

dural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(c) The heads of executive departments and agencies shall assist and provide information to the Task Force, consistent with applicable law, as may be necessary to carry out the functions of the Task Force. Each executive department, agency, and office shall bear its own expenses of participating in the Task Force.

(d) The Chair of the Council of Economic Advisers is hereby authorized and directed to publish this memorandum in the Federal Register.

BARACK OBAMA.

§ 3272. Definitions

In this subchapter:

(1) Adult education

The term “adult education” means academic instruction and education services below the postsecondary level that increase an individual’s ability to—

- (A) read, write, and speak in English and perform mathematics or other activities necessary for the attainment of a secondary school diploma or its recognized equivalent;
- (B) transition to postsecondary education and training; and
- (C) obtain employment.

(2) Adult education and literacy activities

The term “adult education and literacy activities” means programs, activities, and services that include adult education, literacy, workplace adult education and literacy activities, family literacy activities, English language acquisition activities, integrated English literacy and civics education, workforce preparation activities, or integrated education and training.

(3) Eligible agency

The term “eligible agency” means the sole entity or agency in a State or an outlying area responsible for administering or supervising policy for adult education and literacy activities in the State or outlying area, respectively, consistent with the law of the State or outlying area, respectively.

(4) Eligible individual

The term “eligible individual” means an individual—

- (A) who has attained 16 years of age;
- (B) who is not enrolled or required to be enrolled in secondary school under State law; and
- (C) who—
 - (i) is basic skills deficient;
 - (ii) does not have a secondary school diploma or its recognized equivalent, and has not achieved an equivalent level of education; or
 - (iii) is an English language learner.

(5) Eligible provider

The term “eligible provider” means an organization that has demonstrated effectiveness in providing adult education and literacy activities that may include—

- (A) a local educational agency;
- (B) a community-based organization or faith-based organization;

- (C) a volunteer literacy organization;
- (D) an institution of higher education;
- (E) a public or private nonprofit agency;
- (F) a library;

(G) a public housing authority;

(H) a nonprofit institution that is not described in any of subparagraphs (A) through (G) and has the ability to provide adult education and literacy activities to eligible individuals;

(I) a consortium or coalition of the agencies, organizations, institutions, libraries, or authorities described in any of subparagraphs (A) through (H); and

(J) a partnership between an employer and an entity described in any of subparagraphs (A) through (I).

(6) English language acquisition program

The term “English language acquisition program” means a program of instruction—

(A) designed to help eligible individuals who are English language learners achieve competence in reading, writing, speaking, and comprehension of the English language; and

(B) that leads to—

- (i) attainment of a secondary school diploma or its recognized equivalent; and
- (ii) transition to postsecondary education and training; or
- (ii) employment.

(7) English language learner

The term “English language learner” when used with respect to an eligible individual, means an eligible individual who has limited ability in reading, writing, speaking, or comprehending the English language, and—

(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.

(8) Essential components of reading instruction

The term “essential components of reading instruction” means explicit and systematic instruction in—

- (A) phonemic awareness;
- (B) phonics;
- (C) vocabulary development;
- (D) reading fluency, including oral reading skills; and
- (E) reading comprehension strategies.

(9) Family literacy activities

The term “family literacy activities” means activities that are of sufficient intensity and quality, to make sustainable improvements in the economic prospects for a family and that better enable parents or family members to support their children’s learning needs, and that integrate all of the following activities:

(A) Parent or family adult education and literacy activities that lead to readiness for postsecondary education or training, career advancement, and economic self-sufficiency.

(B) Interactive literacy activities between parents or family members and their children.

(C) Training for parents or family members regarding how to be the primary teacher for their children and full partners in the education of their children.

(D) An age-appropriate education to prepare children for success in school and life experiences.

(10) Institution of higher education

The term “institution of higher education” has the meaning given the term in section 1001 of title 20.

(11) Integrated education and training

The term “integrated education and training” means a service approach that provides adult education and literacy activities concurrently and contextually with workforce preparation activities and workforce training for a specific occupation or occupational cluster for the purpose of educational and career advancement.

(12) Integrated English literacy and civics education

The term “integrated English literacy and civics education” means education services provided to English language learners who are adults, including professionals with degrees and credentials in their native countries, that enables such adults to achieve competency in the English language and acquire the basic and more advanced skills needed to function effectively as parents, workers, and citizens in the United States. Such services shall include instruction in literacy and English language acquisition and instruction on the rights and responsibilities of citizenship and civic participation, and may include workforce training.

(13) 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.

(14) 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 college or university; or

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

(15) Secretary

The term “Secretary” means the Secretary of Education.

(16) Workplace adult education and literacy activities

The term “workplace adult education and literacy activities” means adult education and literacy activities offered by an eligible provider in collaboration with an employer or employee organization at a workplace or an off-site location that is designed to improve the productivity of the workforce.

(17) Workforce preparation activities

The term “workforce preparation activities” means activities, programs, or services designed to help an individual acquire a combination of basic academic skills, critical thinking skills, digital literacy skills, and self-management skills, including competencies in utilizing resources, using information, working with others, understanding systems, and obtaining skills necessary for successful transition into and completion of postsecondary education or training, or employment.

(Pub. L. 113–128, title II, §203, July 22, 2014, 128 Stat. 1609; Pub. L. 114–95, title IX, §9215(c), Dec. 10, 2015, 129 Stat. 2166.)

AMENDMENTS

2015—Par. (8). Pub. L. 114–95, which directed general amendment of “Paragraph (8) of section 203 of the Adult Education and Literacy Act”, was executed by amending par. (8) of this section, which is section 203 of the Adult Education and Family Literacy Act, Pub. L. 113–128, to reflect the probable intent of Congress. Prior to amendment, text read as follows: “The term ‘essential components of reading instruction’ has the meaning given the term in section 6368 of title 20.”

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114–95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114–95, set out as a note under section 6301 of Title 20, Education.

EFFECTIVE DATE

Section effective on the first day of the first full program year after July 22, 2014 (July 1, 2015), see section 506 of Pub. L. 113–128, set out as a note under section 3101 of this title.

§ 3273. Home schools

Nothing in this subchapter shall be construed to affect home schools, whether a home school is treated as a home school or a private school under State law, or to compel a parent or family member engaged in home schooling to participate in adult education and literacy activities.

(Pub. L. 113–128, title II, §204, July 22, 2014, 128 Stat. 1611.)

EFFECTIVE DATE

Section effective on the first day of the first full program year after July 22, 2014 (July 1, 2015), see section 506 of Pub. L. 113–128, set out as a note under section 3101 of this title.

§ 3274. Rule of construction regarding postsecondary transition and concurrent enrollment activities

Nothing in this subchapter shall be construed to prohibit or discourage the use of funds provided under this subchapter for adult education and literacy activities that help eligible individuals transition to postsecondary education and training or employment, or for concurrent enrollment activities.

(Pub. L. 113–128, title II, §205, July 22, 2014, 128 Stat. 1612.)

EFFECTIVE DATE

Section effective on the first day of the first full program year after July 22, 2014 (July 1, 2015), see section