

## SUBCHAPTER D—NATIONAL HIGHWAY INSTITUTE

### PART 260—EDUCATION AND TRAINING PROGRAMS

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#### Subpart A—Fellowship and Scholarship Grants

AUTHORITY: 23 U.S.C. 307(a), 315, 321 and 403; and 49 CFR 1.48(b).

SOURCE: 43 FR 3558, Jan. 26, 1978, unless otherwise noted.

##### § 260.101 Purpose.

To establish policy for the Federal Highway Administration (FHWA) Fellowship and Scholarship Programs as administered by the National Highway Institute (NHI).

##### § 260.103 Definitions.

As used in this regulation, the following definitions apply:

(a) *Candidate*. One who meets the eligibility criteria set forth in §260.107, and who has completed and submitted the necessary forms and documents in order to be considered for selection for a fellowship or scholarship.

(b) *Direct educational expenses*. Those expenses directly related to attending school including tuition, student fees, books, and expendable supplies but excluding travel expenses to and from the school.

(c) *Employing agency*. The agency for which the candidate works. This may be either a State or local highway/transportation agency or the FHWA.

(d) *Fellowship*. The grant presented to the recipient's school and administered by the school to assist the candidate financially during the period of graduate study.

(e) *Living stipend*. The portion of the fellowship or scholarship grant remaining after the direct educational expenses have been deducted.

(f) *Local highway/transportation agency*. The agency or metropolitan planning organization with the responsibility for initiating and carrying forward a highway program or public transportation program utilizing highways at the local level, usually the city or county level.

(g) *National Highway Institute (NHI)*. The organization located within the FHWA responsible for the administration of the FHWA fellowship and scholarship grant programs.

(h) *Recipient*. The successful candidate receiving a fellowship or scholarship.

(i) *Scholarship*. The grant presented to the recipient's school and administered by the school to assist the candidate financially during the period of post-secondary study.

(j) *State highway/transportation agency*. The agency with the responsibility for initiating and carrying forward a highway program or public transportation program utilizing highways at the State level.

##### § 260.105 Policy.

It is the policy of the FHWA to administer, through the NHI, fellowship and scholarship grant programs to assist State and local agencies and the FHWA in developing the expertise needed for the implementation of their highway programs and to assist in the

development of more effective transportation programs at all levels of government. These programs shall provide financial support for up to 24 months of either full-time or part-time study in the field of highway transportation. The programs for each year shall be announced by FHWA notices.<sup>1</sup> These notices shall contain an application form and shall announce the number of grants to be awarded and their value.

[43 FR 3558, Jan. 26, 1978, as amended at 45 FR 67091, Oct. 9, 1980]

**§ 260.107 Eligibility.**

(a) Prior recipients of FHWA scholarships or fellowships are eligible if they will have completed all specific work commitments before beginning study under the programs for which applications are made.

(b) Candidates for the fellowship program shall have earned bachelor's or comparable college-level degrees prior to beginning advanced studies under the program.

(c) Candidates shall submit evidence of acceptance, or probable acceptance, for study in programs that will enhance their contributions to their employers. Evidence of probable acceptance may be a letter from the department chairman or other school official.

(d) Candidates shall agree to pursue certain minimum study loads as determined by the FHWA and designated in the FHWA notices announcing the programs each year.

(e) FHWA employees who receive awards will be required to execute continued service agreements, consistent with the Government Employees Training Act requirements, which obligate the employees to continue to work for the agency for three times the duration of the training received.

(f) Candidates who are students or employees of State or local highway/transportation agencies shall agree in writing to work on a full-time basis in public service with State or local highway/transportation agencies for a specified period of time after completing study under the program. The FHWA

notices announcing the programs each year shall specify the time period of the work commitment.

(g) Candidates shall agree to respond to brief questionnaires designed to assist the NHI in program evaluation both during and following the study period.

(h) Recipients of awards for full-time shall agree to limit their part-time employment as stipulated in the FHWA notice announcing the programs.

(i) Candidates shall not profit financially from FHWA grants. Where acceptance of the living stipend portion of the grant would result in a profit to the candidate, as determined by comparing the candidate's regular full-time salary with the candidate's part-time salary and employer salary support plus living stipend, the grant amount will be reduced accordingly. In cases where a candidate must relocate and maintain two households, exceptions to this condition will be considered.

(j) Candidates shall be citizens, or shall declare their intent to become citizens of the United States.

**§ 260.109 Selection.**

(a) Candidates shall be rated by a selection panel appointed by the Director of the NHI. Members of the panel shall represent the highway transportation interests of government, industry, and the academic community. The factors considered by the selection panel are weighed in accordance with specific program objectives.

