

NATIONAL RESOURCE CENTERS (NRC) PROGRAM  
AND  
FOREIGN LANGUAGE AND AREA STUDIES (FLAS) FELLOWSHIP PROGRAM

CFDA 84.015A & 84.015B



**PROGRAM  
ADMINISTRATION  
MANUAL**

FY 2006-2009

INTERNATIONAL EDUCATION PROGRAMS SERVICE  
U.S. DEPARTMENT OF EDUCATION  
WASHINGTON DC 20006-8521

<http://www.ed.gov/about/offices/list/ope/iegps/index.html>

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# Program Administration Manual

## FY 2006–2009

### INTRODUCTION

The International Education Programs Service (IEPS) administers fourteen discretionary grant programs authorized under the Fulbright-Hays Act and Title VI of the Higher Education Act.

Two of these grant programs – the National Resource Centers (NRC) Program and the Foreign Language and Area Studies (FLAS) Fellowships Program – are the subject of this Manual. We congratulate you on having received grants for the FY 2006–2009 cycle, and we acknowledge the dedicated and concerted effort that enabled you to compete successfully. What lies ahead now are the challenges of implementing your projects and providing effective administrative oversight.

NRC/FLAS program officers share the grant administration responsibility with you in that, together, we must ensure successful project administration and fiscal accountability. To this end, we have developed this Program Administration Manual (PAM). The FY 2006–2009 edition includes nearly 100 frequently asked questions (FAQs) about the NRC and FLAS programs, reporting requirements and schedules, Title VI program statute, program regulations, guidance on obtaining FLAS eligibility for languages, and much more.

While we could not cover every possible issue in this manual, we made every attempt to include items that, based on our collective experience as program officers, will be helpful to experienced and new grantees alike. Please feel free to contact us with comments regarding the content of this Manual, or to seek additional information about the administration of NRC and FLAS grants.

All the best,

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## FAQ'S ABOUT DISCRETIONARY GRANT ADMINISTRATION Responsibilities and Terminology

**Q1. As a grantee, what are the responsibilities under a discretionary grant?**

As a grantee under the National Resource Centers (NRC) Program and Foreign Language and Area Studies (FLAS) Fellowships Program, the institution is the legal entity accountable to the Federal Government for the use of the funds awarded. You have the following responsibilities when administering a grant funded by the Department of Education (US/ED):

- Perform the scope of work described in the application
- Exercise proper stewardship of federal funds
- Comply with all legislative and regulatory requirements
- Demonstrate and/or measure progress towards achievement of project goals
- Report all required information to IEPS

**Q2. What is the role of my IEPS program officer?**

Your program officer provides you with feedback and suggestions to tackle problems and issues you may encounter as you work to carry out your project's goals and objectives. He or she monitors your progress throughout the term of your project through the review of annual performance reports and through regular interaction with you. Your program officer might visit your institution (or one of your partners) to hear more from you, students, faculty, your administration, and others about your project's progress. In addition to monitoring your project and providing ongoing technical assistance, your program officer responds to administrative requests, such as those related to foreign travel approvals, no-cost extensions and changes in project personnel.

**Q3. What does IEPS expect of me in terms of communication?**

You should communicate with your program officer regularly and in a timely manner. Ideally, you should be in touch with your program officer at least every quarter, either by phone or e-mail. If your project is just getting off the ground, more frequent communication may be necessary to assure a good start and identify any problems early on. You should communicate promptly with your program officer whenever significant issues arise in connection with your project. And, should your travels take you to Washington, DC, IEPS staff will welcome you to our offices to talk about the latest developments in your project. Messages sent to your program officer via email or fax should always include your grant award number (i.e., PR number).

**Q4. What is EDGAR?**

EDGAR is the Education Department General Administrative Regulations that govern your grant. EDGAR can be accessed at: <http://www.ed.gov/policy/fund/req/edgarReg/edgar.html>

EDGAR provides you with a framework for administering your project. EDGAR's purpose is to ensure that Federal funds are spent according to US/ED's mission and that you meet your commitments. The document you are reading provides you with practical advice based on the regulations of EDGAR.

If you have a question about	See EDGAR §
Revision of budget and program plans ("Expanded Authorities")	74.25
Record retention	74.53
Continuation awards	74.253
Use of consultants	75.515

Supplanting with Federal Funds	75.519
Evaluation by the recipient	75.590
Indirect cost rate	75.561,75.562 and 75,563
Compliance with statute and regulations	75.700
Grantee responsibility	75.701
Fiscal control and fund accounting procedures	75.702
Obligation of funds during the grant period	75.703
Records related to: grant funds; compliance; performance	75.730, 75.731 and 75.732
Copyright for grantees	75.620

**Q5. What is a project period? What is a budget period?**

US/ED has established a system of project periods and budget periods to divide up funding of multi-year grants. A **project period**, also referred to as the performance period, is the total time from beginning to end that US/ED authorizes a grantee to complete the project activities described in the application. The FY 2006–09 NRC/FLAS project period is 48 months, beginning August 15, 2006, and ending August 14, 2010.

When US/ED awards grants with project periods that are longer than a year, it generally funds the grants in annual increments called budget periods. A **budget period** is a 12-month period for expending grant funds. NRC/FLAS grants consist of four budget periods; the first budget period begins on August 15, 2006, and ends on August 14, 2007; the second budget period is August 15, 2007-August 14, 2008; the third budget period is August 15, 2008-August 14, 2009; and the fourth budget period is August 15, 2009-August 14, 2010.

**Q6. Which academic years correspond to fiscal years (FY) and budget periods in the FY 2006-2009 project period?**

The chart below shows which academic years correspond to which fiscal years and budget periods in the current grant cycle:

<u>Academic Year</u>	<u>Fiscal Year</u>	<u>Budget Period</u>
2006-07	2006	8/15/06-8/14/07
2007-08	2007	8/15/07-8/14/08
2008-09	2008	8/15/08-8/14/09
2009-10	2009	8/15/09-8/14/10

**Q7. What is a Grant Award Notification (GAN) and who receives it?**

The GAN is the official document that states the terms, conditions, and amount of the grant award, legislative and fiscal data and the names and phone numbers of project staff. For multi-year awards, the GAN also includes information on anticipated funding levels in subsequent budget periods. The GAN also contains attachments that spell out additional terms and conditions of the grant and enclosures that give further guidance on administrative procedures.

Two copies of the GAN are mailed to each grantee. One copy is sent to the certifying official, who is the authorized representative who signed the Application for Federal Education Assistance Form (ED 424). The second copy is sent to the Project Director.

**Q8. How do we actually get our grant funds, and how long does it take?**

You get your grant funds by making a request through the Grant Administration and Payment System (GAPS), which is accessed via the Internet. You withdraw funds for each separate grant award by its PR/Award number. Requests for payments must be limited to the amounts

actually needed and must be timed in accordance with your immediate cash requirements to carry out the project.

Once a request for grant funds has been made through GAPS, US/ED transfers the funds using one of two methods:

- Automated Clearinghouse/Electronic Funds Transfer (ACH/EFT); or
- FEDWIRE Electronic Funds Transfer

With the ACH/EFT method, funds are deposited in your bank account approximately three business days after you have sent a payment request. With the FEDWIRE method, approved payments are transferred electronically the next day.

**Q9. *When is the appropriate time to draw down funds?***

The regulations (EDGAR §74.22) require that “The timing and amount of cash advances are as close as administratively feasible to the actual disbursement by the recipient organization...” Therefore, you should draw down funds to meet immediate needs only, and you must take care to minimize the amount of time that elapses between drawdown and disbursement. IEPS suggests that you spend funds within three business days after drawing them down.

**Q10. *What is an “excessive drawdown”?***

In order to help ensure that drawdowns do not exceed immediate needs, US/ED has established thresholds with regard to the amount of funds a grantee can draw down in any single budget period. A GAPS Drawdown Report enables program officers to identify grantees that might have excessive drawdowns. The report indicates those grants that have drawn an unusually large proportion of grant funds in any of the first three quarters of the grant's current budget period. A grant will appear on the report if the following drawdown thresholds are exceeded:

- As of the end of the first quarter of the grant's current budget period, **more than 50 percent** of the funds obligated for the budget period have been drawn.
- As of the end of the second quarter of the grant's current budget period, **more than 80 percent** of the funds obligated for the budget period have been drawn.
- As of the end of the third quarter of the grant's current budget period, **100 percent** of the funds obligated for that budget period have been drawn.

Note: Depending on the type of grant, rapid or large drawdowns toward the beginning of a budget period might be consistent with the project activities and the approved budget. For example, recipients of FLAS fellowship grants typically draw a large proportion of grant funds at the beginning of the budget period to pay for the entire semester's expenses. In this case, the IEPS program officer makes a notation in the official grant file that the drawdowns are justified.

**Q11. *What are the audit requirements for our grant(s)?***

The audit requirements of EDGAR, set forth in Office of Management and Budget (OMB) Circular A-133, implement the Single Audit Act Amendments of 1996. The Circular provides uniform requirements for colleges and universities. Under these requirements, grantees that expend more than \$300,000 annually in federal awards must have a single audit performed at least every two years. There are two types of audits for discretionary grant projects. The first type is the one your institution arranges to have done by independent auditors in response to

OMB Circular A-133. Generally, OMB Circular A-133 audits look at expenditures of federal funds across an entire organization instead of specific costs of individual grants. The second type is an audit for fiscal and program compliance done by the US/ED Office of Inspector General (OIG). Audits conducted by OIG occur less frequently than A-133 audits and not every grantee receives one. The Office of the Chief Financial and Chief Information Officer (OCF & CIO) is the office in the Department that reviews A-133 audit reports. OIG audits are most often triggered by serious audit findings identified during OCF & CIO review of the A-133 audit reports.

**Q12. What are “Expanded Authorities Regulations,” and how do they relate to administering NRC and FLAS grants?**

The “Expanded Authorities Regulations” in EDGAR §74.25(e) became effective in 1997. They allow grant recipients to do one or more of the following grant administrative actions without obtaining prior approval, unless prohibited by the terms and conditions of the grant award:

- 1) Incur pre-award costs 90 calendar days prior to award. (Be advised that the Department is under no obligation to reimburse these costs if for any reason the recipient does not receive an award or if the award is less than anticipated and inadequate to cover these costs. (See Q17)
- 2) Initiate a one-time extension of the expiration date of the award of up to 12 months. (See Q27)
- 3) Carry forward unobligated balances to subsequent funding periods. (Attachment Z to your FY 2006-09 FLAS (P015B) Grant Award Notification prohibits you from exercising this authority.)
- 4) Transfer funds among direct costs categories. (See Q20)

**Q13. Do we have to use an U.S. flag carrier for all travel paid for out of our grant?**

You are responsible for ensuring that all air travel paid for with grant funds complies with the Fly America Act. With few exceptions, the Act requires that recipients of federal funds use U.S. flag carriers, or foreign carriers that have code-share agreements with a U.S. carrier. (For flights that are code-shared, it is important that the ticket reflect the flight's designation as being on a U.S. carrier.) A fact sheet on the Fly America Act is found on page 35 of this Manual.

**Q14. What are our responsibilities regarding the submission of annual and final performance reports?**

You should put as much care into the timely, accurate, and comprehensive reporting of completed activities as was put into writing the funded application. Your performance reporting becomes the basis for IEPS evaluation of the effectiveness of its programs, as well as its own reporting to the Congress, other US/ED officials, and the public. Schedules indicating the due dates for submitting annual and final performance reports were included with Attachment B of your FY 2006 Grant Award Notification.

As recipients of multi-year grants, you must submit an annual performance report in order to receive continuation funding. The annual performance report provides data on the status of the approved project and any approved adjustments. In accordance with EDGAR §75.118, the report must provide the most current performance and budget information, and it must demonstrate that you have made substantial progress in attaining the objectives of the grant. You are also responsible for submitting a final performance report within 90 days after the end of the project period.

**Q15. What happens if we do not send IEPS the required reports?**

In order to receive continuation funding, you must demonstrate substantial progress by submitting a report. IEPS cannot release funds until it has received a report. Any grantee that fails to submit required reports and documents may be found in noncompliance with the terms and conditions of the grant award. Additionally, noncompliance jeopardizes your opportunity for future funding from the Department. Therefore, it is critical that you submit all reports by the due dates specified in Attachment B.

**Q16. Do we have to keep any records related to our grant(s) after IEPS closes out our grant(s)?**

Yes. Because discretionary grants fall under the record retention provisions of the General Education Provisions Act (GEPA), you are required to retain grant records for three years after the completion of the activities for which grant funds were used (interpreted by US/ED as three years after the end date of the project period.) Retaining records is especially important should you have an audit of the grant after it has been closed out.



## FAQ'S ABOUT NRC GRANT ADMINISTRATION

### THE BUDGET

**Q17. *May we expend funds before the start of the grant?***

Yes. You may incur pre-award costs for allowable items and activities of a project up to 90 calendar days before the beginning of either a new award or a non-competing continuation award without prior IEPS approval. Be advised, however, that all pre-award costs are incurred at the grantee's risk. US/ED is under no obligation to reimburse these costs if you do not receive the grant, or if the amount of the grant is less than anticipated and inadequate to cover these costs.

**Q18. *May we use grant funds to pay for meals or incentives such as mugs or pens, in order to attract persons to Center activities?***

No. These are unallowable costs under the Office of Management and Budget (OMB) Circular A-21, "Cost Principles for Educational Institutions."

**Q19. *If a cost is allowable under OMB Circular A-21 and is relevant to our project, may we charge such a cost against the NRC grant, even though it is unallowable under the statute and regulations?***

No. Title VI statute, NRC regulations, and IEPS policy supersede OMB guidance.

### BUDGET REVISIONS

**Q20. *May an NRC revise its budget by transferring funds between approved budget line items?***

Yes. Under the "Expanded Authorities Regulations", NRC's are given greater flexibility than before to make budget transfers within grant projects without prior IEPS approval. In exercising this flexibility, you are advised to make budget transfers that are allowable, allocable, and reasonable to promote successful project implementation.

Even with this greater flexibility, NRC's should know there are conditions that prohibit certain budget revisions without prior IEPS approval. These conditions are specified in EDGAR §74.25(c). Also, you should be vigilant in monitoring the number of revisions made to the approved budget, as excessive revisions can be interpreted either as weaknesses in program planning or a lack of administrative oversight of the project.

**Q21. *May we delete line items from, or add new line items to, our NRC budget or make programmatic changes to our project without informing IEPS?***

It depends. Even though the "Expanded Authorities Regulations" permit grantees to make budget and program adjustments contained in EDGAR §74.25(e), you must be judicious in making adjustments to the NRC budget or project activities to ensure these revisions do not materially change the project scope or objectives of the NRC grant. Your NRC grant is the result of a competitive review process, and as such, you may not subsequently make revisions that substantially change the scope of funded activities without approval.

If circumstances warrant budget or program revisions to the NRC grant, and the revisions do not change the project scope, you do not have to inform IEPS. If you have questions about whether a revision is allowable or not, you should contact your program officer for technical assistance. If after consulting with your program officer it is decided the revision requires IEPS approval, you must submit the revision with sufficient justification. The request must come from the Project Director.

**Q22. *If IEPS determines that we have to submit our program or budget revision for approval, what is the timeframe for receiving a response?***

IEPS shall notify you whether the request has been approved within 30 calendar days from the date of receipt of the revision request. If the revision request is still under consideration at the end of 30 calendar days, IEPS will inform you in writing of the date when you may expect the decision. (EDGAR §74.25 (m))

## **CARRY-OVER**

**Q23. *What is carry-over and how is it implemented?***

“Carry-over” refers to using unexpended funds from an expired budget period for use in the (immediate) next budget period. This means that you can carry forward unexpended funds from Year 1 to Year 2; from Year 2 to Year 3; and from Year 3 to Year 4. But, you are not permitted to carry forward unexpended funds from Year 1 to Year 3, or from Year 2 to Year 4. Funds that are unexpended at the end of the project period (i.e., at the end of the entire grant) might be expendable using a no-cost extension (see Q27).

Under the “Expanded Authorities Regulations,” grant funds are carried over automatically from one budget period to the next, without the need for prior IEPS approval or action on your part. Grant funds from any budget period are paid out from GAPS on a first-in, first-out (FIFO) basis, with the result that any funds remaining from one budget period are paid in the next budget period **before** newly awarded funds are made available to the grantee. Thus, carry-over funds are never available for payment or use beyond an immediately following budget period and will never be moved across budget periods (e.g., from Year 1 to Year 3 of a grant project period.)

At the time you submit your annual performance report for continuation funding, you may be required to provide comments describing the activities the carry-over funds will be used to support, and any activities that were not completed in the previous budget period and why.

**Q24. *For which activities may we use carry-over funds?***

You may use unexpended funds in the following budget period to conduct uncompleted activities from the preceding 12-month budget period. Additionally, after consultation with the program office, you may also use unexpended funds for any allowable cost that falls within the scope and objectives of the project.

**Q25. *Do we need to submit a request to carry-over funds from Year 1 to Year 2 or from Year 2 to Year 3?***

No. You have the authority to carry forward unexpended funds. But having this authority and flexibility does not mean that IEPS relinquishes project oversight regarding carry-over. If IEPS has reservations about your use of carry-over funds, i.e., if the use of carry-over funds is inconsistent with program regulations or causes a change in project scope or the objectives of the grant, EDGAR provisions permit IEPS to require a written statement from you describing the ways you intend to use remaining funds.

