

(2) Appropriate professional qualifications, experience and administrative skills to effectively fulfill the objectives of the project.

(Approved by the Office of Management and Budget under control number 1840-NEW11)

(Authority: 20 U.S.C. 1070a-15)

[59 FR 43989, Aug. 25, 1994, as amended at 75 FR 65797, Oct. 26, 2010]

## **PART 648—GRADUATE ASSISTANCE IN AREAS OF NATIONAL NEED**

### **Subpart A—General**

Sec.

648.1 What is the Graduate Assistance in Areas of National Need program?

648.2 Who is eligible for a grant?

648.3 What activities may the Secretary fund?

648.4 What is included in the grant?

648.5 What is the amount of a grant?

648.6 What is the duration of a grant?

648.7 What is the institutional matching contribution?

648.8 What regulations apply?

648.9 What definitions apply?

### **Subpart B—How Does an Institution of Higher Education Apply for a Grant?**

648.20 How does an institution of higher education apply for a grant?

### **Subpart C—How Does the Secretary Make an Award?**

648.30 How does the Secretary evaluate an application?

648.31 What selection criteria does the Secretary use?

648.32 What additional factors does the Secretary consider?

648.33 What priorities and absolute preferences does the Secretary establish?

### **Subpart D—How Are Fellows Selected?**

648.40 How does an academic department select fellows?

648.41 How does an individual apply for a fellowship?

### **Subpart E—How Does the Secretary Distribute Funds?**

648.50 What are the Secretary's payment procedures?

648.51 What is the amount of a stipend?

648.52 What is the amount of the institutional payment?

### **Subpart F—What Are the Administrative Responsibilities of the Institution?**

648.60 When does an academic department make a commitment to a fellow to provide stipend support?

648.61 How must the academic department supervise the training of fellows?

648.62 How can the institutional payment be used?

648.63 How can the institutional matching contribution be used?

648.64 What are unallowable costs?

648.65 How does an institution of higher education disburse and return funds?

648.66 What records and reports are required from the institution?

### **Subpart G—What Conditions Must Be Met by a Fellow After an Award?**

648.70 What conditions must be met by a fellow?

#### **APPENDIX TO PART 648—ACADEMIC AREAS**

AUTHORITY: 20 U.S.C. 1135-1135e, unless otherwise noted.

SOURCE: 58 FR 65842, Dec. 16, 1993, unless otherwise noted.

### **Subpart A—General**

#### **§ 648.1 What is the Graduate Assistance in Areas of National Need program?**

The Graduate Assistance in Areas of National Need program provides fellowships through academic departments of institutions of higher education to assist graduate students of superior ability who demonstrate financial need.

(Authority: 20 U.S.C. 1135, 1135a)

[58 FR 65842, Dec. 16, 1993, as amended at 64 FR 13487, Mar. 18, 1999]

#### **§ 648.2 Who is eligible for a grant?**

(a) The Secretary awards grants to the following:

(1) Any academic department of an institution of higher education that provides a course of study that—

(i) Leads to a graduate degree in an area of national need; and

(ii) Has been in existence for at least four years at the time of an application for a grant under this part.

(2) An academic department of an institution of higher education that—

(i) Satisfies the requirements of paragraph (a)(1) of this section; and

### § 648.3

(ii) Submits a joint application with one or more eligible nondegree-granting institutions that have formal arrangements for the support of doctoral dissertation research with one or more degree-granting institutions.

(b) A formal arrangement under paragraph (a)(2)(ii) of this section is a written agreement between a degree-granting institution and an eligible non-degree-granting institution whereby the degree-granting institution accepts students from the eligible nondegree-granting institution as doctoral degree candidates with the intention of awarding these students doctorates in an area of national need.

(c) The Secretary does not award a grant under this part for study at a school or department of divinity.

(Authority: 20 U.S.C. 1135, 1135a)

### § 648.3 What activities may the Secretary fund?

(a) The Secretary awards grants to institutions of higher education to fund fellowships in one or more areas of national need.

(b)(1) For the purposes of this part, the Secretary designates areas of national need from the academic areas listed in the appendix to this part or from the resulting inter-disciplines.

(2) The Secretary announces these areas of national need in a notice published in the FEDERAL REGISTER.

(Authority: 20 U.S.C. 1135, 1135a)

### § 648.4 What is included in the grant?

Each grant awarded by the Secretary consists of the following:

(a) The stipends paid by the Secretary through the institution of higher education to fellows. The stipend provides an allowance to a fellow for the fellow's (and his or her dependents') subsistence and other expenses.

(b) The institutional payments paid by the Secretary to the institution of higher education to be applied against each fellow's tuition, fees, and the costs listed in § 648.62(b).

