

111TH CONGRESS
1ST SESSION

S. 2740

To establish a comprehensive literacy program.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 5, 2009

Mrs. MURRAY (for herself, Mr. FRANKEN, and Mr. BROWN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To establish a comprehensive literacy program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Literacy Education for All, Results for the Nation Act”
6 (LEARN Act).

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Purposes.
- Sec. 4. Definitions.
- Sec. 5. Program authorized.
- Sec. 6. State planning grants.

- Sec. 7. State implementation grants.
 Sec. 8. State activities.
 Sec. 9. Subgrants to eligible entities in support of birth through kindergarten entry literacy.
 Sec. 10. Subgrants to local educational agencies in support of kindergarten through grade 12 literacy.
 Sec. 11. National evaluation, information dissemination, and technical assistance.
 Sec. 12. Consequences of insufficient progress, reporting requirements, and conflicts of interest.
 Sec. 13. Rules of construction.
 Sec. 14. Authorization of appropriations.

1 **SEC. 2. FINDINGS.**

2 Congress finds that in order for a comprehensive, ef-
 3 fective literacy program to address the needs of readers
 4 and writers it is critical to address the following:

5 (1) Literacy development is an ongoing process
 6 that requires a sustained investment beginning in
 7 early childhood and continuing through elementary
 8 school and secondary school.

9 (2) Developing literacy skills begins at birth as
 10 infants and toddlers associate sounds, gestures, and
 11 marks on paper with consequences and meaning.
 12 Many low-income children from birth through kin-
 13 dergarten entry lack oral and print language-rich en-
 14 vironments in their homes, and early learning pro-
 15 grams are often not sufficiently responsive to the
 16 range of skills such children may develop in their
 17 home environments.

18 (3) Early childhood educators whose profes-
 19 sional preparation and ongoing development includes
 20 study of language learning and early childhood de-

1 velopment promote early language and literacy as
2 part of the overall curriculum for children’s readi-
3 ness for school, particularly for young English lan-
4 guage learners and children with disabilities or de-
5 velopmental delays.

6 (4) Research shows that writing leads to im-
7 proved reading achievement, reading leads to better
8 writing performance, and combined instruction leads
9 to improvements in both areas. Children in kinder-
10 garten through grade 12 need to be engaged in com-
11 bined reading and writing experiences that lead to a
12 higher level of thinking than when either process is
13 taught alone.

14 (5) Environments rich in literacy experiences,
15 books, resources, and models facilitate reading and
16 writing development. Schools, principals, librarians,
17 and teachers must have the skills and tools to create
18 environments appropriate to meet the diverse lit-
19 eracy needs of children from birth through grade 12,
20 especially for children whose home environments
21 lack support for literacy development.

22 (6) Middle school and secondary school teachers
23 need professional development to improve the read-
24 ing and writing abilities of students who are reading
25 and writing several years below grade level. Middle

1 school and secondary school teachers in core aca-
2 demic subjects must have the tools and skills to
3 teach reading and writing for subject area under-
4 standing and to differentiate and provide instruction
5 for students with varying literacy skills.

6 (7) The intellectual and linguistic skills nec-
7 essary for writing and reading must be developed
8 through explicit, intentional, and systematic lan-
9 guage activities, to which many low-income and mi-
10 nority students do not currently have access.

11 (8) Between 1971 and 2004, the reading levels
12 of America's 17-year-olds showed little to no im-
13 provement at all. The ability of secondary school
14 students to read complex texts is strongly predictive
15 of their performance in college mathematics and
16 science courses.

17 (9) Fewer than 2 in 10 eighth graders from the
18 secondary school graduating classes of 2005 and
19 2006 met all four EXPLORE College Readiness
20 Benchmarks (English, Mathematics, Reading, and
21 Science), the minimum level of achievement that
22 ACT has shown is necessary if students are to be
23 college- and career-ready upon their secondary
24 school graduation.

1 (10) Seventy percent of 8th graders read below
2 the proficient level on the 2007 National Assessment
3 of Educational Progress, indicating that students in
4 middle schools and secondary schools struggle to
5 graduate because the students' literacy achievement
6 is alarmingly low. Only $\frac{1}{3}$ of secondary school stu-
7 dents who enter 9th grade each year can expect to
8 graduate in 4 years with the skills the student needs
9 to succeed in college and the workplace.

10 (11) Secondary school graduation rates for low-
11 income students and students of color hover around
12 50 percent, as do graduation rates for students in
13 urban school districts and students with disabilities.
14 Graduation rates for English language learners are
15 particularly low.

16 (12) Only 71 percent of secondary school stu-
17 dents graduate on time with a diploma, meaning
18 that every year 1,230,000 students fail to graduate
19 from secondary school. These 1,230,000 nongrad-
20 uates cost the Nation more than \$319,000,000,000
21 in lost wages, taxes, and productivity over the life-
22 times of the nongraduates.

23 (13) About 40 percent of secondary school
24 graduates lack the literacy skills employers seek.
25 The 25 fastest growing professions have far greater

1 than average literacy demands, while the fastest de-
2 clining professions have lower than average literacy
3 demands.

4 (14) Research shows that low expectations for
5 the reading and writing achievement of students in
6 schools results in curriculum that does not challenge
7 or adequately support the student's literacy learning
8 and in subsequent low achievement, while high aca-
9 demic expectations can help boost student learning
10 and achievement.

11 (15) Children learn best in settings where
12 teachers understand the developmental continuum of
13 reading and writing and are skilled in a variety of
14 strategies that help the children achieve.

15 (16) Meaningful engagement of families in their
16 children's early learning supports school readiness
17 and later academic success.

18 (17) Parental literacy habits are positively asso-
19 ciated with parental reading beliefs, parent-child lit-
20 eracy and language activities in the home, children's
21 print knowledge, and interest in reading.

