

grant for race or national origin desegregation assistance under these programs may not use funds to assist in the development or implementation of activities or the development of curriculum materials for the direct instruction of students to improve their academic and vocational achievement levels.

(b) A recipient of a grant for national origin desegregation assistance under these programs may use funds to assist in the development and implementation of activities or the development of curriculum materials for the direct instructional of students of limited English proficiency, to afford these students a full opportunity to participate in all educational programs.

(Authority: 42 U.S.C. 2000c–2000c–2, 2000c–5)

## **PART 271—STATE EDUCATIONAL AGENCY DESEGREGATION PROGRAM**

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**AUTHORITY:** 42 U.S.C. 2000c–2000c–2, 2000c–5, unless otherwise noted.

**SOURCE:** 52 FR 24964, July 1, 1987, unless otherwise noted.

### **Subpart A—General**

#### **§ 271.1 What is the State Educational Agency Desegregation Program?**

This program provides grants to State educational agencies (SEAs) to enable them to provide technical assistance (including training) at the request of school boards and other responsible governmental agencies in the preparation, adoption, and implementation of plans for the desegregation of public schools and in the development of effective methods of coping with special educational problems occasioned by desegregation.

(Authority: 42 U.S.C. 2000c–2000c–2, 2000c–5)

#### **§ 271.2 Who is eligible to apply for assistance under this program?**

An SEA is eligible to apply for a grant under this program. An SEA shall submit one application to provide technical assistance in one, two, or all three of the desegregation assistance areas, as defined in 34 CFR 270.3.

(Authority: 42 U.S.C. 2000c–2)

#### **§ 271.3 What regulations apply to this program?**

The following regulations apply to the SEA program:

(a) The regulations in 34 CFR part 270.

(b) The regulations in this part.

(Authority: 42 U.S.C. 2000c–2)

#### **§ 271.4 What definitions apply to this program?**

The definitions in 34 CFR 270.3 apply to the SEA program

(Authority: 42 U.S.C. 2000c–2)

### **Subpart B—What Kinds of Activities Does the Secretary Assist Under This Program?**

#### **§ 271.10 What types of projects may be funded?**

The Secretary awards grants to SEAs for projects offering technical assistance (including training) to school boards and other responsible governmental agencies, at their request, for desegregation assistance in the preparation, adoption, and implementation of desegregation plans. Desegregation

assistance may include, among other activities:

(a) Dissemination of information regarding effective methods of coping with special educational problems occasioned by desegregation;

(b) Assistance and advice in coping with these problems; and

(c) Training designed to improve the ability of teachers, supervisors, counselors, parents, community members, and other elementary or secondary school personnel to deal effectively with special educational problems occasioned by desegregation.

(Authority: 42 U.S.C.3000c-2)

**§ 271.11 Who may receive desegregation assistance under this program?**

(a) A grantee may provide assistance only if the assistance is requested by a responsible governmental agency (other than the SEA) in its State.

(b) A grantee may provide assistance only to the following persons:

(1) Public school personnel.

(2) Students enrolled in public schools, parents of those students, and other community members.

(Authority: 42 U.S.C. 2000c-2)

**Subpart C—How Does an SEA Apply for a Grant?**

**§ 271.20 What conditions must an applicant meet to obtain funding?**

To obtain funding under this program:

(a) An applicant must demonstrate its leadership in facilitating desegregation (in each of the desegregation assistance areas for which it has applied) as indicated by policies and procedures adopted by the SEA to assist in the desegregation process;

(b) The applicant's project director must have access to the Chief State School Officer;

(c) The applicant must have a plan of the steps that it has taken or would take to inform the LEAs it will serve, public school personnel, students, and parents of the desegregation assistance available;

(d) The applicant must have familiarity with the desegregation-related needs and problems of the school

boards and other responsible governmental agencies in its State;

(e) The assistance to be provided by the applicant must be designed to meet the desegregation needs (in each of the desegregation assistance areas for which it has applied) within its State;

(f) The applicant must identify specific desegregation problems that would be addressed by its proposed project;

(g) The applicant must have a plan for coordination with other related desegregation programs in its State, that will prevent duplication of assistance when a responsible governmental agency requests assistance from both the SEA and the DAC or other program;

(h) The applicant must provide a plan of operation for the proposed project that includes:

(1) An effective plan of management that ensures proper and efficient administration of the project;

(2) A clear description of how the objectives of the project relate to the purposes of the program;

(3) The way the applicant plans to use its resources and personnel to achieve each objective; and

(4) How the applicant will ensure that project participants who are otherwise eligible to participate are selected without regard to race, national origin, color, sex, age, or handicapping condition.

(i) The applicant must have familiarity with materials used in providing technical assistance and training in each of the desegregation assistance areas for which it has applied;

(j) The key personnel the applicant plans to use on the project must be qualified, as determined by:

(1) The experience and training of the project director and other key personnel; and

(2) The time that the project director and other key personnel will devote to the project to ensure its success;

(k) The applicant, as part of its non-discriminatory employment practices, shall ensure that its personnel are selected for employment without regard to race, color, national origin, gender, age or handicapping condition.

(l) The project must have an adequate budget to support the project activities, and costs must be reasonable