(Authority: 20 U.S.C. 1135c, 1135d)

### § 648.5 What is the amount of a grant?

(a) The amount of a grant to an academic department may not be less than

### 34 CFR Ch. VI (7–1–25 Edition)

\$100,000 and may not be more than \$750,000 in a fiscal year.

(b) In any fiscal year, no academic department may receive more than \$750,000 as an aggregate total of new and continuing grants.

(Authority: 20 U.S.C. 1135)

### § 648.6 What is the duration of a grant?

The duration of a grant awarded under this part is a maximum of three annual budget periods during a three-year (36-month) project period.

(Authority: 20 U.S.C. 1135)

### § 648.7 What is the institutional matching contribution?

An institution shall provide, from non-Federal funds, an institutional matching contribution equal to at least 25 percent of the amount of the grant received under this part, for the uses indicated in § 648.63.

(Authority: 20 U.S.C. 1135b, 1135c)

### § 648.8 What regulations apply?

The following regulations apply to this 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.

(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. 1135)

[58 FR 65842, Dec. 16, 1993, as amended at 79 FR 76103, Dec. 19, 2014]

#### § 648.9 What definitions apply?

(a) *General definitions.* The following terms used in this part are defined in 2 CFR part 200, subpart A, or 34 CFR 77.1:

|               |                |
|---------------|----------------|
| Applicant     | Equipment      |
| Application   | Grant          |
| Award         | Nonprofit      |
| Budget        | Project period |
| Budget period | Secretary      |
| Department    | Supplies       |
| EDGAR         |                |

(b) *Other definitions.* The following definitions also apply to this part:

*Academic department* means any department, program, unit, or any other administrative subdivision of an institution of higher education that—

(i) Directly administers or supervises post-baccalaureate instruction in a specific discipline; and

(ii) Has the authority to award academic course credit acceptable to meet degree requirements at an institution of higher education.

*Academic field* means an area of study in an academic department within an institution of higher education other than a school or department of divinity.

*Academic year* means the 12-month period commencing with the fall instructional term of the institution.

*Application period* means the period in which the Secretary solicits applications for this program.

*Discipline* means a branch of instruction or learning.

*Eligible non-degree granting institution* means any institution that—

(i) Conducts post-baccalaureate academic programs of study but does not award doctoral degrees in an area of national need;

(ii) Is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from tax under section 501(a) of the Code;

(iii) Is organized and operated substantially to conduct scientific and cultural research and graduate training programs;

(iv) Is not a private foundation;

(v) Has academic personnel for instruction and counseling who meet the standards of the institution of higher education in which the students are enrolled; and

(vi) Has necessary research resources not otherwise readily available in the institutions in which students are enrolled.

*Fees* mean non-refundable charges paid by a graduate student for services, materials, and supplies that are not included within the tuition charged by the institution in which the student is enrolled.

*Fellow* means a recipient of a fellowship under this part.

*Fellowship* means an award made by an institution of higher education to an individual for graduate study under this part at the institution of higher education.

*Financial need* means the fellow's financial need as determined under title IV, part F, of the HEA for the period of the fellow's enrollment in the approved academic field of study for which the fellowship was awarded.

*General operational overhead* means non-instructional expenses incurred by an academic department in the normal administration and conduct of its academic program, including the costs of supervision, recruitment, capital outlay, debt service, indirect costs, or any other costs not included in the determination of tuition and non-refundable fee charges.

*Graduate student* means an individual enrolled in a program of post-baccalaureate study at an institution of higher education.

*Graduate study* means any program of postbaccalaureate study at an institution of higher education.

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

*Highest possible degree available* means a doctorate in an academic field or a master's degree, professional degree, or other post-baccalaureate degree if a doctorate is not available in that academic field.

*Institution of higher education (Institution)* means an institution of higher education, other than a school or department of divinity, as defined in section 1201(a) of the HEA.

*Inter-discipline* means a course of study that involves academic fields in two or more disciplines.

*Minority* means Alaskan Native, American Indian, Asian-American, Black (African-American), Hispanic American, Native Hawaiian, or Pacific Islander.

*Multi-disciplinary application* means an application that requests fellowships for more than a single academic department in areas of national need designated as priorities by the Secretary under this part.

*Project* means the activities necessary to assist, whether from grant funds or institutional resources, fellows in the successful completion of their designated educational programs.

*Satisfactory progress* means that a fellow meets or exceeds the institution's criteria and standards established for a graduate student's continued status as an applicant for the graduate degree in the academic field for which the fellowship was awarded.

*School or department of divinity* means an institution, or an academic department of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter into some other religious vocation or to prepare them to teach theological subjects.

*Students from traditionally underrepresented backgrounds* mean women and minorities who traditionally are underrepresented in areas of national need as designated by the Secretary.

*Supervised training* means training provided to fellows under the guidance and direction of faculty in the academic department.

*Tuition* means the charge for instruction by the institution of higher education in which the fellow is enrolled.