22 **SEC. 3. PURPOSES.**

23 The purposes of this Act are—

24 (1) to improve reading, writing, and academic
25 achievement for children and students by providing

1 Federal support to State educational agencies to de-
2 velop, coordinate, and implement comprehensive lit-
3 eracy plans that ensure high quality instruction in
4 reading and writing from early education through
5 grade 12; and

6 (2) to assist State educational agencies in
7 achieving the purposes described in paragraph (1)
8 by—

9 (A) supporting the development and imple-
10 mentation of comprehensive early learning
11 through grade 12 literacy programs in every
12 State that are based on scientifically valid re-
13 search, to ensure that every child can read and
14 write at grade level or above;

15 (B) providing children from birth through
16 kindergarten entry with learning opportunities
17 in high quality, language rich, and literature
18 rich environments, such as child care, Early
19 Head Start, Head Start, and other early child-
20 hood education settings, so that the children de-
21 velop the fundamental knowledge and skills nec-
22 essary for literacy engagement, development,
23 and achievement in kindergarten and beyond;

24 (C) supporting efforts to link and align
25 standards and research-based instruction in

1 early learning programs serving children from
2 birth through kindergarten entry;

3 (D) supporting effective educational envi-
4 ronments for children from birth through grade
5 12 to develop oral language, reading, and writ-
6 ing abilities through high quality research-based
7 instruction and practices;

8 (E) improving student achievement by es-
9 tablishing adolescent literacy initiatives that
10 provide explicit and systematic instruction in
11 oral language, reading, and writing development
12 across the curriculum;

13 (F) identifying and supporting students
14 reading and writing significantly below grade
15 level by providing research-based, intensive
16 interventions, including those conducted during
17 extended learning time, to help the students ac-
18 quire the language and literacy skills the stu-
19 dents need to stay on track for graduation;

20 (G) providing assistance to local edu-
21 cational agencies in order to provide educators
22 with on-going, job embedded professional devel-
23 opment and other support focusing on impart-
24 ing and employing the characteristics of effec-
25 tive literacy instruction, the special knowledge

1 and skills necessary to teach literacy effectively,
2 the essential components of reading instruction,
3 and the essential components of writing instruc-
4 tion;

5 (H) supporting State educational agencies
6 and local educational agencies in improving
7 reading, writing, and literacy-based academic
8 achievement for children and students, espe-
9 cially children and students who are low-in-
10 come, are English language learners, are migra-
11 tory, are children with disabilities, are Indian or
12 Alaskan Native, are neglected or delinquent, are
13 homeless, are in the custody of the child welfare
14 system, or have dropped out of school;

15 (I) supporting State educational agencies
16 and local educational agencies in using age ap-
17 propriate and developmentally appropriate in-
18 structional materials and strategies that assist
19 teachers as the teachers work with students to
20 develop reading and writing competencies ap-
21 propriate to the students' grade and skill levels;

22 (J) strengthening coordination among
23 schools, early literacy programs, family literacy
24 programs, juvenile justice programs, public li-
25 braries, and outside-of-school programs that

1 provide children and youth with strategies, cur-
 2ricula, interventions, and assessments designed
 3to advance early and continuing language and
 4literacy development in ways appropriate for
 5each context; and

6 (K) supporting professional development
 7for educators based on scientific approaches to
 8adult learning.

9 **SEC. 4. DEFINITIONS.**

10 (a) IN GENERAL.—Unless otherwise specified, the
 11 terms used in this Act have the meanings given the terms
 12 in section 9101 of the Elementary and Secondary Edu-
 13 cation Act of 1965 (20 U.S.C. 7801).

14 (b) OTHER TERMS.—In this Act:

15 (1) CHARACTERISTICS OF EFFECTIVE LITERACY
 16 INSTRUCTION.—The term “characteristics of effec-
 17 tive literacy instruction” means—

18 (A) for children from birth through kinder-
 19 garten entry—

20 (i) providing high quality professional
 21 development opportunities for early learn-
 22 ing providers, teachers, and school leaders
 23 in—

24 (I) literacy development;

25 (II) language development;

- 1 (III) English language acquisition (as appropriate); and
- 2
- 3 (IV) effective literacy instruction
- 4 aligned to State standards;
- 5 (ii) reading aloud to children, discussing reading with children, and modeling age and developmentally appropriate reading strategies;
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- 7
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- 9 (iii) encouraging children's early attempts at reading, writing, and drawing, and talking about the meaning of the reading, writing, and drawing with others;
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- 11
- 12
- 13 (iv) creating conversation rich classrooms and using oral modeling techniques to build oral language skills;
- 14
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- 16 (v) multiplying opportunities for children to use language with peers and adults;
- 17
- 18
- 19 (vi) providing strategic and explicit instruction in the identification of speech sounds, letters, and letter-sound correspondence;
- 20
- 21
- 22
- 23 (vii) integrating oral and written language;
- 24

- 1 (viii) stimulating vocabulary develop-
2 ment;
- 3 (ix) using differentiated instructional
4 approaches, including—
- 5 (I) individual and small group in-
6 struction; and
- 7 (II) professional development,
8 curriculum development, and class-
9 room instruction;
- 10 (x) applying the principles of universal
11 design for learning;
- 12 (xi) using age appropriate screening
13 assessments, diagnostic assessments, form-
14 ative assessments, and summative assess-
15 ments to identify individual child learning
16 needs, to inform instruction, and to mon-
17 itor student progress and the effects of in-
18 struction over time;
- 19 (xii) coordinating the involvement of
20 families, early childhood education pro-
21 gram staff, principals, other school leaders,
22 and teachers in the reading and writing
23 achievement of children served under this
24 Act;

1 (xiii) using a variety of age and devel-
2 opmentally appropriate, high quality mate-
3 rials for reading and writing;

4 (xiv) encouraging family literacy expe-
5 riences and practices, and educating par-
6 ents, teachers, and other caregivers about
7 literacy development and child literacy de-
8 velopment; and

9 (xv) using strategies to enhance chil-
10 dren's—

11 (I) motivation to read and write;

12 and

13 (II) engagement in self-directed
14 learning;

15 (B) for students in kindergarten through
16 grade 3—

17 (i) providing high quality professional
18 development opportunities for teachers, lit-
19 eracy coaches, literacy specialists, English
20 as a second language specialists (as appro-
21 priate), and principals, including profes-
22 sional development on literacy develop-
23 ment, language development, English lan-
24 guage acquisition, and effective literacy in-

- 1 instruction embedded in schools and aligned
2 to State standards;
- 3 (ii) providing age appropriate direct
4 and explicit instruction;
- 5 (iii) providing strategic, systematic,
6 and explicit instruction in phonological
7 awareness, phonic decoding, vocabulary,
8 reading fluency, and reading comprehen-
9 sion;
- 10 (iv) making available and using di-
11 verse texts at the reading, development,
12 and interest level of students;
- 13 (v) providing multiple opportunities
14 for students to write individually and col-
15 laboratively with instruction and feedback;
- 16 (vi) using differentiated instructional
17 approaches, including individual, small
18 group, and classroom-based instruction
19 and discussion;
- 20 (vii) using oral modeling techniques
21 and opportunities for students to use lan-
22 guage with the students' peers and adults
23 to build student language skills;
- 24 (viii) providing time and opportunities
25 for systematic and intensive instruction,

