

§ 692.1

HOW DOES THE PARTNERSHIP SELECT STUDENTS UNDER THE GAP PROGRAM?

692.120 What are the requirements for student eligibility?

HOW DOES THE SECRETARY APPROVE A WAIVER OF PROGRAM REQUIREMENTS?

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APPENDIX A TO SUBPART C OF PART 692—GRANTS FOR ACCESS AND PERSISTENCE PROGRAM (GAP) STATE GRANT ALLOTMENT CASE STUDY

AUTHORITY: 20 U.S.C. 1070c-1070c-4, unless otherwise noted.

SOURCE: 52 FR 45433, Nov. 27, 1987, unless otherwise noted.

Subpart A—Leveraging Educational Assistance Partnership Program

GENERAL

§ 692.1 What is the Leveraging Educational Assistance Partnership?

The Leveraging Educational Assistance Partnership (LEAP) Program assists States in providing grants and work-study assistance to eligible students who attend institutions of higher education and have substantial financial need. The work-study assistance is provided through campus-based community service work learning study programs, hereinafter referred to as community service-learning job programs.

(Authority: 20 U.S.C. 1070c-1070c-4)

[52 FR 45433, Nov. 27, 1987, as amended at 65 FR 38729, June 22, 2000]

§ 692.2 Who is eligible to participate in the LEAP Program?

(a) *State participation.* A State that meets the requirements in §§ 692.20 and 692.21 is eligible to receive payments under the LEAP program.

(b) *Student participation.* A student must meet the requirements of § 692.40 to be eligible to receive assistance from a State under the LEAP program.

(Authority: 20 U.S.C. 1070c-1)

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§ 692.3 What regulations apply to the LEAP Program?

The following regulations apply to the LEAP Program:

(a) The regulations in this part 692.

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

(1) 34 CFR 75.60-75.62 (Ineligibility of Certain Individuals to Receive Assistance).

(2) 34 CFR part 76 (State-Administered Programs).

(3) 34 CFR part 77 (Definitions That Apply to Department Regulations).

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

(5) 34 CFR part 80 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments).

(6) 34 CFR part 82 (New Restrictions on Lobbying).

(7) 34 CFR part 85 (Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)).

(8) 34 CFR part 86 (Drug and Alcohol Abuse Prevention).

(c) The Student Assistance General Provisions in 34 CFR part 668.

(Authority: 20 U.S.C. 1070c-1070c-4)

[52 FR 45433, Nov. 27, 1987, as amended at 55 FR 21716, May 25, 1990; 59 FR 4223, Jan. 28, 1994; 65 FR 38729, June 22, 2000]

§ 692.4 What definitions apply to the LEAP Program?

The following definitions apply to the regulations in this part:

(a) The definitions of the following terms under 34 CFR part 600:

Postsecondary vocational institution (§ 600.6).

Public or private nonprofit institution of higher education (§ 600.4).

Secretary (§ 600.2).

State (§ 600.2).

(b) The definitions of the following terms under 34 CFR part 668:

Academic year (§ 668.2).

Enrolled (§ 668.2).

HEA (§ 668.2).

Institution (§ 668.1(b)).

(c) The definitions of the following terms also apply to the LEAP Program:

Full-time student means a student carrying a full-time academic workload—other than by correspondence—as measured by both of the following:

(1) Coursework or other required activities, as determined by the institution that the student attends or by the State.

(2) The tuition and fees normally charged for full-time study by that institution.

Nonprofit has the same meaning under this part as the same term defined in 34 CFR 77.1 of EDGAR.

(Authority: 20 U.S.C. 1070c-1070c-4)

[52 FR 45433, Nov. 27, 1987, as amended at 59 FR 4223, Jan. 28, 1994; 65 FR 38729, June 22, 2000]

WHAT IS THE AMOUNT OF ASSISTANCE AND HOW MAY IT BE USED?

§ 692.10 How does the Secretary allot funds to the States?

(a)(1) The Secretary allots to each State participating in the LEAP program an amount which bears the same ratio to the Federal LEAP funds appropriated as the number of students in that State who are “deemed eligible” to participate in the State’s LEAP program bears to the total number of students in all States who are “deemed eligible” to participate in the LEAP program, except that no State may receive less than it received in fiscal year 1979 for the programs under this part.

(2) For the programs under this part, if the Federal funds appropriated for a fiscal year are not sufficient to allot to each State the amount of Federal funds it received in fiscal year 1979, the Secretary allots to each State an amount which bears the same ratio to the amount of Federal funds appropriated as the amount of Federal funds that State received in fiscal year 1979 bears to the amount of Federal funds all States received in fiscal year 1979.

(b) For the purpose of paragraph (a)(1) of this section, the Secretary determines the number of students “deemed eligible” to participate in a State’s LEAP Program by dividing the amount of that State’s LEAP expenditures, including both its Federal allot-

ment and the State funds matching the allotment, by the average grant award per student of all participating States. The Secretary determines the “average grant award per student” by dividing the total number of student recipients for all States into the total amount of LEAP expenditures for all States, including both the Federal allotments and the State funds matching those allotments. In making this determination, the Secretary uses the most current available data reported by each State.

(Authority: 20 U.S.C. 1070c, 1070c-2)

[52 FR 45433, Nov. 27, 1987, as amended at 59 FR 4223, Jan. 28, 1994; 65 FR 38730, June 22, 2000; 74 FR 55952, Oct. 29, 2009]

§ 692.11 For what purposes may a State use its payments under the LEAP Program?

A State may use the funds it receives under the LEAP Program only to make grants to students and to pay wages or salaries to students in community service-learning jobs.

(Authority: 20 U.S.C. 1070c)

[52 FR 45433, Nov. 27, 1987, as amended at 65 FR 38730, June 22, 2000]

HOW DOES A STATE APPLY TO PARTICIPATE IN THE LEAP PROGRAM?

§ 692.20 What must a State do to receive an allotment under this program?

(a) For each fiscal year that it wishes to participate, a State shall submit an application that contains information that shows that its Leveraging Educational Assistance Partnership Program meets the requirements of § 692.21.

(b)(1) Except as provided in paragraph (b)(2) of this section, the State must submit its application through the State agency designated to administer its Leveraging Educational Assistance Partnership Program as of July 1, 1985.

(2) If the Governor of the State so designates, and notifies the Secretary in writing, the State may submit its application under paragraph (a) of this section through an agency that did not administer its Leveraging Educational