

**DEPARTMENT OF EDUCATION****34 CFR Part 646**

RIN 1840-AC24

**Student Support Services Program****AGENCY:** Department of Education.**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Secretary proposes to amend the regulations governing the Student Support Services Program. The proposed regulations clarify and simplify requirements governing the program. The selection criteria, prior experience criteria, and grantee accountability provisions are affected by these proposed changes.

The Student Support Services Program supports the educational needs of students from disadvantaged backgrounds. Performance outcomes for the program are designed to demonstrate the progress and performance of eligible students in successfully completing their postsecondary education.

**DATES:** Comments must be received on or before January 12, 1996.

**ADDRESSES:** All comments concerning these proposed regulations should be addressed to Richard T. Sonnergren, U.S. Department of Education, 600 Independence Avenue, S.W., Washington, D.C. 20202-5249. Comments may also be sent through the Internet to TRIO@ed.gov.

To ensure that public comments have maximum effect in developing the final regulations, the Department urges that each comment clearly identify the specific section or sections of the regulations that the comment addresses and that comments be in the same order as the regulations.

Comments that concern information collection requirements must be sent to the Office of Management and Budget at the address listed in the Paperwork Reduction Act section of this preamble. A copy of those comments may also be sent to the Department representative named in the preceding paragraph.

**FOR FURTHER INFORMATION CONTACT:** Virginia A. Mason, Division of Student Services, U.S. Department of Education, 600 Independence Avenue, S.W., The Portals Building, Suite 600D, Washington, D.C. 20202-5249. Telephone: (202) 708-4804. Individuals who use 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.

**SUPPLEMENTARY INFORMATION:****Background**

The Student Support Services program provides grants to institutions of higher education for projects offering support services to low-income, first generation, or disabled college students. These support services should enhance their academic skills, increase their retention and graduation rates, facilitate their entrance into four-year colleges or graduate and professional programs, and foster an institutional climate supportive of the success of low-income and first generation college students and students with disabilities.

Projects assisted under this program may provide: (1) Instruction in reading, writing, study skills, mathematics, and other subjects necessary for success beyond high school; (2) personal counseling; (3) academic advice and assistance in course selection; (4) tutorial services and peer counseling; (5) exposure to cultural events and academic programs not usually available to disadvantaged students; (6) activities designed to assist students participating in the project in securing admission and financial assistance for enrollment in graduate and professional programs; (7) activities designed to assist students currently enrolled in two-year institutions in securing admission and financial assistance for enrollment in a four-year program of postsecondary education; (8) mentoring programs involving faculty or upper class students, or a combination thereof; and (9) programs and activities specially designed for students of limited proficiency in English.

These proposed regulations have been revised to address the President's regulatory reinvention initiative. Specifically, §§ 646.7, 646.10, 646.20, 646.21, 646.22 and 646.32 simplify the selection criteria and increase grantee accountability through revised prior experience criteria and stronger project evaluation requirements. On October 1, 1993, the Secretary published revisions to the Student Support Services Program regulations to implement changes required by the Higher Education Amendments of 1992 (58 FR 51521-22). This notice of proposed rulemaking proposes program improvements that were not covered by the October 1, 1993 regulations. Major changes in the current regulations are proposed in the following sections:

- **Definitions (§ 646.6).** These regulations would provide definitions for terms used in the program statute and these proposed regulations. The following definitions have been added: academic need, different campus,

different population of participants, combination of institutions of higher education, participant, sufficient financial assistance. In addition, we have revised the definition of the term "limited proficiency in English." These definitions are needed to provide standard definitions used in data collection instruments and to implement changes required by the 1992 Higher Education Amendments. Specifically, the definitions for "academic need" and "sufficient financial assistance" are intended to ensure grantees the flexibility to customize their projects to meet the special needs of the participants served. The definitions for "different campus" and "different population of participants" are intended to implement policies and practices that have been used in governing the program. The term "limited proficiency in English" is defined to provide clarity and intended to be more practical.

- **Selection criteria (§ 646.21).** The proposed regulations would revise the application selection criteria to simplify and clarify the requirements and increase grantee accountability by establishing performance indicators and a standard for evaluating project services.

- **Prior experience (§ 646.22).** The proposed regulations would revise the criteria for the evaluation of a grantee's prior experience to focus on project outcomes. The changes are intended to eliminate data requested on administrative compliance matters and collect only the information necessary to assess the impact of services on project outcomes.

- **Other requirements of a grantee (§ 646.32).** The proposed regulations would prohibit a grantee from serving any individual who is simultaneously receiving services from another Federal TRIO program and would clarify provisions for project coordination. In addition, the proposed regulations would require grantees to track student performance and define the basis for determining academic need. These regulations are needed to assist projects with the implementation of the statutory provision to coordinate services with similar programs and provide parameters for collecting the types of information projects need to evaluate services. The uniformity in student service delivery and evaluation are expected to allow the Secretary to more effectively assess the impact of the program.