

State plan, the eligible agency shall submit the revisions to the State plan to the Secretary.

(d) Consultation

The eligible agency shall—

(1) submit the State plan, and any revisions to the State plan, to the Governor of the State or outlying area for review and comment; and

(2) ensure that any comments by the Governor regarding the State plan, and any revision to the State plan, are submitted to the Secretary.

(e) Peer review

The Secretary shall establish a peer review process to make recommendations regarding the approval of State plans.

(f) Plan approval

A State plan submitted to the Secretary shall be approved by the Secretary unless the Secretary makes a written determination, within 90 days after receiving the plan, that the plan is inconsistent with the specific provisions of this part.

(g) Transition

The provisions of this section shall be subject to section 9276(b) of this title.

(Pub. L. 105-220, title II, §224, Aug. 7, 1998, 112 Stat. 1068; Pub. L. 105-332, §4(1), Oct. 31, 1998, 112 Stat. 3126.)

AMENDMENTS

1998—Subsec. (g). Pub. L. 105-332 added subsec. (g).

§ 9225. Programs for corrections education and other institutionalized individuals

(a) Program authorized

From funds made available under section 9222(a)(1) of this title for a fiscal year, each eligible agency shall carry out corrections education and education for other institutionalized individuals.

(b) Uses of funds

The funds described in subsection (a) of this section shall be used for the cost of educational programs for criminal offenders in correctional institutions and for other institutionalized individuals, including academic programs for—

- (1) basic education;
- (2) special education programs as determined by the eligible agency;
- (3) English literacy programs; and
- (4) secondary school credit programs.

(c) Priority

Each eligible agency that is using assistance provided under this section to carry out a program for criminal offenders in a correctional institution shall give priority to serving individuals who are likely to leave the correctional institution within 5 years of participation in the program.

(d) Definitions

(1) Criminal offender

The term “criminal offender” means any individual who is charged with or convicted of any criminal offense.

(2) Correctional institution

The term “correctional institution” means any—

- (A) prison;
- (B) jail;
- (C) reformatory;
- (D) work farm;
- (E) detention center; or
- (F) halfway house, community-based rehabilitation center, or any other similar institution designed for the confinement or rehabilitation of criminal offenders.

(Pub. L. 105-220, title II, §225, Aug. 7, 1998, 112 Stat. 1069; Pub. L. 105-277, div. A, §101(f) [title VIII, §404(d)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-417.)

PRIOR PROVISIONS

Provisions similar to this section were contained in section 1204 of this title prior to repeal by Pub. L. 105-220.

AMENDMENTS

1998—Subsec. (a). Pub. L. 105-277, §101(f) [title VIII, §404(d)(1)], substituted “and education” for “or education”.

Subsec. (c). Pub. L. 105-277, §101(f) [title VIII, §404(d)(2)], substituted “within” for “with” before “5 years”.

SUBPART 3—LOCAL PROVISIONS

§ 9241. Grants and contracts for eligible providers

(a) Grants and contracts

From grant funds made available under section 9211(b) of this title, each eligible agency shall award multiyear grants or contracts, on a competitive basis, to eligible providers within the State or outlying area to enable the eligible providers to develop, implement, and improve adult education and literacy activities within the State.

(b) Required local activities

The eligible agency shall require that each eligible provider receiving a grant or contract under subsection (a) of this section use the grant or contract to establish or operate one or more programs that provide services or instruction in one or more of the following categories:

- (1) Adult education and literacy services, including workplace literacy services.
- (2) Family literacy services.
- (3) English literacy programs.

(c) Direct and equitable access; same process

Each eligible agency receiving funds under this part shall ensure that—

- (1) all eligible providers have direct and equitable access to apply for grants or contracts under this section; and
- (2) the same grant or contract announcement process and application process is used for all eligible providers in the State or outlying area.

(d) Special rule

Each eligible agency awarding a grant or contract under this section shall not use any funds made available under this part for adult education and literacy activities for the purpose of supporting or providing programs, services, or activities for individuals who are not individuals described in subparagraphs (A) and (B) of section