## **ONE-TIME (NO-COST) EXTENSIONS**

**Q26. *What is a one-time (no-cost) extension, and what is the process for obtaining one?***

A no-cost extension is an expanded authority provision contained in EDGAR §74.25 (e)(2). This provision allows you, the grantee, to initiate a one-time extension of the expiration date of your grant for a period of up to 12 months.

You do not need to obtain prior approval from IEPS in order to initiate a no-cost extension. However, you must notify IEPS of your desire to activate a no-cost extension at least 10 days before the end date specified on the grant award. Your notification must include supporting reasons for the extension and a revised end date. This notification process is required so your program officer can revise your project end date in the Grant Administration and Payment System.

**Q27. *When are we not allowed to extend the end date of our grant?***

You are not allowed to extend the end date of your grant if any of the following circumstances apply:

- The terms and conditions of the award prohibit the extension;
- The extension requires additional Federal funds;
- The extension involves any change in the approved objectives or scope of the project; or
- The extension is merely for the purpose of using unobligated funds.

**Q28. *What information do we include in a no-cost extension notification letter?***

To demonstrate that your institution is exercising a no-cost extension for reasons other than to simply use up unexpended funds, you must justify the need for the extension. To effectively do this, your notification should include the following:

- PR/Award number of the current grant;
- Activities to be carried out during the extension;
- Reason(s) why the activities could not be carried out during the final budget period;
- Amount of funds to be used during the extension;
- New end date to which project period is extended; and
- Signature of project director or authorized representative.

**Q29. *If the NRC grant is a consortium grant, and one of the partner institutions needs a one-time/no-cost extension, which institution submits the letter of notification to IEPS?***

The institution identified in Block 1 of the Grant Award Notification is the official grantee on behalf of the consortium, and as such is responsible for submitting the letter of notification to IEPS on behalf of partner institutions.

## **DOMESTIC AND FOREIGN TRAVEL**

**Q30. *Our NRC project includes domestic and international travel. Are we required to submit domestic travel requests to IEPS for approval?***

No. Domestic travel in conjunction with NRC approved activities does not require IEPS approval.

**Q31. *Our approved budget lists the international trips proposed for the grant cycle and the costs needed for the international trips. Are we still required to submit foreign travel requests to the IEPS program officer for approval?***

Yes. The approved budget is your budget plan, but IEPS must approve international travel prior to your expending any funds associated with the international travel, including transportation, per diem costs, ground transportation, etc. Please include the following in all travel requests:

- The person's name and position (faculty, librarian, administrator);
- Destination(s) (city/ies, country/ies);
- Purpose for the trip (acquisitions, conference, linkages, research);

- Date of departure and return;
- Amount of NRC funds used for transportation, per diem, etc.; and
- When NRC funds are used for airline ticket(s), provide destinations for all legs of the international travel and the air carrier(s).

**Q32. *How much lead time does IEPS need to review and approve our foreign travel approval requests?***

Centers should submit foreign travel approval requests at least 30 days prior to the traveler's departure date. This advance time gives the program officer sufficient time to review requests to determine whether the travel is consistent with the NRC project scope and objectives and, if the travel is for extended research overseas, allows sufficient time for notifying U.S. embassies. It also gives Centers sufficient time to make revisions and resubmit a request if the program officer does not approve the initial submission.

**Q33. *While the Center is waiting for approval from the IEPS program officer, is it permissible for the traveler to purchase the airline ticket?***

No. The traveler should not purchase the airline ticket unless and until the Center receives official approval from the IEPS program officer. Nevertheless, the traveler can reserve their tickets pending IEPS approval, since doing generally provides a better indication of the costs for a particular flight. Travel that is not approved cannot be charged to the NRC grant. Also, in the event that an airline ticket was purchased prior to IEPS approval, and it did not comply with the Fly America Act, NRC funds cannot be used to pay for airline penalty fees related to changes in itinerary.

**Q34. *If the traveler goes overseas to conduct NRC activities, returns, and subsequently notifies the Center, may the Center still submit a travel approval request to the program officer for IEPS approval?***

No. This constitutes retroactive approval and this is not allowable. In a case like this, the travel must be paid for with non-Title VI grant funds.

**Q35. *For domestic and foreign travel, is it okay if the return date comes after the end of the budget period?***

Yes, because funds for the travel have already been obligated, in accordance with EDGAR §75.707. However, if the traveler will be returning after the end date of the final budget period (i.e. the end of the entire grant, or project period), you must notify IEPS that a one-time/no-cost extension is needed.

**Q36. *Can we use NRC grant funds to pay the travel expenses of persons other than our own institution's faculty?***

Yes, so long as the purpose of the travel is directly related to the scope of your grant. For example, NRC grant funds can be used to pay the travel expenses of a person coming to teach at your institution, or for an outside expert to present at one of your Center's academic conferences. However, IEPS does not approve the use of NRC grant funds to pay for student travel. It does not matter whether the traveler is a U.S. citizen or not, or whether the person is traveling from abroad. Remember that all air travel paid for by your Center must comply with the Fly America Act.

## **CONTINUATION GRANT AWARDS**

**Q37. *How do we receive funding for the remaining budget periods of our grant?***

You must submit an annual performance report to IEPS before you can receive a continuation grant award after the first year of your four-year grant. The annual performance report includes up-to-date data, budget and narrative information that demonstrate substantial progress in attaining the approved objectives of the NRC grant. The annual performance report should also specify any changes that need to be made to the project in the upcoming funding period. Before a continuation grant award is issued, IEPS program officers review the annual performance reports to determine whether you have made substantial progress. If substantial progress is demonstrated, the program officer accepts the report, and two copies of the Grant Award Notification are issued within four to six weeks after you have submitted your report.

**Q38. *Will our NRC automatically receive the funding amounts originally recommended for the subsequent budget periods?***

Not necessarily. Although IEPS informs you in Year 1 about the prospective funding amounts for Years 2, 3 and 4, these amounts are not binding. Continuation grant awards can be affected by a variety of factors, including a change in congressional appropriation, a determination that substantial progress has not been made, or other programmatic or budgetary factors. If there are changes to the continuation grant award amount, you will be required to submit a revised budget.

### **CHANGES IN KEY PERSONNEL (PROJECT DIRECTOR)**

**Q39. *What is required to change the Project Director from the person named in our application and grant award notification?***

EDGAR §74.25 requires grantees to submit to IEPS a letter requesting the change along with a current CV for the new Project Director. An authorized representative of the institution must sign the letter requesting the change. Upon receipt, your IEPS program officer reviews the letter and CV, makes the administrative change in the Grant Administration and Payment System (GAPS), and sends you revised Grant Award Notifications.

With respect to consortium grantees, the lead institution of the consortium must submit any correspondence related to a change in the Project Director at its partner institution(s). A Project Director change at a partner institution does not require an administrative action in GAPS.

**Q40. *What kinds of requests and actions must be signed by the Project Director before we submit them to IEPS?***

The Project Director or an authorized representative must sign any administrative action request that requires a revised Grant Award Notification, such as a no-cost extension, DUNS change, or a change in key personnel. The Project Director or an authorized representative must also sign revised budgets or requests for budget revisions affecting the project's scope. Because it is not appropriate for a current Project Director to request an administrative action naming a subsequent Project Director, such a request must be signed by an authorized representative of the institution.

### **NRC PROJECT ACTIVITIES**

**Q41. *May we use NRC funds to conduct outreach to foreign constituencies?***

No. It is an unallowable use of funds to conduct outreach to foreign constituencies. Outreach funded with NRC monies must be used to conduct activities that serve K-12, postsecondary, and general public constituents in the United States. Conducting local, national and regional outreach activities is consistent with the purpose of the program, which is to strengthen the language, area and international studies capacity in the United States.

**Q42. May we use NRC funds to support U.S.-focused ethnic studies (e.g., Chicano Studies, African-American Studies, etc.)?**

No. Although ethnic studies may have relevance to NRC activities in terms of comparative issues, it is not appropriate to use NRC funds for activities related to ethnic studies course development, outreach, symposia, etc. Ethnic or multicultural studies that focus on U.S. society are not part of the approved scope and objectives of Title VI projects.

**Q43. Are we required to evaluate our NRC program, and what constitutes an acceptable evaluation?**

Centers should implement evaluation plans that will provide quantifiable data and measure the "breadth and depth" impact of the various components of the NRC project. To be comprehensive, the evaluation plan should examine all activities, including the following: instruction, outreach, language training, course development, professional development workshops, conferences, lecture series, instructional and outreach materials development projects, distance learning courses, Web sites, and teacher resource centers, among others. The evaluation plan should also assess administrative oversight and budget and program planning.

**Q44. May we use NRC funds to purchase equipment such as computers, photocopiers, and fax machines?**

The NRC grant program does not allow for the purchase of equipment as defined by the US/ED. According to EDGAR §74.2, "equipment" is defined as tangible property charged directly to the award having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit, while such items costing less than \$5,000 per unit are defined as "supplies."

Regardless of definition and cost, however, IEPS strongly discourages requests to use grant funds to purchase routine office equipment. The Government Performance and Results Act of 1993 (GPRA) calls for granting agencies and grantees to be responsible for demonstrating that funded activities result in quantifiable and meaningful outcomes to justify programs. Within this context, IEPS program officers advise grantees to expend grant funds for items that enable them to better demonstrate the success of NRC activities.

**Q45. How often do program officers conduct site visits?**

There is no established schedule for visiting funded projects during the course of a grant cycle. While we would like to visit as many projects as possible, IEPS has limited resources for travel. If opportunities to conduct site visits arise, we will notify Centers well in advance in order to plan a comprehensive review of your project.

## FAQ'S ABOUT FLAS GRANT ADMINISTRATION

### ELIGIBILITY REQUIREMENTS

**Q46. *Who is eligible to receive a FLAS fellowship?***

Graduate students who are U.S. citizens or U.S. nationals or permanent U.S. residents, and who are enrolled (or accepted for enrollment) in a program that combines modern foreign language training with international or area studies or with the international aspects of professional or other fields of study are eligible.

**Q47. *What are the priorities for making FLAS awards to students?***

You should adhere to the priorities listed in your application in response to the "FLAS Awardee Selection Procedures" evaluation criterion. Additionally, you are advised to make awards in accordance with the purpose of the FLAS program to ensure continued national competence in foreign languages and area and international studies expertise. Because the national competence in the more-commonly-taught languages is not immediately threatened, the preference for awarding FLAS fellowships should continue to be for the less-commonly-taught languages. Furthermore, the Government Performance and Results Act (GPRA) requires the U.S. Department of Education to justify continued program funding based on outcomes. For these reasons, IEPS strongly encourages grantees to consider the following recommendations in selecting FLAS fellows:

- (1) Make fellowship awards to students in a variety of humanities and social science disciplines, as well as professional fields.
- (2) Assign lowest consideration in the selection of fellows to:
  - students who already possess language fluency equivalent to educated native speakers in the language for which the award is sought; and
  - students who are taking the first 12 semester hours or the equivalent in commonly taught languages.
- (3) Award fellowships for language study as opposed to dissertation research or writing

The Application Notice published in the October 14, 2005, Federal Register announced two invitational priorities for the FY 2006-2009 FLAS grant cycle:

- Fellowships in the less and least commonly taught languages to students who are pursuing advanced level language proficiency.
- Fellowships to master's degree students who are more likely to pursue government service or enter a professional field.

**Q48. *May an undergraduate student apply for and receive a FLAS?***

No. The program law specifies that only graduate students are eligible award recipients.

**Q49. *May we award a summer FLAS to a student who will have graduated in the spring?***

Possibly. Although the program regulations specify that students must be "enrolled or accepted for enrollment," you might be able to arrange with your registrar to retain the student on an "enrolled" basis until the end of the summer.

**Q50. May we offer a FLAS fellowship to a student who is applying from a non-FLAS-granting institution?**

Yes, as long as the student is attending a FLAS-granting institution's program.

## **TYPES OF FELLOWSHIPS AND APPROPRIATE USES**

**Q51. For what time period is a FLAS awarded?**

A FLAS can be awarded for either a full academic year or a summer.

**Q52. What are the requirements for using a FLAS award?**

FLAS fellowships are awarded for:

- (1) a formal domestic or overseas academic program of full-time study during the academic year,
- (2) dissertation research abroad during the academic year, or
- (3) a formal program of intensive language study during the summer.

Only students who are at the advanced level of language proficiency can be approved to use a FLAS for *dissertation research*. The use of language in dissertation research must be extensive enough to be able to consider the foreign language improvement facilitated by the research equal to the improvement that would be obtained from a full academic year's worth of formal classroom instruction. Given that the legislative intent of the FLAS fellowship program is language acquisition and that IEPS has a separate dissertation fellowship program (Fulbright-Hays Doctoral Dissertation Research Abroad Program) with an annual competition, IEPS does not encourage the use of the FLAS program for dissertation research.

Students wishing to use an award for an approved overseas language program must be at the intermediate or advanced level of language proficiency. Students can be at the beginning level only if an appropriate beginning language program in the student's target language is not available in the United States.

**Q53. What are the course requirements for academic year FLAS fellows?**

Academic year FLAS fellows who are not conducting dissertation research must be enrolled full-time in both language and area or international studies courses, regardless of whether they are studying in the U.S. or abroad. This is why FLAS fellows are asked to list their entire course load during the award period on the Student Performance Report. In addition, students using their FLAS award abroad must remain enrolled at his or her home institution.

Academic year FLAS fellows conducting dissertation research must be extensively using foreign language sources at the advanced level in order to be considered to fulfill the requirement. The academic year FLAS award should provide the fellow with the equivalent of a full academic year's worth of formal language training.

**Q54. Is a FLAS fellow allowed to work during the fellowship award period?**

FLAS fellows are allowed to work during the award period but cannot be required to work in exchange for the FLAS fellowship. Regardless of work status, all FLAS fellows are required to be engaged in full-time foreign language and area/international studies course work or dissertation research during the academic year and in intensive language study during the summer award period.



**Q55. Should students be receiving credit(s) for all study conducted while holding a FLAS?**

Yes. IEPS expects FLAS fellowships recipients to receive full credit from the programs they attend. Particular attention should be paid to students who are using FLAS fellowships for programs away from the grantee institution, to ensure that appropriate credits will be transferred to the student's transcript.

## **SELECTING FELLOWS AND MAKING AWARDS**

**Q56. What procedures do we follow when selecting FLAS fellows?**

You are bound by the FLAS selection procedures outlined in your FY 2006-2009 application. Any deviations from these procedures should be discussed with your program officer.

**Q57. Is it permissible to make single semester/quarter awards during the academic year?**

Generally, no. A FLAS award period is either a full academic year or a summer. However, there are three potential circumstances that allow you to make a single semester or quarter award:

- (1) if a FLAS fellow forfeits his/her grant during the award period, thereby making monies available for a subsequent semester or quarter; or
- (2) if a FLAS fellow graduates in December and therefore is unable to use the award during the rest of the academic year; or
- (3) if a FLAS fellow receives funding for one of the two semesters from another source that is at least the monetary equivalent of a FLAS.

Regardless of the circumstance that might occur, you must provide the other "half award" to an additional student during the second semester to avoid leaving a student without funding for the latter part of the academic year. An alternative use of funds would be to support additional summer fellowships. If any of the above 3 circumstances is becomes necessary, you should document it in the comments section when submitting your FLAS Institutional List in the IEPS Reporting System.

**Q58. May a student receive both a FLAS and another fellowship during the same award period?**

It depends. The FLAS program regulations do not prohibit a student from receiving another fellowship during the FLAS award period, but FLAS Coordinators should be careful in working out fellowship packages with students so that "double-dipping" is avoided. For instance, the FLAS award should not pay an institutional payment if the other funding source covers the student's tuition and fees. It is also possible for the student to receive subsistence monies in excess of the FLAS student subsistence allowance if the excess is paid from another source.

A prudent approach is to carefully consider whether to award a FLAS to a student who is receiving sufficient support from another funding source because this is not the best use of the limited number of fellowships allocated to your institution.

**Q59. Is a student allowed to begin an academic year award in the spring and continue using the same award to study through the summer and fall?**

No, for two reasons:

- (1) there are two discrete FLAS award periods per year, the academic year and summer; and
- (2) the budget period for FLAS fellowships ends August 14 and carry-overs are not allowed under the terms and conditions of Attachment Z to your FLAS Grant Award Notification.

**Q60. *Can an academic year FLAS recipient take a semester or quarter off and finish work for the award period during the summer or following academic year?***

No. Students who do not complete their FLAS requirements during the original award period forfeit the remaining portion of their awards. Similarly, if extenuating circumstances prevent a student from accepting/using a FLAS academic year award during the academic year, the fellowship is forfeited and subsequently awarded to a deserving alternate on the FLAS list.

**Q61. *May a student request a “Pass/Fail” grade, even though there is a specified grading system (letter grade or percent grade) in place for the course?***

No. FLAS program regulations (§657.3) specify a student’s grade point average and the institution’s performance-based instruction program as eligibility requirements. Therefore, allowing a student to take a course “Pass/Fail” is contrary to these requirements, and it diminishes the capacity to assess the student’s progress and language training in a quantifiable and meaningful way. Additionally, when IEPS reviews FLAS annual and final performance reports, it is much easier to see the overall merit of the FLAS fellowship if discrete grades are indicated on the performance report.

**Q62. *Is it allowable to conduct a FLAS competition and from that one competition make awards to an individual student for multiple award periods?***

No. In accordance with FLAS selection procedures, you are expected to conduct open, merit-based competitions to select fellows for each fellowship type and each award period (i.e., academic year and summer).