1 intervention, and practice to supplement
2 regular instruction, which can be provided
3 inside and outside the classroom as well as
4 during and outside regular school hours;

5 (ix) providing instruction in uses of
6 print materials and technological resources
7 for research and for generating and pre-
8 senting content and ideas;

9 (x) using screening assessments, diag-
10 nostic assessments, formative assessments,
11 and summative assessments to identify stu-
12 dent learning needs, to inform instruction,
13 and to monitor student progress and the
14 effects of instruction over time;

15 (xi) coordinating the involvement of
16 families, caregivers, teachers, principals,
17 other school leaders, and teacher literacy
18 teams in the reading and writing achieve-
19 ment of children served under this Act;

20 (xii) encouraging family literacy expe-
21 riences and practices; and

22 (xiii) using strategies to enhance stu-
23 dents’—

24 (I) motivation to read and write;

25 and

- 1 (II) engagement in self-directed
2 learning; and
- 3 (C) for students in grades 4 through 12—
- 4 (i) providing high quality professional
5 development opportunities for teachers, lit-
6 eracy coaches, literacy specialists, English
7 as a second language specialists (as appro-
8 priate), and principals, including profes-
9 sional development on literacy develop-
10 ment, language development, and effective
11 literacy instruction embedded in schools
12 and aligned to State standards;
- 13 (ii) providing direct and explicit com-
14 prehension instruction;
- 15 (iii) providing direct and explicit in-
16 struction that builds academic vocabulary
17 and strategies and knowledge of text struc-
18 ture for reading different kinds of texts
19 within and across core academic subjects;
- 20 (iv) making available and using di-
21 verse texts at the reading, development,
22 and interest level of the students;
- 23 (v) providing multiple opportunities
24 for students to write with clear purposes
25 and critical reasoning appropriate to the

- 1 topic and purpose and with specific in-
2 struction and feedback from teachers and
3 peers;
- 4 (vi) using differentiated instructional
5 approaches;
- 6 (vii) using strategies to enhance stu-
7 dents’—
- 8 (I) motivation to read and write;
9 and
- 10 (II) engagement in self-directed
11 learning;
- 12 (viii) providing for text-based learning
13 across content areas;
- 14 (ix) providing systematic, strategic,
15 and individual and small group instruction,
16 including intensive supplemental interven-
17 tion for students reading significantly
18 below grade level, which may be provided
19 inside and outside the classroom as well as
20 during and outside regular school hours;
- 21 (x) providing instruction in the uses
22 of technology and multimedia resources for
23 classroom research and for generating and
24 presenting content and ideas;

1 (xi) using screening assessment, diag-
2 nostic assessment, formative assessment,
3 and summative assessment to identify
4 learning needs, inform instruction, and
5 monitor student progress and the effects of
6 instruction;

7 (xii) coordinating the involvement of
8 families and caregivers, to the extent fea-
9 sible and appropriate as determined by the
10 Secretary, to improve reading, writing, and
11 academic achievement; and

12 (xiii) coordinating the involvement of
13 library media specialists, teachers, prin-
14 cipals, other school leaders, teacher literacy
15 teams, and English as a second language
16 specialists (as appropriate), that analyze
17 student work and plan or deliver instruc-
18 tion over time.

19 (2) COMPREHENSIVE LITERACY INSTRUC-
20 TION.—The term “comprehensive literacy instruc-
21 tion” means instruction that—

22 (A) involves the characteristics of effective
23 literacy instruction; and

1 (B) is designed to support the essential
2 components of reading instruction and the es-
3 sential components of writing instruction.

4 (3) DEVELOPMENTAL DELAY.—The term “de-
5 velopmental delay” has the meaning given the term
6 in section 632 of the Individuals with Disabilities
7 Education Act (20 U.S.C. 1432).

8 (4) DIAGNOSTIC ASSESSMENT.—The term “di-
9 agnostic assessment” means an assessment that—

10 (A) is valid, reliable, and based on scientif-
11 ically valid research on literacy and English lan-
12 guage acquisition;

13 (B) is used for the purposes of—

14 (i) identifying a student’s specific
15 areas of strengths and weaknesses in lit-
16 eracy;

17 (ii) determining any difficulties that
18 the student may have in literacy and the
19 potential cause of such difficulties; and

20 (iii) helping to determine possible lit-
21 eracy intervention strategies and related
22 special needs of the student; and

23 (C) in the case of young children, is con-
24 ducted after a screening assessment that identi-
25 fies potential risks or a lack of school prepared-

1 ness, including language and literacy develop-
2 ment, or delayed development.

3 (5) ELIGIBLE ENTITY.—The term “eligible enti-
4 ty” means—

5 (A) when used with respect to children
6 from birth through kindergarten entry—

7 (i) 1 or more local educational agen-
8 cies providing early learning programs, or
9 1 or more public or private early learning
10 programs, serving children from birth
11 through kindergarten entry, such as a
12 Head Start program, a child care program,
13 a State-funded prekindergarten program, a
14 public library program, or a family literacy
15 program, that has a demonstrated record
16 of providing effective literacy instruction
17 for the age group such agency or program
18 proposes to serve under section 9; or

19 (ii) 1 or more local educational agen-
20 cies providing early learning programs, or
21 1 or more public or private early learning
22 programs, serving children from birth
23 through kindergarten entry, such as a
24 Head Start program, a child care program,
25 a State-funded prekindergarten program, a

1 public library program, or a family literacy
2 program, in partnership with 1 or more
3 public or private nonprofit organizations or
4 agencies that have a demonstrated record
5 of effectiveness—

6 (I) in improving the early literacy
7 development of children from birth
8 through kindergarten entry; and

9 (II) in providing professional de-
10 velopment aligned with the activities
11 described in section 9(e)(1); or

12 (B) when used with respect to students in
13 kindergarten through grade 12, a local edu-
14 cational agency, a consortium of local edu-
15 cational agencies, or a local educational agency
16 or consortium of local educational agencies act-
17 ing in partnership with 1 or more public or pri-
18 vate nonprofit organizations or agencies, which
19 organizations or agencies shall have a dem-
20 onstrated record of effectiveness in improving
21 literacy achievement of students consistent with
22 the purposes of their participation from kinder-
23 garten through grade 12 and in providing pro-
24 fessional development aligned with the activities

1 described in subparagraphs (C) and (D) of sec-
2 tion 10(b)(1), that—

3 (i) is among or consists of the local
4 educational agencies in the State with the
5 highest numbers or percentages of stu-
6 dents reading or writing below grade level,
7 based on the most currently available State
8 assessment data;

9 (ii) has jurisdiction over a significant
10 number or percentage of schools that are
11 identified for school improvement under
12 section 1116(b) of the Elementary and
13 Secondary Education Act of 1965 (20
14 U.S.C. 6316(b)); or

15 (iii) has the highest numbers or per-
16 centages of children who are counted under
17 section 1124(c) of the Elementary and
18 Secondary Education Act of 1965 (20
19 U.S.C. 6333(c)), in comparison to other
20 local educational agencies in the State.