(b) The major factors to be considered by the panel are:

(1) Candidate's potential to contribute to a public agency's highway transportation program,

(2) Relevance of a candidate's study program to the objectives of the fellowship or scholarship program,

(3) Relevant experience, and

(4) Academic and professional achievements.

(c) Using ratings given by the selection panel, the Director of the NHI shall select candidates for awards and designate alternates.

(d) The FHWA may designate in the FHWA notices announcing the programs the maximum number of awards

<sup>1</sup>The Federal Highway Administration notices are available for inspection and copying as prescribed in 49 CFR part 7, appendix D.

**§ 260.111**

that will be made to employees of any one agency.

**§ 260.111 Responsibilities of educational institutions.**

(a) The college or university chosen by the grant recipient shall enter into an appropriate agreement with the FHWA providing for the administration of the grant by the college or university.

(b) The college or university chosen by the recipient shall designate a faculty advisor prior to the commitment of funds by the FHWA. The faculty advisor will be requested to submit reports of the recipient's study progress following completion of each study period. These reports are oriented toward total program evaluation. To assure the recipient's rights to privacy, the FHWA will obtain appropriate advance concurrences from the recipient.

**§ 260.113 Responsibilities of employing agencies.**

(a) A candidate's employing agency is responsible for furnishing a statement of endorsement and information concerning the relevancy of the candidate's study to agency requirements. The agency is encouraged to identify educational and training priorities and to provide backup to support its priority candidates for these programs.

(b) Employing agencies are encouraged to give favorable consideration to the requests of candidates for educational leave and salary support for the study period to facilitate the candidates' applications. Agency decisions involving salary support and educational leave that will affect the acceptance of awards by recipients should be made at the earliest possible date to provide adequate time for the FHWA to select alternates to replace candidates that decline their awards.

(c) Agencies are responsible for negotiations with their candidates concerning conditions of reinstatement and the candidates' commitments to return to work.

(d) Employing agencies are encouraged to publicize the availability of these grants throughout the agencies, to implement procedures for internal evaluation of applications, and to forward

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the applications to the FHWA division office in their State.

(e) Employing agencies that choose to process their employees' applications are responsible for observing the cutoff date for the FHWA to receive applications. This date will be stipulated in the Notices announcing the program for each academic year.

**§ 260.115 Equal opportunity.**

(a) Consistent with the provisions of the Civil Rights Act of 1964 and Title VI, assurances executed by each State, 23 U.S.C. 324, and 29 U.S.C. 794, no applicant, including otherwise qualified handicapped individuals, shall on the grounds of race, color, religion, sex, national origin, or handicap, be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination under this program.

(b) In accordance with Executive Order 11141, no individual shall be denied benefits of this program because of age.

(c) Agencies should make information on this program available to all eligible employees, including otherwise qualified handicapped individuals, so as to assure nondiscrimination on the grounds of race, color, religion, sex, national origin, age, or handicap.

**§ 260.117 Application procedures.**

(a) The FHWA notices announcing each year's programs and containing the application form may be obtained from FHWA regional and division offices, State highway agencies, metropolitan planning organizations, Governors' highway safety representatives, Urban Mass Transportation Administration regional directors, major transit authorities and from colleges and universities. Forms may also be obtained from the NHI, HHI-3, FHWA, Washington, DC 20590.

(b) In order to become a candidate, the applicant shall complete and forward the application form according to the instructions in the FHWA notice announcing the programs. The cutoff date for submitting the application stipulated in the notices should be observed.

**Subparts B-C [Reserved]**

**Federal Highway Administration, DOT**

**§ 260.407**

**Subpart D—State Education and Training Programs**

FHWA's approval of the agreement will constitute obligation of funds and authorization for work to proceed.

AUTHORITY: 23 U.S.C. 315, 321 (b) and (c); 49 CFR 1.48(b).

SOURCE: 43 FR 35477, Aug. 10, 1978, unless otherwise noted.

**§ 260.407 Implementation and reimbursement.**

**§ 260.401 Purpose.**

To prescribe policy and implement procedures for the administration of Federal-aid funds for education and training of State and local highway department employees.

(a) After execution of the fiscal agreement, the State may make grants and contracts with public and private agencies, institutions, individuals, and the National Highway Institute to provide highway-related training and education. The principal recipients of this training shall be employees who are engaged or likely to be engaged, in Federal-aid highway work.

**§ 260.403 Policy.**

It is the policy of the Federal Highway Administration (FHWA) to provide continuing education of State and local highway agency employees engaged or to be engaged in Federal-aid highway work. To carry out this policy, States are encouraged to fully utilize the authority contained in 23 U.S.C. 321(b) and 321(c).

