

(ii) The equipment and supplies that the applicant plans to use are adequate.

(Approved by the Office of Management and Budget under control number 1830-0013)

(Authority: Sec. 441(c); 20 U.S.C. 2441(c))

[50 FR 33255, Aug. 16, 1985; 50 FR 38802, Sept. 25, 1985]

**PART 460—ADULT EDUCATION—
GENERAL PROVISIONS**

Sec.

460.1 What is the purpose of the Adult Education Act?

460.2 What programs are authorized by the Adult Education Act?

460.3 What regulations apply to the adult education programs?

460.4 What definitions apply to the adult education programs?

AUTHORITY: 20 U.S.C. 1201 *et seq.*, unless otherwise noted.

SOURCE: 54 FR 34409, Aug. 18, 1989, unless otherwise noted. Redesignated at 57 FR 24091, June 5, 1992.

§ 460.1 What is the purpose of the Adult Education Act?

The purpose of the Adult Education Act (the Act) is to assist the States to—

(a) Improve educational opportunities for adults who lack the level of literacy skills requisite to effective citizenship and productive employment;

(b) Expand and improve the current system for delivering adult education services, including delivery of these services to educationally disadvantaged adults; and

(c) Encourage the establishment of adult education programs that will—

(1) Enable adults to acquire the basic educational skills necessary for literate functioning;

(2) Provide adults with sufficient basic education to enable them to benefit from job training and retraining programs and obtain and retain productive employment so that they might more fully enjoy the benefits and responsibilities of citizenship; and

(3) Enable adults who so desire to continue their education to at least the level of completion of secondary school.

(Authority: 20 U.S.C. 1201)

§ 460.2 What programs are authorized by the Adult Education Act?

The following programs are authorized by the Act:

(a) Adult Education State-administered Basic Grant Program (34 CFR part 426).

(b) State-administered Workplace Literacy Program (34 CFR part 433).

(c) State-administered English Literacy Program (34 CFR part 434).

(d) State Literacy Resource Centers Program (34 CFR part 464).

(e) National Workplace Literacy Program (34 CFR part 432).

(f) National Workforce Literacy Strategies Program (34 CFR part 473).

(g) National English Literacy Demonstration Program for Individuals of Limited English Proficiency (34 CFR part 435).

(h) Adult Migrant Farmworker and Immigrant Education Program (34 CFR part 436).

(i) National Adult Literacy Volunteer Training Program (34 CFR part 437).

(j) State Program Analysis Assistance and Policy Studies Program (34 CFR part 438).

(k) Functional Literacy for State and Local Prisoners Program (34 CFR part 489).

(l) Life Skills for State and Local Prisoners Program (34 CFR part 490).

(Authority: 20 U.S.C. 1201 *et seq.*)

[54 FR 34409, Aug. 18, 1989. Redesignated and amended at 57 FR 24091, June 5, 1992]

§ 460.3 What regulations apply to the adult education programs?

The following regulations apply to the adult education programs:

(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) applies to parts 472, 473, 474, 475, 476, 477, 489, and 490, except that 34 CFR 75.720(b), regarding the frequency of certain reports, does not apply.

(3) 34 CFR part 76 (State-Administered Programs) applies to parts 461, 462, 463, and 464, except that 34 CFR

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76.101 (The general State application) does not apply.

(4) 34 CFR part 77 (Definitions that Apply to Department Regulations).

(5) 34 CFR part 79 (Intergovernmental Review of Department of Education Programs and Activities).

(6) 34 CFR part 80 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments).

(7) 34 CFR part 81 (General Education Provisions Act—Enforcement).

(8) 34 CFR part 82 (New Restrictions on Lobbying).

(9) 34 CFR part 85 (Governmentwide Debarment and Suspension (Non-procurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)).

(10) 34 CFR part 86 (Drug-Free Schools and Campuses).

(b) The regulations in this part 460.

(c) The regulations in 34 CFR parts 461, 462, 463, 464, 472, 473, 474, 475, 476, 477, 489, and 490.

(Authority: 20 U.S.C. 1201 *et seq.*)

[57 FR 24091, June 5, 1992]

§ 460.4 What definitions apply to the adult education programs?

(a) *Definitions in the Act.* The following terms used in regulations for adult education programs are defined in sections 312 and 326(b) of the Act:

- Academic education
- Adult
- Adult education
- Community-based organization
- Community school program
- Correctional institution
- Criminal offender
- Educationally disadvantaged adult
- English literacy program
- Institution of higher education
- Local educational agency
- Out-of-school youth
- Private industry council
- State
- State educational agency

(b) *Definitions in EDGAR.* The following terms used in regulations for adult education programs are defined in 34 CFR 77.1:

- | | |
|---------------|-------------|
| Applicant | Contract |
| Application | ED |
| Award | EDGAR |
| Budget | Fiscal year |
| Budget period | Grant |

- | | |
|----------------|------------|
| Grantee | Public |
| Nonprofit | Secretary |
| Private | Subgrant |
| Project | Subgrantee |
| Project period | |

(c) *Other definitions.* The following definitions also apply to regulations for adult education programs:

Act means the Adult Education Act (20 U.S.C. 1201 *et seq.*).

Adult basic education means instruction designed for an adult who—

- (1) Has minimal competence in reading, writing, and computation;
- (2) Is not sufficiently competent to meet the educational requirements of adult life in the United States; or
- (3) Is not sufficiently competent to speak, read, or write the English language to allow employment commensurate with the adult's real ability.

If grade level measures are used, adult basic education includes grades 0 through 8.9.

Adult secondary education means instruction designed for an adult who—

- (1) Is literate and can function in everyday life, but is not proficient; or
- (2) Does not have a certificate of graduation (or its equivalent) from a school providing secondary education.

If using grade level measures, adult secondary education includes grades 9 through 12.9.

Adults with Limited English proficiency, persons with limited English proficiency, individuals of limited English proficiency, and limited English proficient adults mean individuals who—

- (1) Were not born in the United States or whose native language is a language other than English;
- (2) Come from environments where a language other than English is dominant; or
- (3) Are American Indian or Alaska Natives and who come from environments where a language other than English has had a significant impact on their level of English language proficiency; and

(4) Who, by reason thereof, have sufficient difficulty speaking, reading, writing, or understanding the English language to deny these individuals the opportunity to learn successfully in