21 (6) ENGLISH LANGUAGE ACQUISITION.—

22 (A) IN GENERAL.—The term “English lan-
23 guage acquisition” means the process by which
24 a non-native English speaker acquires pro-

1 ficiency in speaking, listening, reading, and
2 writing the English language.

3 (B) INCLUSIONS FOR ENGLISH LANGUAGE
4 LEARNERS IN SCHOOL.—For an English lan-
5 guage learner in school, such term includes not
6 only the social language proficiency needed to
7 participate in the school environment, but also
8 the academic language proficiency needed to ac-
9 quire literacy and academic content and dem-
10 onstrate the student’s learning.

11 (7) ESSENTIAL COMPONENTS OF READING IN-
12 STRUCTION.—The term “essential components of
13 reading instruction” means developmentally appro-
14 priate, contextually explicit, systematic instruction,
15 and frequent practice, in reading across content
16 areas.

17 (8) ESSENTIAL COMPONENTS OF WRITING IN-
18 STRUCTION.—The term “essential components of
19 writing instruction” means developmentally appro-
20 priate and contextually explicit instruction, and fre-
21 quent practice, in writing across content areas.

22 (9) FAMILY LITERACY SERVICES.—The term
23 “family literacy services” means literacy services
24 provided on a voluntary basis that are of sufficient

1 intensity in terms of hours and duration and that in-
2 tegrate all of the following activities:

3 (A) Interactive literacy activities between
4 or among parents and their children, including
5 parent literacy training.

6 (B) Training for parents regarding how to
7 be the primary teacher for their children and
8 full partners in the education of their children.

9 (10) FORMATIVE ASSESSMENT.—The term
10 “formative assessment” means a process that—

11 (A) is teacher-generated or selected by
12 teachers and students during instructional
13 learning;

14 (B) is embedded within the learning activ-
15 ity and linked directly to the current unit of in-
16 struction; and

17 (C) provides feedback to adjust ongoing
18 teaching and learning to improve students’
19 achievement of intended instructional outcomes.

20 (11) HIGH QUALITY PROFESSIONAL DEVELOP-
21 MENT.—The term “high quality professional devel-
22 opment” means professional development that—

23 (A) is job-embedded, ongoing, and based
24 on scientifically valid research;

1 (B) is sustained, intensive, and classroom-
2 focused, and is not limited in scope to a 1-day
3 or short-term workshop or conference;

4 (C) is designed to increase the knowledge
5 and expertise of teachers, principals, and other
6 school leaders in applying—

7 (i) the characteristics of effective lit-
8 eracy instruction;

9 (ii) the essential components of read-
10 ing instruction;

11 (iii) the essential components of writ-
12 ing instruction; and

13 (iv) instructional strategies and prac-
14 tices that are appropriate to the needs of
15 children and improve student learning, in-
16 cluding strategies and practices consistent
17 with the principles of universal design for
18 learning;

19 (D) includes and supports teachers, in ef-
20 fectively administering age and developmentally
21 appropriate assessments, and in analyzing the
22 teachers' student learning data as the teachers
23 implement the characteristics of effective lit-
24 eracy instruction to improve student literacy,

1 for the purposes of planning, monitoring, adapt-
2 ing, and improving classroom instruction;

3 (E) supports the characteristics of effective
4 literacy instruction through core academic sub-
5 jects, and through career and technical edu-
6 cation subjects where such career and technical
7 education subjects provide for the integration of
8 core academic subjects;

9 (F) includes explicit instruction in dis-
10 cipline-specific thinking and how to read and
11 interpret discipline-specific text structures and
12 features;

13 (G) includes instructional strategies uti-
14 lizing one-to-one, small group, and classroom-
15 based instructional materials and approaches
16 based on scientifically valid research on literacy;

17 (H) provides ongoing instructional literacy
18 coaching—

19 (i) to ensure high quality implementa-
20 tion of effective practices of literacy in-
21 struction that is content centered, collabo-
22 rative, and school and classroom embed-
23 ded; and

24 (ii) that uses student data to improve
25 instruction;

1 (I) includes and supports teachers in set-
2 ting high reading and writing achievement goals
3 for all students and provides the teachers with
4 the instructional tools and skills to help stu-
5 dents reach such goals; and

6 (J) is differentiated for educators working
7 with children from birth through kindergarten
8 entry, students in kindergarten through grade
9 5, and students in grades 6 through 12, and, as
10 appropriate, by student grade or student need.

11 (12) LITERACY COACH.—The term “literacy
12 coach” means a professional—

13 (A) who—

14 (i) has previous teaching experience
15 and—

16 (I) a master’s degree with a con-
17 centration in reading and writing edu-
18 cation;

19 (II) has demonstrated proficiency
20 in teaching reading or writing in a
21 core academic subject consistent with
22 the characteristics of effective literacy
23 instruction; or

24 (III) in the case of a literacy
25 coach for children from birth through

1 kindergarten entry, a concentration,
2 credential, or significant experience in
3 child development and early literacy
4 development; and

5 (ii) is able to demonstrate the ability
6 to help teachers—

7 (I) apply research on how stu-
8 dents become successful readers, writ-
9 ers, and communicators;

10 (II) apply multiple forms of as-
11 sessment to guide instructional deci-
12 sionmaking and use data to improve
13 literacy instruction;

14 (III) improve student writing and
15 reading in and across content areas
16 such as mathematics, science, social
17 studies, and language arts;

18 (IV) develop and implement dif-
19 ferentiated instruction to serve the
20 needs of the full range of learners, in-
21 cluding English language learners and
22 children with disabilities;

23 (V) apply principles of universal
24 design for learning;

1 (VI) employ best practices in en-
2 gaging principals, teachers, and other
3 professionals supporting literacy in-
4 struction to change school cultures to
5 better encourage and support literacy
6 development and achievement; and

7 (VII) set high reading and writ-
8 ing achievement goals for all students
9 and select, acquire, and use instruc-
10 tional tools and skills to help students
11 reach such goals; and

12 (B) whose role with teachers and profes-
13 sionals supporting literacy instruction is—

14 (i) to provide high quality professional
15 development;

16 (ii) to work cooperatively and collabo-
17 ratively with principals, teachers, and other
18 professionals in employing strategies to
19 help teachers identify and support student
20 literacy needs and teach literacy across the
21 content areas; and

22 (iii) to work cooperatively and collabo-
23 ratively with other professionals in employ-
24 ing strategies to help teachers teach lit-
25 eracy across the content areas so that the

1 teachers can meet the needs of all stu-
2 dents, including children with disabilities,
3 English language learners, and students
4 who are reading at or above grade level.