**Q63. *Is there a limit on the number of FLAS fellowships the same student may receive?***

The program law and regulations do not restrict the cumulative number of academic year or summer fellowships you may award to the same student. What you may not do, however, is to give the same student more than one academic year fellowship or more than one summer fellowship during a single award period.

**Q64. *May we make FLAS awards in Latin, Sanskrit, Classical Greek, Classical Chinese, Old Church Slavonic or other ancient languages?***

FLAS fellowships are to support the study of modern foreign languages. You may use FLAS awards for ancient languages only if it clearly supports language and area studies in the related modern foreign language.

## **IEPS APPROVAL PROCEDURES**

**Q65. *Under what circumstances is prior approval needed before awarding a FLAS fellowship?***

Prior approval from an IEPS program officer is required under certain circumstances before awarding a fellowship. Please refer to the “Requesting FLAS Approval” table on page 28 for details.

**Q66. *When do we need to submit requests for students proposing to study or conduct research overseas?***

You should submit travel requests and appropriate justification information at least 30 days prior to the date of the travel. This timeframe gives IEPS program officers sufficient time to review

the request for compliance with FLAS requirements, and when applicable, to notify the U.S. embassy. Requests received after this timeframe may not be approved due to insufficient time for a thorough review. This is why we advise travelers not to make irrevocable reservations prior to receiving official approval from IEPS.

**Q67. *What are the guidelines for determining whether a summer language program is "intensive?"***

The IEPS threshold for determining whether the number of contact hours for a summer language program meets the "intensive" requirement is 140 or more hours of instruction for students at the beginning and intermediate levels, and 120 hours for advanced-level students. The summer FLAS award should provide each fellow with the equivalent of a full academic year's worth of language instruction, and students must attend a program that is a minimum of 6 weeks in length.

**Q68. *How do we determine whether the student has chosen a quality language program?***

Consult with language faculty on campus to see whether they are familiar with the program. You may also contact the IEPS program officer to find out whether the program has been approved for summer FLAS use in the past and how students have evaluated the program(s). Peer FLAS institutions are also good resources for ascertaining whether a language program is of high quality. And, lastly, acquire as much literature as possible about the program(s).

## **MONEY ISSUES**

**Q69. *Can we use excess institutional payment monies resulting from tuition/fee rates under \$12,000 to supplement tuition/fee rates over \$12,000?***

No. For institutions with tuition and fee rates greater than \$12,000, the difference between the actual rate and the \$12,000 fixed institutional payment must be waived or paid from non-Title VI funds. FLAS funds resulting from tuition rates that are lower than the \$12,000 institutional payment cannot be used to supplement institutional payment monies for tuition rates higher than \$12,000.

**Q70. *Our tuition rate is low. Can we use extra institutional payment monies to buy books for the FLAS fellows, or to supplement their subsistence allowances, or to fund other program activities?***

No. The regulations require that any institutional payment monies in excess of the actual tuition and fees be used to fund additional fellowship awards, to the extent that enough money is available to pay a full subsistence allowance.

**Q71. *Can leftover FLAS monies be pooled with funds from other FLAS institutions to create an additional FLAS award?***

Yes. This strategy arises most frequently in conjunction with summer FLAS awards.

**Q72. *Can leftover FLAS monies be used to make summer travel awards?***

Yes. In instances where there is not enough money to make a full summer fellowship award, including the subsistence allowance, you may use excess funds to make travel awards for \$1,000 or the actual cost of travel (whichever is less) to and from the student's program site. Travel awards are only permitted in conjunction with summer FLAS fellowships and cannot exceed \$1,000.

**Q73. *Are we allowed to pay a summer FLAS recipient's tuition but not subsistence allowance?***

This is possible only if the student will receive an equivalent or higher subsistence allowance from another source for the same award period. Otherwise, the student must receive a summer FLAS award sufficient to cover full tuition, plus any required fees, *and* the student subsistence allowance.

**Q74. Are we allowed to enter into cost-sharing arrangements with other organizations to maximize our allocation of fellowships?**

Yes. Cost-sharing with other organizations to create full fellowship awards is allowable, and we encourage you to do so. What you may not do, however, is expect the fellowship recipient to share the cost or work as a research or teaching assistant in exchange for the FLAS fellowship.

**Q75. If a summer FLAS recipient wants to attend a program with tuition and fees that are higher than the summer FLAS institutional payment, can we expect the student to cover the additional tuition cost?**

No. If the institutional payment for summer awards is not sufficient to cover the cost of full tuition and fees for the language program, the grantee institution must provide supplemental funding or negotiate a suitable rate with the program sponsor. The student is not required to bear any of the program costs. If the grantee institution is unable to arrange supplemental funding or negotiate a suitable rate, the student should be advised to select an alternative language program that does not exceed the institutional payment.

**Q76. We have more FLAS money available than viable candidates for summer FLAS awards. What should we do?**

Here are a few options:

- (1) If there are other FLAS programs at your institution, consult them to identify eligible candidates;
- (2) Consult FLAS programs in your world area at peer institutions to identify eligible candidates;
- (3) Consult FLAS programs in other world areas at peer institutions to identify eligible candidates; or
- (4) Make travel awards to eligible candidates in conjunction with their summer FLAS awards.

Having more FLAS money than viable candidates could be indications that advertising procedures for your FLAS competitions are inadequate, or that the institution has requested too many fellowships. In either case, you are advised to establish FLAS administration procedures to prevent these situations from occurring.

**Q77. If a summer program's fee includes room and board, do we still pay the student the full \$2,400 subsistence allowance?**

No. The subsistence allowance is meant to cover personal expenses including room and board. But, if room and board are included in the tuition/fee payment, you should not pay the student for the same costs. Ask the program for an exact breakout of what the program fee covers and subtract the cost of room and board from the student's subsistence allowance. Pay the student the remainder of the subsistence allowance, if any, to ensure the student receives a full award. If the program charge for room and board exceeds \$2,400, the student is expected to pay the remainder of the charge.

**Q78. May we supplement our FLAS funds with funds from our NRC grant?**

No. The FLAS grant and NRC grant are funded under two different discretionary grant programs; and although the programs' purposes are complementary, you may not use NRC grant funds to supplement FLAS funds. Similarly, you may not use excess FLAS funds to conduct NRC project activities.

## **FLAS AND FULBRIGHT-HAYS GROUP PROJECTS ABROAD (GPA) LANGUAGE PROGRAMS**

**Q79. *If a student has also been selected for a GPA language program, may we give the student a travel award?***

No. The GPA pays all of the student's overseas costs (i.e., room and board and tuition/fees), which means he/she has a full GPA fellowship. FLAS travel awards are to be made only to students receiving a FLAS fellowship. (See related question in the Travel Awards FAQs.)

**Q80. *If the GPA program has selected the maximum number of students it can fund with Fulbright-Hays monies but is willing to take more students, may we award those students FLAS fellowships?***

Yes. You must award to each student a full FLAS fellowship, including the summer tuition and fees and summer subsistence allowance. The student then makes arrangements directly with the GPA grantee institution to pay the same overseas room and board rate established for GPA participants. The FLAS student pays the room and board from the FLAS subsistence allowance.

**Q81. *Is it appropriate for the GPA grantee institution to request/expect payment from FLAS fellowships to offset domestic administrative costs associated with GPA language programs?***

No. The only costs that are allowable from a FLAS fellowship are tuition/fees and stipend, whether a student is enrolled in an intensive summer language program in the U.S. or a GPA-sponsored program overseas. A GPA grantee institution cannot use FLAS funds to offset the domestic administrative costs it incurs for publicity, registering students, securing language faculty and chaperones, or for sending the U.S. GPA project director overseas to coordinate activities. These costs must be cost-shared with other entities and not the FLAS grant.

## **FLAS-RELATED TRAVEL**

**Q82. *When do we submit requests for travel approvals?***

You should submit travel requests and appropriate justification information at least 30 days prior to the date of the travel. This timeframe gives IEPS program officers sufficient time to review the request for compliance with FLAS requirements, and when applicable, to notify the U.S. embassy. Requests received after this timeframe may not be approved due to insufficient time for a thorough review. This is why we advise travelers not to make irrevocable reservations prior to receiving official approval from IEPS.

**Q83. *Will IEPS approve retroactive FLAS overseas travel requests?***

No. Also, be advised that any travel not approved by IEPS may not be paid for from the FLAS grant. The institution will have to cover the cost.

**Q84. *May we give travel awards in conjunction with academic year FLAS awards?***

No. The application notice specifies that travel awards can be given only in conjunction with summer FLAS fellowships.

**Q85. *Are we required to give travel awards to summer FLAS fellowship recipients?***

No. Travel awards should be the “last-resort” option for expending excess FLAS monies that are not enough to award a complete fellowship or summer subsistence allowance. Travel awards are not automatically a part of summer FLAS fellowships.

**Q86. *May we give a summer FLAS recipient a travel award that exceeds the actual cost of travel?***

No. Summer travel awards are limited to \$1,000 or the actual cost of travel to and from the program site, whichever is less.

**Q87. *In addition to giving travel awards to cover the cost of travel to and from the language program site, may we give summer FLAS recipients travel money to do research-related travel while overseas?***

No. Doing so is inconsistent with the FLAS program regulations regarding the use of a summer fellowship. The purpose of the summer FLAS is to support intensive language study only. Students are required to use summer travel awards for travel to and from their program sites, not to conduct research-related activities.

## **REPORTING REQUIREMENTS**

**Q88. *Are there reporting requirements for the FLAS Program?***

Yes. Throughout the FY 2006-2009 grant cycle, grantee institutions are required to submit FLAS Institutional Lists and narrative comments; and, FLAS fellowship recipients are required to submit Student Performance Reports and narrative comments. All reports will be submitted online via the IEPS Reporting System. Please see the FLAS Reporting Schedule on page 26 for due dates. The IEPS Reporting System includes specific instructions for completing the report data and narrative screens.

The FLAS Institutional Lists and narrative comments constitute the annual performance report. To receive FLAS continuation funding for Years 2, 3 and 4, you must submit an annual performance report by the specified due date. IEPS cannot issue a continuation grant award unless and until you fulfill the reporting requirements under the FLAS program. For more information on the continuation grant award process, see Q38.

**Q89. *Can students who receive FLAS fellowships for consecutive award periods submit a single student performance report covering both award periods?***

No. Students are required to submit separate student performance reports for each fellowship received.

**Q90. *How do I get a student who has “disappeared” to complete the Student Performance Report?***

This is a challenge that many grantees face. Try to locate the student through his/her peers and/or advisor and/or the university alumni office. If you exhaust all channels and are still unable to contact the student, send your IEPS program officer a letter of explanation for the official file.

To prevent this situation from happening, establish procedures to ensure a high return of student performance reports. For example, include a statement in the recipient award letter that stipulates reporting as a term and condition of the fellowship; link the distribution of the fellow's last subsistence allowance payment to receipt of the performance report; or, incorporate penalties for not reporting into the institution's FLAS selection procedures, i.e., the student may

not have the opportunity to receive a subsequent fellowship if a performance report is not submitted.

**Q91. How do students submit FLAS performance reports?**

Students are assigned passwords and submit the reports online through the IEPS Reporting System.

**Q92. How can FLAS Coordinators ensure that FLAS recipients are taking the appropriate courses to fulfill FLAS program requirements?**

Meet regularly with FLAS recipients and review their course selections. This enables you to monitor whether or not students are taking area studies and international studies courses that meet content requirements, or the appropriate-level foreign language courses. Careful monitoring will help ensure that the courses listed in annual reports are consistent with program regulations and expectations.

### COMMUNICATING WITH IEPS PROGRAM OFFICERS

**Q93. May we refer students to our program officer for answers to FLAS questions or concerns?**

You should not refer students to IEPS program officers. The recognized contact person for the FLAS fellowship program is either the Project Director or FLAS Coordinator, and these persons should in turn communicate with IEPS program staff.

**Q94. Whom do I contact in IEPS concerning FLAS administration?**

The IEPS program officers for FLAS administration include the following individuals:

**Cheryl Gibbs: Asia, East Asia, Pacific Islands, South Asia, Southeast Asia**

Phone: 202-502-7634; Fax: 202-502-7860; E-mail: [cheryl.gibbs@ed.gov](mailto:cheryl.gibbs@ed.gov)

**Ed McDermott: Inner Asia, Middle East**

Phone: 202-502-7636; Fax: 202-502-7860; E-mail: [ed.mcdermott@ed.gov](mailto:ed.mcdermott@ed.gov)

**Rod Schwartz: Canada, Europe, Russia/East Europe, Western Europe**

Phone: 202-502-7805; Fax: 202-502-7860; E-mail: [rod.schwartz@ed.gov](mailto:rod.schwartz@ed.gov)

**Amy Wilson: Africa, International, Latin America**

Phone: 202-502-7689; Fax: 202-502-7860; E-mail: [amy.wilson@ed.gov](mailto:amy.wilson@ed.gov)

# IEPS PERFORMANCE REPORTING

## National Resource Centers (CFDA 84.015A) and Foreign Language and Area Studies Fellowships (CFDA 84.015B) FY 2006-2009

### OVERVIEW

To receive a continuation award, recipients of grants under the National Resource Centers (NRC) and/or Foreign Language and Area Studies (FLAS) Fellowships programs must submit an annual performance report. These annual performance reports provide the U.S. Department of Education with the information needed to determine whether recipients have made substantial progress toward meeting their project objectives. (See EDGAR §75.118, §75.253 and §75.590.)

Beginning in 2000, grantees entered program-related information into the Evaluation of Exchange, Language, Area and International Studies (EELIAS) system. However, starting in early 2007, grantees will submit program information through the new IEPS Reporting System. As with EELIAS, all grantees will use passwords to access the IEPS Reporting System. Project Directors will continue to be responsible for all information entered into the system (EDGAR §75.118). We recommend that Project Directors work closely with NRC and FLAS staff at the university to ensure that reporting information and data are submitted correctly and on time.

### NATIONAL RESOURCE CENTERS

The NRC reporting section of the IEPS Reporting System includes interactive web pages designed to collect information on your program. Among other things, the information collected will help to show the value of activities conducted with NRC funding and provide data for constructing the performance and efficiency measures. Not all information will be collected every year. The table below outlines what information is required and when. Continuation awards cannot be processed until performance reports have been reviewed by IEPS staff (EDGAR §75.118).

The table below provides an overview of reporting due dates over the four-year grant period. The types of reports include the non-competing continuation (NCC) reports, interim reports, and final reports. NCC reports are those submitted in the spring, and interim reports are those submitted in the fall. Final reports are due within 90 days of the grant end date. Note: Course lists are collected in the interim (fall) report.

### **NRC REPORTING SCHEDULE: OVERVIEW**

Grant Begin Date	Grant End Date	Report Due Date	Academic Year	Fiscal Year	NCC (Spring) / Interim (Fall) / Final (Nov. 2010)	Narrative / Data / Budget
8/15/2006	8/14/2010	4/1/2007	AY 2006-2007	2006	NCC (Spring)	N/B
		10/15/2007	AY 2006-2007	2006	I (Fall)	N/D/B
		4/1/2008	AY 2007-2008	2007	NCC (Spring)	N/B
		10/15/2008	AY 2007-2008	2007	I (Fall)	N/D/B
		4/1/2009	AY 2008-2009	2008	NCC (Spring)	N/B
		10/15/2009	AY 2008-2009	2008	I (Fall)	N/D/B
		11/15/2010	AY 2009-2010	2009	F (Nov. 2010)	N/D/B



The table below makes reference to screens in the IEPS system that are required for the specific types of reports you will submit each year of your grant. As noted above, these include the NCC, interim and final reports. Below you will find information indicating when you must enter information for specific reports. Where the abbreviation “UPD” appears, the screen will display information entered on the previous report, and allows for you to update existing information. An asterisk denotes screens that are not entered by consortium partner institutions.

### **NRC REPORTING SCHEDULE: REQUIRED SCREENS**

<b>Screen</b>	<b>Required on NCC (Spring)?</b>	<b>Required on Interim (Fall)?</b>	<b>Required on Final (Nov. 2010)?</b>
Abstract *	yes *	no	no
Status/Impact *	yes *	UPD	yes *
Adjustments to Project *	yes *	UPD	yes *
Exemplary Activities *	yes *	UPD	yes *
Invitational Priorities *	yes *	UPD	yes *
Development of Instructional Resources	no	yes	yes
Program Graduates - Bachelor's Degrees	no	yes	yes
Program Graduates - Master's Degrees	no	yes	yes
Program Graduates - Doctoral Degrees	no	yes	yes
Graduate Placements	no	yes	yes
Outreach Activities	optional	yes	yes
Resource Leveraging	no	yes	yes
Language Courses	no	yes	yes
International and Area Studies Courses	no	yes	yes
Publications and Research Presentations	no	yes	yes
Budget *	yes *	yes*	yes *

\* except for consortium partners

### **Foreign Language and Area Studies (FLAS) Fellowships**

The web pages for entering information about FLAS activities are in a separate section of the IEPS Reporting System. The FLAS reporting section includes screens for institutional reports and student performance reports. Project Directors and FLAS Coordinators are responsible for managing student performance reports, controlling student login names and passwords, and ensuring that all reports are submitted. Once a student has been issued a login and password, he or she will be able to access the reporting system from any Internet-capable computer to enter information about his or her study program.

Please see the table on the following page for reporting due dates.

The table below lists the due dates for FLAS institutional and student reports. Continuation awards cannot be processed until performance reports have been reviewed by IEPS staff (EDGAR §75.118).

