

§ 691.81

34 CFR Ch. VI (7-1-12 Edition)

§ 691.81 Fiscal control and fund accounting procedures.

(a) An institution shall follow provisions for maintaining general fiscal records in this part and in 34 CFR 668.24(b).

(b) An institution shall maintain funds received under this part in accordance with the requirements in 34 CFR 668.164.

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

§ 691.82 Maintenance and retention of records.

(a) An institution shall follow the record retention and examination provisions in this part and in 34 CFR 668.24.

(b) For any disputed expenditures in any award year for which the institution cannot provide records, the Secretary determines the final authorized level of expenditures.

(Authority: 20 U.S.C. 1070a-1, 1232f)

§ 691.83 Submission of reports.

(a)(1) An institution may receive either a payment from the Secretary for an award to an ACG or a National SMART Grant recipient, or a corresponding reduction in the amount of Federal funds received in advance for which it is accountable, if—

(i) The institution submits to the Secretary the student's Payment Data for that award year in the manner and form prescribed in paragraph (a)(2) of this section by September 30 following the end of the award year in which the grant is made, or, if September 30 falls on a weekend, on the first weekday following September 30; and

(ii) The Secretary accepts the student's Payment Data.

(2) The Secretary accepts a student's Payment Data that is submitted in accordance with procedures established through publication in the FEDERAL REGISTER, and that contains information the Secretary considers to be accurate in light of other available information including that previously provided by the student and the institution.

(3) An institution that does not comply with the requirements of this paragraph may receive a payment or reduc-

tion in accountability only as provided in paragraph (d) of this section.

(b)(1) An institution shall report to the Secretary any change in the amount of a grant for which a student qualifies including any related Payment Data changes by submitting to the Secretary the student's Payment Data that discloses the basis and result of the change in award for each student. The institution shall submit the student's Payment Data reporting any change to the Secretary by the reporting deadlines published by the Secretary in the FEDERAL REGISTER.

(2) An institution shall submit, in accordance with deadline dates established by the Secretary, through publication in the FEDERAL REGISTER, other reports and information the Secretary requires and shall comply with the procedures the Secretary finds necessary to ensure that the reports are correct.

(3) An institution that timely submits, and has accepted by the Secretary, the Payment Data for a student in accordance with this section shall report a reduction in the amount of an award that the student received when it determines that an overpayment has occurred, unless that overpayment is one for which the institution is not liable under § 691.79(a).

(c) In accordance with 34 CFR 668.84, the Secretary may impose a fine on the institution if the institution fails to comply with the requirements specified in paragraphs (a) or (b) of this section.

(d)(1) Notwithstanding paragraph (a) or (b) of this section, if an institution demonstrates to the satisfaction of the Secretary that the institution has provided ACGs or National SMART Grants in accordance with this part but has not received credit or payment for those grants, the institution may receive payment or a reduction in accountability for those grants in accordance with paragraphs (d)(4) and either (d)(2) or (d)(3) of this section.

(2) The institution must demonstrate that it qualifies for a credit or payment by means of a finding contained in an audit report of an award year that was the first audit of that award year and timely submitted to the Secretary under 34 CFR 668.23(a).

(3) An institution that timely submits the Payment Data for a student

in accordance with paragraph (a) of this section but does not timely submit to the Secretary, or have accepted by the Secretary, the Payment Data necessary to document the full amount of the award to which the student is entitled, may receive a payment or reduction in accountability in the full amount of that award, if—

(i) A program review demonstrates to the satisfaction of the Secretary that the student was eligible to receive an amount greater than that reported in the student's Payment Data timely submitted to, and accepted by the Secretary; and

(ii) The institution seeks an adjustment to reflect an underpayment for that award that is at least \$100.

(4) In determining whether the institution qualifies for a payment or reduction in accountability, the Secretary takes into account any liabilities of the institution arising from that audit or program review or any other source. The Secretary collects those liabilities by offset in accordance with 34 CFR part 30.

(Authority: 20 U.S.C. 1070a-1, 1094, 1226a-1)

PART 692—LEVERAGING EDUCATIONAL ASSISTANCE PARTNERSHIP PROGRAM

Subpart A—Leveraging Educational Assistance Partnership Program

GENERAL

Sec.

- 692.1 What is the Leveraging Educational Assistance Partnership?
- 692.2 Who is eligible to participate in the LEAP Program?
- 692.3 What regulations apply to the LEAP Program?
- 692.4 What definitions apply to the LEAP Program?

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

- 692.10 How does the Secretary allot funds to the States?
- 692.11 For what purposes may a State use its payments under the LEAP Program?

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?
- 692.21 What requirements must be met by a State program?

HOW DOES A STATE ADMINISTER ITS COMMUNITY SERVICE-LEARNING JOB PROGRAM?

- 692.30 How does a State administer its community service-learning job program?

HOW DOES A STATE SELECT STUDENTS UNDER THE LEAP PROGRAM?

- 692.40 What are the requirements for student eligibility?
- 692.41 What standards may a State use to determine substantial financial need?

Subpart B—Special Leveraging Educational Assistance Partnership Program

GENERAL

- 692.50 What is the Special Leveraging Educational Assistance Partnership Program?
- 692.51 What other regulations apply to the SLEAP Program?
- 692.52 What definitions apply to the SLEAP Program?
- 692.53 What requirements must a State satisfy to receive SLEAP Program funds?
- 692.54 What eligibility requirements must a student satisfy to participate in the SLEAP Program?

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

- 692.60 What must a State do to receive an allotment under the SLEAP Program?

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

- 692.70 How does the Secretary allot funds to the States?
- 692.71 What activities may be funded under the SLEAP Program?
- 692.72 May a State use the funds it receives under the SLEAP Program to pay administrative costs?

HOW DOES A STATE ADMINISTER ITS COMMUNITY SERVICE WORK-STUDY PROGRAM?

- 692.80 How does a State administer its community service work-study program?

Subpart C—Grants for Access and Persistence Program

GENERAL

- 692.90 What is the Grants for Access and Persistence Program?
- 692.91 What other regulations apply to the GAP Program?
- 692.92 What definitions apply to the GAP Program?
- 692.93 Who is eligible to participate in the GAP Program?
- 692.94 What requirements must a State satisfy, as the administrator of a partnership, to receive GAP Program funds?