5 (13) LOCAL EDUCATIONAL AGENCY.—The term
6 “local educational agency”—

7 (A) has the meaning given the term in sec-
8 tion 9101 of the Elementary and Secondary
9 Education Act of 1965; and

10 (B) includes any public charter school that
11 constitutes a local educational agency under
12 State law.

13 (14) MULTITIER SYSTEM OF SUPPORT.—The
14 term “multitier system of support” means a com-
15 prehensive and differentiated system of support that
16 includes evidence-based instruction, universal screen-
17 ing, progress monitoring, formative assessments,
18 summative assessments, research-based interventions
19 matched to student needs, and educational decision-
20 making using academic progress over time.

21 (15) READING.—The term “reading” means a
22 complex system of deriving meaning from print that
23 requires, in ways that are developmentally, content,
24 and contextually appropriate, all of the following:

1 (A) PHONEMES.—The skills and knowl-
 2 edge to understand how phonemes, or speech
 3 sounds, are connected to print.

4 (B) ACCURACY, FLUENCY, AND UNDER-
 5 STANDING.—The ability to read accurately, flu-
 6 ently, and with understanding.

7 (C) READING COMPREHENSION.—The use
 8 of background knowledge and vocabulary to
 9 make meaning from a text.

10 (D) ACTIVE STRATEGIES.—The develop-
 11 ment and use of appropriate active strategies to
 12 interpret and construct meaning from print.

13 (E) ENGAGED AND SELF-DIRECTED READ-
 14 ER.—The development and maintenance of an
 15 engaged and self-directed reader.

16 (16) SCHOOL LEADER.—The term “school lead-
 17 er” means an individual who—

18 (A) is an employee or officer of a school;

19 and

20 (B) is responsible for—

21 (i) the school’s performance; and

22 (ii) the daily instructional and mana-
 23 gerial operations of the school.

24 (17) SCIENTIFICALLY VALID RESEARCH.—The
 25 term “scientifically valid research” has the meaning

1 given the term in section 200 of the Higher Edu-
2 cation Act of 1965 (20 U.S.C. 1021).

3 (18) SCREENING ASSESSMENT.—The term
4 “screening assessment” means an assessment that—

5 (A) is valid, reliable, and based on scientif-
6 ically valid research on literacy and English lan-
7 guage acquisition; and

8 (B) is a procedure designed as a first step
9 in identifying children who may be at high risk
10 for delayed development or academic failure and
11 in need of further diagnosis of the children’s
12 need for special services or additional literacy
13 instruction.

14 (19) STATE.—In this section the term “State”
15 has the meaning given the term in section 103 of the
16 Higher Education Act of 1965 (20 U.S.C. 1003).

17 (20) STATE LITERACY LEADERSHIP TEAM.—

18 (A) IN GENERAL.—The term “State lit-
19 eracy leadership team” means a team that—

20 (i) is appointed and coordinated by
21 the State educational agency;

22 (ii) assumes the responsibility to guide
23 the development and implementation of a
24 statewide, comprehensive literacy plan;

1 (iii) is composed of not less than 11
2 individuals;

3 (iv) shall include—

4 (I) at least 3 individuals who
5 have literacy expertise in one of each
6 of the areas of—

7 (aa) birth through school
8 entry, such as the State Head
9 Start collaboration director;

10 (bb) school entry through
11 grade 5; and

12 (cc) grade 6 to grade 12;

13 (II) a school principal;

14 (III) a teacher with literacy ex-
15 pertise or an administrator with spe-
16 cial education and literacy expertise;

17 (IV) a teacher or administrator
18 with expertise in teaching the English
19 language to English language learn-
20 ers;

21 (V) a representative from the
22 State educational agency who oversees
23 literacy initiatives; and

24 (VI) a representative from higher
25 education who is actively involved in

1 research, development, or teacher
2 preparation in literacy instruction and
3 intervention based on scientifically
4 valid research; and
5 (v) may include—

6 (I) a literacy specialist serving in
7 a school district within the State;

8 (II) a literacy coach;

9 (III) a library media specialist;

10 (IV) a representative from the
11 family literacy community;

12 (V) a representative from a State
13 child-serving agency with expertise in
14 literacy instruction;

15 (VI) a school counselor;

16 (VII) a teacher of a core aca-
17 demic subject;

18 (VIII) a special education admin-
19 istrator;

20 (IX) a college or university pro-
21 fessor;

22 (X) a parent;

23 (XI) a business leader;

24 (XII) a representative from the
25 Governor's office;

1 (XIII) a representative from the
2 State board of education;

3 (XIV) a representative from the
4 State legislature;

5 (XV) a nonprofit and community
6 based organization providing literacy
7 instruction and support; and

8 (XVI) a representative from a
9 school district superintendent's office.

10 (B) INCLUSION OF A PREEXISTING PART-
11 NERSHIP.—If, before the date of enactment of
12 this Act, a State educational agency established
13 a consortium, partnership, or any other similar
14 body that was considered a literacy partnership
15 for purposes of subpart 1 or 2 of part B of title
16 I of the Elementary and Secondary Education
17 Act of 1965 (20 U.S.C. 6361 et seq., 6371 et
18 seq.) and that includes the individuals required
19 under subparagraph (A)(iv), such consortium,
20 partnership, or body may be considered a State
21 literacy leadership team for purposes of sub-
22 paragraph (A).

23 (21) SUMMATIVE ASSESSMENT.—The term
24 “summative assessment” means an assessment
25 that—

1 (A) is valid, reliable, and based on scientif-
2 ically valid research on literacy and English lan-
3 guage acquisition; and

4 (B) measures what students have learned
5 over time, relative to academic content stand-
6 ards.

7 (22) UNIVERSAL DESIGN FOR LEARNING.—The
8 term “universal design for learning” has the mean-
9 ing given the term in section 103 of the Higher
10 Education Act of 1965.