**FLAS REPORTING SCHEDULE**

<b>Due Date</b>	<b>FLAS Institutional Reports</b>	<b>FLAS Student Reports</b>
September 1, 2006	06-07 Interim Academic Year (AY)	None
June 1, 2007	06-07 Final AY	06-07 AY Reports
June 1, 2007	07 Interim Summer	None
September 1, 2007	07 Final Summer	07 Summer Reports
September 1, 2007	07-08 Interim AY	None
June 1, 2008	07-08 Final AY Report	07-08 AY Reports
June 1, 2008	08 Interim Summer	None
September 1, 2008	08 Final Summer	08 Summer Reports
September 1, 2008	08-09 Interim AY	None
June 1, 2009	08-09 Final AY Report	08-09 AY Reports
June 1, 2009	09 Interim Summer	None
September 1, 2009	09 Final Summer	09 Summer Reports
September 1, 2009	09-10 Interim AY	None
June 1, 2010	09-10 Final AY Report	09-10 AY Reports
June 1, 2010	10 Interim Summer	None
September 1, 2010	10 Final Summer	10 Summer Reports

*If the due date falls on a weekend, the report is due the following Monday*

## DOMESTIC STUDIES AND TITLE VI

**BACKGROUND:** The Title VI grant programs support foreign language, and area and international studies. The study of the following groups, territories and languages is considered to be domestic studies and is therefore ineligible for Title VI funding:

- *communities of immigrants in the United States;*
- *American Samoa, Guam, Puerto Rico;*
- *any other U.S. territory or protectorate;*
- *Hawaii and the Hawaiian language; and*
- *native American languages of the United States.*

**ETHNIC STUDIES:** Projects focusing on ethnic groups or immigrant populations in the United States cannot be conducted with Title VI funding. Comparative projects including the United States or its border territories may only use Title VI funding to support the non-domestic elements.

**AMERICAN SAMOA, GUAM, PUERTO RICO:** Projects focusing on American Samoa, Guam, Puerto Rico, or any other U.S. territories or protectorates are considered “domestic studies” and cannot be conducted with Title VI funding. Comparative projects including these areas may only use Title VI funding to support the non-domestic elements. Historical projects, including regions as part of a larger area, might be eligible for support grantee centers but must seek the approval of IEPS staff before undertaking such historical projects.

**HAWAII AND HAWAIIAN LANGUAGE:** Projects focusing on modern Hawaii and the Hawaiian language cannot be conducted with Title VI funding. Historical projects including Hawaii as part of the South Pacific might be eligible for support; grantee centers must seek the approval of IEPS staff before undertaking such historical projects.

**NATIVE NORTH AMERICAN LANGUAGES:** Projects focusing on North American indigenous languages other than those studied in the context of Canada or Mexico cannot be conducted with Title VI funding.

## REQUESTING FLAS APPROVAL

APPROVAL FOR:	EXPLANATION:	ACTION:	DUE DATE:
<b><i>Language eligibility</i></b>	For a language not listed as eligible in your grant information, or for a new language added during the 3-year cycle.	Written request to program officer (see language eligibility information sheet).	Anytime prior to making an award in the language
<b><i>Use of an academic year fellowship abroad for full-time foreign language and area/international studies coursework</i></b>	Academic year only.	Written request to program officer. Information needed: student name, language and competence, program name and location, anticipated courses/topics.	30 days in advance of travel*
<b><i>Use of a summer fellowship abroad for intensive language study</i></b>	For intermediate or advanced-level intensive language study, or beginning-level study when an appropriate course is not available in the US.	Written request to program officer. Information needed: program brochure (in English, or English translation), student name, language, competence, number of contact hours of classroom instruction and dates of program.	30 days in advance of travel*
<b><i>Use of an academic year fellowship either <u>abroad or domestically</u> for dissertation research</i></b>	Academic year only. FLAS recipient must be at the <u>advanced</u> level of language proficiency.	Written request to program officer. Information needed: student name, language, competence, 1-2 page research description signed by advisor (incl. topic, research methods, host country affiliation, dates, and explanation of how language will be used).	30 days in advance of travel* (abroad) <b>OR</b> 30 days prior to beginning of the semester (domestic)

\* Approvals should be obtained prior to making irrevocable airline reservations.

## THE COST-OF-EDUCATION ALLOWANCE SYSTEM OF ALLOCATING FLAS AWARDS

Grantees base their funding requests on standard institutional payment and student subsistence allowance rates announced in the Application Notice. The rates for academic year 2006-2009 and summer 2007 are represented in the following table.

<b>FLAS AWARD RATES FOR FISCAL YEARS 2006-2009</b>		
	<b>Academic Year Award</b>	<b>Summer Award</b>
<i><b>Institutional Payment</b></i>	\$12,000	\$4,000
<i><b>Subsistence Allowance</b></i>	\$15,000	\$2,500
<i><b>Total</b></i>	\$27,000	\$6,500

By submitting an application for FLAS fellowships, the institution of higher education agrees to accept the institutional payment in lieu of full tuition and required fees for each fellowship award granted. Institutions with tuition rates that are lower than the institutional payment must apply any monies in excess of full tuition and fees toward additional fellowships. For institutions with tuition rates greater than \$12,000, the difference between the actual rate and the \$12,000 fixed institutional payment must be paid from non-Title VI funds. **FLAS funds resulting from tuition rates that are lower than the \$12,000 institutional payment cannot be used to supplement institutional payment monies for tuition rates higher than \$12,000 [34 Code of Federal Regulations (CFR) Part 657.31(a)(3)].** The International Education Programs Service (IEPS) has allocated a specific number of academic year and summer fellowships to grantees. You are required to make at least the numbers of awards allocated. You cannot make fewer than the allocated number of awards without IEPS approval.

## HOW TO OBTAIN LANGUAGE ELIGIBILITY FOR FLAS FELLOWSHIPS

If you would like to make FLAS awards in a language that is not currently in your approved list of languages for FY 2006-2009, you must make a request in writing and include specific information to justify adding the language for FLAS eligibility.

The justification is required to be consistent with the purpose of the authorizing legislation governing the Foreign Language and Area Studies Fellowships program and with the provision in 34 CFR §657.2(b) of the FLAS program regulations that states--

***In teaching those modern foreign languages for which an allocation of fellowships is made available, the institution must be either using a program of performance-based training or developing a performance-based training program.***

To approve language eligibility for FLAS awards, the IEPS staff needs to determine whether the language program adheres to program regulations in this regard. IEPS program officers require institutions with FLAS allocations to provide information that demonstrates that instructors are using or developing a performance-based language-training program. In developing a justification for FLAS-eligible language(s), include as many of the following elements as possible:

- Participation (past, present, or future) *by the instructor(s) of the language* in a workshop on language pedagogy;
- Training of the instructor(s) in general concepts of proficiency testing or in testing for English as a Second Language;
- Work by instructional personnel, preferably in cooperation with specialists in the same language at other institutions, on revision of instructional materials or preparation of tests (when not already available or in preparation) that take into account performance concepts;
- Evidence in the language instructors' vitae of training in concepts of language pedagogy;
- Data showing how the performance of students, at the end of each year's study, compares to national standards;
- Information about plans for actual testing of students using national norms (when they exist);
- The hiring of a language pedagogy specialist to re-evaluate and revise language training -- if connected to the language of the application, and if the revision includes adaptation to national standards; and
- Students' participation in nationally recognized summer programs that are using, or developing, nationally accepted testing and standards.

Note: Because we do not assume that an instructor's background in linguistics includes training in performance-based language instruction, please include this information as part of, or in addition to, the instructor's vitae.

## **SUGGESTIONS FROM FLAS COORDINATORS ON HOW TO INCREASE THE SUCCESS RATE FOR SUBMITTING FLAS STUDENT PERFORMANCE REPORTS**

- ◆ Make reporting a moral imperative. The simple act of clearly stating and reinforcing the expectation that reports be submitted has often proven very effective.
- ◆ Set 100 percent as goal for FLAS Administrative staff. Though this seems an obvious goal, expecting this kind of staff commitment underpins goal setting and is more likely to ensure success. Not only is this goal reasonable, as reporting is a condition of the grant agreement in accordance with §74.51 of Education Department General Administrative Regulations (EDGAR), it is also realistic because many institutions consistently achieve perfect FLAS reporting.
- ◆ Inform students about the reporting requirement in writing. In the initial award letter, emphasize that reporting is a condition of accepting the fellowship.
- ◆ Explain the potential consequences of not submitting the student performance report, such as:
  - Jeopardizing the future federal funding of the program itself, or of the institution's fellowship allocations-the negligence of one student affects others.
  - Explain that not submitting reports impedes the Department of Education's efforts to collect and analyze data used to justify continued funding from the Congress.
- ◆ Establish more stringent disciplinary actions such as:
  - Not disbursing full stipends.
  - Put a hold on registration for non-reporters.
  - Put a hold on diplomas for non-reporters.
  - Require non-reporters to repay fellowship funds.
- ◆ Strengthen the cohesiveness of the FLAS student community by hosting social events such as picnics. This may foster a unified sense of responsibility regarding the importance of submitting their student reports.
- ◆ Set a two-week deadline for the submission of academic year reports; make sure that this deadline falls before students leave campus.
- ◆ After the deadline, follow-up with letters, telephone calls and e-mails to those students whose reports are missing.

## **FLAS FELLOWSHIP PROGRAM: FACT SHEET TO ASSIST FLAS SELECTION COMMITTEES**

**PURPOSE OF PROGRAM:** The Foreign Language and Area Studies (FLAS) Fellowship Program is predicated on the belief that “The security, stability, and economic vitality of the United States in a complex global era depend upon American experts in and citizens knowledgeable about world regions, foreign languages, and international affairs, as well as upon a strong research base in these areas.” (Title VI Part A, Section 601(a)(1).) FLAS fellowships strengthen the nation’s ability to respond to security threats and to compete effectively in the modern world by promoting foreign language competence and area and international knowledge and by ensuring the continuance of area expertise in a variety of fields, including academe.

**ELIGIBILITY REQUIREMENTS FOR APPLICANTS:** FLAS program regulations (34 Code of Federal Regulations (CFR) Part 657.3) specify that eligible applicants must be:

- (1) graduate students; and
- (2) US citizens, nationals, or permanent residents; and
- (3) accepted for enrollment or enrolled in a program that combines *modern* foreign language training with international or area studies or with the international aspects of professional or other fields of study.

Additionally, applicants should present plans for the fellowship award period that correspond to the eligible uses of FLAS fellowships.

**ELIGIBLE USES OF FLAS FELLOWSHIPS:** There are two types of FLAS fellowships:

- (1) **Academic Year FLAS fellowships** are awarded for a full academic year to students engaged in:
  - (a) a formal overseas or domestic program of full-time language and area or international studies coursework; or
  - (b) full-time dissertation research abroad – *The use of the foreign language in the dissertation research must be extensive enough to be able to consider the language improvement facilitated by the research equal to the improvement that would be obtained from a full academic year’s worth of formal classroom instruction. Given that the legislative intent of the FLAS fellowship program is language acquisition and that IEPS has a separate dissertation fellowship program, use of the FLAS program for dissertation research is not encouraged by IEPS.*
- (2) **Summer FLAS fellowships** support students enrolled in:
  - (a) formal domestic programs of intensive language study at the beginning, intermediate or advanced level; or
  - (b) formal overseas programs of intensive language study at the intermediate or advanced level; or
  - (c) formal overseas programs of intensive study at the beginning level of languages for which appropriate equivalent instruction is not available in the United States.

For the purposes of this program, “intensive” summer language programs are those which offer a minimum of 120 contact hours of advanced-level language instruction and 140 contact hours of beginning- or intermediate-level instruction. In order to be considered intensive, summer language programs must last a minimum of 6 weeks; longer programs are preferable because they are more likely to provide the student with the equivalent of a full year of language study.



**REQUIREMENTS FOR USING FLAS AWARDS OVERSEAS:** All fellowships to be used abroad must be approved in advance by the International Education and Graduate Program Service (IEPS) staff.

**(1) Overseas study programs:** Students wishing to use an academic year fellowship or summer FLAS fellowship for a formal overseas study program must be at the intermediate or advanced level of language proficiency, or at the beginning level if appropriate equivalent instruction is not available in the United States.

**(2) Dissertation research:** Only students who are at the advanced level of language proficiency can be approved to use a FLAS for dissertation research.

**SELECTION PROCEDURES:** You are advised to follow the “FLAS Awardee Selection Procedures” outlined in the original application for FLAS funding. Any deviations from these procedures should be discussed with IEPS staff.

The selection of FLAS fellows should support the purpose of the FLAS Fellowship Program. In addition to evaluating each applicant’s qualifications, IEPS encourages you to consider the quality of the proposed study plan and its relation to the applicant’s needs and career objectives.

**RECOMMENDED PRIORITIES FOR AWARDED FLAS FELLOWSHIPS:** You should adhere to any priorities listed in their applications in response to the “FLAS Awardee Selection Procedures” evaluation criterion.

The purpose of the FLAS program is to ensure continued national competence in foreign languages and in area and international studies. Because the national competence in the more-commonly-taught languages is not immediately threatened, the preference for awarding FLAS fellowships should continue to be for the less-commonly-taught languages. Additionally, the Government Performance and Results Act requires federal agencies to justify continued program funding based on outcomes. For these reasons, IEPS strongly encourages you to consider the following recommendations in selecting FLAS fellows:

**(1) Make fellowship awards to students in a variety of disciplines and professional fields and with a variety of career goals** (e.g., business, government, healthcare, academe, etc.); and

**(2) Assign lowest consideration in the selection of fellows to:**

- (a) students who already possess language fluency equivalent to educated native speakers in the language for which the award is sought; and
- (b) students who are taking the first 12 semester hours or the equivalent in commonly taught languages.
- (c) students who are applying for dissertation research or writing as opposed to students applying for language acquisition.

**(3) Do not give extra consideration to the varying tuition rates of students.** Limit consideration of the applicant field to applicants’ qualifications and study plans to ensure that dissertators are not given undue preference over equally- or more-qualified candidates with non-academic career goals. This will help to reinforce recommendation (1).

## FLAS FELLOWSHIPS FOR “NON-TRADITIONAL” LANGUAGES

**BACKGROUND:** Every so often IEPS receives a request to approve a FLAS fellowship award to a student studying: (1) a language that is not traditionally associated with the grantee center’s world area or (2) a Western European language that is utilized in a less-commonly studied region.

***Example 1:** a student studying Japanese immigrants in Peru might wish to study Japanese rather than Spanish.*

***Example 2:** a student studying Indonesia would like a FLAS for Dutch*

IEPS considers and approves such awards on a case-by-case basis rather than issue to the grantee center blanket eligibility to make FLAS awards in the “non-traditional” language. This allows program staff to assess the extent to which the FLAS candidate’s experience, coursework, foreign language competence and research objectives qualify as that of a specialist in the area for which the fellowships were originally allocated.

However, please be aware that in the case of Example 2, IEPS expects that such a student would have already completed significant study of a local language such as Indonesian.

**PROCEDURE:** Grantees submit to their program officer the following information:

- the name of the student and purpose of the award;
- the student’s previous experience, linguistic background and coursework relating to the area of the award;
- the “non-traditional” language and the student’s current level of proficiency; if conducting research, the student must have adequate competence (i.e., advanced level proficiency) in the language(s) of research to accomplish the research objectives;
- if enrolled in a language course, evidence that the language is performance-based (see *Program Administration Manual* handout, “How to Obtain Language Eligibility for FLAS”);
- if conducting research, a one-page project description, signed by the dissertation advisor, outlining the subject matter and research methodology, indicating the extent to which the foreign language will be used, and identifying the student’s intended dates of travel; and
- a brief explanation of how the “non-traditional” language study (and related research) will help develop the student’s expertise regarding the area of the award.

***Example:** the student’s plan to analyze Japanese immigrants’ participation in Peruvian local politics requires an in-depth examination of community newspapers written in Japanese.*

***Example:** the student’s plan to conduct archival research on Indonesian colonial history which includes documents in Dutch.*

- if FLAS funds are to be used for overseas or dissertation research, a request for travel approval submitted at least 30 days prior to travel (see the “Foreign Travel Approval Request” form in the *Program Administration Manual*).

The IEPS program officer reviews the information and issues an approval or disapproval based on the extent to which the student fulfills FLAS eligibility requirements and the extent to which the award supports the development of an area specialist.

# FLY AMERICA ACT Fact Sheet<sup>1</sup>

## Introduction

Recipients of Federal financial assistance funds are required to abide by the provisions of the Fly America Act, but what does that mean? Is it just a bureaucratic restriction placed on Federal financial assistance recipients, or are there good reasons for compliance? How does one comply? Where does one go with questions on the Fly America Act? This article will explore these and other issues and is meant to be a synopsis of the restrictions flowing from the Act.

In a nutshell, the Fly America Act requires that foreign air travel funded with Federal dollars be performed on U.S. flag air carriers, unless one has a good reason not to.<sup>2</sup> This applies to ALL foreign travel funded by Federal dollars which means that these restrictions also apply to Federal Government employees on official travel, not just Federal financial assistance recipients and Federal contractors. As a matter of fact, the regulations implementing the restrictions of the Fly America Act found at 41 CFR Parts 301-10.131 through 301-10.143 are part of the Federal Travel Regulations promulgated by the General Services Administration (GSA).

## Background

The “Fly America Act” originally referred to provisions enacted by section 5 of the International Air Transportation Fair Competitive Practices Act of 1974 (Pub.L. 93- 623, January 3, 1975), 49 U.S.C. App. 1517, as amended by section 21 of the International Air Transportation Competition Act of 1979 (Pub.L. 96-192, February 15, 1980), 94 Stat. 43.