(b) Claims for Federal-aid reimbursement of costs incurred may be submitted following established procedures to cover 75 percent of the cost of tuition and direct educational expenses (including incidental training, equipment, and program materials) exclusive of travel, subsistence, or salary of trainees.

**§ 260.405 Application and approval procedures.**

The State may apply for education and training funds by submitting a signed agreement designating the desired Federal-aid funds, not to exceed the limits in 23 U.S.C. 321(b). The

(c) As provided in 23 U.S.C. 321(c), education and training for subject areas that are identified by the FHWA as Federal program responsibilities, shall be provided at no cost to State and local governments.

[43 FR 35477, Aug. 10, 1978, as amended at 45 FR 6378, Jan. 28, 1980; 53 FR 3745, Feb. 9, 1988]

APPENDIX A TO PART 260—REQUEST FOR USE OF FEDERAL-AID HIGHWAY FUNDS FOR EDUCATION OR TRAINING (FORM FHWA-1422)

U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION  <b>REQUEST FOR USE OF FEDERAL-AID HIGHWAY FUNDS FOR EDUCATION OR TRAINING</b> <i>(NATIONAL HIGHWAY INSTITUTE)</i>		1. STATE
		2. DATE OF REQUEST
		3. PROJECT NO.
4. NAME OF AGENCY SPONSORING COURSE	5. CO-SPONSOR <i>(If any)</i>	
6. COURSE TITLE	7. DATE OF PROGRAM	
	7A. BEGINNING	7B. ENDING
8. ESTIMATED ATTENDANCE		
9. PURPOSE AND EDUCATIONAL OBJECTIVES OF THE PROGRAM <i>(Be as Specific as Possible)</i>		
10. PROPOSED COURSE OUTLINE <i>(Attach a copy of the course outline including a list of the subjects to be presented, the sequence of their presentation, the proposed speakers and the amount of time allotted to each subject. Also include the source material upon which the course is based, and the text books and collateral references to be used.)</i>		
11. PROPOSED COURSE SCHEDULE. <i>(Provide information on the length of the course, including number of days, days of the week, and hours per day.)</i>		
12. TOTAL HOURS OF INSTRUCTION		
13. CRITERIA FOR ELIGIBILITY OF PARTICIPANTS <i>(Including organizational affiliation)</i>		
14. WHERE WILL COURSE BE HELD?		
15. IS THIS PROGRAM A REPEAT OF A COURSE PREVIOUSLY GIVEN? <i>(If yes fill-in 15A.)</i>		15A. WHEN WAS IT LAST HELD?
<input type="checkbox"/> YES <input type="checkbox"/> NO		
16. IS THIS PROGRAM RECURRING? <i>(If yes fill-in 16A.)</i>		16A. GIVE FREQUENCY
<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> SEMESTER <input type="checkbox"/> QUARTER <input type="checkbox"/> OTHER <i>(Specify)</i> _____
17. NAME AND TITLE OF TECHNICAL DIRECTOR <i>(Responsible for technical content.)</i>		
18. NAME AND TITLE OF COORDINATOR <i>(Responsible for arrangements)</i>		

Form FHWA-1422  
(Rev. 6-76)

PREVIOUS EDITIONS WILL NOT BE USED

EXPENDITURES	
19 ITEMS	AMOUNT
A. TEXT BOOKS	\$
B. NOTEBOOKS AND SUPPLIES	\$
C. PRINTING	\$
D. COMMUNICATIONS	\$
E. SECRETARIAL	\$
F. AUDIO-VISUAL	\$
G. PHOTOGRAPHS	\$
H. BUSES	\$
I. MEETING ROOM RENTAL	\$
J. COSTS OF SPONSORING AGENCY'S STAFF TIME SPENT IN PREPARATION AND CONDUCT OF COURSE	\$
K. COSTS OF CO-SPONSOR'S STAFF TIME SPENT IN PREPARATION AND CONDUCT OF COURSE	\$
L. HONORARIA PAID TO OUTSIDE INSTRUCTOR	\$
M. INCIDENTALS	\$
N. OTHER ITEMS <i>(Specify)</i>	\$
<b>TOTAL ESTIMATED COSTS</b> <i>(Excluding travel, subsistence and salaries of attendees)</i>	\$
20. COST PER ATTENDEE	\$
21. AMOUNT TO BE PAID OUT OF ½% FEDERAL-AID FUNDS	\$
22. REMARKS	
23. APPROVAL	
REQUEST INITIATED BY <i>(State Representative, Name and Title)</i>	DATE
APPROVED <i>(Division Administrator, Federal Highway Administration)</i>	DATE