11 (23) WRITING.—The term “writing” means—

12 (A) composing meaning in print or through
13 other media, including technologies, to commu-
14 nicate and to create new knowledge in ways ap-
15 propriate to the context of the writing and the
16 literacy development stage of the writer;

17 (B) composing ideas individually and col-
18 laboratively in ways that are appropriate for a
19 variety of purposes, audiences, and occasions;

20 (C) choosing vocabulary, tone, genre, and
21 conventions, such as spelling and punctuation,
22 suitable to the purpose, audience, and occasion;
23 and

1 (D) revising compositions for clarity of
2 ideas, coherence, logical development, and preci-
3 sion of language use.

4 **SEC. 5. PROGRAM AUTHORIZED.**

5 (a) IN GENERAL.—The Secretary is authorized—

6 (1) to award State planning grants in accord-
7 ance with section 6; and

8 (2) to award State implementation grants in ac-
9 cordance with section 7 to enable the State edu-
10 cational agency to—

11 (A) carry out the State activities described
12 in section 8;

13 (B) award subgrants to eligible entities in
14 accordance with section 9; and

15 (C) award subgrants to eligible entities in
16 accordance with section 10.

17 (b) AWARDS TO STATE EDUCATIONAL AGENCIES.—

18 (1) AMOUNTS LESS THAN \$500,000,000.—If the
19 amount appropriated under section 14 for a fiscal
20 year is less than \$500,000,000, then the Secretary
21 shall—

22 (A) reserve not more than a total of 5 per-
23 cent of such amount for the national evaluation,
24 dissemination of information, and technical as-
25 sistance under section 11;

1 (B) reserve not more than 5 percent to
 2 award planning grants, on a competitive basis,
 3 to State educational agencies serving States, in
 4 accordance with section 6; and

5 (C) use the amount not reserved under
 6 subparagraphs (A) and (B) to make awards, on
 7 a competitive basis, to State educational agen-
 8 cies serving States that have applications ap-
 9 proved under section 7 to enable the State edu-
 10 cational agencies to carry out sections 7 and 8.

11 (2) AMOUNTS EQUAL TO OR EXCEEDING
 12 \$500,000,000.—

13 (A) IN GENERAL.—If the amount appro-
 14 priated under section 14 for a fiscal year equals
 15 or exceeds \$500,000,000, then the Secretary
 16 shall—

17 (i) reserve a total of 1 percent of such
 18 amount for—

19 (I) allotments for the United
 20 States Virgin Islands, Guam, Amer-
 21 ican Samoa, and the Commonwealth
 22 of the Northern Mariana Islands, to
 23 be distributed among such outlying
 24 areas on the basis of their relative
 25 need, as determined by the Secretary

1 in accordance with the purposes of
2 this Act; and

3 (II) the Secretary of the Interior
4 for programs under sections 6, 7, 8,
5 9, and 10 in schools operated or fund-
6 ed by the Bureau of Indian Edu-
7 cation; and

8 (ii) reserve not more than 5 percent to
9 award planning grants, to State edu-
10 cational agencies serving States, in accord-
11 ance with section 6;

12 (iii) reserve not more than 5 percent
13 for the national evaluation, dissemination
14 of information, and technical assistance
15 under section 11; and

16 (iv) use the amount not reserved
17 under clauses (i), (ii), and (iii) to make an
18 award, from allotments under subpara-
19 graph (C), to State educational agencies
20 serving States that have applications ap-
21 proved under section 7 to enable the State
22 educational agencies to carry out sections
23 7 and 8.

24 (B) SPECIAL RULES.—

1 (i) PROPORTIONAL DIVISION.—In
2 each fiscal year, the amount reserved
3 under subparagraph (A)(i) shall be divided
4 between the uses described in subclauses
5 (I) and (II) of subparagraph (A)(i) in the
6 same proportion as the amount reserved
7 under section 1121(a) of the Elementary
8 and Secondary Education Act of 1965 (20
9 U.S.C. 6331(a)) is divided between the
10 uses described in paragraphs (1) and (2)
11 of such section 1121(a) for such fiscal
12 year.

13 (ii) CONSULTATION.—A State edu-
14 cational agency that receives an allotment
15 under this paragraph shall engage in time-
16 ly and meaningful consultation with rep-
17 resentatives of Indian tribes located in the
18 State in order to improve the coordination
19 and quality of activities designed to de-
20 velop effective approaches to achieve the
21 purposes of the Act consistent with the
22 cultural, language, and educational needs
23 of Indian students.

24 (C) STATE ALLOTMENT FORMULA.—The
25 Secretary shall allot the amount made available

1 under subparagraph (A)(iv) for a fiscal year
2 among the States in proportion to the number
3 of children, from birth through age 17, who re-
4 side within the State and are from families with
5 incomes below the poverty line for the most re-
6 cent fiscal year for which satisfactory data are
7 available, compared to the number of such chil-
8 dren who reside in all States for that fiscal
9 year.

10 (3) MINIMUM AWARD AMOUNT.—No State edu-
11 cational agency receiving an award under this sec-
12 tion for a fiscal year may receive less than one-
13 fourth of 1 percent of the total amount appropriated
14 under section 14 for the fiscal year.

15 (c) PEER REVIEW.—

16 (1) IN GENERAL.—The Secretary shall convene
17 a peer review panel to evaluate the application for
18 each grant awarded to a State educational agency
19 under sections 6 and 7 using the evaluation criteria
20 described in paragraph (2).

21 (2) DEVELOPMENT OF EVALUATION CRI-
22 TERIA.—The Secretary shall report to Congress the
23 peer review process and evaluation criteria that shall
24 be used to evaluate the grant applications under sec-
25 tions 6 and 7.

1 (3) MEMBERSHIP.—

2 (A) COMPOSITION.—A peer review panel
3 convened under paragraph (1) shall be com-
4 posed of not less than 9 members, of whom—

5 (i) 3 shall be appointed by the Sec-
6 retary;

7 (ii) 3 shall be appointed by the Sec-
8 retary from among individuals—

9 (I) recommended by the Chair-
10 man of the National Research Council
11 of the National Academy of Sciences;
12 and

13 (II) with expertise in literacy in-
14 struction and learning at various de-
15 velopmental stages; and

16 (iii) 3 shall be appointed by the Sec-
17 retary from among individuals—

18 (I) recommended by the Director
19 of the National Institute of Child
20 Health and Human Development; and

21 (II) with expertise concerning lit-
22 eracy development from birth through
23 grade 12.

1 (B) COMPETENCY AND EXPERTISE; EX-
2 PERTISE.—The peer review panel appointed
3 under this paragraph may include—

4 (i) classroom teachers with expertise
5 in literacy, and literacy coaches, includ-
6 ing—

7 (I) special education teachers;

8 (II) teachers of students who are
9 English language learners; and

10 (III) early childhood educators
11 who provide high quality professional
12 development in child language and lit-
13 eracy development;

14 (ii) experts who provide high-quality
15 professional development to individuals
16 who teach literacy to children, students,
17 teachers, and other instructional staff;

18 (iii) experts in the assessment of read-
19 ing and writing; and

20 (iv) experts in reading and writing,
21 language development, and English lan-
22 guage acquisition, (as appropriate), includ-
23 ing reading and writing in core academic
24 subjects.