In 1974 the Committee on Interstate and Foreign Commerce was referred a Bill to amend the Federal Aviation Act of 1958 to deal with discriminatory and unfair competitive practices in international air transportation. This Bill, enacted as Public Law 93-623, the International Air Transportation Fair Competitive Practices Act of 1974, dealt with problems that U.S. carriers operating in foreign air transportation encountered in their competition with foreign carriers.

More specifically for our purposes, the Bill encouraged travel to and from the U.S. on U.S. carriers and required that transportation of Government-financed passengers and property be on U.S. carriers.<sup>3</sup> The Committee noted that discriminatory and unfair

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<sup>1</sup> Source: U.S. Department of Commerce, Office of the Assistant General Counsel for Finance and Litigation, Federal Assistance Law Division

<sup>2</sup> The acceptable reasons for not using a U.S. flagged air carrier are listed in the regulations implementing the Fly America Act and will be explained in detail below.

<sup>3</sup> Legislative History of P.L. 93-623, as found in H.Rep.No. 93-1475, 1974 U.S.C.C.A.N. 7461,7462.

competitive practices were prevalent in many of the countries where U.S. carriers operated. Practices included the uneven application of national taxes, delays and considerable paperwork requirements imposed on U.S. carriers in currency conversions, preferences for the local carrier in accessibility to airport facilities and services, and denial to U.S. carriers of domestic connecting space within a foreign country.<sup>4</sup>

Subsection (a) of section 5 of the Act provided that when foreign transportation of persons or property is paid for or furnished by the U.S. Government, Agencies were to take steps to assure that the air transportation was furnished by U.S. air carriers. Additionally, expenditures from appropriated funds for foreign air travel that did not meet such standards were to be disallowed by the Comptroller General unless satisfactory proof of necessity was shown.

The International Air Transportation Competition Act of 1979 amended the 1974 Act in two ways. First, it allowed the use of foreign carriers if U.S. flagged air carrier services were not “reasonably available” between two foreign points. This was an effort to avoid undue delays. Secondly, it authorized the U.S. Government to negotiate the right to carry U.S. Government-financed passenger traffic with foreign governments in return for liberal bilateral agreements that benefited the public and U.S. air carriers.<sup>5</sup> The Act was repealed by P.L. 103-272, which promulgated 49 U.S.C. § 40118, which is the present day version of the Fly America Act as amended.

## **Final Rules**

Subsection 127(d) of the General Accounting Office Act of 1996 (P.L. 104-316) amended 49 U.S.C. §40118 to require that the Administrator of GSA issue regulations under which agencies may permit payment for transportation on a foreign air carrier when such transportation is determined necessary. Prior to this amendment, regulations were promulgated by the Comptroller General and were found at 41 CFR 301-3.6. On April 7, 1998, GSA published a proposed rule,<sup>6</sup> with request for comments, that amended the Federal Travel Regulation pertaining to the use of U.S. flag air carriers under the Fly America Act. The proposed rule allowed for a 30-day comment period during which GSA received comments from Federal agencies, U.S. air carriers, an air carrier association, and non-Government entities. GSA published the final rule on November 13, 1998,<sup>7</sup> which was codified in the Code of Federal Regulations at 41 CFR Parts 301-10.131 to 301-10.143, which also removed the former regulations found at 41 CFR 301-3.6.

The final rules were written in plain language style in an effort to make the regulations easier to understand and use -- a question and answer format. The new regulations

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<sup>4</sup> H.Rep.No. 93-1475, 1974 U.S.C.C.A.N. 7461,7463.

<sup>5</sup> Legislative History of PL 96-192, as found in H.Rep.No. 96-329, 1979 U.S.C.C.A.N. 54, 65.

<sup>6</sup> 63 FR 16936

<sup>7</sup> 63 FR 63417

brought about a few changes. The new regulations reduced the connecting time for use of a U.S. flag air carrier service at an overseas interchange point from six hours down to four; required that airline tickets issued under a code share agreement identify the U.S. flag air carrier's designator code and flight number; removed references to "gateway airport in the United States" and "gateway airport abroad" for determining when a U.S. flag air carrier is available or reasonably available;<sup>8</sup> and implemented a new method for calculation of a grantee's or recipient's liability for unauthorized transportation on a foreign air carrier. The regulations are easy to read and are the first place you should go if you have a question about compliance with the Fly America Act.

### **When Do the Restrictions of the Fly America Act Apply?**

The restrictions of the Fly America Act apply whenever travel is financed by U.S. Government funds. Essentially, if your travel is paid for by the U.S. Government, you have to use a U.S. flag air carrier.

U.S. flag air carrier means that the carrier providing the service holds a certificate under 49 U.S.C. § 41102, and the services are authorized by such a certificate, or by exemption or regulation. Additionally, U.S. flag air carrier service is also defined as service provided under a **code share agreement** with a foreign air carrier. A **code share agreement** is common industry practice. It is a marketing arrangement where one airline puts its code on the flights of another airline in order to coordinate services and advertise and sell the other airline's services as its own, i.e., the code-share flights are marketed by U.S. carriers as their own flights. Some or all of the transportation is provided by another carrier which carries its partner's designator code.

Regulations promulgated by the Department of Transportation require airlines involved in code sharing to inform prospective passengers as soon as possible during calls to reservation offices when the flight involves a code share and to identify the carrier actually providing the service. The airlines must do this, even if the customer has not asked to book the flight. Therefore, when you book a flight with an airline, they are required to tell you if a code share agreement exists that will affect your travel. If you are not sure, ask the airlines representative.

Additionally, when using a code share, the ticket, or documentation for an electronic ticket, identifies the U.S. flag air carrier's designator code and flight number. The designator code and flight number are the essential features because this shows how the money flows.

### **Some General Exceptions to the Fly America Act**

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<sup>8</sup> Under the old regulations, a "gateway airport in the United States" was the last airport in the U.S. from which the traveler's flight departed or the first airport in the U.S. at which the traveler's flight arrived; and a "gateway airport abroad" was the airport abroad from which the traveler last embarked en route to the U.S. or at which the traveler first debarked incident to travel from the U.S. The terms were used in determining whether a U.S. flag air carrier was available or reasonably available, and were a source of some confusion in the past.

To every rule, there are some exceptions, and the Fly America Act is no different. As a matter of fact, there are many exceptions to the Act. Some of the exceptions are listed below.

**A matter of necessity.** It is determined that use of a foreign air carrier is a matter of necessity. How does one make that determination? 41 CFR 301-10.138 gives some guidance. Using a foreign air-carrier is deemed a necessity when service by a U.S. air-carrier is available, but cannot provide the air transportation needed or use of the U.S. air-carrier will not accomplish the agency's mission. Some circumstances dictating a necessity are when an agency determines that use of a foreign air-carrier is necessary for medical reasons, or if use is required to avoid an unreasonable risk to a traveler's safety (requires written approval by an agency on a case-by-case basis), or when a traveler can't purchase a ticket in his/her authorized class of service on a U.S. air-carrier, but can purchase one in his/her authorized class on a foreign air-carrier.

**Travel under a bilateral agreement.** Transportation is provided under a bilateral or multilateral air transportation agreement between the U.S. and another country. The Secretary of Transportation has to have determined that the agreement meets the requirement of the Fly America Act.

**Employees of Certain Agencies.** Another exception applies to officers and employees of the Department of State, U.S. International Development Corporation Agency, or the Arms Control Agency whose travel is paid for by funds appropriated to one of those agencies and the travel is between two places outside the U.S.

**No U.S. Air-Carrier Service on that Particular Leg.** If there is no U.S. air-carrier that provides service on a certain leg of your flight, then you may use a foreign air carrier. But only to or from the nearest exchange point on a usually traveled route to connect with a U.S. air-carrier.

**Involuntary Re-routing.** You can use a foreign air-carrier if a U.S. air carrier involuntarily re-routes your travel and puts you on a foreign air carrier.

**Saving a Substantial Amount of Time.** You can use a foreign air carrier if service on the foreign air carrier would be three hours or less, AND use of a U.S. air-carrier would at least double your en route travel time.

**Costs of Transportation Reimbursed by a Third Party.** You may use a foreign air-carrier when the costs of your transportation are reimbursed in full by a third party, such as a foreign government or international agency.

### **Some Specific Exceptions to the Fly America Act**

In addition to the general exceptions above, there are some specific exceptions to be aware of, and they depend on whether your origin and destination are outside of the U.S., or whether your travel is between another country and the U.S.

**Travel between the U.S. and another country.** Following are some exceptions to keep in mind that only apply when your travel is between the U.S. and another country: (1) If a U.S. flag air carrier offers nonstop or direct service (no aircraft change) from your origin to your destination, you have to use a U.S. air carrier, UNLESS, use of the U.S. air carrier would extend your travel time, including a delay at your origin, by 24 hours or more; (2) If a U.S. flag air carrier does not offer nonstop or direct service (no aircraft change) between your origin and your destination, you MUST use a U.S. air carrier on every portion of your route where the U.S. carrier provides service, unless, when compared to using a foreign air carrier, use of the U.S. carrier would (a) increase the number of aircraft changes you make outside the U.S. by 2 or more; (b) use of the U.S. air carrier would extend your travel time by at least 6 hours or more, or (c) the use of a U.S. air carrier would require a connecting time of 4 hours or more at an overseas interchange point.

**Travel solely outside the U.S.** Below are some exceptions to the Fly America Act requirements that apply when you travel solely outside the U.S., and a U.S. flag air carrier provides service between your origin and destination. Basically, you have to use the U.S. air carrier unless, when compared to using a foreign air carrier, use of the U.S. air carrier would: (1) increase the number of aircraft changes you have to make en route by 2 or more; (2) extend your travel time by 6 hours or more; or (3) require a connecting time of 4 hours or more at an overseas interchange point.

### **Documentation Required When Using a Foreign Air Carrier**

When using a foreign air carrier, a grantee will need to provide a certification as to why a foreign air carrier must be used. According to section 301-10.142, the certification must include (a) the traveler's name; (b) the dates of travel; (c) the origin and destination of travel; (d) a detailed itinerary of the travel, including the name of the air carrier and flight number for each leg of the trip; and (e) a statement explaining why the travel performed by the grantee met one of the exceptions to the requirements of the Fly America Act. The certification should go to the Grants Officer when requesting approval to use a foreign flag air carrier, and a copy of the certification should be kept in the grant file.

**Federal Travel Regulation**  
**Excerpts Related to Fly America Act**

Use of United States Flag Air Carriers

§301-10.131: What does United States mean?

For purposes of the use of United States flag air carriers, “United States” means the 50 states, the District of Columbia, and the territories and possessions of the United States (49 U.S.C. 40102).

§301-10.132: Who is required to use a U.S. flag air carrier?

Anyone whose air travel is financed by U.S. Government funds, except as provided in §§301-10.135, 301-10.136, and 301-10.137.

§301-10.133: What is a U.S. flag air carrier?

An air carrier which holds a certificate under 49 U.S.C. 41102 but does not include a foreign air carrier operating under a permit.

§301-10.134: What is U.S. flag air carrier service?

U.S. flag air carrier service is service provided on an air carrier which holds a certificate under 49 U.S.C. 41102 and which service is authorized either by the carrier’s certificate or by exemption or regulation. U.S. flag air carrier service also includes service provided under a code share agreement with a foreign air carrier in accordance with Title 14, Code of Federal Regulations when the ticket, or documentation for an electronic ticket, identifies the U.S. flag air carrier’s designator code and flight number.

§301-10.135: When must I travel using U.S. flag air carrier service?

You are required by 49 U.S.C. 40118, commonly referred to as the “Fly America Act,” to use U.S. flag air carrier service for all air travel funded by the U.S. Government, except as provided in §§301-10.136 and 301-10.137 or when one of the following exceptions applies:

(a) Use of a foreign air carrier is determined to be a matter of necessity in accordance with §301-10.138; or

(b) The transportation is provided under a bilateral or multilateral air transportation agreement to which the United States Government and the government of a foreign country are parties, and which the Department of Transportation has determined meets the requirements of the Fly America Act; or

(c) You are an officer or employee of the Department of State, United States Information Agency, United States International Development Cooperation Agency, or the Arms Control Disarmament Agency, and your travel is paid with funds appropriated to one of these agencies, and your travel is between two places outside the United States; or



- (d) No U.S. flag air carrier provides service on a particular leg of the route, in which case foreign air carrier service may be used, but only to or from the nearest interchange point on a usually traveled route to connect with U.S. flag air carrier service; or
- (e) A U.S. flag air carrier involuntarily reroutes your travel on a foreign air carrier; or
- (f) Service on a foreign air carrier would be three hours or less, and use of the U.S. flag air carrier would at least double your en route travel time; or
- (g) When the costs of transportation are reimbursed in full by a third party, such as a foreign government, international agency, or other organization.

§301-10.136: What exceptions to the Fly America Act requirements apply when I travel between the United States and another country?

The exceptions are:

- (a) If a U.S. flag air carrier offers nonstop or direct service (no aircraft change) from your origin to your destination, you must use the U.S. flag air carrier service unless such use would extend your travel time, including delay at origin, by 24 hours or more.
- (b) If a U.S. flag air carrier does not offer nonstop or direct service (no aircraft change) between your origin and your destination, you must use a U.S. flag air carrier on every portion of the route where it provides service unless, when compared to using a foreign air carrier, such use would:
  - (1) Increase the number of aircraft changes you must make outside of the U.S. by 2 or more; or
  - (2) Extend your travel time by at least 6 hours or more; or
  - (3) Require a connecting time of 4 hours or more at an overseas interchange point.

## **TITLE VI OF THE HIGHER EDUCATION ACT / INTERNATIONAL EDUCATION PROGRAMS**

### **SEC. 601. INTERNATIONAL AND FOREIGN LANGUAGE STUDIES.**

Part A of title VI (20 U.S.C. 1121 et seq.) is amended to read as follows:

#### **PART A--INTERNATIONAL AND FOREIGN LANGUAGE STUDIES**

##### **SEC. 601. FINDINGS AND PURPOSES.**

(a) FINDINGS- Congress finds as follows:

(1) The security, stability, and economic vitality of the United States in a complex global era depend upon American experts in and citizens knowledgeable about world regions, foreign languages, and international affairs, as well as upon a strong research base in these areas.

(2) Advances in communications technology and the growth of regional and global problems make knowledge of other countries and the ability to communicate in other languages more essential to the promotion of mutual understanding and cooperation among nations and their peoples.

(3) Dramatic post-Cold War changes in the world's geopolitical and economic landscapes are creating needs for American expertise and knowledge about a greater diversity of less commonly taught foreign languages and nations of the world.

(4) Systematic efforts are necessary to enhance the capacity of institutions of higher education in the United States for--

(A) producing graduates with international and foreign language expertise and knowledge; and

(B) research regarding such expertise and knowledge.

(5) Cooperative efforts among the Federal Government, institutions of higher education, and the private sector are necessary to promote the generation and dissemination of information about world regions, foreign languages, and international affairs throughout education, government, business, civic, and nonprofit sectors in the United States.

(b) PURPOSES- The purposes of this part are--

(1) (A) to support centers, programs, and fellowships in institutions of higher education in the United States for producing increased numbers of trained personnel and research in foreign languages, area studies, and other international studies;

(B) to develop a pool of international experts to meet national needs;

(C) to develop and validate specialized materials and techniques for foreign language acquisition and fluency, emphasizing (but not limited to) the less commonly taught languages;

(D) to promote access to research and training overseas; and

(E) to advance the internationalization of a variety of disciplines throughout undergraduate and graduate education;

(2) to support cooperative efforts promoting access to and the dissemination of international and foreign language knowledge, teaching materials, and research, throughout education, government, business, civic, and nonprofit sectors in the United States, through the use of advanced technologies; and

(3) to coordinate the programs of the Federal Government in the areas of foreign language, area studies, and other international studies, including professional international affairs education and research.

##### **SEC. 602. GRADUATE AND UNDERGRADUATE LANGUAGE AND AREA CENTERS AND PROGRAMS**

(a) NATIONAL LANGUAGE AND AREA CENTERS AND PROGRAMS AUTHORIZED -

(1) CENTERS AND PROGRAMS -

(A) IN GENERAL - The Secretary is authorized--

(i) to make grants to institutions of higher education, or combinations thereof, for the purpose of establishing, strengthening, and operating comprehensive foreign language and area or international studies centers and programs; and

(ii) to make grants to such institutions or combinations for the purpose of establishing, strengthening, and operating a diverse network of undergraduate foreign language and area or international studies centers and programs.

(B) NATIONAL RESOURCES- The centers and programs referred to in paragraph (1) shall be national resources for--

(i) teaching of any modern foreign language;

(ii) instruction in fields needed to provide full understanding of areas, regions, or countries in which such language is commonly used;

(iii) research and training in international studies, and the international and foreign language aspects of professional and other fields of study; and

(iv) instruction and research on issues in world affairs that concern one or more countries.

(2) AUTHORIZED ACTIVITIES- Any such grant may be used to pay all or part of the cost of establishing or operating a center or program, including the cost of--

(A) teaching and research materials;

(B) curriculum planning and development;

(C) establishing and maintaining linkages with overseas institutions of higher education and other organizations that may contribute to the teaching and research of the center or program;

(D) bringing visiting scholars and faculty to the center to teach or to conduct research;

(E) professional development of the center's faculty and staff;

(F) projects conducted in cooperation with other centers addressing themes of world regional, cross-regional, international, or global importance;

(G) summer institutes in the United States or abroad designed to provide language and area training in the center's field or topic; and

(H) support for faculty, staff, and student travel in foreign areas, regions, or countries, and for the development and support of educational programs abroad for students.