*Underrepresented in areas of national need* means proportionate representation as measured by degree recipients, that is less than the proportionate representation in the general population, as indicated by—

(i) The most current edition of the Department's *Digest of Educational Statistics*;

(ii) The National Research Council's *Doctorate Recipients from United States Universities*;

(iii) Other standard statistical references, as announced annually in the FEDERAL REGISTER notice inviting applications for new awards under this program; or

(iv) As documented by national survey data submitted to and accepted by the Secretary on a case-by-case basis.

(Authority: 20 U.S.C. 1135–1135d)

[58 FR 65842, Dec. 16, 1993, as amended at 79 FR 76103, Dec. 19, 2014]

## Subpart B—How Does an Institution of Higher Education Apply for a Grant?

### § 648.20 How does an institution of higher education apply for a grant?

(a) To apply for a grant under this part, an institution of higher education shall submit an application that responds to the appropriate selection criteria in § 648.31.

(b) In addition, an application for a grant must—

(1) Describe the current academic program for which the grant is sought;

(2) Request a specific number of fellowships to be awarded on a full-time basis for the academic year covered under the grant in each academic field included in the application;

(3) Set forth policies and procedures to ensure that in making fellowship awards under this part the institution will seek talented students from traditionally underrepresented backgrounds;

(4) Set forth policies and procedures to assure that in making fellowship awards under this part the institution will make awards to individuals who satisfy the requirements of § 648.40;

(5) Set forth policies and procedures to ensure that Federal funds made available under this part for any fiscal year will be used to supplement and, to the extent practical, increase the funds that otherwise would be made available for the purposes of this part and, in no case, to supplant those funds;

(6) Provide assurances that the institution will provide the institutional matching contribution described in § 648.7;

(7) Provide assurances that, in the event that funds made available to the academic department under this part

are insufficient to provide the assistance due a student under the commitment entered into between the academic department and the student, the academic department will, from any funds available to it, fulfill the commitment to the student;

(8) Provide that the institution will comply with the requirements in subpart F; and

(9) Provide assurances that the academic department will provide at least one year of supervised training in instruction to students receiving fellowships under this program.

(c) In any application period, an academic department may not submit more than one application for new awards.

(Approved by the Office of Management and Budget under control number 1840-0604)

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

[58 FR 65842, Dec. 16, 1993, as amended at 64 FR 13487, Mar. 18, 1999]

### Subpart C—How Does the Secretary Make an Award?

#### § 648.30 How does the Secretary evaluate an application?

(a) The Secretary evaluates an application on the basis of the criteria in § 648.31.

(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.

(Authority: 20 U.S.C. 1135, 1135b)

[58 FR 65842, Dec. 16, 1993, as amended at 70 FR 13375, Mar. 21, 2005]

#### § 648.31 What selection criteria does the Secretary use?

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

(a) *Meeting the purposes of the program.* The Secretary reviews each application to determine how well the project will meet the purposes of the program, including the extent to which—

(1) The applicant's general and specific objectives for the project are realistic and measurable;

(2) The applicant's objectives for the project seek to sustain and enhance the capacity for teaching and research at the institution and at State, regional, or national levels;

(3) The applicant's objectives seek to institute policies and procedures to ensure the enrollment of talented graduate students from traditionally underrepresented backgrounds; and

(4) The applicant's objectives seek to institute policies and procedures to ensure that it will award fellowships to individuals who satisfy the requirements of § 648.40.

(b) *Extent of need for the project.* The Secretary considers the extent to which a grant under the program is needed by the academic department by considering—

(1) How the applicant identified the problems that form the specific needs of the project;

(2) The specific problems to be resolved by successful realization of the goals and objectives of the project; and

(3) How increasing the number of fellowships will meet the specific and general objectives of the project.

(c) *Quality of the graduate academic program.* The Secretary reviews each application to determine the quality of the current graduate academic program for which project funding is sought, including—

(1) The course offerings and academic requirements for the graduate program;

(2) The qualifications of the faculty, including education, research interest, publications, teaching ability, and accessibility to graduate students;

(3) The focus and capacity for research; and

(4) Any other evidence the applicant deems appropriate to demonstrate the quality of its academic program.

(d) *Quality of the supervised teaching experience.* The Secretary reviews each application to determine the quality of the teaching experience the applicant plans to provide fellows under this program, including the extent to which the project—

(1) Provides each fellow with the required supervised training in instruction;

(2) Provides adequate instruction on effective teaching techniques;

(3) Provides extensive supervision of each fellow's teaching performance; and

(4) Provides adequate and appropriate evaluation of the fellow's teaching performance.

