

**§ 654.10**

**34 CFR Ch. VI (7-1-07 Edition)**

postsecondary vocational institution, as defined in section 481 of the HEA.

*Participating State* means a State that has submitted a participation agreement that has been approved by the Secretary.

*Scholar* means an individual who is selected as a Byrd Scholar.

*Scholarship* means an award made to a scholar under this part.

*Secondary school year* means the period of time during which a secondary school is in session, as determined by State law.

*Year of study* means the period of time during which a full-time student at an institution of higher education is expected to complete the equivalent of one year of course work, as defined by the institution.

(Authority: 20 U.S.C. 1070d-31 *et seq.*, 20 U.S.C. 1088)

**Subpart B—How Does a State Apply for a Grant?**

**§ 654.10 What must a State do to apply for a grant?**

(a) To apply for a grant under this program, a State must submit a participation agreement to the Secretary for review and approval by the deadline announced annually by the Secretary in the FEDERAL REGISTER.

(b) On the Secretary's approval of its initial participation agreement for fiscal year 1993 or thereafter, a State need not submit a new participation agreement to be considered for funding under this program in subsequent years, except that any changes in the State's criteria and procedures must be incorporated in a revised participation agreement which must be submitted to the Secretary for review and approval.

(Approved by the Office of Management and Budget under control number 1840-0612)

(Authority: 20 U.S.C. 1070d-35)

**§ 654.11 What is the content of a participation agreement?**

A State's participation agreement must include the following:

(a) A description of the criteria and procedures that the State, through its State educational agency (SEA), plans to use to administer this program in accordance with the requirements of

this part, including the criteria and procedures it plans to use to—

(1) Publicize the availability of Byrd scholarships to students in the State, with particular emphasis on procedures designed to ensure that students from low- and moderate-income families know about their opportunity for participation in the program;

(2) Select eligible students;

(3) Notify scholars of their selections and scholarship awards;

(4) Monitor the continuing eligibility of scholars;

(5) Disburse scholarship funds in accordance with the requirements of § 654.50; and

(6) Collect scholarship funds improperly disbursed.

(b) Assurances that the SEA will—

(1) Comply with the criteria and procedures in its approved participation agreement;

(2) Submit for the prior written approval of the Secretary any changes in the criteria and procedures in the approved participation agreement; and

(3) Expend the payments it receives under this program only as provided in § 654.3.

(Approved by the Office of Management and Budget under control number 1840-0612)

(Authority: 20 U.S.C. 1070d-35 to 1070d-38)

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

**§ 654.20 How does the Secretary approve a participation agreement?**

The Secretary approves a participation agreement if it contains all of the information and assurances required in § 654.11 and is in compliance with the requirements of this part.

(Authority: 20 U.S.C. 1070d-31 *et seq.*)

**§ 654.21 How does the Secretary determine the amount of the grant to each participating State?**

(a) From the funds appropriated for this program, the Secretary allots to each participating State a grant equal to \$1,500 multiplied by the number of scholarships the Secretary determines to be available to that State on the basis of the formula described in paragraph (b) of this section.