(3) GRANTS TO MAINTAIN LIBRARY COLLECTIONS- The Secretary may make grants to centers described in paragraph (1) having important library collections, as determined by the Secretary, for the maintenance of such collections.

(4) OUTREACH GRANTS AND SUMMER INSTITUTES- The Secretary may make additional grants to centers described in paragraph (1) for any one or more of the following purposes:

(A) Programs of linkage or outreach between foreign language, area studies, or other international fields, and professional schools and colleges.

(B) Programs of linkage or outreach with 2- and 4-year colleges and universities.

(C) Programs of linkage or outreach with departments or agencies of Federal and State governments.

(D) Programs of linkage or outreach with the news media, business, professional, or trade associations.

(E) Summer institutes in foreign area, foreign language, and other international fields designed to carry out the programs of linkage and outreach described in subparagraphs (A), (B), (C), and (D).

(b) GRADUATE FELLOWSHIPS FOR FOREIGN LANGUAGE AND AREA OR INTERNATIONAL STUDIES-

(1) IN GENERAL- The Secretary is authorized to make grants to institutions of higher education or combinations of such institutions for the purpose of paying stipends to individuals undergoing advanced training in any center or program approved by the Secretary.

(2) ELIGIBLE STUDENTS- Students receiving stipends described in paragraph (1) shall be individuals who are engaged in an instructional program with stated performance goals for functional foreign language use or in a program developing such performance goals, in combination with area studies, international studies, or the international aspects of a professional studies program, including predissertation level studies, preparation for dissertation research, dissertation research abroad, and dissertation writing.

(c) SPECIAL RULE WITH RESPECT TO TRAVEL- No funds may be expended under this part for undergraduate travel except in accordance with rules prescribed by the Secretary setting forth policies and procedures to assure that Federal funds made available for such travel are expended as part of a formal program of supervised study.

(d) ALLOWANCES- Stipends awarded to graduate level recipients may include allowances for dependents and for travel for research and study in the United States and abroad.

# CODE OF FEDERAL REGULATIONS – TITLE 34: EDUCATION<sup>9</sup>

## VOLUME 3

### CHAPTER VI: OFFICE OF POSTSECONDARY EDUCATION, DEPARTMENT OF EDUCATION

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#### **PART 655—INTERNATIONAL EDUCATION PROGRAMS—GENERAL PROVISIONS**

##### **Subpart A--General**

###### **Sec.**

655.1 Which programs do these regulations govern?

655.3 What regulations apply to the International Education Programs?

655.4 What definitions apply to the International Education Programs?

##### **Subpart B--What Kinds of Projects Does the Secretary Assist?**

655.10 What kinds of projects does the Secretary assist?

##### **Subpart C [Reserved]**

##### **Subpart D--How Does the Secretary Make a Grant?**

655.30 How does the Secretary evaluate an application?

655.31 What general selection criteria does the Secretary use?

655.32 What additional factors does the Secretary consider in making grant awards?

Authority: 20 U.S.C 1121-1130b, unless otherwise noted.

Source: 47 FR 14116, Apr. 1, 1982, unless otherwise noted.

##### **Subpart A--General**

###### **Sec. 655.1 Which programs do these regulations govern?**

The regulations in this part govern the administration of the following programs in international education:

- (a) The National Resource Centers Program for Foreign Language and Area Studies or Foreign Language and International Studies (section 602 of the Higher Education Act of 1965, as amended);
- (b) The Language Resource Centers Program (section 603);
- (c) The Undergraduate International Studies and Foreign Language Program (section 604);
- (d) The International Research and Studies Program (section 605); and
- (e) The Business and International Education Program (section 613).

(Authority: 20 U.S.C. 1121-1130b)

[47 FR 14116, Apr. 1, 1982, as amended at 58 FR 32575, June 10, 1993; 64CFR 7739, Feb. 16, 1999]

###### **Sec. 655.3 What regulations apply to the International Education Programs?**

The following regulations apply to the International Education Programs:

- (a) The Education Department General Administrative Regulations (EDGAR) as follows:
  - (1) 34 CFR part 74 (Administration of Grants to Institutions of Higher Education, Hospitals, and Nonprofit Organizations).
  - (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), except that part 79 does not apply to 34 CFR parts 660, 669, and 671.
  - (5) 34 CFR part 82 (New Restrictions on Lobbying).

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<sup>9</sup> Revised as of July 1, 2005. URL: [http://www.access.gpo.gov/nara/cfr/waisidx\\_05/34cfrv3\\_05.html#600](http://www.access.gpo.gov/nara/cfr/waisidx_05/34cfrv3_05.html#600)

- (6) 34 CFR part 85 (Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)).
- (7) 34 CFR part 86 (Drug-Free Schools and Campuses).
- (b) The regulations in this part 655; and
- (c) As appropriate, the regulations in--
  - (1) 34 CFR part 656 (National Resource Centers Program for Foreign Language and Area Studies or Foreign Language and International Studies);
  - (2) 34 CFR part 657 (Foreign Language and Area Studies Fellowships Program);
  - (3) 34 CFR part 658 (Undergraduate International Studies and Foreign Language Program);
  - (4) 34 CFR part 660 (International Research and Studies Program);
  - (5) 34 CFR part 661 (Business and International Education Program); and
  - (6) 34 CFR part 669 (Language Resource Centers Program).

(Authority: 20 U.S.C. 1121-1127; 1221e-3)

[47 FR 14116, Apr. 1, 1982, as amended at 58 FR 32575, June 10, 1993; 64 FR 7739, Feb. 16, 1999]

**Sec. 655.4 What definitions apply to the International Education Programs?**

- (a) Definitions in EDGAR. The following terms used in this part and 34 CFR parts 656, 657, 658, 660, 661, and 669 are defined in 34 CFR part 77:

Acquisition	EDGAR	Grant period	Private	
Applicant	Equipment	Local educational agency	Public	
Application	Facilities	Nonprofit	Secretary	
Award	Fiscal year	Project	State	educational
Budget	Grant	Project period	agency	
Contract	Grantee		Supplies	

(Authority: 20 U.S.C. 1121-1127)

- (b) Definitions that apply to these programs: The following definition applies to International Education Programs: Combination of institutions of higher education means a group of institutions of higher education that have entered into a cooperative arrangement for the purpose of carrying out a common objective, or a public or private nonprofit agency, organization, or institution designated or created by a group of institutions of higher education for the purpose of carrying out a common objective on their behalf.

Critical languages means each of the languages contained in the list of critical languages designated by the Secretary pursuant to section 212(d) of the Education for Economic Security Act, except that, in the implementation of this definition, the Secretary may set priorities according to the purposes of title VI of the Higher Education Act of 1965, as amended.

Institution of higher education means, in addition to an institution that meets the definition of section 101(a) of the Higher Education Act of 1965, as amended, an institution that meets the requirements of section 101(a) except that (1) it is not located in the United States, and (2) it applies for assistance under title VI of the Higher Education Act of 1965, as amended, in consortia with institutions that meet the definitions in section 101(a).

(Authority: 20 U.S.C. 1121-1127, and 1141)

[47 FR 14116, Apr. 1, 1982, as amended at 58 FR 32575, June 10, 1993; 64 FR 7739, Feb. 16, 1999]

**Subpart B--What Kinds of Projects Does the Secretary Assist?**

**Sec. 655.10 What kinds of projects does the Secretary assist?**

Subpart B of 34 CFR parts 656, 657, 658, 660, 661, and 669 describes the kinds of projects that the Secretary assists under the International Education Programs.

(Authority: 20 U.S.C. 1021-1027)

[  
47 FR 14116, Apr. 1, 1982, as amended at 58 FR 32575, June 10, 1993, 64 FR 7739, Feb. 16, 1999]

### **Subpart C [Reserved]**

#### **Subpart D--How Does the Secretary Make a Grant?**

##### **Sec. 655.30 How does the Secretary evaluate an application?**

The Secretary evaluates an application for International Education Programs on the basis of--

- (a) The general criteria in Sec. 655.31; and
- (b) The specific criteria in, as applicable, subpart D of 34 CFR parts 658, 660, 661, and 669.

(Authority: 20 U.S.C. 1121-1127)

[64 FR 7739, Feb. 16, 1999]

##### **Sec. 655.31 What general selection criteria does the Secretary use?**

- (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) High quality in the design of the project;
    - (ii) An effective plan of management that ensures 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) A clear description of how the applicant will provide equal access and treatment for eligible project participants who are members of groups that have been traditionally underrepresented, such as—
  - (3) Members of racial or ethnic minority groups;
  - (4) Women; and
  - (5) Handicapped persons.
- (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. In the case of faculty, the qualifications of the faculty and the degree to which that faculty is directly involved in the actual teaching and supervision of students; and
    - (iii) The time that each person referred to in paragraphs (b)(2) (i) and (ii) of this section plans to commit to the project; and
    - (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 racial or ethnic minority groups, 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 objectives 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.
  - (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) Other than library, facilities that the applicant plans to use are adequate (language laboratory, museums, etc.); and
    - (ii) The equipment and supplies that the applicant plans to use are adequate.

(Authority: 20 U.S.C. 1121-1127)

**Sec. 655.32 What additional factors does the Secretary consider in making grant awards?**

Except for 34 CFR parts 656, 657, and 661, to the extent practicable and consistent with the criterion of excellence, the Secretary seeks to achieve an equitable distribution of funds throughout the Nation.

(Authority: 20 U.S.C. 1126(b)).  
[58 FR 32575, June 10, 1993]



**PART 656—NATIONAL RESOURCE CENTERS PROGRAM FOR FOREIGN LANGUAGE AND AREA STUDIES OR FOREIGN LANGUAGE AND INTERNATIONAL STUDIES**

**Subpart A--General**

Sec.

- 656.1 What is the National Resource Centers Program?
  - 656.2 Who is eligible to receive a grant?
  - 656.3 What activities define a comprehensive or undergraduate National Resource Center?
  - 656.4 What types of Centers receive grants?
  - 656.5 What activities may be carried out?
  - 656.6 What regulations apply?
- What definitions apply?

**Subpart B--How Does One Apply for a Grant?**

- 656.10 What combined application may an institution submit?

**Subpart C--How Does the Secretary Make a Grant?**

- 656.20 How does the Secretary evaluate an application?
- 656.21 What selection criteria does the Secretary use to evaluate an application for a comprehensive Center?
- 656.22 What selection criteria does the Secretary use to evaluate an application for an undergraduate Center?
- 656.23 What priorities may the Secretary establish?

**Subpart D--What Conditions Must Be Met by a Grantee?**

- 656.30 What are allowable costs and limitations on allowable costs?

Authority: 20 U.S.C. 1122, unless otherwise noted.

Source: 61 FR 50193, Sept. 24, 1996, unless otherwise noted.

**Subpart A--General**

**Sec. 656.1 What is the National Resource Centers Program?**

Under the National Resource Centers Program for Foreign Language and Areas Studies or Foreign Language and International Studies (National Resource Centers Program), the Secretary awards grants to institutions of higher education and combinations of institutions to establish, strengthen, and operate comprehensive and undergraduate Centers that will be national resources for—

- (a) Teaching of any modern foreign language;
- (b) Instruction in fields needed to provide full understanding of areas, regions, or countries in which the modern foreign language is commonly used;
- (c) Research and training in international studies and the international and foreign language aspects of professional and other fields of study; and
- (d) Instruction and research on issues in world affairs that concern one or more countries.

(Authority: 20 U.S.C. 1122)

[61 FR 50193, Sept. 24, 1996, as amended at 64 FR 7739, Feb. 16, 1999]

**Sec. 656.2 Who is eligible to receive a grant?**

An institution of higher education or a combination of institutions of higher education is eligible to receive a grant under this part.

(Authority: 20 U.S.C. 1122)

**Sec. 656.3 What activities define a comprehensive or undergraduate National Resource Center?**

A comprehensive or undergraduate National Resource Center--

- (a) Teaches at least one modern foreign language;
- (b) Provides--
  - (1) Instruction in fields necessary to provide a full understanding of the areas, regions, or countries in which the modern foreign language taught is commonly used;
  - (2) Resources for research and training in international studies, and the international and foreign language aspects of professional and other fields of study; or
  - (3) Instruction and research on issues in world affairs that concern one or more countries
- (c) Provides outreach and consultative services on a national, regional, and local basis;
- (d) Maintains linkages with overseas institutions of higher education and other organizations that may contribute to the teaching and research of the Center;
- (e) Maintains important library collections;
- (f) Employs faculty engaged in training and research that relates to the subject area of the Center;
- (g) Conducts projects in cooperation with other centers addressing themes of world, regional, cross-regional, international, or global importance; and
- (h) Conducts summer institutes in the United States or abroad designed to provide language and area training in the Center's field or topic.

(Authority: 20 U.S.C. 1122)

[64 FR 7739, Feb. 16, 1999]

#### **Sec. 656.4 What types of Centers receive grants?**

The Secretary awards grants to Centers that

- (a) Focus on--
  - (1) A single country or on a world area (such as East Asia, Africa, or the Middle East) and offer instruction in the principal language or languages of that country or area and those disciplinary fields necessary to provide a full understanding of the country or area; or
  - (2) International studies or the international aspects of contemporary issues or topics (such as international business or energy) while providing instruction in modern foreign languages; and
- (b) Provide training at the—
  - (1) Graduate, professional, and undergraduate levels, as a comprehensive Center; or
  - (2) Undergraduate level only, as an undergraduate Center.

(Authority: 20 U.S.C. 1122)

#### **Sec. 656.5 What activities may be carried out?**

- (a) A Center may carry out any of the activities described in Sec. 656.3 under a grant received under this part.
- (b) The Secretary may make an additional grant to a Center for any one or a combination of the following purposes:
  - (1) Linkage or outreach between foreign language, area studies, and other international fields and professional schools and colleges.
  - (2) Linkage or outreach with 2- and 4-year colleges and universities.
  - (3) Linkage or outreach with departments or agencies of Federal and State governments.
  - (4) Linkage or outreach with the news media, business, professional, or trade associations.
  - (5) Summer institutes in foreign area, foreign language, and other international fields designed to carry out the activities in paragraphs (b)(1) through (4) of this section.

(Authority: 20 U.S.C. 1122)

[61 FR 50193, Sept. 24, 1996, as amended at 64 FR 7739, Feb. 16, 1999]

#### **Sec. 656.6 What regulations apply?**

The following regulations apply to this program:

- (a) The regulations in 34 CFR part 655.
- (b) The regulations in this part 656.

(Authority: 20 U.S.C. 1122)

**Sec. 656.7 What definitions apply?**

The following definitions apply to this part:

- (a) The definitions in 34 CFR part 655.
- (b) Area studies means a program of comprehensive study of the aspects of a world area's society or societies, including study of history, culture, economy, politics, international relations, and languages.
- (c) Center means an administrative unit of an institution of higher education that has direct access to highly qualified faculty and library resources, and coordinates a concentrated effort of educational resources, including language training and various academic disciplines, in the area and subject matters described in Sec. 656.3.
- (d) Comprehensive Center means a Center that—
  - (1) Contributes significantly to the national interest in advanced research and scholarship;
  - (2) Offers intensive language instruction;
  - (3) Maintains important library collections related to the area of its specialization;
  - (4) Makes training available to a graduate, professional, and undergraduate clientele; and
  - (5) Engages in curriculum development and community outreach.
- (e) For purposes of this section, intensive language instruction means instruction of at least five contact hours per week during the academic year or the equivalent of a full academic year of language instruction during the summer.
- (f) Undergraduate Center means an administrative unit of an institution of higher education that--
  - (1) Contributes significantly to the national interest through the education of students who matriculate into advanced language and area studies programs or professional school programs;
  - (2) Incorporates substantial international and foreign language content into baccalaureate degree program;
  - (3) Makes training available predominantly to undergraduate students; and
  - (4) Engages in research, curriculum development, and community outreach.

(Authority: 20 U.S.C. 1122)

**Subpart B--How Does One Apply for a Grant?**

**Sec. 656.10 What combined application may an institution submit?**

An institution that wishes to apply for a grant under this part and for an allocation of fellowships under 34 CFR part 657 may submit one application for both.

(Authority: 20 U.S.C. 1122)

**Subpart C--How Does the Secretary Make a Grant?**

**Sec. 656.20 How does the Secretary evaluate an application?**

- (a) The Secretary evaluates an application for a comprehensive Center under the criteria contained in Sec. 656.21, and for an undergraduate Center under the criteria contained in Sec. 656.22.
- (b) In general, the Secretary awards up to 155 possible points for these criteria. However, if the criterion in Sec. 656.21(j) or Sec. 656.22(j) is used, the Secretary awards up to 165 possible points. The maximum possible points for each criterion are shown in parentheses.