1 (4) DISTRIBUTION OF RECOMMENDATIONS.—
2 Not later than 120 days after a peer review panel
3 submits to the Secretary the panel's recommenda-
4 tion regarding an application by a State educational
5 agency for a grant under section 6 or 7, the Sec-
6 retary shall notify the State educational agency that
7 the application has been approved or disapproved
8 and shall provide to such State educational agency
9 a copy of the peer review panel's recommendation.

10 (d) SUPPLEMENT NOT SUPPLANT.—Award funds
11 provided under this Act shall supplement, and not sup-
12 plant, non-Federal funds that would, in the absence of
13 such award funds, be made available for literacy instruc-
14 tion and support of pupils participating in programs as-
15 sisted under this Act.

16 (e) MAINTENANCE OF EFFORT.—Each State edu-
17 cational agency that receives an award under this section,
18 and each eligible entity that receives a subgrant under sec-
19 tion 9 or 10, shall maintain for the fiscal year for which
20 the grant or subgrant is received and for each subsequent
21 fiscal year the expenditures of the State educational agen-
22 cy or eligible entity, respectively, for literacy instruction
23 at a level not less than the level of such expenditures main-
24 tained by the State educational agency or eligible entity,

1 respectively, for the fiscal year preceding such fiscal year
2 for which the grant or subgrant is received.

3 **SEC. 6. STATE PLANNING GRANTS.**

4 (a) **PLANNING GRANTS AUTHORIZED.—**

5 (1) **IN GENERAL.—**From amounts made avail-
6 able under paragraphs (1)(B) and (2)(A)(ii) of sec-
7 tion 5(b), the Secretary may award planning grants
8 to State educational agencies to enable the State
9 educational agencies to complete comprehensive
10 planning to carry out activities that improve literacy
11 for children and students from birth through grade
12 12.

13 (2) **GRANT PERIOD.—**A planning grant awarded
14 under this section shall be for a period of not more
15 than 1 year.

16 (3) **NONRENEWABILITY.—**The Secretary shall
17 not award a State educational agency more than 1
18 planning grant under this section.

19 (b) **APPLICATION.—**

20 (1) **IN GENERAL.—**Each State educational
21 agency desiring a planning grant under this section
22 shall submit an application to the Secretary at such
23 time, in such manner, and accompanied by such in-
24 formation as the Secretary may require.

1 (2) CONTENTS.—Each application submitted
2 under this subsection shall, at a minimum, include
3 a description of how the State educational agency
4 proposes to use the planning grant funds awarded
5 under this section to develop a plan for improving
6 State efforts to develop, coordinate, and implement
7 comprehensive literacy activities that ensure high
8 quality instruction in reading and writing for all stu-
9 dents in early learning programs (serving children
10 from birth through kindergarten entry) through
11 grade 12 programs, with a particular focus on stu-
12 dents who are reading or writing below grade level
13 and children whose early literacy skills are below the
14 appropriate age or developmental level. Such plan
15 for improvement shall—

16 (A) describe the activities for which assist-
17 ance under this section is sought;

18 (B) provide a budget for the use of the
19 planning grant funds to complete the required
20 activities described in subsection (c);

21 (C) include an assessment of child and stu-
22 dent literacy data to identify baseline and
23 benchmark levels to monitor progress and im-
24 provement; and

1 (D) provide an assurance that the State
2 agency responsible for administering early
3 childhood education programs and the State
4 agency responsible for administering child care
5 programs collaborated with the State edu-
6 cational agency to write the early learning por-
7 tion of the grant application submitted under
8 this subsection.

9 (3) APPROVAL OF APPLICATIONS.—

10 (A) IN GENERAL.—The Secretary, in con-
11 sultation with the peer review panel described
12 in subparagraph (B), shall evaluate State edu-
13 cational agency applications under this sub-
14 section based on the responsiveness of the ap-
15 plications to the application requirements under
16 this subsection.

17 (B) PEER REVIEW.—The Secretary shall
18 convene a peer review panel in accordance with
19 section 5(c) to evaluate planning grant applica-
20 tions under this section.

21 (c) REQUIRED ACTIVITIES.—A State educational
22 agency receiving planning grant funds under this section
23 shall carry out each of the following activities:

24 (1) REVIEW.—Reviewing reading, writing, or
25 other literacy resources, programs, and data across

1 the State to identify any literacy needs and gaps in
2 the State.

3 (2) STATE LITERACY LEADERSHIP TEAM.—
4 Forming or designating a State literacy leadership
5 team which shall execute the following functions:

6 (A) COMPREHENSIVE STATE LITERACY
7 PLAN.—Creating a comprehensive State literacy
8 plan that—

9 (i) is designed to improve reading,
10 writing, and academic achievement for chil-
11 dren and students, especially those reading
12 below grade level;

13 (ii) includes a needs assessment and
14 an implementation plan, including an anal-
15 ysis of child and student literacy data to
16 identify baseline and benchmark levels of
17 literacy and early literacy skills in order to
18 monitor progress and improvement, and a
19 plan to improve literacy levels among all
20 children and students;

21 (iii) ensures high quality instruction
22 in reading and writing in early learning
23 programs (serving children from birth
24 through kindergarten entry) through grade
25 12 programs;

1 (iv) provides for activities designed to
2 improve literacy achievement for students
3 who—

4 (I) read or write below grade
5 level;

6 (II) attend schools that are iden-
7 tified for school improvement under
8 section 1116(b) of the Elementary
9 and Secondary Education Act of 1965
10 (20 U.S.C. 6316(b)); and

11 (III) are counted under section
12 1124(e) of the Elementary and Sec-
13 ondary Education Act of 1965 (20
14 U.S.C. 6333(e)); and

15 (v) is submitted to the Secretary.

16 (B) STANDARDS.—Providing recommenda-
17 tions to guide the State educational agency in
18 the State educational agency’s process of
19 strengthening State literacy standards and em-
20 bedding State literacy standards with the
21 State’s challenging academic content standards,
22 academic achievement standards, and early
23 learning and development standards.

24 (C) PROGRESS.—Providing recommenda-
25 tions to guide the State educational agency in

1 the State educational agency's process of meas-
2 uring, assessing, and monitoring progress in lit-
3 eracy at the school, local educational agency,
4 and State levels.

