

**PART 110—NONDISCRIMINATION
ON THE BASIS OF AGE IN PRO-
GRAMS OR ACTIVITIES RECEIV-
ING FEDERAL FINANCIAL ASSIST-
ANCE**

SOURCE: 58 FR 40197, July 27, 1993, unless otherwise noted.

Subpart A—General

Sec.

- 110.1 What is the purpose of ED's age discrimination regulations?
- 110.2 To what programs or activities do these regulations apply?
- 110.3 What definitions apply?

**Subpart B—Standards for Determining Age
Discrimination**

- 110.10 Rules against age discrimination.
- 110.11 Definitions of "normal operation" and "statutory objective."
- 110.12 Exceptions to the rules against age discrimination: Normal operation or statutory objective of any program or activity.
- 110.13 Exceptions to the rules against age discrimination: Reasonable factors other than age.
- 110.14 Burden of proof.
- 110.15 Affirmative action by recipients.
- 110.16 Special benefits for children and the elderly.
- 110.17 Age distinctions contained in ED's regulations.

Subpart C—Duties of ED Recipients

- 110.20 General responsibilities.
- 110.21 Notice to subrecipients.
- 110.22 Information requirements.
- 110.23 Assurances required.
- 110.24 Recipient assessment of age distinctions.
- 110.25 Designation of responsible employee, notice, and grievance procedures.

**Subpart D—Investigation, Conciliation, and
Enforcement Procedures**

- 110.30 Compliance reviews.
- 110.31 Complaints.
- 110.32 Mediation.
- 110.33 Investigation.
- 110.34 Prohibition against intimidation or retaliation.
- 110.35 Compliance procedure.
- 110.36 Hearings, decisions, and post-termination proceedings.
- 110.37 Procedure for disbursement of funds to an alternate recipient.
- 110.38 Remedial action by recipients.
- 110.39 Exhaustion of administrative remedies.

AUTHORITY: 42 U.S.C. 6101 *et seq.*, unless otherwise noted.

Subpart A—General

**§ 110.1 What is the purpose of ED's age
discrimination regulations?**

The purpose of these regulations is to set out ED's rules for implementing the Age Discrimination Act of 1975. The Act prohibits discrimination on the basis of age in programs or activities receiving Federal financial assistance. The Act permits federally assisted programs or activities, and recipients of Federal funds, to continue to use age distinctions and factors other than age that meet the requirements of the Act.

(Authority: 42 U.S.C. 6101-6103)

[58 FR 40197, July 27, 1993, as amended at 65 FR 68056, Nov. 13, 2000]

**§ 110.2 To what programs or activities
do these regulations apply?**

(a) These regulations apply to any program or activity receiving Federal financial assistance from ED.

(b) These regulations do not apply to—

(1) An age distinction contained in that part of a Federal, State, or local statute or ordinance adopted by an elected, general purpose legislative body that—

(i) Provides any benefits or assistance to persons based on age;

(ii) Establishes criteria for participation in age-related terms; or

(iii) Describes intended beneficiaries or target groups in age-related terms; or

(2) Any employment practice of any employer, employment agency, labor organization, or any labor-management joint apprenticeship training program, except any program or activity receiving Federal financial assistance for employment under the Job Training Partnership Act (29 U.S.C. 1501 *et seq.*).

(Authority: 42 U.S.C. 6103)

§ 110.3 What definitions apply?

The following definitions apply to these regulations: *Act* means the Age Discrimination Act of 1975, as amended (Title III of Pub. L. 94-135).