

**(23) Special populations**

The term “special populations” means—

- (A) individuals with disabilities;
- (B) individuals from economically disadvantaged families, including foster children;
- (C) individuals preparing for nontraditional training and employment;
- (D) single parents, including single pregnant women;
- (E) displaced homemakers; and
- (F) individuals with other barriers to educational achievement, including individuals with limited English proficiency.

**(24) State**

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

**(25) Support services**

The term “support services” means services related to curriculum modification, equipment modification, classroom modification, supportive personnel, and instructional aids and devices.

**(26) Tech-prep program**

The term “tech-prep program” means a program of study that—

- (A) combines at least 2 years of secondary education (as determined under State law) and 2 years of postsecondary education in a nonduplicative sequential course of study;
- (B) strengthens the applied academic component of vocational and technical education through the integration of academic, and vocational and technical, instruction;
- (C) provides technical preparation in an area such as engineering technology, applied science, a mechanical, industrial, or practical art or trade, agriculture, a health occupation, business, or applied economics;
- (D) builds student competence in mathematics, science, and communications (including through applied academics) in a coherent sequence of courses; and
- (E) leads to an associate degree or a certificate in a specific career field, and to high skill, high wage employment, or further education.

**(27) Tribally controlled college or university**

The term “tribally controlled college or university” has the meaning given such term in section 1801 of title 25.

**(28) Tribally controlled postsecondary vocational and technical institution**

The term “tribally controlled postsecondary vocational and technical institution” means an institution of higher education (as defined in section 1001 of this title, except that paragraph (2)<sup>2</sup> of such section shall not be applicable and the reference to Secretary in paragraph (5)(A)<sup>2</sup> of such section shall be deemed to refer to the Secretary of the Interior) that—

- (A) is formally controlled, or has been formally sanctioned or chartered, by the gov-

erning body of an Indian tribe or Indian tribes;

(B) offers a technical degree or certificate granting program;

(C) is governed by a board of directors or trustees, a majority of whom are Indians;

(D) demonstrates adherence to stated goals, a philosophy, or a plan of operation, that fosters individual Indian economic and self-sufficiency opportunity, including programs that are appropriate to stated tribal goals of developing individual entrepreneurship and self-sustaining economic infrastructures on reservations;

(E) has been in operation for at least 3 years;

(F) holds accreditation with or is a candidate for accreditation by a nationally recognized accrediting authority for postsecondary vocational and technical education; and

(G) enrolls the full-time equivalent of not less than 100 students, of whom a majority are Indians.

**(29) Vocational and technical education**

The term “vocational and technical education” means organized educational activities that—

(A) offer a sequence of courses that provides individuals with the academic and technical knowledge and skills the individuals need to prepare for further education and for careers (other than careers requiring a baccalaureate, master's, or doctoral degree) in current or emerging employment sectors; and

(B) include competency-based applied learning that contributes to the academic knowledge, higher-order reasoning and problem-solving skills, work attitudes, general employability skills, technical skills, and occupation-specific skills, of an individual.

**(30) Vocational and technical student organization****(A) In general**

The term “vocational and technical student organization” means an organization for individuals enrolled in a vocational and technical education program that engages in vocational and technical activities as an integral part of the instructional program.

**(B) State and national units**

An organization described in subparagraph (A) may have State and national units that aggregate the work and purposes of instruction in vocational and technical education at the local level.

(Pub. L. 88-210, §3, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3077; amended Pub. L. 107-110, title X, §1076(k), Jan. 8, 2002, 115 Stat. 2091.)

## REFERENCES IN TEXT

Section 7221i of this title, referred to in par. (5), was in the original “section 5206 of the Elementary and Secondary Education Act of 1965” and was translated as reading section 5210 of that Act to reflect the probable intent of Congress, because section 5206 does not contain definitions and section 5210 defines “charter school”.

<sup>2</sup> See References in Text note below.

The Social Security Act, referred to in par. (7)(A)(iii), is act Aug. 14, 1935, ch. 531, 49 Stat. 620, as amended. Part A of title IV of the Act is classified generally to part A (§601 et seq.) of subchapter IV of chapter 7 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

This chapter, referred to in par. (7)(A)(iii), was in the original “this title” and was translated as reading “this Act”, meaning the Carl D. Perkins Vocational and Technical Education Act of 1998, which enacted this chapter, to reflect the probable intent of Congress, because this section is not contained in a title of the Act.

The Indian Self-Determination Act, referred to in par. (10)(D), is title I of Pub. L. 93-638, Jan. 4, 1975, 88 Stat. 2206, as amended, which is classified principally to part A (§450f et seq.) of subchapter II of chapter 14 of Title 25, Indians. For complete classification of this Act to the Code, see Short Title note set out under section 450 of Title 25 and Tables.