(e) *Recruitment plan.* The Secretary reviews each application to determine the quality of the applicant's recruitment plan, including—

(1) How the applicant plans to identify, recruit, and retain students from traditionally underrepresented backgrounds in the academic program for which fellowships are sought;

(2) How the applicant plans to identify eligible students for fellowships;

(3) The past success of the academic department in enrolling talented graduate students from traditionally underrepresented backgrounds; and

(4) The past success of the academic department in enrolling talented graduate students for its academic program.

(f) *Project administration.* The Secretary reviews the quality of the proposed project administration, including—

(1) How the applicant will select fellows, including how the applicant will ensure that project participants who are otherwise eligible to participate are selected without regard to race, color, national origin, religion, gender, age, or disabling condition;

(2) How the applicant proposes to monitor whether a fellow is making satisfactory progress toward the degree for which the fellowship has been awarded;

(3) How the applicant proposes to identify and meet the academic needs of fellows;

(4) How the applicant proposes to maintain enrollment of graduate students from traditionally underrepresented backgrounds; and

(5) The extent to which the policies and procedures the applicant proposes to institute for administering the project are likely to ensure efficient and effective project implementation, including assistance to and oversight of the project director.

(g) *Institutional commitment.* The Secretary reviews each application for evidence that—

(1) The applicant will provide, from any funds available to it, sufficient funds to support the financial needs of the fellows if the funds made available under the program are insufficient;

(2) The institution's social and academic environment is supportive of the academic success of students from traditionally underrepresented backgrounds on the applicant's campus;

(3) Students receiving fellowships under this program will receive stipend support for the time necessary to complete their courses of study, but in no case longer than 5 years; and

(4) The applicant demonstrates a financial commitment, including the nature and amount of the institutional matching contribution, and other institutional commitments that are likely to ensure the continuation of project activities for a significant period of time following the period in which the project receives Federal financial assistance.

(h) *Quality of key personnel.* The Secretary reviews each application to determine the quality of key personnel the applicant plans to use on the project, including—

(1) The qualifications of the project director;

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

(3) The time commitment of key personnel, including the project director, to the project; and

(4) How the applicant, as part of its nondiscriminatory employment practices, will ensure that its personnel are selected without regard to race, color, national origin, religion, gender, age, or disabling condition, except pursuant to a lawful affirmative action plan.

(i) *Budget.* The Secretary reviews each application to determine the extent to which—

(1) The applicant shows a clear understanding of the acceptable uses of program funds; and

(2) The costs of the project are reasonable in relation to the objectives of the project.

(j) *Evaluation plan.* The Secretary reviews each application to determine the quality of the evaluation plan for the project, including the extent to which the applicant's methods of evaluation—

(1) Relate to the specific goals and measurable objectives of the project;

(2) Assess the effect of the project on the students receiving fellowships under this program, including the effect on persons of different racial and ethnic backgrounds, genders, and ages, and on persons with disabilities who are served by the project;

(3) List both process and product evaluation questions for each project activity and outcome, including those of the management plan;

(4) Describe both the process and product evaluation measures for each project activity and outcome;

(5) Describe the data collection procedures, instruments, and schedules for effective data collection;

(6) Describe how the applicant will analyze and report the data so that it can make adjustments and improvements on a regular basis; and

(7) Include a time-line chart that relates key evaluation processes and benchmarks to other project component processes and benchmarks.

(k) *Adequacy of resources.* The Secretary reviews each application to determine the adequacy of the resources that the applicant makes available to graduate students receiving fellowships under this program, including facilities, equipment, and supplies.

(Approved by the Office of Management and Budget under control number 1840-0604)

(Authority: 20 U.S.C. 1135-1135c)

[58 FR 65842, Dec. 16, 1993, as amended at 70 FR 13375, Mar. 21, 2005]

#### **§ 648.32 What additional factors does the Secretary consider?**

(a) *Continuation awards.* (1) Before funding new applications, the Secretary gives preference to grantees requesting their second or third year of funding.

(2) If appropriations for this program are insufficient to fund all continuation grantees for the second and third years at the approved funding level, the Secretary prorates the available funds, if any, among the continuation grantees and, if necessary, awards continuation grants of less than \$100,000.

(b) *Equitable distribution.* In awarding grants, the Secretary will, consistent with an allocation of awards based on

the quality of competing applications, ensure the following:

(1) An equitable geographic distribution of grants to eligible applicant institutions of higher education.

(2) An equitable distribution of grants to eligible applicant public and eligible applicant private institutions of higher education.

(Authority: 20 U.S.C. 1135-1135c)

#### **§ 648.33 What priorities and absolute preferences does the Secretary establish?**

(a) For each application period, the Secretary establishes as an area of national need and gives absolute preference to one or more of the general disciplines and sub-disciplines listed as priorities in the appendix to this part or the resulting interdisciplines.

(b) The Secretary announces the absolute preferences in a notice published in the FEDERAL REGISTER.

