

Dated: March 5, 2008.

**Lawrence A. Warder,**

*Acting Chief Operating Officer, Federal Student Aid.*

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## DEPARTMENT OF EDUCATION

[CFDA No. 84.069]

### Federal Student Aid; Leveraging Educational Assistance Partnership and Special Leveraging Educational Assistance Partnership Programs

**AGENCY:** Department of Education.

**ACTION:** Notice of the deadline dates for receipt of State applications for Award Year 2008–2009 funds.

**SUMMARY:** This is a notice of deadline dates for receipt of State applications for Award Year 2008–2009 funds under the Leveraging Educational Assistance Partnership (LEAP) and Special Leveraging Educational Assistance Partnership (SLEAP) programs.

The LEAP and SLEAP programs, authorized under title IV, part A, subpart 4 of the Higher Education Act of 1965, as amended (HEA), assist States in providing aid to students with substantial financial need to help them pay for their postsecondary education costs through matching formula grants to States. Under section 415C(a) of the HEA, a State must submit an application to participate in the LEAP and SLEAP programs through the State agency that administered its LEAP Program as of July 1, 1985, unless the Governor of the State has subsequently designated, and the Department has approved, a different State agency to administer the LEAP Program.

**DATES:** To ensure funding under the LEAP and SLEAP programs for Award Year 2008–2009, a State must meet the applicable deadline date. Applications submitted electronically must be received by 11:59 p.m. (Washington, DC time) May 30, 2008. Paper applications must be received by May 23, 2008.

**FOR FURTHER INFORMATION CONTACT:** Mr. Greg Gerrans, LEAP Program Manager, Financial Partners Services, Federal Student Aid, U.S. Department of Education, 830 First Street, NE., Room 111G5, Washington, DC 20202. Telephone: (202) 377-3304.

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

Individuals with disabilities can obtain this document in an alternative format (e.g., Braille, large print,

audiotape, or computer diskette) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

**SUPPLEMENTARY INFORMATION:** Only the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, American Samoa, and the Virgin Islands may submit an application for funding under the LEAP and SLEAP programs.

State allotments for each award year are determined according to the statutorily mandated formula under section 415B of the HEA and are not negotiable. A State also may request its share of reallocation, in addition to its basic allotment, which is contingent upon the availability of such additional funds.

In Award Year 2007–2008, 49 States, the District of Columbia, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, and the Virgin Islands received funds under the LEAP Program. Additionally, 43 States, the District of Columbia, the Commonwealth of the Northern Mariana Islands, Guam, and the Virgin Islands received funds under the SLEAP Program.

**Applications Submitted Electronically:** Financial Partners Services within Federal Student Aid has automated the LEAP and SLEAP application process in the Financial Management System (FMS). Applicants can use the web-based form (Form 1288-E OMB 1845-0028) that is available on the FMS LEAP on-line system at the following Internet address: <http://fsa-fms.ed.gov>.

**Paper Applications Delivered by Mail:** States or territories may request a paper version of the application (Form 1288 OMB 1845-0028) by contacting Mr. Greg Gerrans, LEAP Program Manager, at (202) 377-3304 or by e-mail: [greg.gerrans@ed.gov](mailto:greg.gerrans@ed.gov). The form will be mailed to you.

A paper application sent by mail must be addressed to: Mr. Greg Gerrans, LEAP Program Manager, Financial Partners Services, Federal Student Aid, U.S. Department of Education, 830 First Street, NE., Room 111G5, Washington, DC 20202.

The Department of Education encourages applicants that are completing a paper application to use certified or at least first-class mail when sending the application by mail to the Department. The Department must receive paper applications that are mailed no later than May 23, 2008.

**Paper Applications Delivered by Hand:** Paper applications that are hand-

delivered must be delivered to Mr. Greg Gerrans, LEAP Program Manager, Financial Partners Services, Federal Student Aid, U.S. Department of Education, 830 First Street, NE., Room 111G5, Washington, DC 20002. Hand-delivered applications will be accepted between 8 a.m. and 4:30 p.m. daily (Washington, DC time), except Saturdays, Sundays, and Federal holidays.