Act of April 16, 1934, referred to in par. (10)(D), is act Apr. 16, 1934, ch. 147, 48 Stat. 596, as amended, popularly known as the Johnson-O’Malley Act, which is classified generally to section 452 et seq. of Title 25, Indians. For complete classification of this Act to the Code, see Short Title note set out under section 452 of Title 25 and Tables.

Section 1001 of this title, referred to in par. (28), contains a paragraph (2) in both subsecs. (a) and (b) and does not contain a paragraph (5)(A).

#### PRIOR PROVISIONS

Provisions similar to this section were contained in section 2471 of this title, prior to the general amendment of this chapter by Pub. L. 105-332.

A prior section 2302, Pub. L. 88-210, §3, as added Pub. L. 98-524, §1, Oct. 19, 1984, 98 Stat. 2437; amended Pub. L. 100-418, title VI, §§6131(b), 6134(b), Aug. 23, 1988, 102 Stat. 1511, 1512; Pub. L. 101-392, §3, Sept. 25, 1990, 104 Stat. 756, authorized appropriations for fiscal years 1991 to 1995 to carry out former subchapters I to IV of this chapter, prior to the general amendment of this chapter by Pub. L. 105-332.

#### AMENDMENTS

2002—Par. (5). Pub. L. 107-110, §1076(k)(1), substituted “72211” for “8066”.

Pars. (8), (16), (21). Pub. L. 107-110, §1076(k)(2), (3), substituted “7801” for “8801”.

#### EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-110 effective Jan. 8, 2002, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 107-110, set out as an Effective Date note under section 6301 of this title.

### § 2303. Transition provisions

The Secretary shall take such steps as the Secretary determines to be appropriate to provide for the orderly transition to the authority of this chapter from any authority under provisions of the Carl D. Perkins Vocational and Applied Technology Education Act, as such Act was in effect on the day before October 31, 1998.

(Pub. L. 88-210, §4, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3082.)

#### REFERENCES IN TEXT

The Carl D. Perkins Vocational and Applied Technology Education Act, as such Act was in effect on the day before October 31, 1998, referred to in text, means Pub. L. 88-210, as amended, which was classified generally to this chapter, prior to being amended generally and renamed the Carl D. Perkins Vocational and Technical Education Act of 1998 by Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3076.

#### PRIOR PROVISIONS

A prior section 2303, Pub. L. 101-392, §4, Sept. 25, 1990, 104 Stat. 758; Pub. L. 104-66, title I, §1041(f), Dec. 21, 1995, 109 Stat. 715, which related to the Interdepartmental Task Force on Vocational Education and Related Programs, was transferred to section 2308 of this title.

### § 2304. Privacy

#### (a) Construction

Nothing in this chapter shall be construed to supersede the privacy protections afforded parents and students under section 1232g of this title.

#### (b) Prohibition on development of national database

Nothing in this chapter shall be construed to permit the development of a national database of personally identifiable information on individuals receiving services under this chapter.

(Pub. L. 88-210, §5, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3082.)

### § 2305. Limitation

All of the funds made available under this chapter shall be used in accordance with the requirements of this chapter. None of the funds made available under this chapter may be used to provide funding under the School-to-Work Opportunities Act of 1994 (20 U.S.C. 6101 et seq.) or to carry out, through programs funded under this chapter, activities that were funded under the School-To-Work Opportunities Act of 1994, unless the programs funded under this chapter serve only those participants eligible to participate in the programs under this chapter.

(Pub. L. 88-210, §6, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3082.)

#### REFERENCES IN TEXT

The School-to-Work Opportunities Act of 1994, referred to in text, is Pub. L. 103-239, May 4, 1994, 108 Stat. 568, as amended, which is classified principally to chapter 69 (§6101 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 6101 of this title and Tables.

### § 2306. Special rule

In the case of a local community in which no employees are represented by a labor organization, for purposes of this chapter the term “representatives of employees” shall be substituted for “labor organization”.

(Pub. L. 88-210, §7, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3083.)

### § 2307. Authorization of appropriations

There is authorized to be appropriated to carry out this chapter (other than sections 2324, 2327, and 2328 of this title, and subchapter II) such sums as may be necessary for each of the fiscal years 1999 through 2003.

(Pub. L. 88-210, §8, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3083.)

### § 2308. Interdepartmental Task Force on Vocational Education and Related Programs

#### (a) Establishment

There is established the Interdepartmental Task Force on Vocational Education and Re-