(Authority: 20 U.S.C. 1122)

**Sec. 656.21 What selection criteria does the Secretary use to evaluate an application for a comprehensive Center?**

The Secretary uses the following criteria in evaluating an application for a comprehensive Center:

- (a) Program planning and budget. (20 points) The Secretary reviews each application to determine--
  - (1) The extent to which the activities for which the applicant seeks funding are of high quality and directly related to the purpose of the National Resource Centers Program (5 points);

- (2) The extent to which the applicant provides a development plan or timeline demonstrating how the proposed activities will contribute to a strengthened program and whether the applicant uses its resources and personnel effectively to achieve the proposed objectives (5 points);
  - (3) The extent to which the costs of the proposed activities are reasonable in relation to the objectives of the program (5 points); and
  - (4) The long-term impact of the proposed activities on the institution's undergraduate, graduate, and professional training programs (5 points).
- (b) Quality of staff resources. (20 points) The Secretary reviews each application to determine—
- (1) The extent to which teaching faculty and other staff are qualified for the current and proposed Center activities and training programs, are provided professional development opportunities (including overseas experience), and participate in teaching, supervising, and advising students (10 points);
  - (2) The adequacy of Center staffing and oversight arrangements, including outreach and administration and the extent to which faculty from a variety of departments, professional schools, and the library are involved (5 points); and
  - (3) 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 racial or ethnic minority groups, women, persons with disabilities, and the elderly (5 points).
- (c) Impact and evaluation. (20 points) The Secretary reviews each application to determine—
- (1) The extent to which the Center's activities and training programs have a significant impact on the university, community, region, and the Nation as shown through indices such as enrollments, graduate placement data, participation rates for events, and usage of Center resources; and the extent to which the applicant supplies a clear description of how the applicant will provide equal access and treatment of eligible project participants who are members of groups that have been traditionally underrepresented, such as members of racial or ethnic minority groups, women, persons with disabilities, and the elderly (10 points); and
  - (2) The extent to which the applicant provides an evaluation plan that is comprehensive and objective and that will produce quantifiable, outcome-measure-oriented data; and the extent to which recent evaluations have been used to improve the applicant's program (10 points).
- (d) Commitment to the subject area on which the Center focuses. (10 points) The Secretary reviews each application to determine the extent to which the institution provides financial and other support to the operation of the Center, teaching staff for the Center's subject area, library resources, linkages with institutions abroad, outreach activities, and qualified students in fields related to the Center.
- (e) Strength of library. (15 points) The Secretary reviews each application to determine--
- (1) The strength of the institution's library holdings (both print and non-print, English and foreign language) in the subject area and at the educational levels (graduate, professional, undergraduate) on which the Center focuses; and the extent to which the institution provides financial support for the acquisition of library materials and for library staff in the subject area of the Center (10 points); and
  - (2) The extent to which research materials at other institutions are available to students through cooperative arrangements with other libraries or on-line databases and the extent to which teachers, students, and faculty from other institutions are able to access the library's holdings (5 points).
- (f) Quality of the Center's non-language instructional program. (20 points) The Secretary reviews each application to determine—
- (1) The quality and extent of the Center's course offerings in a variety of disciplines, including the extent to which courses in the Center's subject matter are available in the institution's professional schools (5 points);
  - (2) The extent to which the Center offers depth of specialized course coverage in one or more disciplines of the Center's subject area (5 points);
  - (3) The extent to which the institution employs a sufficient number of teaching faculty to enable the Center to carry out its purposes and the extent to which instructional assistants are provided with pedagogy training (5 points); and

- (4) The extent to which interdisciplinary courses are offered for undergraduate and graduate students (5 points).
- (g) Quality of the Center's language instructional program. (20 points) The Secretary reviews each application to determine—
  - (1) The extent to which the Center provides instruction in the languages of the Center's subject area and the extent to which students enroll in the study of the languages of the subject area through programs or instruction offered by the Center or other providers (5 points);
  - (2) The extent to which the Center provides three or more levels of language training and the extent to which courses in disciplines other than language, linguistics, and literature are offered in appropriate foreign languages (5 points);
  - (3) Whether sufficient numbers of language faculty are available to teach the languages and levels of instruction described in the application and the extent to which language teaching staff (including faculty and instructional assistants) have been exposed to current language pedagogy training appropriate for performance-based teaching (5 points); and
  - (4) The quality of the language program as measured by the performance-based instruction being used or developed, the adequacy of resources for language teaching and practice, and language proficiency requirements (5 points).
- (h) Quality of curriculum design. (15 points) The Secretary reviews each application to determine—
  - (1) The extent to which the Center's curriculum has incorporated undergraduate instruction in the applicant's area or topic of specialization into baccalaureate degree programs (for example, major, minor, or certificate programs) and the extent to which these programs and their requirements (including language requirements) are appropriate for a Center in this subject area and will result in an undergraduate training program of high quality (5 points);
  - (2) The extent to which the Center's curriculum provides training options for graduate students from a variety of disciplines and professional fields and the extent to which these programs and their requirements (including language requirements) are appropriate for a Center in this subject area and result in graduate training programs of high quality (5 points); and
  - (3) The extent to which the Center provides academic and career advising services for students; the extent to which the Center has established formal arrangements for students to conduct research or study abroad and the extent to which these arrangements are used; and the extent to which the institution facilitates student access to other institutions' study abroad and summer language programs (5 points).
- (i) Outreach activities. (15 points) The Secretary reviews each application to determine the extent to which the Center demonstrates a significant and measurable regional and national impact of, and faculty and professional school involvement in, domestic outreach activities that involve—
  - (1) Elementary and secondary schools (5 points);
  - (2) Postsecondary institutions (5 points); and
  - (3) Business, media, and the general public (5 points).
- (j) Degree to which priorities are served. (10 points) If, under the provisions of Sec. 656.23, the Secretary establishes competitive priorities for Centers, the Secretary considers the degree to which those priorities are being served.

(Approved by the Office of Management and Budget under control number 1840-0068)

(Authority: 20 U.S.C. 1122)

**Sec. 656.22 What selection criteria does the Secretary use to evaluate an application for an undergraduate Center?**

The Secretary uses the following criteria in evaluating an application for an undergraduate Center:

- (a) Program planning and budget. (20 points) The Secretary reviews each application to determine—
  - (1) The extent to which the activities for which the applicant seeks funding are of high quality and directly related to the purpose of the National Resource Centers Program (5 points);
  - (2) The extent to which the applicant provides a development plan or timeline demonstrating how the proposed activities will contribute to a strengthened program and whether the applicant uses its resources and personnel effectively to achieve the proposed objectives (5 points);

- (3) The extent to which the costs of the proposed activities are reasonable in relation to the objectives of the program (5 points); and
- (4) The long-term impact of the proposed activities on the institution's undergraduate training program (5 points).
- (b) Quality of staff resources. (20 points) The Secretary reviews each application to determine—
  - (1) The extent to which teaching faculty and other staff are qualified for the current and proposed Center activities and training programs, are provided professional development opportunities (including overseas experience), and participate in teaching, supervising, and advising students (10 points);
  - (2) The adequacy of Center staffing and oversight arrangements, including outreach and administration and the extent to which faculty from a variety of departments, professional schools, and the library are involved (5 points); and
  - (3) 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 racial or ethnic minority groups, women, persons with disabilities, and the elderly (5 points).
- (c) Impact and evaluation. (20 points) The Secretary reviews each application to determine—
  - (1) The extent to which the Center's activities and training programs have a significant impact on the university, community, region, and the Nation as shown through indices such as enrollments, graduate placement data, participation rates for events, and usage of Center resources; the extent to which students matriculate into advanced language and area or international studies programs or related professional programs; and the extent to which the applicant supplies a clear description of how the applicant will provide equal access and treatment of eligible project participants who are members of groups that have been traditionally underrepresented, such as members of racial or ethnic minority groups, women, persons with disabilities, and the elderly (10 points); and
  - (2) The extent to which the applicant provides an evaluation plan that is comprehensive and objective and that will produce quantifiable, outcome-measure-oriented data; and the extent to which recent evaluations have been used to improve the applicant's program (10 points).
- (d) Commitment to the subject area on which the Center focuses. (10 points) The Secretary reviews each application to determine the extent to which the institution provides financial and other support to the operation of the Center, teaching staff for the Center's subject area, library resources, linkages with institutions abroad, outreach activities, and qualified students in fields related to the Center.
- (e) Strength of library. (15 points) The Secretary reviews each application to determine—
  - (1) The strength of the institution's library holdings (both print and non-print, English and foreign language) in the subject area and at the educational levels (graduate, professional, undergraduate) on which the Center focuses; and the extent to which the institution provides financial support for the acquisition of library materials and for library staff in the subject area of the Center (10 points); and
  - (2) The extent to which research materials at other institutions are available to students through cooperative arrangements with other libraries or on-line databases and the extent to which teachers, students, and faculty from other institutions are able to access the library's holdings (5 points).
- (f) Quality of the Center's non-language instructional program. (20 points) The Secretary reviews each application to determine—
  - (1) The quality and extent of the Center's course offerings in a variety of disciplines (5 points);
  - (2) The extent to which the Center offers depth of specialized course coverage in one or more disciplines of the Center's subject area (5 points);
  - (3) The extent to which the institution employs a sufficient number of teaching faculty to enable the Center to carry out its purposes and the extent to which instructional assistants are provided with pedagogy training (5 points); and
  - (4) The extent to which interdisciplinary courses are offered for undergraduate students (5 points).
- (g) Quality of the Center's language instructional program. (20 points) The Secretary reviews each application to determine—

- (1) The extent to which the Center provides instruction in the languages of the Center's subject area and the extent to which students enroll in the study of the languages of the subject area through programs offered by the Center or other providers (5 points);
  - (2) The extent to which the Center provides three or more levels of language training and the extent to which courses in disciplines other than language, linguistics, and literature are offered in appropriate foreign languages (5 points);
  - (3) Whether sufficient numbers of language faculty are available to teach the languages and levels of instruction described in the application and the extent to which language teaching staff (including faculty and instructional assistants) have been exposed to current language pedagogy training appropriate for performance-based teaching (5 points); and
  - (4) The quality of the language program as measured by the performance-based instruction being used or developed, the adequacy of resources for language teaching and practice, and language proficiency requirements (5 points).
- (h) Quality of curriculum design. (15 points) The Secretary reviews each application to determine—
- (1) The extent to which the Center's curriculum has incorporated undergraduate instruction in the applicant's area or topic of specialization into baccalaureate degree programs (for example, major, minor, or certificate programs) and the extent to which these programs and their requirements (including language requirements) are appropriate for a Center in this subject area and will result in an undergraduate training program of high quality (10 points); and
  - (2) The extent to which the Center provides academic and career advising services for students; the extent to which the Center has established formal arrangements for students to conduct research or study abroad and the extent to which these arrangements are used; and the extent to which the institution facilitates student access to other institutions' study abroad and summer language programs (5 points).
- (i) Outreach activities. (15 points) The Secretary reviews each application to determine the extent to which the Center demonstrates a significant and measurable regional and national impact of, and faculty and professional school involvement in, domestic outreach activities that involve—
- (1) Elementary and secondary schools (5 points);
  - (2) Postsecondary institutions (5 points); and
  - (3) Business, media and the general public (5 points).
- (j) Degree to which priorities are served. (10 points) If, under the provisions of Sec. 656.23, the Secretary establishes competitive priorities for Centers, the Secretary considers the degree to which those priorities are being served. (Approved by the Office of Management and Budget under control number 1840-0068.)

(Authority: 20 U.S.C. 1122)

**Sec. 656.23 What priorities may the Secretary establish?**

- (a) The Secretary may select one or more of the following funding priorities:
  - (1) Specific countries or world areas, such as, for example, East Asia, Africa, or the Middle East.
  - (2) Specific focus of a Center, such as, for example, a single world area; international studies; a particular issue or topic, e.g., business, development issues, or energy; or any combination.
  - (3) Level or intensiveness of language instruction, such as intermediate or advanced language instruction, or instruction at an intensity of 10 contact hours or more per week.
  - (4) Types of activities to be carried out, for example, cooperative summer intensive language programs, course development, or teacher training activities.
- (b) The Secretary may select one or more of the activities listed in Sec. 656.5 as a funding priority.
- (c) The Secretary announces any priorities in the application notice published in the Federal Register.

(Authority: 20 U.S.C. 1122)

Subpart D--What Conditions Must Be Met By a Grantee?

Sec. 656.30 What are allowable costs and limitations on allowable costs?

- (a) Allowable costs. Except as provided under paragraph (b) of this section, a grant awarded under this part may be used to pay all or part of the cost of establishing, strengthening, or operating a comprehensive or undergraduate Center including, but not limited to, the cost of—
- (1) Faculty and staff salaries and travel;
  - (2) Library acquisitions;
  - (3) Teaching and research materials;
  - (4) Curriculum planning and development;
  - (5) Bringing visiting scholars and faculty to the Center to teach, conduct research, or participate in conferences or workshops;
  - (6) Training and improvement of staff;
  - (7) Projects conducted in cooperation with other centers addressing themes of world, regional, cross-regional, international, or global importance; and
  - (8) Summer institutes in the United States or abroad designed to provide language and area training in the Center's field or topic.
- (b) Limitations on allowable costs. The following are limitations on allowable costs:
- (1) Equipment costs exceeding 10 percent of the grant are not allowable.
  - (2) Funds for undergraduate travel are allowable only in conjunction with a formal program of supervised study in the subject area on which the Center focuses.
  - (3) Grant funds may not be used to supplant funds normally used by applicants for purposes of this part.

(Authority: 20 U.S.C. 1122)

[61 FR 50193, Sept. 24, 1996, as amended at 64 FR 7739, Feb. 16, 1999]



## **PART 657—FOREIGN LANGUAGE AND AREA STUDIES FELLOWSHIPS PROGRAM**

### **Subpart A--General**

Sec.

- 657.1 What is the Foreign Language and Area Studies Fellowship Program?
- 657.2 Who is eligible to receive an allocation of fellowships?
- 657.3 Who is eligible to receive a fellowship?
- 657.4 What regulations apply?
- 657.5 What definitions apply?

### **Subpart B--How Does an Institution or a Student Submit an Application?**

- 657.10 What combined application may an institution submit?
- 657.11 How does a student apply for a fellowship?

### **Subpart C--How Does the Secretary Select an Institution for an Allocation of Fellowships?**

- 657.20 How does the Secretary evaluate an institutional application for an allocation of fellowships?
- 657.21 What criteria does the Secretary use in selecting institutions for an allocation of fellowships?
- 657.22 What priorities may the Secretary establish?

### **Subpart D--What Conditions Must Be Met By a Grantee and a Fellow?**

- 657.30 What is the duration of and what are the limitations on fellowships awarded to individuals by institutions?
- 657.31 What is the amount of a fellowship?
- 657.32 What is the payment procedure for fellowships?
- 657.33 What are the limitations on the use of funds for overseas fellowships?
- 657.34 Under what circumstances must an institution terminate a fellowship?

Authority: 20 U.S.C. 1122, unless otherwise noted.

Source: 61 FR 50202, Sept. 24, 1996, unless otherwise noted.

### **Subpart A--General**

#### **Sec. 657.1 What is the Foreign Language and Area Studies Fellowships Program?**

Under the Foreign Language and Area Studies Fellowships Program, the Secretary awards fellowships, through institutions of higher education, to students who are—

- (a) Enrolled for graduate training in a Center or program approved by the Secretary under this part; and
- (b) Undergoing performance-based modern foreign language training or training in a program for which performance-based modern foreign language instruction is being developed, in combination with area studies, international studies, or the international aspects of professional studies.

(Authority: 20 U.S.C. 1122)

#### **Sec. 657.2 Who is eligible to receive an allocation of fellowships?**

- (a) The Secretary awards an allocation of fellowships to an institution of higher education or to a combination of institutions of higher education that—
  - (1) Operates a Center or program approved by the Secretary under this part;
  - (2) Teaches modern foreign languages under a program described in paragraph (b) of this section; and
  - (3) In combination with the teaching described in paragraph (a)(2) of this section—
    - (i) Provides instruction in the disciplines needed for a full understanding of the area, regions, or countries in which the foreign languages are commonly used; or

- (ii) Conducts training and research in international studies, the international aspects of professional and other fields of study, or issues in world affairs that concern one or more countries.
- (b) In teaching those modern foreign languages for which an allocation of fellowships is made available, the institution must be either using a program of performance-based training or developing a performance-based training program.
- (c) The Secretary uses the criteria in Sec. 657.21 both to approve Centers and programs for the purpose of receiving an allocation of fellowships and to evaluate applications for an allocation of fellowships.
- (d) An institution does not need to receive a grant under the National Resource Center Program (34 CFR part 656) to receive an allocation of fellowships under this part.

(Authority: 20 U.S.C. 1122)

**Sec. 657.3 Who is eligible to receive a fellowship?**

A student is eligible to receive a fellowship if the student—

- (a) Is a citizen or national of the United States; or
- (b) Is a permanent resident of the United States;
- (c) Is accepted for enrollment or is enrolled—
  - (1) In an institution receiving an allocation of fellowships; and
  - (2) In a program that combines modern foreign language training with—
    - (i) Area or international studies; or
    - (ii) Research and training in the international aspects of professional and other fields of study;
- (d) Shows potential for high academic achievement based on such indices as grade point average, class ranking, or similar measures that the institution may determine; and
- (e) Is enrolled in a program of modern foreign language training in a language for which the institution has developed or is developing performance-based instruction.

(Authority: 20 U.S.C. 1122)

**Sec. 657.4 What regulations apply?**

The following regulations apply to this program:

- (a) The regulations in 34 CFR part 655.
- (b) The regulations in this part 657.

(Authority: 20 U.S.C. 1122)

**Sec. 657.5 What definitions apply?**

The following definitions apply to this part:

- (a) The definitions in 34 CFR 655.4.
- (b) Center means an administrative unit of an institution of higher education that has direct access to highly qualified faculty and library resources, and coordinates a concentrated effort of educational activities, including training in modern foreign languages and various academic disciplines, in its subject area.
- (c) Fellow means a person who receives a fellowship under this part.
- (d) Fellowship means the payment a fellow receives under this part.
- (e) Program means a concentration of educational resources and activities in modern foreign language training and related studies.