Paper applications that are hand-delivered must be received by 4:30 p.m. (Washington, DC time) on May 23, 2008.

**Applicable Regulations:** The following regulations are applicable to the LEAP and SLEAP programs:

(1) The LEAP and SLEAP Program regulations in 34 CFR part 692.

(2) The Student Assistance General Provisions in 34 CFR part 668.

(3) The Regulations Governing Institutional Eligibility in 34 CFR part 600.

(4) The Education Department General Administrative Regulations (EDGAR) in 34 CFR 75.60 through 75.62 (Ineligibility of Certain Individuals to Receive Assistance), part 76 (State-Administered Programs), part 77 (Definitions that Apply to Department Regulations), part 79 (Intergovernmental Review of Department of Education Programs and Activities), part 80 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments), part 82 (New Restrictions on Lobbying), part 84 (Governmentwide Requirements for Drug-Free Workplace (Financial Assistance)), part 85 (Governmentwide Debarment and Suspension (Nonprocurement)), part 86 (Drug and Alcohol Abuse Prevention), and part 99 (Family Educational Rights and Privacy).

### Electronic Access to This Document

You can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/news/fedregister>.

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC area at (202) 512-1530.

**Note:** The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.gpoaccess.gov/nara/index.html>.

**Program Authority:** 20 U.S.C. 1070c *et seq.*

Dated: March 5, 2008.

**Lawrence A. Warder,**

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## DEPARTMENT OF EDUCATION

[CFDA NO. 84.031H]

**Office of Postsecondary Education; Strengthening Institutions (SIP), American Indian Tribally Controlled Colleges and Universities (TCCU), Alaska Native and Native Hawaiian-Serving Institutions (ANNH), Developing Hispanic-Serving Institutions (Title V-HSI) Programs, and the Asian American and Native American Pacific Islander-Serving Institutions (CCRAA-AANAPISI), and Hispanic-Serving Institutions Programs (CCRAA-HSI) under the College Cost Reduction and Access Act of 2007, Public Law 110-84 (CCRAA); Notice Inviting Applications for Designation as Eligible Institutions for Fiscal Year (FY) 2008.**

*Purpose of Programs:* Under the SIP, TCCU, and ANNH programs (Title III, Part A programs), which are all authorized under Part A of Title III of the Higher Education Act of 1965, as amended (HEA), institutions of higher education (IHEs or institutions) are eligible to apply for grants if they meet specific statutory and regulatory eligibility requirements. Similarly, IHEs are eligible to apply for grants under the Title V-HSI program, authorized under Title V of the HEA, if they meet specific statutory and regulatory requirements. In addition, under the CCRAA, institutions applying for grants under the CCRAA-AANAPISI or CCRAA-HSI programs must be eligible institutions, as defined in section 312(b) and section 502(a)(2) of the HEA, respectively.

An institution that is designated as an eligible institution under the Title III, Part A, Title V-HSI and CCRAA-AANAPISI and CCRAA-HSI programs may also receive a waiver of certain non-Federal cost-share requirements under the Federal Supplemental Educational Opportunity Grant (FSEOG), the Federal Work Study (FWS), the Student Support Services (SSS) and the Undergraduate International Studies and Foreign Language (UISFL) programs. The FSEOG, FWS, and SSS programs are authorized under Title IV of the HEA; the UISFL program is authorized under Title VI of the HEA. Qualified

institutions may receive these waivers even if they are not recipients of grant funds under the Title III, Part A, Title V-HSI, CCRAA-AANAPISI or CCRAA-HSI programs.

**Special Note:** To qualify as an eligible institution under the Title III, Part A, Title V-HSI, CCRAA-AANAPISI or CCRAA-HSI programs, your institution must satisfy several criteria, including one related to needy student enrollment and one related to average educational and general (E&G) expenditures for a particular base year. The most recent data available for E&G expenditures are for base year 2005-2006. In order to award FY 2008 grants in a timely manner, we will use the most recent data available. Therefore, we use E&G expenditure threshold data from the base year 2005-2006. In completing your eligibility application, please use E&G expenditure data from the base year 2005-2006.

If you are designated as an eligible institution and you do not receive a new award under the Title III, Part A, Title V-HSI, CCRAA-AANAPISI or CCRAA-HSI programs in FY 2008, your eligibility for the non-Federal cost-share waiver under the FSEOG, the FWS, the SSS, or the UISFL programs is valid for five consecutive years. You will not need to reapply for eligibility until 2013, unless you wish to apply for a new Title III, Part A, Title V-HSI, CCRAA-AANAPISI or CCRAA-HSI grant. All institutions (including those designated as TCCU and ANNH institutions) that are not designated as eligible institutions and are interested in applying for a FY 2008 new grant or requesting a waiver of the non-Federal cost share, must apply for eligibility designation in FY 2008. Institutions applying for grants under the Native American-Serving Nontribal Institutions Program and the Predominantly Black Institutions Program authorized by the CCRAA do not have to meet these eligibility requirements and do not have to submit the application described in this notice.

*Eligible Applicants:* To qualify as an eligible institution under the Title III, Part A, Title V-HSI, CCRAA-AANAPISI or CCRAA-HSI programs, an accredited institution must, among other requirements, have an enrollment of needy students, and its average E&G expenditures per full-time equivalent (FTE) undergraduate student must be low in comparison with the average E&G expenditures per FTE undergraduate student of institutions that offer similar instruction.

The complete eligibility requirements for the Title III, Part A programs are found in 34 CFR 607.2 through 607.5.

These regulations may be accessed at the following Web site: [http://www.access.gpo.gov/nara/cfr/waisidx\\_02/34cfr607\\_02.html](http://www.access.gpo.gov/nara/cfr/waisidx_02/34cfr607_02.html).

The complete eligibility requirements for the Title V-HSI program are found in 34 CFR 606.2 through 34 CFR 606.5. These regulations may be accessed at the following Web site: [http://www.access.gpo.gov/nara/cfr/waisidx\\_01/34cfr606\\_01.html](http://www.access.gpo.gov/nara/cfr/waisidx_01/34cfr606_01.html).

*Enrollment of Needy Students:* Under 34 CFR 606.3(a) and 607.3(a), an institution is considered to have an enrollment of needy students if (1) at least 50 percent of its degree students received financial assistance under one or more of the following programs: Federal Pell Grant, FSEOG, FWS, and Federal Perkins Loan programs; or (2) the percentage of its undergraduate degree students who were enrolled on at least a half-time basis and received Federal Pell Grants exceeded the median percentage of undergraduate degree students who were enrolled on at least a half-time basis and received Federal Pell Grants at comparable institutions that offered similar instruction.

To qualify under this latter criterion, an institution's Federal Pell Grant percentage for base year 2005-2006 must be more than the median for its category of comparable institutions provided in the 2005-2006 Median Pell Grant and Average E&G Expenditures per FTE Student table in this notice.

*Educational and General Expenditures per FTE Student:* An institution should compare its 2005-2006 average E&G expenditures per FTE student to the average E&G expenditure per FTE student for its category of comparable institutions contained in the 2005-2006 Median Pell Grant and Average E&G Expenditures per FTE Student table in this notice. If the institution's average E&G expenditures for the 2005-2006 base year are less than the average for its category of comparable institutions, the institution meets this eligibility requirement.

An institution's average E&G expenditures are the total amount it expended during the base year for instruction, research, public service, academic support, student services, institutional support including library expenditures, operation and maintenance, scholarships and fellowships, and mandatory transfers.

The following table identifies the relevant median Federal Pell Grant percentages for the base year 2005-2006 and the relevant average E&G expenditures per FTE student for the base year 2005-2006 for the four categories of comparable institutions: