

(3) Have an enrollment of needy students as described in the *Enrollment of Needy Students* section of this notice;

(4) Have low average educational and general expenditures per full-time equivalent undergraduate student as described in the *Educational and General Expenditures per Full-Time Equivalent Student* section of this notice and the application booklet;

(5) Have, at the time of application, an enrollment of undergraduate full-time equivalent students that is at least 25 percent Hispanic students; and

(6) Provide assurances that not less than 50 percent of its Hispanic students are low-income individuals.

**Note:** Numbers five and six above are required at the time of submission of the grant application.

The complete eligibility requirements for the Title III, Part A Programs are found in 34 CFR 607.2 through 607.5; the complete eligibility for the HSI Programs are found in 34 CFR 606.2 through 34 CFR 606.5. These regulations may also be accessed by visiting the following Department of Education Web

site: <http://www.ed.gov/legislation/FedRegister/finrule/1999-4/121599a.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 2000–2001 must be more than the median for its category of comparable institutions provided in the table in this notice.

**Educational and General Expenditures per Full-Time Equivalent Student:** An institution should compare its 2000–2001 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 table in this notice. If the institution's average E&G expenditures for the 2000–2001 base year are less than the average for its category of comparable institutions, it 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 and the relevant average E&G expenditures per FTE student for the base year 2000–2001 for the four categories of comparable institutions:

Type of Institution	Median Pell Grant (percentage)	Average E&G per FTE
2-year public institutions .....	19.6	\$8,668
2-year non-profit private institutions .....	32.7	20,483
4-year public institutions .....	23.5	20,789
4-year non-profit private institutions .....	23.2	31,579

**Waiver Information:** Institutions of higher education that are unable to meet the needy student enrollment requirement or the average E&G expenditures requirement may apply to the Secretary for waivers of these requirements, as described in 34 CFR 606.3(b), 606.4(c) and (d), 607.3(b) and 607.4(c) and (d). Institutions requesting a waiver of the needy student enrollment requirement or the average

E&G expenditures requirement must include in their application detailed information supporting the waiver request, as described in the instructions for completing the application.

With respect to the needy student requirement waiver, 34 CFR 606.3(b)(2) and (3) and 607.3(b)(2) and (3) refer to "low-income" students and families. The regulations define "low-income" as an amount which does not exceed 150

percent of the amount equal to the poverty level in the 2000–2001 base year as established by the U.S. Bureau of the Census, 34 CFR 606.3(c) and 607.3(c).

For the purposes of this waiver provision, the following table sets forth the low-income levels for the various sizes of families:

#### 2000 ANNUAL LOW-INCOME LEVELS

Size of family unit	Contiguous 48 States, the District of Columbia and outlying	Alaska	Hawaii
1 .....	\$12,525	\$15,645	\$14,385
2 .....	16,875	21,090	19,395
3 .....	21,225	26,535	24,405
4 .....	25,575	31,980	29,415
5 .....	29,925	37,425	34,425
6 .....	34,275	42,870	39,435
7 .....	38,625	48,315	44,445
8 .....	42,975	53,760	49,455

For family units with more than eight members, applicants requesting a waiver should add the following amount for each additional family

member: \$4,350 for the contiguous 48 states, the District of Columbia and outlying jurisdictions; \$5,445 for Alaska; and \$5,010 for Hawaii.

The figures shown as low-income levels represent amounts equal to 150 percent of the family income levels established by the U.S. Bureau of the