# **[PART 608 - STRENGTHENING HISTORICALLY BLACK COLLEGES AND UNIVERSITIES PROGRAM](https://www.ecfr.gov/current/title-34/part-608)**

**Authority:** [20 U.S.C. 1060](https://www.govinfo.gov/link/uscode/20/1060) through [1063c](https://www.govinfo.gov/link/uscode/20/1063c), and [1068](https://www.govinfo.gov/link/uscode/20/1068) through [1068h](https://www.govinfo.gov/link/uscode/20/1068h), unless otherwise noted.

[**§ 608.10 What activities may be carried out under a grant?**](https://www.ecfr.gov/current/title-34/section-608.10)

1. ***Allowable activities.*** Except as provided in [paragraph (b)](https://www.ecfr.gov/current/title-34/section-608.10#p-608.10(b)) of this section, a grantee may carry out the following activities under this part –
2. Purchase, rental, or lease of scientific or laboratory equipment for educational purposes, including instructional or research purposes;
3. Construction, maintenance, renovation, and improvement in classroom, library, laboratory, and other instructional facilities, including purchase or rental of telecommunications technology equipment or services;
4. Support of faculty exchanges, faculty development and faculty fellowships to assist these faculty members in attaining advanced degrees in their fields of instruction;
5. Academic instruction in disciplines in which Black Americans are underrepresented;
6. Purchase of library books, periodicals, microfilm, and other educational materials, including telecommunications program materials;
7. Tutoring, counseling, and student service programs designed to improve academic success;
8. Funds and administrative management, and acquisition of equipment for use in strengthening funds management;
9. Joint use of facilities, such as laboratories and libraries;
10. Establishing or improving a development office to strengthen or improve contributions from alumni and the private sector;
11. Establishing or enhancing a program of teacher education designed to qualify students to teach in a public elementary or secondary school in the State that shall include, as part of the program, preparation for teacher certification;
12. Establishing community outreach programs that will encourage elementary and secondary students to develop the academic skills and the interest to pursue postsecondary education; and
13. Other activities that it proposes in its application that contribute to carrying out the purpose of this part and are approved by the Secretary as part of the review and acceptance of the application.
14. ***Unallowable activities.*** A grantee may not carry out the following activities under this part—

1. Activities that are not included in the grantee's approved application;
2. Activities described in [paragraph (a)(12)](https://www.ecfr.gov/current/title-34/section-608.10#p-608.10(a)(12)) of this section that are not approved by the Secretary;
3. Activities that are inconsistent with any State plan of higher education that is applicable to the institution;
4. Activities that are inconsistent with a State plan for desegregation of higher education that is applicable to the institution;
5. Activities or services that constitute religious instruction, religious worship, or proselytization.
6. Activities provided by a school or department of divinity. For the purpose of this provision, a “school or department of divinity” means an institution, or a department of an institution, whose program is solely to prepare students to become ministers of religion or to enter into some other religious vocation.
7. No award under this part may be used for telecommunications technology equipment, facilities or services, if such equipment, facilities or services are available pursuant to section 396(k) of the Communications Act of 1934.
8. ***Endowment funds.*** If a grantee uses part of its grant funds to establish or increase an endowment fund, it is subject to the provisions of [§§ 628.3](https://www.ecfr.gov/current/title-34/section-628.3), [628.6](https://www.ecfr.gov/current/title-34/section-628.6), [628.10](https://www.ecfr.gov/current/title-34/section-628.10) and [628.41](https://www.ecfr.gov/current/title-34/section-628.41) through [628.47 of this chapter](https://www.ecfr.gov/current/title-34/section-628.47) with regard to the use of those funds, except -
9. The definition of the term “endowment fund income” in [§ 628.6 of this chapter](https://www.ecfr.gov/current/title-34/section-628.6) does not apply. For the purposes of this [paragraph (d)](https://www.ecfr.gov/current/title-34/section-608.10#p-608.10(d)), “endowment fund income” means an amount equal to the total value of the fund, including fund appreciation and retained interest and dividends, minus the endowment fund corpus;
10. Instead of the requirement in [§ 628.10(a) of this chapter](https://www.ecfr.gov/current/title-34/section-628.10#p-628.10(a)), the grantee institution must match each dollar of Federal grant funds used to establish or increase an endowment fund with one dollar of non-Federal funds; and
11. Instead of the requirements in [§ 628.41(a)(3)](https://www.ecfr.gov/current/title-34/section-628.41#p-628.41(a)(3)) through [(a)(5)](https://www.ecfr.gov/current/title-34/section-628.41#p-628.41(a)(5)) and the introductory text in [§ 628.41(b)](https://www.ecfr.gov/current/title-34/section-628.41#p-628.41(b)) and [§ 628.41(b)(2)](https://www.ecfr.gov/current/title-34/section-628.41#p-628.41(b)(2)) and [(b)(3) of this chapter](https://www.ecfr.gov/current/title-34/section-628.41#p-628.41(b)(3)), if a grantee institution decides to use any of its grant funds for endowment purposes, it must match those grant funds immediately with non-Federal funds when it places those funds into its endowment fund.

(Authority: [20 U.S.C. 1062](https://www.govinfo.gov/link/uscode/20/1062), [1063a](https://www.govinfo.gov/link/uscode/20/1063a), and [1069c](https://www.govinfo.gov/link/uscode/20/1069c))

[[58 FR 38713](https://www.federalregister.gov/citation/58-FR-38713), July 20, 1993, as amended at [65 FR 79311](https://www.federalregister.gov/citation/65-FR-79311), Dec. 19, 2000; [85 FR 59981](https://www.federalregister.gov/citation/85-FR-59981), Sept. 23, 2020]

# [**PART 609 - STRENGTHENING HISTORICALLY BLACK GRADUATE INSTITUTIONS PROGRAM**](https://www.ecfr.gov/current/title-34/part-609)

**Authority:** [**20 U.S.C. 1060**](https://www.govinfo.gov/link/uscode/20/1060) **through** [**1063c**](https://www.govinfo.gov/link/uscode/20/1063c)**, and** [**1068**](https://www.govinfo.gov/link/uscode/20/1068) **through** [**1068h**](https://www.govinfo.gov/link/uscode/20/1068h)**, unless otherwise noted.**

**Source:** [**59 FR 38717**](https://www.federalregister.gov/citation/59-FR-38717)**, July 20, 1993, unless otherwise noted.**

## [§ 609.10 What activities may be carried out under a grant?](https://www.ecfr.gov/current/title-34/section-609.10)

(a) **Allowable activities.** Except as provided in [paragraph (b)](https://www.ecfr.gov/current/title-34/section-609.10#p-609.10(b)) of this section, a grantee may carry out the following activities under this part -

(1) Purchase, rental, or lease of scientific or laboratory equipment for educational purposes, including instructional or research purposes;

(2) Construction, maintenance, renovation, and improvement in classroom, library, laboratory, and other instructional facilities, including purchase or rental of telecommunications technology equipment or services;

(3) Support of faculty exchanges, faculty development and faculty fellowships to assist these faculty members in attaining advanced degrees in their fields of instruction;

(4) Academic instruction in disciplines in which Black Americans are underrepresented;

(5) Purchase of library books, periodicals, microfilm, and other educational materials, including telecommunications program materials;

(6) Tutoring, counseling, and student service programs designed to improve academic success;

(7) Funds and administrative management, and acquisition of equipment for use in strengthening funds management;

(8) Joint use of facilities, such as laboratories and libraries;

(9) Establishing or improving a development office to strengthen or improve contributions from alumni and the private sector;

(10) Establishing or enhancing a program of teacher education designed to qualify students to teach in a public elementary or secondary school in the State that shall include, as part of such program preparation for teacher certification;

(11) Establishing community outreach programs that will encourage elementary and secondary students to develop the academic skills and the interest to pursue postsecondary education;

(12) Other activities that it proposes in its application that contribute to carrying out the purpose of this part and are approved by the Secretary;

(13) Establishing or improving a development office to strengthen and increase contributions from alumni and the private sector; and

(14) Establishing and maintaining an institutional endowment under [34 CFR part 628](https://www.ecfr.gov/current/title-34/part-628) to facilitate financial independence.

(b) **Unallowable activities.** A grantee may not carry out the following activities under this part -

(1) Activities that are not included in the grantee's approved application;

(2) Activities described in [paragraph (a)(12)](https://www.ecfr.gov/current/title-34/section-609.10#p-609.10(a)(12)) of this section that are not approved by the Secretary;

(3) Activities that are inconsistent with any State plan of higher education that is applicable to the institution;

(4) Activities that are inconsistent with a State plan for desegregation of higher education that is applicable to the institution;

(5) Activities or services that constitute religious instruction, religious worship, or proselytization.

(6) Activities provided by a school or department of divinity. For the purpose of this provision, a “school or department of divinity” means an institution, or a department of an institution, whose program is solely to prepare students to become ministers of religion or to enter into some other religious vocation.

(c) No award under this part may be used for telecommunications technology equipment, facilities or services, if such equipment, facilities or services are available pursuant to section 396(k) of the Communications Act of 1934.

(Authority: [20 U.S.C. 1062](https://www.govinfo.gov/link/uscode/20/1062), [1063a](https://www.govinfo.gov/link/uscode/20/1063a), and [1069c](https://www.govinfo.gov/link/uscode/20/1069c))