(Authority: 20 U.S.C. 1135, 1135a)

### **Subpart D—How Are Fellows Selected?**

#### **§ 648.40 How does an academic department select fellows?**

(a) In selecting individuals to receive fellowships, an academic department shall consider only individuals who—

(1) Are currently enrolled as graduate students, have been accepted at the grantee institution, or are enrolled or accepted as graduate students at an eligible nondegree-granting institution;

(2) Are of superior ability;

(3) Have an excellent academic record;

(4) Have financial need;

(5) Are planning to pursue the highest possible degree available in their course of study;

(6) Are planning a career in teaching or research;

(7) Are not ineligible to receive assistance under 34 CFR 75.60; and

(8)(i) Are United States citizens or nationals;

(ii) Are permanent residents of the United States;

(iii) Provide evidence from the Immigration and Naturalization Service that they are in the United States for other than a temporary purpose with

## **§ 648.41**

the intention of becoming permanent residents; or

(iv) Are citizens of any one of the Freely Associated States.

(b) An individual who satisfies the eligibility criteria in paragraph (a) of this section, but who attends an institution that does not offer the highest possible degree available in the individual's course of study, is eligible for a fellowship if the individual plans to attend subsequently an institution that offers this degree.

(Authority: 20 U.S.C. 1135, 1135b)

[58 FR 65842, Dec. 16, 1993, as amended at 64 FR 13487, Mar. 18, 1999]

### **§ 648.41 How does an individual apply for a fellowship?**

An individual shall apply directly to an academic department of an institution of higher education that has received a grant.

(Authority: 20 U.S.C. 1135, 1135c)

## **Subpart E—How Does the Secretary Distribute Funds?**

### **§ 648.50 What are the Secretary's payment procedures?**

(a) The Secretary awards to the institution of higher education a stipend and an institutional payment for each individual awarded a fellowship under this part.

(b) If an academic department of an institution of higher education is unable to use all of the amounts available to it under this part, the Secretary reallots the amounts not used to academic departments of other institutions of higher education for use in the academic year following the date of the reallocation.

(Authority: 20 U.S.C. 1135a, 1135c, 1135d)

### **§ 648.51 What is the amount of a stipend?**

(a) For a fellowship initially awarded for an academic year prior to the academic year 1993-94, the institution shall pay the fellow a stipend in an amount that equals the fellow's financial need or \$10,000, whichever is less.

(b) For a fellowship initially awarded for the academic year 1993-94, or any succeeding academic year, the institu-

## **34 CFR Ch. VI (7-1-25 Edition)**

tion shall pay the fellow a stipend at a level of support equal to that provided by the National Science Foundation graduate fellowships, except that this amount must be adjusted as necessary so as not to exceed the fellow's demonstrated level of financial need as determined under part F of title IV of the HEA. The Secretary announces the amount of the stipend in a notice published in the FEDERAL REGISTER.

(Authority: 20 U.S.C. 1135c)

[58 FR 65842, Dec. 16, 1993, as amended at 64 FR 13487, Mar. 18, 1999]

### **§ 648.52 What is the amount of the institutional payment?**

(a) For academic year 1998-1999, the amount of the institutional payment received by an institution of higher education for each student awarded a fellowship at the institution is \$10,222. Thereafter, the Secretary adjusts the amount of the institutional payment annually in accordance with inflation as determined by the United States Department of Labor's Consumer Price Index for the previous calendar year. The Secretary announces the amount of the institutional payment in a notice published in the FEDERAL REGISTER.

(b) The institutional allowance paid under paragraph (a) of this section is reduced by the amount the institution charges and collects from a fellowship recipient for tuition and other expenses as part of the recipient's instructional program.

(Authority: 20 U.S.C. 1135d)

[58 FR 65842, Dec. 16, 1993, as amended at 64 FR 13487, Mar. 18, 1999]

## **Subpart F—What Are the Administrative Responsibilities of the Institution?**

### **§ 648.60 When does an academic department make a commitment to a fellow to provide stipend support?**

(a) An academic department makes a commitment to a fellow at any point in his or her graduate study for the length of time necessary for the fellow to complete the course of graduate study, but in no case longer than five years.

(b) An academic department shall not make a commitment under paragraph (a) of this section to provide stipend support unless the academic department has determined that adequate funds are available to fulfill the commitment either from funds received or anticipated under this part or from institutional funds.

(Authority: 20 U.S.C. 1135c)

**§ 648.61 How must the academic department supervise the training of fellows?**

The institution shall provide to fellows at least one academic year of supervised training in instruction at the graduate or undergraduate level at the schedule of at least one-half-time teaching assistant.

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

**§ 648.62 How can the institutional payment be used?**

(a) The institutional payment must be first applied against a fellow's tuition and fees.

