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(c) Allow the Secretary access to information that the Secretary judges necessary to audit or examine the records required in paragraph (a) of this section;

(d) Carry out the audit required in 2 CFR part 200, subpart F;

(e) Comply with the reporting requirements in 2 CFR 200.512; and

(f) Submit reports on a timely basis that are requested by the Secretary.

(Approved by the Office of Management and Budget under control number 1840-0564)

(Authority: 20 U.S.C. 1065 and 1232f)

[49 FR 28521, July 12, 1984, as amended at 52 FR 11258, Apr. 8, 1987; 53 FR 49146, Dec. 6, 1988; 58 FR 11164, Feb. 23, 1993; 79 FR 76101, Dec. 19, 2014]

§ 628.48 What happens if a grantee fails to administer the endowment challenge grant in accordance with applicable regulations?

(a) The Secretary may, after giving the grantee notice and an opportunity for a hearing, terminate an endowment challenge grant if the grantee—

(1) Withdraws or spends any part of the endowment fund corpus in violation of § 628.44(a)(1);

(2) Spends any portion of the endowment fund income not permitted to be spent in § 628.45;

(3) Fails to invest the endowment fund in accordance with the investment standards set forth in § 628.43; or

(4) Fails to meet the requirements in § 628.41.

(b) If the Secretary terminates a grant under paragraph (a) of this section, the grantee must return to the Secretary an amount equal to the sum of the original endowment challenge grant or grants plus the income earned on that sum.

(Authority: 20 U.S.C. 1065)

[49 FR 28521, July 21, 1984, as amended at 52 FR 11258, Apr. 8, 1987; 52 FR 36375, Sept. 28, 1987]

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PART 637—MINORITY SCIENCE AND ENGINEERING IMPROVEMENT PROGRAM

Subpart A—General

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AUTHORITY: 20 U.S.C. 1067-1067c, 1067g-1067k, 1068, 1068b, unless otherwise noted.

SOURCE: 46 FR 51204, Oct. 16, 1981, unless otherwise noted.

Subpart A—General

§ 637.1 What is the Minority Science and Engineering Improvement Program (MSEIP)?

The Minority Science and Engineering Improvement Program (MSEIP) is designed to effect long-range improvement in science and engineering education at predominantly minority institutions, and to increase the flow of underrepresented ethnic minorities,

particularly minority women, into scientific and technological careers.

(Authority: 20 U.S.C. 1067-1067c, 1067g-1067k, 1068, and 1068b, unless otherwise noted)

[65 FR 7674, Feb. 15, 2000]

§ 637.2 Who is eligible to receive a grant?

The following are eligible to receive a grant under this part:

(a) Public and private nonprofit institutions of higher education that—

(1) Award baccalaureate degrees; and

(2) Qualify as minority institutions as defined in § 637.4.

(b) Public or private nonprofit institutions of higher education that—

(1) Award associate degrees;

(2) Qualify as minority institutions as defined in § 637.4;

(3) Have a curriculum that includes science or engineering subjects; and

(4) Enter into a partnership with public or private nonprofit institutions of higher education that award baccalaureate degrees in science and engineering.

(c) Nonprofit science-oriented organizations, professional scientific societies, and institutions of higher education that award baccalaureate degrees that—

(1) Provide a needed service to a group of minority institutions; or

(2) Provide in-service training to project directors, scientists, and engineers from minority institutions; or

(d) A consortia of organizations, that provide needed services to one or more minority institutions. The consortia membership may include—

(1) Institutions of higher education which have a curriculum in science or engineering;

(2) Institutions of higher education that have a graduate or professional program in science or engineering;

(3) Research laboratories of, or under the contract with, the Department of Energy;

(4) Private organizations that have science or engineering facilities; or

(5) Quasi-governmental entities that have a significant scientific or engineering mission.

(Authority: 20 U.S.C. 1067g)

[65 FR 7674, Feb. 15, 2000]

§ 637.3 What regulations apply to the Minority Science and Engineering Improvement Program?

The following regulations apply to the Minority Science and Engineering Improvement Program:

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

(1)[Reserved]

(2) 34 CFR part 75 (Direct Grant 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 82 (New Restrictions on Lobbying).

(6) [Reserved]

(7) 34 CFR part 86 (Drug-Free Schools and Campuses).

(b) The regulations in this part 637.

