for a grant?

644.3 Who is eligible to participate in a project?

644.4 What services may a project provide?

644.5 How long is a project period?

644.6 What regulations apply?

644.7 What definitions apply?

**Subpart B—Assurances**

644.10 What assurances must an applicant submit?

**§ 644.1**

**34 CFR Ch. VI (7–1–04 Edition)**

**Subpart C—How Does the Secretary Make a Grant?**

- 644.20 How does the Secretary decide which new grants to make?
- 644.21 What selection criteria does the Secretary use?
- 644.22 How does the Secretary evaluate prior experience?
- 644.23 How does the Secretary set the amount of a grant?

**Subpart D—What Conditions Must Be Met by a Grantee?**

- 644.30 What are allowable costs?
- 644.31 What are unallowable costs?
- 644.32 What other requirements must a grantee meet?

AUTHORITY: 20 U.S.C. 1070a-11 and 1070a-16, unless otherwise noted.

SOURCE: 59 FR 2658, Jan. 18, 1994, unless otherwise noted.

**Subpart A—General**

**§ 644.1 What is the Educational Opportunity Centers program?**

The Educational Opportunity Centers program provides grants for projects designed to provide—

- (a) Information regarding financial and academic assistance available for individuals who desire to pursue a program of postsecondary education; and
- (b) Assistance to individuals in applying for admission to institutions that offer programs of postsecondary education, including assistance in preparing necessary applications for use by admissions and financial aid officers.

(Authority: 20 U.S.C. 1070a-16)

**§ 644.2 Who is eligible for a grant?**

The following are eligible for a grant to carry out an Educational Opportunity Centers project:

- (a) An institution of higher education.
- (b) A public or private agency or organization.
- (c) A combination of the types of institutions, agencies, and organizations described in paragraphs (a) and (b) of this section.
- (d) A secondary school, under exceptional circumstances such as if no institution, agency, or organization described in paragraphs (a) and (b) of this

section is capable of carrying out an Educational Opportunity Centers project in the target area to be served by the proposed project.

(Authority: 20 U.S.C. 1070a-11)

**§ 644.3 Who is eligible to participate in a project?**

(a) An individual is eligible to participate in an Educational Opportunity Centers project if the individual meets all of the following requirements:

- (1)(i) Is a citizen or national of the United States;
- (ii) Is a permanent resident of the United States;
- (iii) Is in the United States for other than a temporary purpose and provides evidence from the Immigration and Naturalization Service of his or her intent to become a permanent resident;
- (iv) Is a permanent resident of Guam, the Northern Mariana Islands, or the Trust Territory of the Pacific Islands (Palau); or
- (v) Is a resident of the Freely Associated States—the Federated States of Micronesia or the Republic of the Marshall Islands.

- (2)(i) Is at least 19 years of age; or
- (ii) Is less than 19 years of age, and the individual cannot be appropriately served by a Talent Search project under 34 CFR part 643, and the individual's participation would not dilute the Educational Opportunity Centers project's services to individuals described in paragraph (a)(2)(i) of this section.

(3) Expresses a desire to enroll, or is enrolled, in a program of postsecondary education, and requests information or assistance in applying for admission to, or financial aid for, such a program.

(b) A veteran as defined in §644.7(b), regardless of age, is eligible to participate in an Educational Opportunity Centers project if he or she satisfies the eligibility requirements in paragraph (a) of this section other than the age requirement in paragraph (a)(2) of this section.

(Authority: 20 U.S.C. 1070a-11 and 1070a-16)