(b) After payment of a fellow's tuition and fees, the institutional payment may be applied against educational expenses of the fellow that are not covered by tuition and fees and are related to the academic program in which the fellow is enrolled. These expenses include the following:

(1) Costs for rental or purchase of any books, materials, or supplies required of students in the same course of study.

(2) Costs of computer hardware, project specific software, and other equipment prorated by the length of the student's fellowship over the reasonable life of the equipment.

(3) Membership fees of professional associations.

(4) Travel and per diem to professional association meetings and registration fees.

(5) International travel, per diem, and registration fees to participate in educational activities.

(6) Expenses incurred in research.

(7) Costs of reproducing and binding of educational products.

(c) The institutional payment must supplement and, to the extent practical, increase the funds that would otherwise be made available for the

purpose of the program and, in no case, to supplant institutional funds currently available for fellowships.

(Authority: 20 U.S.C. 1135b, 1135d)

**§ 648.63 How can the institutional matching contribution be used?**

(a) The institutional matching contribution may be used to—

(1) Provide additional fellowships to graduate students who are not already receiving fellowships under this part and who satisfy the requirements of § 648.40;

(2) Pay for tuition, fees, and the costs listed in § 648.62(b);

(3) Pay for costs of providing a fellow's instruction that are not included in the tuition or fees paid to the institution in which the fellow is enrolled; and

(4) Supplement the stipend received by a fellow under § 648.51 in an amount not to exceed a fellow's financial need.

(b) An institution may not use its institutional matching contribution to fund fellowships that were funded by the institution prior to the award of the grant.

(Authority: 20 U.S.C. 1135, 1135b, 1135c)

**§ 648.64 What are unallowable costs?**

Neither grant funds nor the institutional matching funds may be used to pay for general operational overhead costs of the academic department.

(Authority: 20 U.S.C. 1135, 1135d)

**§ 648.65 How does the institution of higher education disburse and return funds?**

(a) An institution that receives a grant shall disburse a stipend to a fellow in accordance with its regular payment schedule, but shall not make less than one payment per academic term.

(b) If a fellow withdraws from an institution before completion of an academic term, the institution may award the fellowship to another individual who satisfies the requirements in § 648.40.

(c) If a fellowship is vacated or discontinued for any period of time, the institution shall return a prorated portion of the institutional payment and unexpended stipend funds to the Secretary, unless the Secretary authorizes

## § 648.66

the use of those funds for a subsequent project period. The institution shall return the prorated portion of the institutional payment and unexpended stipend funds at a time and in a manner determined by the Secretary.

(d) If a fellow withdraws from an institution before the completion of the academic term for which he or she received a stipend installment, the fellow shall return a prorated portion of the stipend installment to the institution at a time and in a manner determined by the Secretary.

(Authority: 20 U.S.C. 1135c, 1135d)

### § 648.66 What records and reports are required from the institution?

(a) An institution of higher education that receives a grant shall provide to the Secretary, prior to the receipt of grant funds for disbursement to a fellow, a certification that the fellow is enrolled in, is making satisfactory progress in, and is devoting essentially full time to study in the academic field for which the grant was made.

(b) An institution of higher education that receives a grant shall keep records necessary to establish—

(1) That each student receiving a fellowship satisfies the eligibility requirements in § 648.40;

(2) The time and amount of all disbursements and return of stipend payments;

(3) The appropriate use of the institutional payment; and

(4) That assurances, policies, and procedures provided in its application have been satisfied.

(Approved by the Office of Management and Budget under control number 1840-0604)

(Authority: 20 U.S.C. 1135-1135d)

### Subpart G—What Conditions Must Be Met by a Fellow After an Award?

#### § 648.70 What conditions must be met by a fellow?

To continue to be eligible for a fellowship, a fellow must—

(a) Maintain satisfactory progress in the program for which the fellowship was awarded;

(b) Devote essentially full time to study or research in the academic field

in which the fellowship was awarded; and

(c) Not engage in gainful employment, except on a part-time basis in teaching, research, or similar activities determined by the academic department to be in support of the fellow's progress toward a degree.

(Authority: 20 U.S.C. 1135c)

### APPENDIX TO PART 648—ACADEMIC AREAS

The Secretary may give an absolute preference to any of the academic areas listed as disciplines or subdisciplines below, or the resulting inter-disciplines. The list was derived from the Classification of Instructional Programs (CIP) developed by the Office of Educational Research and Improvement of the U.S. Department of Education and includes the instructional programs that may constitute courses of studies toward graduate degrees. The code number to the left of each discipline and subdiscipline is the Department's identification code for that particular type of instructional program.