(c)(1) 2 CFR part 180 (OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)), as adopted at 2 CFR part 3485; and

(2) 2 CFR part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards), as adopted at 2 CFR part 3474.

(Authority: 20 U.S.C. 1067-1067c, 1067g-1067k, 1068, and 1068b, unless otherwise noted)

[46 FR 51204, Oct. 16, 1981, as amended at 52 FR 43544, Nov. 12, 1987; 57 FR 54302, Nov. 18, 1992; 65 FR 7675, Feb. 15, 2000; 79 FR 76102, Dec. 19, 2014]

§ 637.4 What definitions apply to the Minority Science and Engineering Improvement Program?

(a) *Definitions in EDGAR.* The following terms used in this part are defined in 34 CFR part 77.

Applicant	Nonprofit
Application	Private
Department	Project
EDGAR	Project period
Grants	Secretary
Grantee	

(b) *Definitions that apply to this part:*

Accredited means currently certified by a nationally recognized accrediting agency or making satisfactory progress toward achieving accreditation.

Act means the Higher Education Act of 1965, as amended.

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Minority means American Indian, Alaskan Native, black (not of Hispanic origin), Hispanic (including persons of Mexican, Puerto Rican, Cuban, and Central or South American origin), Pacific Islander or other ethnic group underrepresented in science and engineering.

Minority institution means an accredited college or university whose enrollment of a single minority group or a combination of minority groups as defined in this section exceeds fifty percent of the total enrollment. The Secretary verifies this information from the data on enrollments (Higher Education General Information Surveys HEGIS XIII) furnished by the institution to the Office for Civil Rights, Department of Education.

Science means, for the purposes of this program, the biological, engineering, mathematical, physical, behavioral and social sciences, and the history and philosophy of science; also included are interdisciplinary fields which are comprised of overlapping areas among two or more sciences.

Underrepresented in science and engineering means a minority group whose number of scientists and engineers per 10,000 population of that group is substantially below the comparable figure for scientists and engineers who are white and not of Hispanic origin.

(Authority: 20 U.S.C. 1067-1067c, 1067g-1067k, 1068, 1068b)

(Authority: 20 U.S.C. 1135b-1135b-3 and 1135d-5)

[46 FR 51204, Oct. 16, 1981, as amended at 52 FR 43544, Nov. 12, 1987; 65 FR 7675, Feb. 15, 2000]

Subpart B—What Kinds of Projects Does the Secretary Assist Under This Program?

§ 637.11 What kinds of projects are supported by this program?

The Secretary awards grants under this program for all or some of the following categories of projects:

- (a) Institutional projects for implementing a comprehensive science improvement plan as described in § 637.12.
- (b) Design projects for developing a long-range science improvement plan as described in § 637.13.

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(c) Special projects to support activities as described in § 637.14.

(d) Cooperative projects to share facilities and personnel and disseminate information as described in § 637.15.

(Authority: 20 U.S.C. 1135b-2)

(Authority: 20 U.S.C. 1067-1067c, 1067g-1067k, 1068, and 1068b)

§ 637.12 What are institutional projects?

(a) Institutional project grants support the implementation of a comprehensive science improvement plan, which may include any combination of activities for improving the preparation of minority students, particularly minority women, for careers in science.

(b) Activities that the Secretary may assist under an institutional project include, but are not limited to, the following:

- (1) Faculty development programs; or
- (2) Development of curriculum materials.

(Authority: 20 U.S.C. 1067-1067c, 1067g-1067k, 1068, and 1068b)

[46 FR 51204, Oct. 16, 1981, as amended at 52 FR 43545, Nov. 12, 1987; 57 FR 54302, Nov. 18, 1992]

§ 637.13 What are design projects?

(a) Design project grants assist minority institutions that do not have their own appropriate resources or personnel to plan and develop long-range science improvement programs.

(b) Activities that the Secretary may assist under a design project include, but are not limited to, the following:

- (1) Development of planning, management, and evaluation systems; and
- (2) Improvement of institutional research or development offices.

(Authority: 20 U.S.C. 1067-1067c, 1067g-1067k, 1068, and 1068b)

[46 FR 51204, Oct. 16, 1981, as amended at 52 FR 43545, Nov. 12, 1987]

§ 637.14 What are special projects?

There are two types of special projects grants—

- (a) Special project grants for which minority institutions are eligible which support activities that—

(1) Improve quality training in science and engineering at minority institutions; or

(2) Enhance the minority institutions' general scientific research capabilities.

