

**§ 643.6 What regulations apply?**

The following regulations apply to the Talent Search program:

(a) The Education Department General Administrative Regulations (EDGAR) as follows:

(1) 34 CFR part 74 (Administration of Grants to Institutions of Higher Education, Hospitals, and Nonprofit Organizations).

(2) 34 CFR part 75 (Direct Grant Programs), except for §75.511.

(3) 34 CFR part 77 (Definitions That Apply to Department Regulations), except for the definition of “secondary school” in §77.1.

(4) 34 CFR part 79 (Intergovernmental Review of Department of Education Programs and Activities).

(5) 34 CFR part 82 (New Restrictions on Lobbying).

(6) 34 CFR part 85 (Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)).

(7) 34 CFR part 86 (Drug-Free Schools and Campuses).

(b) The regulations in this part 643.

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

**§ 643.7 What definitions apply?**

(a) *Definitions in EDGAR.* The following terms used in this part are defined in 34 CFR 77.1:

Applicant  
 Application  
 Budget  
 Budget period  
 EDGAR  
 Equipment  
 Facilities  
 Fiscal year  
 Grant  
 Grantee  
 Private  
 Project  
 Project period  
 Public  
 Secretary  
 Supplies

(b) *Other definitions.* The following definitions also apply to this part:

*HEA* means the Higher Education Act of 1965, as amended.

*Institution of higher education* means an educational institution as defined in sections 1201(a) and 481 of the HEA.

*Low-income individual* means an individual whose family’s taxable income did not exceed 150 percent of the poverty level amount in the calendar year preceding the year in which the individual initially participated in the project. The poverty level amount is determined by using criteria of poverty established by the Bureau of the Census of the U.S. Department of Commerce.

*Participant* means an individual who—

(1) Is determined to be eligible to participate in the project under §643.3; and

(2) Receives project services designed for his or her age or grade level.

*Postsecondary education* means education beyond the secondary school level.

*Potential first-generation college student* means—

(1) An individual neither of whose natural or adoptive parents received a baccalaureate degree;

(2) An individual who, prior to the age of 18, regularly resided with and received support from only one parent and whose supporting parent did not receive a baccalaureate degree; or

(3) An individual who, prior to the age of 18, did not regularly reside with or receive support from a natural or an adoptive parent.

*Secondary school* means a school that provides secondary education as determined under State law, except that it does not include education beyond grade 12.

*Target area* means a geographic area served by a Talent Search project.

*Target school* means a school designated by the applicant as a focus of project services.

*Veteran* means a person who served on active duty as a member of the Armed Forces of the United States—

(1) For a period of more than 180 days, any part of which occurred after January 31, 1955, and who was discharged or released from active duty under conditions other than dishonorable; or

(2) After January 31, 1955, and who was discharged or released from active

duty because of a service-connected disability.

(Authority: 20 U.S.C. 1070a-11, 1070a-12 and 1141)

**Subpart B—Assurances**

**§ 643.10 What assurances must an applicant submit?**

An applicant shall submit, as part of its application, assurances that—

(a) At least two-thirds of the individuals it serves under its proposed Talent Search project will be low-income individuals who are potential first-generation college students;

(b) Individuals who are receiving services from another Talent Search project or an Educational Opportunity Center project under 34 CFR part 644 will not receive services under the proposed project;

(c) The project will be located in a setting or settings accessible to the individuals proposed to be served by the project; and

(d) If the applicant is an institution of higher education, it will not use the project as a part of its recruitment program.

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

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

**§ 643.20 How does the Secretary decide which new grants to make?**

(a) The Secretary evaluates an application for a new grant as follows:

(1)(i) The Secretary evaluates the application on the basis of the selection criteria in § 643.21.

(ii) The maximum score for all the criteria in § 643.21 is 100 points. The maximum score for each criterion is indicated in parentheses with the criterion.

(2)(i) For an application for a new grant to continue to serve substantially the same populations or campuses that the applicant is serving under an expiring project, the Secretary evaluates the applicant's prior experience in delivering services under the expiring project on the basis of the criteria in § 643.22.

(ii) The maximum score for all the criteria in § 643.22 is 15 points. The

maximum score for each criterion is indicated in parentheses with the criterion.

(3) The Secretary awards additional points equal to 10 percent of the application's score under paragraphs (a)(1) and (2) of this section to an application for a project in Guam, the Virgin Islands, American Samoa, the Trust Territory of the Pacific Islands (Palau), or the Northern Mariana Islands if the applicant meets the requirements of subparts A, B, and D of this part.

(b) The Secretary makes new grants in rank order on the basis of the applications' total scores under paragraphs (a)(1) through (3) of this section.

(c) If the total scores of two or more applications are the same and there are insufficient funds for these applications after the approval of higher-ranked applications, the Secretary uses the remaining funds to serve geographic areas and eligible populations that have been underserved by the Talent Search program.

(d) The Secretary may decline to make a grant to an applicant that carried out a project that involved the fraudulent use of funds under section 402A(c)(2)(B) of the HEA.

(Authority: 20 U.S.C. 1070a-11, 1070a-12, and 1144a(a))

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

The Secretary uses the following criteria to evaluate an application for a new grant:

(a) *Need for the project* (24 points). The Secretary evaluates the need for a Talent Search project in the proposed target area on the basis of the extent to which the application contains clear evidence of the following:

(1) A high number or percentage, or both, of low-income families residing in the target area;

(2) A high number or percentage, or both, of individuals residing in the target area with education completion levels below the baccalaureate level;

(3) A high student dropout rate in the proposed target schools in the preceding three years;

(4) A low rate of enrollment in programs of postsecondary education by graduates of the target schools in the preceding three years;