- 05. Area, Ethnic, and Cultural Studies
  - 05.01 Area Studies
  - 05.02 Ethnic and Cultural Studies
- 11. Computer and Information Sciences
  - 11.01 Computer and Information Sciences, General
  - 11.02 Computer Programming
  - 11.04 Information Sciences and Systems
  - 11.05 Computer Systems Analysis
  - 11.07 Computer Science
- 13. Education
  - 13.01 Education, General
  - 13.02 Bilingual/Bicultural Education
  - 13.03 Curriculum and Instruction
  - 13.04 Education Administration and Supervision
  - 13.05 Educational/Instructional Media Design
  - 13.06 Educational Evaluation, Research, and Statistics
  - 13.07 International and Comparative Education
  - 13.08 Educational Psychology
  - 13.09 Social and Philosophical Foundations of Education
  - 13.10 Special Education
  - 13.11 Student Counseling and Personnel Services
  - 13.12 General Teacher Education
  - 13.13 Teacher Education, Specific Academic, and Vocational Programs
  - 13.14 Teaching English as a Second Language/Foreign Language
- 14. Engineering
  - 14.01 Engineering, General
  - 14.02 Aerospace, Aeronautical, and Astronautical Engineering
  - 14.03 Agricultural Engineering

**Ofc. of Postsecondary Educ., Education**

**Pt. 648, App.**

- 14.04 Architectural Engineering
- 14.05 Bioengineering and Biomedical Engineering
- 14.06 Ceramic Sciences and Engineering
- 14.07 Chemical Engineering
- 14.08 Civil Engineering
- 14.09 Computer Engineering
- 14.10 Electrical, Electronic, and Communications Engineering
- 14.11 Engineering Mechanics
- 14.12 Engineering Physics
- 14.13 Engineering Science
- 14.14 Environmental/Environmental Health Engineering
- 14.15 Geological Engineering
- 14.16 Geophysical Engineering
- 14.17 Industrial/Manufacturing Engineering
- 14.18 Materials Engineering
- 14.19 Mechanical Engineering
- 14.20 Metallurgical Engineering
- 14.21 Mining and Mineral Engineering
- 14.22 Naval Architecture and Marine Engineering
- 14.23 Nuclear Engineering
- 14.24 Ocean Engineering
- 14.25 Petroleum Engineering
- 14.27 Systems Engineering
- 14.28 Textile Sciences and Engineering
- 14.29 Engineering Design
- 14.30 Engineering/Industrial Management
- 14.31 Materials Science
- 14.32 Polymer/Plastics Engineering
- 16. Foreign Languages
  - 16.01 Foreign Languages and Literatures
  - 16.03 East and Southeast Asian Languages and Literatures
  - 16.04 East European Languages and Literatures
  - 16.05 Germanic Languages and Literatures
  - 16.06 Greek Languages and Literatures
  - 16.07 South Asian Languages and Literatures
  - 16.09 Romance Languages and Literatures
  - 16.11 Middle Eastern Languages and Literatures
  - 16.12 Classical and Ancient Near Eastern Languages and Literatures
- 22. Law and Legal Studies
  - 22.01 Law and Legal Studies
- 25. Library Science
  - 25.01 Library Science/Librarianship
  - 25.03 Library Assistant
- 26. Biological Sciences/Life Sciences
  - 26.01 Biology, General
  - 26.02 Biochemistry and Biophysics
  - 26.03 Botany
  - 26.04 Cell and Molecular Biology
  - 26.05 Microbiology/Bacteriology
  - 26.06 Miscellaneous Biological Specializations
  - 26.07 Zoology
- 27. Mathematics
  - 27.01 Mathematics
  - 27.03 Applied Mathematics
  - 27.05 Mathematic Statistics
- 40. Physical Sciences
  - 40.01 Physical Sciences, General
  - 40.02 Astronomy
  - 40.03 Astrophysics
  - 40.04 Atmospheric Sciences and Meteorology
  - 40.05 Chemistry
  - 40.06 Geological and Related Sciences
  - 40.07 Miscellaneous Physical Sciences
  - 40.08 Physics
- 42. Psychology
  - 42.01 Psychology
  - 42.02 Clinical Psychology
  - 42.03 Cognitive Psychology and Psycholinguistics
  - 42.04 Community Psychology
  - 42.06 Counseling Psychology
  - 42.07 Developmental and Child Psychology
  - 42.08 Experimental Psychology
  - 42.09 Industrial and Organizational Psychology
  - 42.11 Physiological Psychology/ Psychobiology
  - 42.16 Social Psychology
  - 42.17 School Psychology
- 50. Visual and Performing Arts
  - 50.01 Visual and Performing Arts
  - 50.02 Crafts, Folk Art, and Artisanry
  - 50.03 Dance
  - 50.04 Design and Applied Arts
  - 50.05 Dramatic/Theater Arts and Stagecraft
  - 50.06 Film/Video and Photographic Arts
  - 50.07 Fine Arts and Art Studies
  - 50.09 Music
- 51. Health Professions and Related Sciences
  - 51.01 Chiropractic (D.C., D.C.M.)
  - 51.02 Communication Disorders Sciences and Services
  - 51.03 Community Health Services
  - 51.04 Dentistry (D.D.S., D.M.D.)
  - 51.05 Dental Clinical Sciences/Graduate Dentistry (M.S., Ph.D.)
  - 51.06 Dental Services
  - 51.07 Health and Medical Administrative Services
  - 51.08 Health and Medical Assistants
  - 51.09 Health and Medical Diagnostic and Treatment Services
  - 51.10 Health and Medical Laboratory Technologies/Technicians
  - 51.11 Health and Medical Preparatory Programs
  - 51.12 Medicine (M.D.)
  - 51.13 Medical Basic Science
  - 51.14 Medical Clinical Services (M.S., Ph.D.)
  - 51.15 Mental Health Services
  - 51.16 Nursing
  - 51.17 Optometry (O.D.)
  - 51.18 Ophthalmic/Optometric Services
  - 51.19 Osteopathic Medicine (D.O.)
  - 51.20 Pharmacy
  - 51.21 Podiatry (D.P.M., D.P., Pod.D.)
  - 51.22 Public Health
  - 51.23 Rehabilitation/Therapeutic Services

