

(A) whose native language is a language other than English; or

(B) who lives in a family or community environment where a language other than English is the dominant language.

**(11) Institution of higher education**

The term “institution of higher education” has the meaning given the term in section 1001 of this title.

**(12) Literacy**

The term “literacy” means an individual’s ability to read, write, and speak in English, compute, and solve problems, at levels of proficiency necessary to function on the job, in the family of the individual, and in society.

**(13) Local educational agency**

The term “local educational agency” has the meaning given the term in section 7801 of this title.

**(14) Outlying area**

The term “outlying area” has the meaning given the term in section 2801 of title 29.

**(15) Postsecondary educational institution**

The term “postsecondary educational institution” means—

(A) an institution of higher education that provides not less than a 2-year program of instruction that is acceptable for credit toward a bachelor’s degree;

(B) a tribally controlled community college; or

(C) a nonprofit educational institution offering certificate or apprenticeship programs at the postsecondary level.

**(16) Secretary**

The term “Secretary” means the Secretary of Education.

**(17) State**

The term “State” means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

**(18) Workplace literacy services**

The term “workplace literacy services” means literacy services that are offered for the purpose of improving the productivity of the workforce through the improvement of literacy skills.

(Pub. L. 105-220, title II, §203, Aug. 7, 1998, 112 Stat. 1060; Pub. L. 105-244, title I, §102(d)(2), Oct. 7, 1998, 112 Stat. 1622; Pub. L. 105-277, div. A, §101(f) [title VIII, §404(a)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-416; Pub. L. 107-110, title X, §1076(s), Jan. 8, 2002, 115 Stat. 2092.)

AMENDMENTS

2002—Par. (13). Pub. L. 107-110 substituted “section 7801” for “section 8801”.

1998—Pub. L. 105-277 made technical amendment to reference in original act which appears in text as reference to this subchapter.

Par. (11). Pub. L. 105-244 substituted “section 1001” for “section 1141”.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-110 effective Jan. 8, 2002, except with respect to certain noncompetitive pro-

grams and competitive programs, see section 5 of Pub. L. 107-110, set out as an Effective Date note under section 6301 of this title.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-244 effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see section 3 of Pub. L. 105-244, set out as a note under section 1001 of this title.

**§ 9203. Home schools**

Nothing in this subchapter shall be construed to affect home schools, or to compel a parent engaged in home schooling to participate in an English literacy program, family literacy services, or adult education.

(Pub. L. 105-220, title II, §204, Aug. 7, 1998, 112 Stat. 1062; Pub. L. 105-277, div. A, §101(f) [title VIII, §404(a)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-416.)

AMENDMENTS

1998—Pub. L. 105-277 made technical amendment to reference in original act which appears in text as reference to this subchapter.

**§ 9204. Authorization of appropriations**

There is authorized to be appropriated to carry out this subchapter such sums as may be necessary for each of the fiscal years 1999 through 2003.

(Pub. L. 105-220, title II, §205, Aug. 7, 1998, 112 Stat. 1062; Pub. L. 105-277, div. A, §101(f) [title VIII, §404(a)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-416.)

AMENDMENTS

1998—Pub. L. 105-277 made technical amendment to reference in original act which appears in text as reference to this subchapter.

PART A—ADULT EDUCATION AND LITERACY PROGRAMS

CODIFICATION

This part was, in the original, designated subtitle A of title II of Pub. L. 105-220 and has been redesignated part A of this subchapter for purposes of codification. This subchapter does not contain a part B, because subtitle B (§251) of title II of Pub. L. 105-220 repealed numerous sections of the Code and has been executed to those sections, see Tables.

SUBPART 1—FEDERAL PROVISIONS

**§ 9211. Reservation of funds; grants to eligible agencies; allotments**

**(a) Reservation of funds**

From the sum appropriated under section 9204 of this title for a fiscal year, the Secretary—

(1) shall reserve 1.5 percent to carry out section 9252 of this title, except that the amount so reserved shall not exceed \$8,000,000;

(2) shall reserve 1.5 percent to carry out section 9253 of this title, except that the amount so reserved shall not exceed \$8,000,000; and

(3) shall make available, to the Secretary of Labor, 1.72 percent for incentive grants under section 9273 of this title.

**(b) Grants to eligible agencies**

**(1) In general**

From the sum appropriated under section 9204 of this title and not reserved under sub-