

**Off. of Postsecondary Educ., Education**

**§ 644.6**

**§ 644.3 Who is eligible to participate in a project?**

(a) An individual is eligible to participate in an Educational Opportunity Centers project if the individual meets all of the following requirements:

- (1)(i) Is a citizen or national of the United States;
- (ii) Is a permanent resident of the United States;
- (iii) Is in the United States for other than a temporary purpose and provides evidence from the Immigration and Naturalization Service of his or her intent to become a permanent resident;
- (iv) Is a permanent resident of Guam, the Northern Mariana Islands, or the Trust Territory of the Pacific Islands (Palau); or
- (v) Is a resident of the Freely Associated States—the Federated States of Micronesia or the Republic of the Marshall Islands.

(2)(i) Is at least 19 years of age; or  
(ii) Is less than 19 years of age, and the individual cannot be appropriately served by a Talent Search project under 34 CFR part 643, and the individual's participation would not dilute the Educational Opportunity Centers project's services to individuals described in paragraph (a)(2)(i) of this section.

(3) Expresses a desire to enroll, or is enrolled, in a program of postsecondary education, and requests information or assistance in applying for admission to, or financial aid for, such a program.

(b) A veteran as defined in § 644.7(b), regardless of age, is eligible to participate in an Educational Opportunity Centers project if he or she satisfies the eligibility requirements in paragraph (a) of this section other than the age requirement in paragraph (a)(2) of this section.

(Authority: 20 U.S.C. 1070a-11 and 1070a-16)

**§ 644.4 What services may a project provide?**

An Educational Opportunity Centers project may provide the following services:

- (a) Public information campaigns designed to inform the community about opportunities for postsecondary education and training.
- (b) Academic advice and assistance in course selection.

(c) Assistance in completing college admission and financial aid applications.

(d) Assistance in preparing for college entrance examinations.

(e) Guidance on secondary school re-entry or entry to a General Educational Development (GED) program or other alternative education program for secondary school dropouts.

- (f) Personal counseling.
- (g) Tutorial services.
- (h) Career workshops and counseling.

(i) Mentoring programs involving elementary or secondary school teachers, faculty members at institutions of higher education, students, or any combination of these persons.

(j) Activities described in paragraphs (a) through (i) of this section that are specifically designed for students of limited English proficiency.

(k) Other activities designed to meet the purposes of the Educational Opportunity Centers program stated in § 644.1.

(Authority: 20 U.S.C. 1070a-16)

**§ 644.5 How long is a project period?**

(a) Except as provided in paragraph (b) of this section, a project period under the Educational Opportunity Centers program is four years.

(b) The Secretary approves a project period of five years for applications that score in the highest ten percent of all applications approved for new grants under the criteria in § 644.21.

(Authority: 20 U.S.C. 1070a-11)

**§ 644.6 What regulations apply?**

The following regulations apply to the Educational Opportunity Centers program:

(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), except for § 75.511.
- (3) 34 CFR part 77 (Definitions that Apply to Department Regulations), except for the definition of "secondary school" in § 77.1.

## § 644.7

(4) 34 CFR part 79 (Intergovernmental Review of Department of Education Programs and Activities).

(5) 34 CFR part 82 (New Restrictions on Lobbying).

(6) 34 CFR part 85 (Governmentwide Debarment and Suspension (Non-procurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)).

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

(b) The regulations in this part 644.

(Authority: 20 U.S.C. 1070a-11 and 1070a-16)

### § 644.7 What definitions apply?

(a) *Definitions in EDGAR.* The following terms used in this part are defined in 34 CFR 77.1:

Applicant  
Application  
Budget  
Budget period  
EDGAR  
Equipment  
Facilities  
Fiscal year  
Grant  
Grantee  
Private  
Project  
Project period  
Public  
Secretary  
Supplies

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

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

*Institution of higher education* means an educational institution as defined in sections 1201(a) and 481 of the HEA.

*Low-income individual* means an individual whose family's taxable income did not exceed 150 percent of the poverty level amount in the calendar year preceding the year in which the individual initially participated in the project. The poverty level amount is determined by using criteria of poverty established by the Bureau of the Census of the U.S. Department of Commerce.

*Participant* means an individual who—

- (i) Is determined to be eligible to participate under § 644.3; and
- (ii) Receives project services.

## 34 CFR Ch. VI (7-1-08 Edition)

*Postsecondary education* means education beyond the secondary school level.

*Potential first-generation college student* means—

(i) An individual neither of whose parents received a baccalaureate degree; or

(ii) An individual who regularly resided with and received support from only one parent and whose supporting parent did not receive a baccalaureate degree.

*Secondary school* means a school that provides secondary education as determined under State law, except that it does not include education beyond grade 12.

*Target area* means a geographic area served by an Educational Opportunity Centers project.

*Veteran* means a person who served on active duty as a member of the Armed Forces of the United States—

(i) For a period of more than 180 days, any part of which occurred after January 31, 1955, and who was discharged or released from active duty under conditions other than dishonorable; or

(ii) After January 31, 1955, and who was discharged or released from active duty because of a service-connected disability.

(Authority: 20 U.S.C. 1070a-11, 1070a-16, and 1141)

## Subpart B—Assurances

### § 644.10 What assurances must an applicant submit?

An applicant shall submit, as part of its application, assurances that—

(a) At least two-thirds of the individuals it serves under its proposed Educational Opportunity Centers project will be low-income individuals who are potential first-generation college students;

(b) Individuals who are receiving services from another Educational Opportunity Centers project or a Talent Search project under 34 CFR part 643 will not receive services under the proposed project;

(c) The project will be located in a setting or settings accessible to the individuals proposed to be served by the project; and