(Authority: 20 U.S.C. 1122)

**Subpart B--How Does an Institution or a Student Submit an Application?**

**Sec. 657.10 What combined application may an institution submit?**

An institution that wishes to apply for an allocation of fellowships and for a grant to operate a Center under 34 CFR part 656 may submit a combined application for both grants to the Secretary.

(Authority: 20 U.S.C. 1122)

**Sec. 657.11 How does a student apply for a fellowship?**

- (a) A student shall apply for a fellowship directly to an institution of higher education that has received an allocation of fellowships.
- (b) The applicant shall provide sufficient information to enable the institution to determine whether he or she is eligible to receive a fellowship and whether he or she should be selected to receive a fellowship.

(Authority: 20 U.S.C. 1122)

**Subpart C--How Does the Secretary Select an Institution for an Allocation of Fellowships?**

**Sec. 657.20 How does the Secretary evaluate an institutional application for an allocation of fellowships?**

- (a) The Secretary evaluates an application for an allocation of fellowships on the basis of the quality of the applicant's Center or program. The applicant's Center or program is evaluated and approved under the criteria in Sec. 657.21.
- (b) In general, the Secretary awards up to 140 possible points for these criteria. However, if priority criteria are used, the Secretary awards up to 150 possible points. The maximum possible points for each criterion are shown in parentheses.(Authority: 20 U.S.C. 1122)

**Sec. 657.21 What criteria does the Secretary use in selecting institutions for an allocation of fellowships?**

- (a) Foreign language and area studies fellowships awardee selection procedures. (15 points) The Secretary reviews each application to determine whether the selection plan is of high quality, showing how awards will be advertised, how students apply, what selection criteria are used, who selects the fellows, when each step will take place, and how the process will result in awards being made to correspond to any announced priorities.
- (b) Quality of staff resources. (15 points) The Secretary reviews each application to determine—
  - (1) The extent to which teaching faculty and other staff are qualified for the current and proposed activities and training programs, are provided professional development opportunities (including overseas experience), and participate in teaching, supervising, and advising students (5 points);
  - (2) The adequacy of applicant staffing and oversight arrangements and the extent to which faculty from a variety of departments, professional schools, and the library are involved (5 points); and
  - (3) 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 racial or ethnic minority groups, women, persons with disabilities, and the elderly (5 points).
- (c) Impact and evaluation. (20 points) The Secretary reviews each application to determine—
  - (1) The extent to which the applicant's activities and training programs have contributed to an improved supply of specialists on the program's subject as shown through indices such as graduate enrollments and placement data; and the extent to which the applicant supplies a clear description of how the applicant will provide equal access and treatment of eligible project participants who are members of groups that have been traditionally underrepresented, such as members of racial or ethnic minority groups, women, persons with disabilities, and the elderly (15 points); and
  - (2) The extent to which the applicant provides an evaluation plan that is comprehensive and objective and that will produce quantifiable, outcome-measure-oriented data; and the extent to which recent evaluations have been used to improve the applicant's program (5 points).
- (d) Commitment to the subject area on which the applicant or program focuses. (10 points) The Secretary reviews each application to determine—
  - (1) The extent to which the institution provides financial and other support to the operation of the applicant, teaching staff for the applicant's subject area, library resources, and linkages with institutions abroad (5 points); and

- (2) The extent to which the institution provides financial support to graduate students in fields related to the applicant's teaching program (5 points).
- (e) Strength of library. (15 points) The Secretary reviews each application to determine—
  - (1) The strength of the institution's library holdings (both print and non-print, English and foreign language) for graduate students; and the extent to which the institution provides financial support for the acquisition of library materials and for library staff in the subject area of the applicant (10 points); and
  - (2) The extent to which research materials at other institutions are available to students through cooperative arrangements with other libraries or on-line databases (5 points).
- (f) Quality of the applicant's non-language instructional program. (25 points) The Secretary reviews each application to determine—
  - (1) The quality and extent of the applicant's course offerings in a variety of disciplines, including the extent to which courses in the applicant's subject matter are available in the institution's professional schools (10 points);
  - (2) The extent to which the applicant offers depth of specialized course coverage in one or more disciplines on the applicant's subject area (5 points);
  - (3) The extent to which the institution employs a sufficient number of teaching faculty to enable the applicant to carry out its purposes and the extent to which instructional assistants are provided with pedagogy training (5 points); and
  - (4) The extent to which interdisciplinary courses are offered for graduate students (5 points).
- (g) Quality of the applicant's language instructional program. (20 points) The Secretary reviews each application to determine—
  - (1) The extent to which the applicant provides instruction in the languages of the applicant's subject area and the extent to which students enroll in the study of the languages of the subject area through programs or instruction offered by the applicant or other providers (5 points);
  - (2) The extent to which the applicant provides three or more levels of language training and the extent to which courses in disciplines other than language, linguistics, and literature are offered in appropriate foreign languages (5 points);
  - (3) Whether sufficient numbers of language faculty are available to teach the languages and levels of instruction described in the application and the extent to which language teaching staff (including faculty and instructional assistants) have been exposed to current language pedagogy training appropriate for performance-based teaching (5 points); and
  - (4) The quality of the language program as measured by the performance-based instruction being used or developed, the adequacy of resources for language teaching and practice, and language proficiency requirements (5 points).
- (h) Quality of curriculum design. (20 points) The Secretary reviews each application to determine—
  - (1) The extent to which the applicant's curriculum provides training options for graduate students from a variety of disciplines and professional fields and the extent to which these programs and their requirements (including language requirements) are appropriate for an applicant in this subject area and result in graduate training programs of high quality (10 points);
  - (2) The extent to which the applicant provides academic and career advising services for students (5 points); and
  - (3) The extent to which the applicant has established formal arrangements for students to conduct research or study abroad and the extent to which these arrangements are used; and the extent to which the institution facilitates student access to other institutions' study abroad and summer language programs (5 points).
- (i) Priorities. (10 points) If one or more competitive priorities have been established under Sec. 657.22, the Secretary reviews each application for information that shows the extent to which the Center or program meets these priorities.

(Approved by the Office of Management and Budget under control number 1840-0068)

(Authority: 20 U.S.C. 1122)

**Sec. 657.22 What priorities may the Secretary establish?**

- (a) The Secretary may establish one or more of the following priorities for the allocation of fellowships:
  - (1) Specific world areas, or countries, such as East Asia or Mexico.
  - (2) Languages, such as Chinese.
  - (3) Levels of language offerings.
  - (4) Academic disciplines, such as linguistics or sociology.
  - (5) Professional studies, such as business, law, or education;
  - (6) Particular subjects, such as population growth and planning, or international trade and business.
  - (7) A combination of any of these categories.
- (b) The Secretary announces any priorities in the application notice published in the Federal Register.

(Authority: 20 U.S.C. 1122)

#### **Subpart D--What Conditions Must Be Met by a Grantee and a Fellow?**

##### **Sec. 657.30 What is the duration of and what are the limitations on fellowships awarded to individuals by institutions?**

- (a) Duration. An institution may award a fellowship to a student for—
  - (1) One academic year; or
  - (2) One summer session if the summer session provides the fellow with the equivalent of one academic year of modern foreign language study.
- (b) Vacancies. If a fellow vacates a fellowship before the end of an award period, the institution to which the fellowship is allocated may reaward the balance of the fellowship to another student if—
  - (1) The student meets the eligibility requirements in Sec. 657.3; and
  - (2) The remaining fellowship period comprises at least one full academic quarter, semester, trimester, or summer session as described in paragraph (a)(2) of this section.

(Authority: 20 U.S.C. 1122)

##### **Sec. 657.31 What is the amount of a fellowship?**

- (a)
  - (1) An institution shall award a stipend to fellowship recipients.
  - (2) Each fellowship includes an institutional payment and a subsistence allowance to be determined by the Secretary.
  - (3) If the institutional payment determined by the Secretary is greater than the tuition and fees charged by the institution, the institutional payment portion of the fellowship is limited to actual tuition and fees. The difference between actual tuition and fees and the Secretary's institutional payment shall be used to fund additional fellowships to the extent that funds are available for a full subsistence allowance.
  - (4) If permitted by the Secretary, the fellowship may include an allowance for travel and an allowance for dependents.
- (b) The Secretary announces in an application notice published in the Federal Register—
  - (1) The amounts of the subsistence allowance and the institutional payment for an academic year and the subsistence allowance and the institutional payment for a summer session;
  - (2) Whether travel and dependents' allowances will be permitted; and
  - (3) The amount of travel and dependents' allowances.

(Authority: 20 U.S.C. 1122)

##### **Sec. 657.32 What is the payment procedure for fellowships?**

- (a) An institution shall pay a fellow his or her subsistence and any other allowance in installments during the term of the fellowship.
- (b) An institution shall make a payment only to a fellow who is in good standing and is making satisfactory progress.
- (c) The institution shall make appropriate adjustments of any overpayment or underpayment to a fellow.

- (d) Funds not used by one recipient for reasons of withdrawal are to be used for alternate recipients to the extent that funds are available for a full subsistence allowance.

(Authority: 20 U.S.C. 1122)

**Sec. 657.33 What are the limitations on the use of funds for overseas fellowships?**

- (a) Before awarding a fellowship for use outside the United States, an institution shall obtain the approval of the Secretary.
- (b) The Secretary may approve the use of a fellowship outside the United States if the student is—
  - (1) Enrolled in an overseas foreign language program approved by the institution at which the student is enrolled in the United States for study at an intermediate or advanced level or at the beginning level if appropriate equivalent instruction is not available in the United States; or
  - (2) Engaged during the academic year in research that cannot be done effectively in the United States and is affiliated with an institution of higher education or other appropriate organization in the host country.

(Authority: 20 U.S.C. 1122)

**Sec. 657.34 Under what circumstances must an institution terminate a fellowship?**

An institution shall terminate a fellowship if—

- (a) The fellow is not making satisfactory progress, is no longer enrolled, or is no longer in good standing at the institution; or
- (b) The fellow fails to follow the course of study, including modern foreign language study, for which he or she applied, unless a revised course of study is otherwise approvable under this part.

(Authority: 20 U.S.C. 1122)

## CLOSING DATE NOTICE FOR FY 2006 COMPETITION

DEPARTMENT OF EDUCATION  
(CFDA No. 84.015A and B)

Office of Postsecondary Education.

National Resource Centers (NRC) Program for Foreign Language and Area Studies or Foreign Language and International Studies and Foreign Language and Area Studies (FLAS) Fellowships Program

Notice inviting applications for new awards for fiscal year (FY) 2006.

**PURPOSE OF PROGRAMS:** The NRC Program makes awards to institutions of higher education for establishing or strengthening nationally recognized foreign language and area or international studies centers or programs. NRC awards are used to support undergraduate centers or comprehensive centers, which include undergraduate, graduate, and professional school components.

The FLAS Program awards allocations of fellowships to institutions of higher education to assist meritorious students undergoing graduate training in modern foreign languages and related areas or international studies. FLAS allocations may be used for academic year and summer fellowships.

For fiscal year (FY) 2006 the competition focuses on projects designed to meet the priorities we describe in the PRIORITIES section of this notice.

**ELIGIBLE APPLICANTS:** Institutions of higher education and consortia of institutions of higher education.

**APPLICATIONS AVAILABLE:** October 14, 2005.

**DEADLINE FOR TRANSMITTAL OF APPLICATIONS:** November 14, 2006.

**DEADLINE FOR INTERGOVERNMENTAL REVIEW:** January 13, 2006.

**ESTIMATED AVAILABLE FUNDS:** The Administration has requested \$28,715,000 for the NRC Program and \$26,435,000 for the FLAS Program for FY 2006. The actual level of funding, if any, depends on final congressional action. However, we are inviting applications to allow enough time to complete the grant process if Congress appropriates funds for these programs.

**ESTIMATED RANGE OF AWARDS:** \$192,000 - \$349,000 per year for the NRC Program and \$39,000 - \$377,000 per year for the FLAS Program.

**ESTIMATED AVERAGE SIZE OF AWARDS:** \$241,251 per year for the NRC Program and \$234,915 per year for the FLAS Program.

**ESTIMATED NUMBER OF AWARDS:** 120 NRC awards and 124 FLAS awards. We anticipate the 124 FLAS awards to yield 926 academic year fellowships and 635 summer fellowships.

**Note:** The Department is not bound by any estimates in this notice.

**PROJECT PERIOD:** 48 months.

### **SUPPLEMENTARY INFORMATION:**

**FLAS Program Subsistence Allowance:** The subsistence allowance for a fellowship for academic year 2006–2009 will be \$15,000 and the allowance for a summer 2007 fellowship will be \$2,500.

**FLAS Program Institutional Payment:** The institutional payment in lieu of tuition and fees for a fellowship for academic year 2006-2006 will be \$12,000 and the payment for a summer 2007 fellowship will be \$4,000.

**FLAS Program Travel Award:** A travel award for \$1,000 or the actual cost of travel, whichever is less, may be requested in conjunction with summer fellowships that are to be used at language program sites other than the student's home institution.

An applicant's FLAS Program budget should reflect \$25,000 for each academic year fellowship requested, \$6,000 for each summer fellowship requested, and \$1,000 for each summer travel award requested.

**Note:** FLAS Program awards do not include allowances for dependents.

**PAGE LIMIT:** The application narrative (Section C of the application) is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. You must limit the narrative to the equivalent of no more than 35 pages for a single institution application or the equivalent of no more than 45 pages for a consortium application, using the following standards:

- A "page" is 8.5" x 11", on one side only, with 1" margins at the top, bottom, and both sides.
- *Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions. However, you may single space all text in charts, tables, figures and graphs.*
- Use a font that is either 12-point or larger or no smaller than 10 pitch (characters per inch). However you may use a 10-point font in charts, tables, figures, and graphs.

The page limit does not apply to the cover sheet; the budget section, including the narrative budget justification; the assurances and certifications; or the one-page abstract or the appendices. However, you must include all of the application narrative in Section C.

We will reject your application if--

- You apply these standards and exceed the page limit; or
- You apply other standards and exceed the equivalent of the page limit.

**APPLICABLE REGULATIONS:** (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 82, 85, 86, 97, 98, and 99. (b) The regulations for the NRC Program in 34 CFR part 656. (c) The regulations for the FLAS Program in 34 CFR part 657. (d) The regulations in 34 CFR part 655.

## **PRIORITIES**

**Absolute Priority:** This competition focuses on projects designed to meet a priority in the regulations for the NRC Program (34 CFR 656.23(a)(4)).

Teacher training activities: An NRC project funded under this priority must focus on teacher training activities on the language, languages, area studies, or thematic focus of the center.

Under 34 CFR 75.105(c)(3) we consider only applications that meet the priority.

**Competitive Priority:** For FY2006 this priority is a competitive preference priority. Under 34 CFR 75.105(c)(2)(i) we award up to an additional ten points to an application, depending on the extent to which the application meets this priority. This priority is:



Activities designed to demonstrate the quality of the center's or program's language instruction through the measurement of student proficiency in the less and least commonly taught languages.

**Invitational Priorities:** Within the absolute and competitive priorities listed in this application notice, we are particularly interested in applications that meet one or more of the following invitational priorities.

*NRC Program Invitational Priority 1.*

Activities designed to promote undergraduate language learning through two or more continuous years in the less or least commonly taught languages.

*NRC Program Invitational Priority 2.*

Activities designed to increase the number of specialists trained in areas that are vital to United States national security, such as Islamic societies.

*NRC Program Invitational Priority 3.*

Linkages with schools of education designed to improve teacher training in foreign languages, area, or international studies with an emphasis on the less commonly taught languages and areas of the world where those languages are spoken.

*NRC Program Invitational Priority 4.*

Collaboration with Title VI Language Resource Centers, Centers for International Business Education, and American Overseas Research Centers, with the objective of increasing the nation's capacity to train and produce Americans with advanced proficiency of the less and least commonly taught languages, along with an understanding of the societies in which those languages are spoken.

*NRC Program Invitational Priority 5.*

Activities that expand and enhance outreach to K-12 constituencies.

**FLAS Program Competitive Preference Priorities:** For FY 2006 these priorities are competitive preference priorities. Under 34 CFR 75.105(c)(2)(i) we award up to an additional ten points to an application, depending on the extent to which the application meets these priorities. These priorities are:

FLAS Competitive Preference Priority 1

The Secretary will award up to five additional points to eligible applicants that plan to offer fellowships in the less and least commonly taught languages to students who are pursuing advanced level language proficiency.

FLAS Competitive Preference Priority 2

The Secretary will award up to five additional points to eligible applicants that plan to offer fellowships to master's degree students who are more likely to pursue government service or enter a professional field.

**FOR APPLICATIONS AND FURTHER INFORMATION CONTACT:** Carla White, International Education Programs Service, U.S. Department of Education, 1990 K Street, N.W., Suite 6000, Washington, DC 20006-8521. Telephone: (202) 502-7631 or via Internet: [OPE\\_NRC-FLAS@ed.gov](mailto:OPE_NRC-FLAS@ed.gov)

If you use a telecommunications device for the deaf (TDD), you may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

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Individuals with disabilities also may obtain a copy of the application package in an alternative format by contacting that person. However, the Department is not able to reproduce in an alternative format the standard forms included in the application package.

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PROGRAM AUTHORITY: 22 U.S.C. 1122.

Dated: October 11, 2005

Sally L. Stroup  
Assistant Secretary for Postsecondary Education