

activities, especially resources of the public and private sectors; and

(ii) The applicant has the capacity to continue, expand, and build upon the project when Federal assistance ends.

(Approved by the Office of Management and Budget under control number 1830-0512)

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

**§ 490.22 What additional factor does the Secretary consider?**

In addition to the points awarded under the selection criteria in § 490.21, the Secretary awards up to 5 points to applications for projects that have the greatest potential for innovation, effectiveness, and replication in other systems, jails, and detention centers.

(Authority: 20 U.S.C. 1211-2(e)(3))

**PART 491—ADULT EDUCATION FOR THE HOMELESS PROGRAM**

**Subpart A—General**

Sec.

491.1 What is the Adult Education for the Homeless Program?

491.2 Who may apply for an award?

491.3 What activities may the Secretary fund?

491.4 What regulations apply?

491.5 What definitions apply?

**Subpart B [Reserved]**

**Subpart C—How Does the Secretary Make an Award?**

491.20 How does the Secretary evaluate an application?

491.21 What selection criteria does the Secretary use?

491.22 What additional factor does the Secretary consider?

**Subpart D—What Conditions Must Be Met After an Award?**

491.30 How may an SEA operate the program?

AUTHORITY: 42 U.S.C. 11421, unless otherwise noted.

SOURCE: 54 FR 34430, Aug. 18, 1989, unless otherwise noted. Redesignated at 57 FR 24091, June 5, 1992.

**Subpart A—General**

**§ 491.1 What is the Adult Education for the Homeless Program?**

The Adult Education for the Homeless Program provides financial assistance to State educational agencies (SEAs) to enable them to implement, either directly or through contracts or subgrants, a program of literacy training and basic skills remediation for adult homeless individuals within their State.

(Authority: 42 U.S.C. 11421(a))

**§ 491.2 Who may apply for an award?**

State educational agencies in the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands may apply for an award under this program.

(Authority: 42 U.S.C. 11421(d))

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

The Secretary provides grants or cooperative agreements for projects that implement a program of literacy training and basic skills remediation for adult homeless individuals. Projects must—

(a) Include a program of outreach activities; and

(b) Coordinate with existing resources such as community-based organizations, VISTA recipients, the adult basic education program and its recipients, and nonprofit literacy-action organizations.

(Authority: 42 U.S.C. 11421(a))

**§ 491.4 What regulations apply?**

The following regulations apply to the Adult Education for the Homeless Program:

(a) The Education Department General Administrative Regulations (EDGAR) as follows:

(1) 34 CFR part 74 (Administration of Grants to Institutions of Higher Education, Hospitals, Nonprofit Organizations) for grants, including cooperative agreements, to institutions of higher education, hospitals, and nonprofit organizations.

**§ 491.5**

(2) 34 CFR part 75 (Direct Grant Programs).

(3) 34 CFR part 77 (Definitions that Apply to Department Regulations).

(4) 34 CFR part 79 (Intergovernmental Review of Department of Education Programs and Activities).

(5) 34 CFR part 80 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments) for grants, including cooperative agreements, to State and local governments, including Indian tribal governments.

(6) 34 CFR part 81 (General Education Provisions Act—Enforcement).

(7) 34 CFR part 85 (Governmentwide Debarment and Suspension (Non-procurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)).

(b) The regulations in this part 491.

(Authority: 42 U.S.C. 11421)

**§ 491.5 What definitions apply?**

(a) *Definitions in the Act.* The following terms used in this part are defined in sections 103 and 702(d), respectively, of the Stewart B. McKinney Homeless Assistance Act (Pub. L. 100-77, 42 U.S.C. 11301 *et seq.*):

Homeless or homeless individual.  
State.

(b) *Definitions in EDGAR.* The following terms used in this part are defined in 34 CFR 77.1:

- Applicant
- Application
- Award
- Contract
- EDGAR
- Grant
- Grantee
- Local educational agency
- Nonprofit
- Private
- Project
- Public
- Secretary
- State educational agency

(c) *Other definitions.* The following definitions also apply to this part:

*Act* means the Stewart B. McKinney Homeless Assistance Act (Pub. L. 100-77, 42 U.S.C. 11301 *et seq.*).

*Adult* means an individual who has attained 16 years of age or who is beyond the age of compulsory school at-

**34 CFR Ch. IV (7-1-14 Edition)**

tendance under the applicable State law.

*Basic skills remediation and literacy training* mean adult education for homeless adults whose inability to speak, read, or write the English language constitutes a substantial impairment of their ability to get or retain employment commensurate with their real ability, that is designed to help eliminate this inability and raise the level of education of those individuals with a view to making them less likely to become dependent on others, to improving their ability to benefit from occupational training and otherwise increasing their opportunities for more productive and profitable employment, and to making them better able to meet their adult responsibilities.

*Eligible recipients* means public or private agencies, institutions, or organizations, including religious or charitable organizations, eligible to apply for a contract from a State educational agency to operate projects, services, or activities.

*Outreach* means activities designed to—

(1) Identify and inform adult homeless individuals of the availability and benefits of the Adult Education for the Homeless Program; and

(2) Assist those homeless adults, by providing active recruitment and reasonable and convenient access, to participate in the program.

(Authority: 42 U.S.C. 11421)

**Subpart B [Reserved]**

**Subpart C—How Does the Secretary Make an Award?**

**§ 491.20 How does the Secretary evaluate an application?**

(a) The Secretary evaluates an application on the basis of the criteria in § 491.21.

(b) The Secretary awards up to 100 points, including a reserved 15 points to be distributed in accordance with paragraph (d) of this section, based on the criteria in § 491.21.

(c) Subject to paragraph (d) of this section, the maximum possible score for each criterion is indicated in parentheses.