**Pt. 650**

- 51.24 Veterinary Medicine (D.V.M.)
- 51.25 Veterinary Clinical Services
- 51.27 Miscellaneous Health Professions

**PART 650—JACOB K. JAVITS  
FELLOWSHIP PROGRAM**

**Subpart A—General**

Sec.

- 650.1 What is the Jacob K. Javits Fellowship Program?
- 650.2 Who is eligible to receive a fellowship?
- 650.3 What regulations apply to the Jacob K. Javits Fellowship Program?
- 650.4 What definitions apply to the Jacob K. Javits Fellowship Program?
- 650.5 What does a fellowship award include?

**Subpart B—How Does an Individual Apply  
for a Fellowship?**

- 650.10 How does an individual apply for a fellowship?

**Subpart C—How Are Fellows Selected?**

- 650.20 What are the selection procedures?

**Subpart D—What Conditions Must Be Met  
by Fellows?**

- 650.30 Where may fellows study?
- 650.31 How does an individual accept a fellowship?
- 650.32 How does the Secretary withdraw an offer of a fellowship?
- 650.33 What is the duration of a fellowship?
- 650.34 What conditions must be met by fellows?
- 650.35 May fellowship tenure be interrupted?
- 650.36 May fellows make changes in institution or field of study?
- 650.37 What records and reports are required from fellows?

**Subpart E—What Are the Administrative  
Responsibilities of the Institution?**

- 650.40 What institutional agreements are needed?
- 650.41 How are institutional payments to be administered?
- 650.42 How are stipends to be administered?
- 650.43 How are disbursement and return of funds made?
- 650.44 What records and reports are required from institutions?

AUTHORITY: 20 U.S.C. 1134–1134d, unless otherwise noted.

SOURCE: 58 FR 58084, Oct. 28, 1993, unless otherwise noted.

**34 CFR Ch. VI (7–1–25 Edition)**

**Subpart A—General**

**§ 650.1 What is the Jacob K. Javits Fellowship Program?**

(a) Under the Jacob K. Javits Fellowship Program the Secretary awards fellowships to students of superior ability selected on the basis of demonstrated achievement, financial need, and exceptional promise, for study at the doctoral level in selected fields of the arts, humanities, and social sciences.

(b) Students awarded fellowships under this program are called Jacob K. Javits Fellows.

(Authority: 20 U.S.C. 1134)

[58 FR 58084, Oct. 28, 1993, as amended at 64 FR 3199, Jan. 20, 1999]

**§ 650.2 Who is eligible to receive a fellowship?**

An individual is eligible to receive a fellowship if the individual—

(a) Is enrolled at an institution of higher education in the program of study leading to a doctoral degree, and is not studying for a religious vocation, in the academic field for which the fellowship is awarded;

(b) Meets the eligibility requirements established by the Fellowship Board;

(c) Is not ineligible to receive assistance under 34 CFR 75.60, as added on July 8, 1992 (57 FR 30328, 30337); and

(d)(1) Is pursuing a doctoral degree that will not lead to an academic career and is—

(i) A citizen or national of the United States;

(ii) A permanent resident of the United States;

(iii) In the United States for other than a temporary purpose and intends to become a permanent resident; or

(iv) A citizen of any one of the Freely Associated States; or

(2) Is pursuing a doctoral degree that will lead to an academic career and is a citizen of the United States.

(Authority: 20 U.S.C. 1134–1134d)

[58 FR 58084, Oct. 28, 1993, as amended at 64 FR 3199, Jan. 20, 1999]

**§ 650.3 What regulations apply to the Jacob K. Javits Fellowship Program?**

The following regulations apply to this program: