

DEPARTMENT OF EDUCATION**34 CFR Parts 655, 656, 658, 660, and 669****International Education Programs: General Provisions, National Resource Centers Program for Foreign Language and Area Studies or Foreign Language and International Studies, Undergraduate International Studies and Foreign Language Program, The International Research and Studies Program, and Language Resource Centers Program**

AGENCY: Office of Postsecondary Education, Department of Education.

ACTION: Final regulations.

SUMMARY: The Secretary amends the regulations governing the International Education Programs to incorporate changes made by the Higher Education Amendments of 1998. These final regulations are needed to reflect changes made by recently enacted legislation.

EFFECTIVE DATE: These regulations take effect March 18, 1999.

FOR FURTHER INFORMATION CONTACT: Ralph Hines, U.S. Department of Education, 400 Maryland Avenue, SW., Suite 600 Portals Building, Washington, DC 20202-5247. Telephone: (202) 401-9798. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339, between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

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SUPPLEMENTARY INFORMATION: These final regulations incorporate statutory changes made by the Higher Education Amendments of 1998 (Pub. L. 105-244, enacted October 7, 1998). The changes include, as appropriate, revised program descriptions, eligibility criteria, and activities. The cost-sharing requirements under the Undergraduate International Studies and Foreign Language Program in 34 CFR 658.41 have also been revised.

Goals 2000: Educate America Act

The Goals 2000: Educate America Act (Goals 2000) focuses the Nation's education reform efforts on the eight National Education Goals and provides a framework for meeting them. Goals 2000 promotes new partnerships to strengthen schools and expands the Department's capacities for helping communities to exchange ideas and

obtain information needed to achieve the goals.

These regulations address the National Education Goal that every adult American will be literate and will possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship. The regulations further the objectives of this Goal by implementing programs that improve and develop foreign language, area and international studies throughout the educational structure of the United States.

Waiver of Proposed Rulemaking

In accordance with the Administrative Procedure Act, 5 U.S.C. 553, it is customary for the Secretary to offer interested parties the opportunity to comment on proposed regulations. However, the changes in this document do not establish any new substantive rules, but simply incorporate recent statutory amendments affecting the International Education Programs. Therefore, the Secretary has determined that publication of a notice of proposed rulemaking is unnecessary and contrary to the public interest under 5 U.S.C. 553(b)(B).

Regulatory Flexibility Act

The Secretary certifies that these regulations will not have a significant economic impact on a substantial number of small entities. The small entities affected are small institutions of higher education participating in these programs. However, these regulations incorporate only statutory amendments and will not have a significant economic impact on any of the entities affected.

Paperwork Reduction Act of 1995

These regulations have been examined under the Paperwork Reduction Act of 1995 and have been found to contain no information collection requirements.

Intergovernmental Review

Except for 34 CFR parts 660 and 669, these programs are subject to the requirements of Executive Order 12372 and the regulations in 34 CFR Part 79. The objective of the Executive order is to foster an intergovernmental partnership and a strengthened federalism by relying on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

In accordance with the order, this document is intended to provide early notification of the Department's specific plans and actions for these programs.

Assessment of Educational Impact

The Department has determined that the regulations in this document do not require transmission of information that is being gathered by or is available from any other agency or authority of the United States.

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Note: The official version of this document is the document published in the **Federal Register**.

List of Subjects*34 CFR Part 655*

Colleges and universities, Cultural exchange programs, Educational research, Educational study programs, Grant programs-education, Scholarships and fellowships.

34 CFR Part 656

Colleges and universities, Cultural exchange programs, Educational study programs, Grant programs-education, Reporting and recordkeeping requirements.

34 CFR Part 658

Colleges and universities, Cultural exchange programs, Educational study programs, Grant programs-education.

34 CFR Part 660

Colleges and universities, Cultural exchange programs, Educational research, Educational study programs, Grant programs-education.

34 CFR Part 669

Colleges and universities, Educational research, Educational study programs, Grant programs-education, Reporting

and recordkeeping requirements, Teachers.

Dated: February 9, 1999.

David A. Longanecker,

Assistant Secretary for Postsecondary Education.

(Catalog of Federal Domestic Assistance Numbers: 84.015 National Resource Centers Program for Foreign Language and Area Studies or Foreign Language and International Studies; 84.016 Undergraduate International Studies and Foreign Language Program; 84.017 The International Research and Studies Program; and 84.229 Language Resource Centers Program)

The Secretary amends title 34 of the Code of Federal Regulations by amending parts 655, 656, 658, 660, and 669 as follows:

PART 655—INTERNATIONAL EDUCATION PROGRAMS—GENERAL PROVISIONS

1. The authority citation for part 655 continues to read as follows:

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

§ 655.1 [Amended]

2. Section 655.1 is amended by removing “(section 606);” in paragraph (d), and adding, in its place, “(section 605); and”; by removing paragraph (e); and by redesignating paragraph (f) as paragraph (e).

§ 655.3 [Amended]

3. Section 655.3 is amended by adding the word “and” at the end of paragraph (c)(5); by removing “; and” at the end of paragraph (c)(6), and adding a period in its place; and by removing paragraph (c)(7).

§ 655.4 [Amended]

4. Section 655.4 is amended by adding the word “and” before “669” and removing “, and 671” in paragraph (a); and by removing “1201(a)” and adding “101(a)” in its place wherever it appears in paragraph (b).

§ 655.10 [Amended]

5. Section 655.10 is amended by adding the word “and” before “669” and removing “, and 671”.

6. Section 655.30 is revised to read as follows:

§ 655.30 How does the Secretary evaluate an application?

The Secretary evaluates an applications for International Education Programs on the basis of—

(a) The general criteria in § 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)

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

7. The authority citation for part 656 continues to read as follows:

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

8. Section 656.1 is amended by revising paragraphs (a), (b), and (d) to read as follows:

§ 656.1 What is the National Resource Centers Program?

* * * * *

(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;

* * * * *

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

9. Section 656.3 is revised to read as follows:

§ 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)

§ 656.5 [Amended]

10. Section 656.5 is amended by removing the word “comprehensive” in the introductory text of paragraph (b); and by adding “, foreign language,” after “area” in paragraph (b)(5).

11. Section 656.30 is amended by removing the word “and” at the end of paragraph (a)(5); removing the period at the end of paragraph (a)(6), and adding, in its place, a semicolon; and by adding new paragraphs (a) (7) and (8) to read as follows:

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

(a)* * *

(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.

* * * * *

PART 658—UNDERGRADUATE INTERNATIONAL STUDIES AND FOREIGN LANGUAGE PROGRAM

12. The authority citation for part 658 continues to read as follows:

Authority: 20 U.S.C. 1124, unless otherwise noted.

13. Section 658.1 is revised to read as follows:

§ 658.1 What is the Undergraduate International Studies and Foreign Language Program?

The Undergraduate International Studies and Foreign Language Program is designed to provide assistance to institutions of higher education, combinations of those institutions, or partnerships between nonprofit educational organizations and institutions of higher education, to assist those institutions, combinations, or partnerships in planning, developing, and carrying out programs to improve undergraduate instruction in international studies and foreign languages.

(Authority: 20 U.S.C. 1124)

14. Section 658.2 is amended by redesignating paragraph (c) as paragraph (d); and adding a new paragraph (c) to read as follows:

§ 658.2 Who is eligible to apply for assistance under this program?

* * * * *

(c) Partnerships between nonprofit educational organizations and institutions of higher education.

* * * * *

15. Section 658.10 is amended by revising paragraphs (a), (b)(1), and (c) to read as follows:

§ 658.10 For what kinds of projects does the Secretary assist institutions of higher education?

(a) The Secretary may provide assistance to an institution of higher education, a combination of institutions of higher education, or a partnership between a nonprofit educational organization and an institution of higher education to plan, develop, and carry out a program to improve undergraduate instruction in international studies and foreign languages. Those grants must be awarded to institutions, combinations, or partnerships seeking to create new programs or to strengthen existing programs in foreign languages, area studies, and other international fields.

(b) * * *

(1) Initiates new or revised courses in international or area studies;

* * * * *

(c) The program shall focus on—

(1) International or global studies;
 (2) One or more world areas and their languages; or
 (3) Issues or topics, such as international environmental studies or international health.

16. Section 658.11 is revised to read as follows:

§ 658.11 What projects and activities may a grantee conduct under this program?

The Secretary awards grants under this part to assist in carrying out projects and activities that are an integral part of a program to improve undergraduate instruction in international studies and foreign languages. These include projects such as—

(a) Planning for the development and expansion of undergraduate programs in international studies and foreign languages;

(b) Teaching, research, curriculum development, faculty training in the United States or abroad, and other related activities, including—

(1) Expanding library and teaching resources;

(2) Conducting faculty workshops, conferences, and special lectures;

(3) Developing and testing new curricular materials, including self-instructional materials in foreign languages, or specialized language materials dealing with a particular subject (such as health or the environment);

(4) Initiating new and revised courses in international studies or area studies and foreign languages; and

(5) Conducting preservice and inservice teacher training;

(c) Expanding the opportunities for learning foreign languages, including less commonly taught languages;

(d) Providing opportunities for which foreign faculty and scholars may visit institutions as visiting faculty;

(e) Placing U.S. faculty members in internships with international associations or with governmental or nongovernmental organizations in the U.S. or abroad to improve their understanding of international affairs;

(f) Developing international education programs designed to develop or enhance linkages between 2- and 4-year institutions of higher education, or baccalaureate and post-baccalaureate programs or institutions;

(g) Developing undergraduate educational programs—

(1) In locations abroad where those opportunities are not otherwise available or that serve students for whom those opportunities are not otherwise available; and

(2) That provide courses that are closely related to on-campus foreign language and international curricula;

(h) Integrating new and continuing education abroad opportunities for undergraduate students into curricula of specific degree programs;

(i) Developing model programs to enrich or enhance the effectiveness of educational programs abroad, including pre-departure and post-return programs, and integrating educational programs abroad into the curriculum of the home institution;

(j) Developing programs designed to integrate professional and technical education with foreign languages, area studies, and other international fields;

(k) Establishing linkages overseas with institutions of higher education and organizations that contribute to the educational programs assisted under this part;

(l) Developing partnerships between—
 (1) Institutions of higher education; and

(2) The private sector, government, or elementary and secondary education institutions in order to enhance international knowledge and skills; and

(m) Using innovative technology to increase access to international education programs.

(Authority: 20 U.S.C. 1124)

17. Section 658.41 is amended by revising paragraphs (a) and (b), and by adding a new paragraph (d) to read as follows:

§ 658.41 What are the cost-sharing requirements?

(a) The grantee's share may be derived from cash contributions from private sector corporations or foundations in the amount of one-third of the total cost of the project.

(b) The grantee's share may be derived from cash or in-kind contributions from institutional and noninstitutional funds, including State and private sector corporation or foundation contributions, equal to one-half of the total cost of the project.

* * * * *

(d) The Secretary may waive or reduce the required non-Federal share for institutions that—

(1) Are eligible to receive assistance under part A or B of title III or under title V of the Higher Education Act of 1965, as amended; and

(2) Have submitted a grant application under this part.

PART 660—THE INTERNATIONAL RESEARCH AND STUDIES PROGRAM

18. The authority citation for part 660 continues to read as follows:

Authority: 20 U.S.C. 1125, unless otherwise noted.

19. Section 660.1 is amended by adding “, area studies, or other international fields” before the semicolon at the end of paragraph (b); by removing the word “and” at the end of paragraph (e); by removing the period at the end of paragraph (f), and adding, in its place, a semicolon; and by adding new paragraphs (g), (h), and (i) to read as follows:

§ 660.1 What is the International Research and Studies Program?

* * * * *

(g) Evaluations of the extent to which programs assisted under title VI of the HEA that address national needs would not otherwise be offered;

(h) Studies and surveys of the use of technologies in foreign language, area studies, and international studies programs; and

(i) Studies and evaluations of effective practices in the dissemination of international information, materials, research, teaching strategies, and testing techniques throughout the educational community, including elementary and secondary schools.

20. Section 660.10 is amended by adding the words “and achieving competency” after the word “instruction” in paragraph (b)(1); and by adding new paragraphs (h), (i), and (j) to read as follows:

§ 660.10 What activities does the Secretary assist?

* * * * *

(h) Evaluations of the extent to which programs assisted under title VI of the HEA that address national needs would not otherwise be offered.

(i) Studies and surveys of the uses of technology in foreign language, area studies, and international studies programs.

(j) Studies and evaluations of effective practices in the dissemination of international information, materials, research, teaching strategies, and testing techniques through the education community, including elementary and secondary schools.

PART 669—LANGUAGE RESOURCE CENTERS PROGRAM

21. The authority citation for part 669 continues to read as follows:

Authority: 20 U.S.C. 1123, unless otherwise noted.

22. Section 669.3 is revised to read as follows:

§ 669.3 What activities may the Secretary fund?

Centers funded under this part must carry out activities to improve the teaching and learning of foreign languages. These activities must include effective dissemination efforts, whenever appropriate, and may include—

(a) The conduct and dissemination of research on new and improved methods for teaching foreign languages, including the use of advanced educational technology;

(b) The development and dissemination of new materials for teaching foreign languages, to reflect the results of research on effective teaching strategies;

(c) The development, application, and dissemination of performance testing that is appropriate for use in an educational setting to be used as a standard and comparable measurement of skill levels in foreign languages;

(d) The training of teachers in the administration and interpretation of foreign language performance tests, the

use of effective teaching strategies, and the use of new technologies;

(e) A significant focus on the teaching and learning needs of the less commonly taught languages, including an assessment of the strategic needs of the United States, the determination of ways to meet those needs nationally, and the publication and dissemination of instructional materials in the less commonly taught languages;

(f) The development and dissemination of materials designed to serve as a resource for foreign language teachers at the elementary and secondary school levels; and

(g) The operation of intensive summer language institutes to train advanced foreign language students, to provide professional development, and to improve language instruction through preservice and inservice language training for teachers.

(Authority: 20 U.S.C. 1123)

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