(b) Special project grants for which all applicants are eligible which support activities that—

(1) Provide a needed service to a group of eligible minority institutions; or

(2) Provide in-service training for project directors, scientists, and engineers from eligible minority institutions.

(c) Activities that the Secretary may assist under a special project include, but are not limited to, the following:

(1) Advanced science seminars;

(2) Science faculty workshops and conferences;

(3) Faculty training to develop specific science research or education skills;

(4) Research in science education;

(5) Programs for visiting scientists;

(6) Preparation of films or audio-visual materials in science;

(7) Development of learning experiences in science beyond those normally available to minority undergraduate students, particularly minority women;

(8) Development of pre-college enrichment activities in science; and

(9) Any other activities designed to address specific barriers to the entry of minorities, particularly minority women, into science.

(d) Minority institutions are eligible to apply for special projects of the type listed in paragraph (a) of this section. All applicants eligible for assistance under this program may apply for special projects of the type listed in paragraphs (b) and (c) of this section.

(Authority: 20 U.S.C. 1067-1067c, 1067g-1067k, 1068, and 1068b)

[46 FR 51204, Oct. 16, 1981, as amended at 52 FR 43545, Nov. 12, 1987; 57 FR 54302, Nov. 18, 1992]

§ 637.15 What are cooperative projects?

(a) Cooperative project grants assist groups of nonprofit accredited colleges and universities to work together to

conduct a science improvement project.

(b) Activities that the Secretary may fund under cooperative projects include, but are not limited to, the following:

(1) Assisting institutions in sharing facilities and personnel;

(2) Disseminating information about established programs in science and engineering;

(3) Supporting cooperative efforts to strengthen the institutions' science and engineering programs; and

(4) Carrying out a combination of any of the activities in paragraphs (c)(1)-(3) of this section.

(c) Eligible applicants for cooperative projects are groups of nonprofit accredited colleges and universities whose primary fiscal agent is an eligible minority institution as defined in § 637.4(b).

(Authority: 20 U.S.C. 1067-1067c, 1067g-1067k, 1068, and 1068b)

Subpart C—How Does One Apply for a Grant?

§ 637.21 Application procedures.

One applies for a grant under the procedures of EDGAR §§ 75.100 through 75.129.

Subpart D—How Does the Secretary Make a Grant?

§ 637.31 How does the Secretary evaluate an application?

(a) The Secretary evaluates an application on the basis of the criteria in § 637.32.

(b) The Secretary informs applicants of the maximum possible score for each criterion in the application package or in a notice published in the FEDERAL REGISTER.

(c) The Secretary gives priority to applicants which have not previously received funding from the program and to previous grantees with a proven record of success, as well as to applications that contribute to achieving balance among funded projects with respect to:

(1) Geographic region;

(2) Academic discipline; and

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(3) Project type.

(Authority: 20 U.S.C. 1067–1067c, 1067g–1067k, 1068, and 1068b)

[46 FR 51204, Oct. 16, 1981, as amended at 52 FR 43545, Nov. 12, 1987; 70 FR 13374, Mar. 21, 2005]

§ 637.32 What selection criteria does the Secretary use?

The Secretary evaluates applications on the basis of the criteria in this section.

(a) *Plan of operation.* (1) The Secretary reviews each application for information that shows the quality of the plan of operation for the project.

(2) The Secretary looks for information that shows—

(i) Higher quality in the design of the project;

(ii) An effective plan of management that insures proper and efficient administration of the project;

(iii) A clear description of how the objectives of the project relate to the purpose of the program;

(iv) The way the applicant plans to use its resources and personnel to achieve each objective; and

(v) Methods of coordination. (See 34 CFR 75.580)

(b) *Quality of key personnel.* (1) The Secretary reviews each application for information that shows the quality of the key personnel the applicant plans to use on the project.

(2) The Secretary looks for information that shows—

(i) The qualifications of the project director (if one is to be used);

(ii) The qualifications of each of the other key personnel to be used in the project;

(iii) The time that each person referred to in paragraphs (b)(2) (i) and (ii) of this section plans to commit to the project.

(iv) The extent to which the applicant, as part of its nondiscriminatory employment practices, encourages applications for employment from persons who are members of groups that have been traditionally underrepresented, such as members of a racial or ethnic minority group, women, handicapped persons, and the elderly.

(3) To determine the qualifications of a person, the Secretary considers evidence of past experience and training,

in fields related to the objectives of the project, as well as other information that the applicant provides.

(c) *Budget and cost effectiveness.* (1) The Secretary reviews each application for information that shows that the project has an adequate budget and is cost effective.

(2) The Secretary looks for information that shows—

(i) The budget for the project is adequate to support the project activities; and

(ii) Costs are reasonable in relation to the objective of the project.

(d) *Evaluation plan.* (1) The Secretary reviews each application for information that shows the quality of the evaluation plan for the project. (See 34 CFR 75.590)

(2) The Secretary looks for information that shows methods of evaluation that are appropriate for the project and, to the extent possible, are objective and produce data that are quantifiable.

(e) *Adequacy of resources.* (1) The Secretary reviews each application for information that shows that the applicant plans to devote adequate resources to the project.

(2) The Secretary looks for information that shows—

(i) The facilities that the applicant plans to use are adequate; and

(ii) The equipment and supplies that the applicant plans to use are adequate.

(f) *Identification of need for the project.*

(1) The Secretary reviews each application for information that shows the identification of need for the project.

(2) The Secretary looks for information that shows—

(i) An adequate needs assessment;

(ii) An identification of specific needs in science; and

(iii) Involvement of appropriate individuals, especially science faculty, in identifying the institutional needs.

(g) *Potential institutional impact of the project.* (1) The Secretary reviews each application to determine the extent to which the proposed project gives evidence of potential for enhancing the institution's capacity for improving and maintaining quality science education for its minority students, particularly minority women.

(2) The Secretary looks for information that shows—

(i) For an institutional or cooperative project, the extent to which both the established science education program(s) and the proposed project will expand or strengthen the established program(s) in relation to the identified needs; or

(ii) For a design project, the extent to which realistic long-range science education improvement plans will be developed with the technical assistance provided under the project; or

(iii) For a special project, the extent to which it addresses needs that have not been adequately addressed by an existing institutional science program or takes a particularly new and exemplary approach that has not been taken by any existing institutional science program.

(h) *Institutional commitment to the project.* (1) The Secretary reviews each application for information that shows that the applicant plans to continue the project activities when funding ceases.

(2) The Secretary looks for information that shows—

(i) Adequate institutional commitment to absorb any after-the-grant burden initiated by the project;

(ii) Adequate plans for continuation of project activities when funding ceases;

(iii) Clear evidence of past institutional commitment to the provision of quality science programs for its minority students; and

(iv) A local review statement signed by the chief executive officer of the institution endorsing the project and indicating how the project will accelerate the attainment of the institutional goals in science.

(i) *Expected outcomes.* (1) The Secretary reviews each application to determine the extent to which minority students, particularly minority women, will benefit from the project.

(2) The Secretary looks for information that shows—

(i) Expected outcomes likely to result in the accomplishment of the program goal;

(ii) Educational value for science students; and

(iii) Possibility of long-term benefits to minority students, faculty, or the institution.

(j) *Scientific and educational value of the proposed project.* (1) The Secretary reviews each application for information that shows its potential for contributions to science education.

(2) The Secretary looks for information that shows—

(i) The relationship of the proposed project to the present state of science education;

(ii) The use or development of effective techniques and approaches in science education; and

(iii) Potential use of some aspects of the project at other institutions.

(Approved by the Office of Management and Budget under control number 1840-0109)

(Authority: 20 U.S.C. 1067-1067c, 1067g-1067k, 1068, and 1068b)

[46 FR 51204, Oct. 16, 1981, as amended at 53 FR 49146, Dec. 6, 1988; 57 FR 54302, Nov. 18, 1992; 70 FR 13374, Mar. 21, 2005]

Subpart E—What Conditions Must be Met by a Grantee?

§ 637.41 What are the cost restrictions on design project grants?

For design project grants funds may not be used to pay more than fifty percent of the academic year salaries of faculty members involved in the project.

(Authority: 20 U.S.C. 1067-1067c, 1067g-1067k, 1068, and 1068b)

PART 642—TRAINING PROGRAM FOR FEDERAL TRIO PROGRAMS

Subpart A—General

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642.2 Who are eligible applicants?

642.3 Who are eligible participants?

642.4 How long is a project period?

642.5 What regulations apply?

642.6 What definitions apply?