

**Off. of Voc. and Adult Education, Education**

**§ 489.3**

State, and national levels, as appropriate.

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

(Authority: 20 U.S.C. 1213b(a))

[54 FR 34428, Aug. 18, 1989; 54 FR 46065, Nov. 1, 1989]

**§ 477.22 What additional factors does the Secretary consider?**

In addition to the criteria in § 477.21, the Secretary may consider the following factors in making an award:

(a) *Geographic distribution.* The Secretary may consider whether funding a particular applicant would improve the geographical distribution of projects funded under this program.

(b) *Variety of approaches.* The Secretary may consider whether funding a particular applicant would contribute to the funding of a variety of approaches to assisting States in evaluating the status and progress of their adult education programs.

(Authority: 20 U.S.C. 1213b(a)).

**PART 489—FUNCTIONAL LITERACY FOR STATE AND LOCAL PRISONERS PROGRAM**

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AUTHORITY: 20 U.S.C. 1211-2, unless otherwise noted.

SOURCE: 57 FR 24105, June 5, 1992, unless otherwise noted.

**Subpart A—General**

**§ 489.1 What is the Functional Literacy for State and Local Prisoners Program?**

(a) The Secretary makes grants to eligible entities that elect to establish a demonstration or system-wide functional literacy program for adult prisoners, as described § 489.3.

(b) Grants under this part may be used for establishing, improving, expanding, or carrying out a program, and for developing the plans and submitting the reports required by this part.

(Authority: 20 U.S.C. 1211-2(a), (d)(1))

**§ 489.2 Who is eligible for a grant?**

A State correctional agency, a local correctional agency, a State correctional education agency, or a local correctional education agency is eligible for a grant under this part.

(Authority: 20 U.S.C. 1211-2(f)(1))

**§ 489.3 What activities may the Secretary fund?**

(a) To qualify for funding under § 489.1, a functional literacy program must—

(1) To the extent possible, make use of advanced technologies, such as interactive video- and computer-based adult literacy learning; and

(2) Include—

(i) A requirement that each person incarcerated in the system, prison, jail, or detention center who is not functionally literate, except a person described in paragraph (b) of this section, shall participate in the program until the person—

(A) Achieves functional literacy, or in the case of an individual with a disability, achieves a level of functional literacy commensurate with his or her ability;

(B) Is granted parole;

(C) Completes his or her sentence; or

(D) Is released pursuant to court order; and