

greater than 20 percent of the amount reserved under that paragraph for the fiscal year.

(c) *Carryover of amounts pursuant to section 643(e)(3) of the Act.* (1) *First succeeding fiscal year.* Pursuant to section 421(b) of GEPA, 20 U.S.C. 1221 *et seq.*, amounts under a grant provided under paragraph (a) of this section that are not obligated and expended prior to the beginning of the first fiscal year succeeding the fiscal year for which those amounts were appropriated must remain available for obligation and expenditure during the first succeeding fiscal year.

(2) *Second succeeding fiscal year.* Amounts under a grant provided under paragraph (a) of this section that are not obligated and expended prior to the beginning of the second fiscal year succeeding the fiscal year for which those amounts were appropriated must be returned to the Secretary and used to make grants to States under section 633 of the Act (from their allotments identified in §§303.731 through 303.733) during the second succeeding fiscal year.

(Authority: 20 U.S.C. 1443)

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**PART 304—SERVICE OBLIGATIONS UNDER SPECIAL EDUCATION—PERSONNEL DEVELOPMENT TO IMPROVE SERVICES AND RESULTS FOR CHILDREN WITH DISABILITIES**

**Subpart A—General**

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- 304.1 Purpose.
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**Subpart B—Conditions That Must Be Met by Grantee**

- 304.21 Allowable costs.
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- 304.30 Requirements for scholar.
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AUTHORITY: 20 U.S.C. 1462(h), unless otherwise noted.

SOURCE: 71 FR 32398, June 5, 2006, unless otherwise noted.

**Subpart A—General**

**§ 304.1 Purpose.**

Individuals who receive scholarship assistance from projects funded under the Special Education—Personnel Development to Improve Services and Results for Children with Disabilities program are required to complete a service obligation, or repay all or part of the costs of such assistance, in accord-

ance with section 662(h) of the Act and the regulations of this part.

(Authority: 20 U.S.C. 1462(h))

**§ 304.3 Definitions.**

The following definitions apply to this program:

- (a) *Academic year* means—
  - (1) A full-time course of study—
    - (i) Taken for a period totaling at least nine months; or
    - (ii) Taken for the equivalent of at least two semesters, two trimesters, or three quarters; or
  - (2) For a part-time scholar, the accumulation of periods of part-time courses of study that is equivalent to an “academic year” under paragraph (a)(1) of this definition.
- (b) *Act* means the Individuals with Disabilities Education Act, as amended, 20 U.S.C. 1400 *et seq.*
- (c) *Early intervention services* means early intervention services as defined in section 632(4) of the Act and includes early intervention services to infants and toddlers with disabilities, and as applicable, to infants and toddlers at risk for disabilities under sections 632(1) and 632(5)(b) of the Act.
- (d) *Full-time*, for purposes of determining whether an individual is employed full-time in accordance with § 304.30 means a full-time position as defined by the individual’s employer or by the agencies served by the individual.
- (e) *Related services* means related services as defined in section 602(26) of the Act.
- (f) *Repayment* means monetary reimbursement of scholarship assistance in lieu of completion of a service obligation.