5 (D) CRITERIA.—Identifying criteria for
6 high quality professional development providers,
7 which providers may include qualified teachers
8 within the State, for the State educational
9 agency and local educational agencies.

10 (E) DATA.—Advising the State educational
11 agency on how to help ensure that local edu-
12 cational agencies and schools provide timely and
13 appropriate data to teachers to inform and im-
14 prove instruction.

15 (F) EDUCATOR CAPACITY.—Providing rec-
16 ommendations to guide the State educational
17 agency in the State educational agency's plan-
18 ning process of building educators' capacity to
19 provide high quality literacy instruction.

20 (3) REPORTING REQUIREMENT.—Not later than
21 1 year after a State educational agency receives a
22 planning grant under this section, the State edu-
23 cational agency shall submit a report to the Sec-
24 retary on the State educational agency's perform-
25 ance of the activities described in this subsection.

1 **SEC. 7. STATE IMPLEMENTATION GRANTS.**

2 (a) IMPLEMENTATION GRANTS AUTHORIZED.—

3 (1) IN GENERAL.—From awards made available
4 under section 5(b), the Secretary shall, on a com-
5 petitive basis, award implementation grants to State
6 educational agencies to enable the State educational
7 agencies—

8 (A) to implement the comprehensive lit-
9 eracy plan that meets the criteria in section
10 6(e)(2)(A) for early learning programs (serving
11 children from birth through kindergarten entry)
12 through grade 12 programs;

13 (B) to carry out State activities under sec-
14 tion 8; and

15 (C) to award subgrants under sections 9
16 and 10.

17 (2) DURATION OF GRANTS.—An implementa-
18 tion grant under this section shall be awarded for a
19 period of not more than 5 years.

20 (3) RENEWALS.—

21 (A) IN GENERAL.—Implementation grants
22 under this section may be renewed.

23 (B) CONDITIONS.—In order to be eligible
24 to have an implementation grant renewed under
25 this paragraph, the State educational agency

1 shall demonstrate, to the satisfaction of the
2 Secretary, that—

3 (i) the State educational agency has
4 complied with the terms of the grant in-
5 cluding by undertaking all required activi-
6 ties; and

7 (ii) during the period of the grant
8 there has been significant progress in stu-
9 dent literacy achievement, as measured by
10 appropriate assessments, including in
11 meeting the measurable annual objectives
12 established pursuant to section
13 1111(b)(2)(C)(v) of the Elementary and
14 Secondary Education Act of 1965 (20
15 U.S.C. 6311(b)(2)(C)(v)), for students in
16 kindergarten through grade 12.

17 (b) STATE APPLICATIONS.—

18 (1) IN GENERAL.—A State educational agency
19 that desires to receive an implementation grant
20 under this section shall submit an application to the
21 Secretary at such time, in such manner, and con-
22 taining such information as the Secretary may re-
23 quire. The State educational agency shall collaborate
24 with the State agency responsible for administering
25 early childhood education programs and the State

1 agency responsible for administering child care pro-
2 grams in the State in writing and implementing the
3 early learning portion of the grant application under
4 this subsection.

5 (2) CONTENTS.—An application described in
6 paragraph (1) shall include the following:

7 (A) STATE LITERACY LEADERSHIP TEAM;
8 COMPREHENSIVE STATE LITERACY LEADERSHIP
9 PLAN.—A description of the members of the
10 State literacy leadership team and a description
11 of how the State educational agency has devel-
12 oped a comprehensive State literacy plan, as de-
13 scribed in section 6.

14 (B) IMPLEMENTATION.—An implementa-
15 tion plan that includes a description of how the
16 State educational agency will—

17 (i) carry out the State activities de-
18 scribed in section 8;

19 (ii) assist eligible entities with—

20 (I) providing strategic and inten-
21 sive literacy instruction based on sci-
22 entificallly valid research for students
23 who are reading and writing below
24 grade level, including through the use
25 of multitiered systems of support, in-

1 including addressing the literacy needs
2 of children and youth with disabilities
3 or developmental delays and English
4 language learners in early learning
5 programs (serving children from birth
6 through kindergarten entry) and pro-
7 grams serving students from birth
8 through grade 12;

9 (II) providing training to par-
10 ents, as appropriate, so that the par-
11 ents can participate in the literacy re-
12 lated activities described in sections 9
13 and 10 to assist in the language and
14 literacy development of their children;

15 (III) selecting and using reading
16 and writing assessments;

17 (IV) providing classroom-based
18 instruction that is supported by one-
19 to-one and small group work;

20 (V) using curricular materials
21 and instructional tools, which may in-
22 clude technology, to improve instruc-
23 tion and literacy achievement;

24 (VI) providing for high quality
25 professional development; and

- 1 (VII) using the principles of uni-
2 versal design for learning; and
- 3 (iii) ensure that local educational
4 agencies in the State have leveraged and
5 are effectively leveraging the resources
6 needed to implement effective literacy in-
7 struction, and have the capacity to imple-
8 ment literacy initiatives effectively;
- 9 (iv) continually coordinate and align
10 the activities assisted under this section
11 and sections 9 and 10 with reading, writ-
12 ing, and other literacy resources and pro-
13 grams across the State and locally that
14 serve children and students and their fami-
15 lies and promote literacy instruction and
16 learning, including strengthening partner-
17 ships among schools, libraries, local youth-
18 serving agencies, and programs, in order to
19 improve literacy for all children and youth;
20 and
- 21 (v) ensure that funds provided under
22 this section are awarded in a manner that
23 will provide services to all grade levels, in-
24 cluding proportionally to middle schools
25 and high schools.

1 (C) KEY DATA METRICS.—A description of
2 the key data metrics that will be used and re-
3 ported annually under section 12(b)(1)(E),
4 which shall include progress in meeting the an-
5 nual objectives established pursuant to section
6 1111(b)(2)(C)(v) of the Elementary and Sec-
7 ondary Education Act of 1965 (20 U.S.C.
8 6311(b)(2)(C)(v)), for students in third grade
9 through grade 12.

10 (D) NATIONAL EVALUATION.—An assur-
11 ance that the State educational agency, and any
12 eligible entity receiving a subgrant from the
13 State educational agency under section 9 or 10,
14 will, if requested, participate in the national
15 evaluation under section 11.

16 (E) LITERACY PROGRAMS.—An assurance
17 that the State educational agency will use im-
18 plementation grant funds for literacy programs
19 as follows:

20 (i) LEARNERS FROM BIRTH THROUGH
21 KINDERGARTEN ENTRY.—Not less than 10
22 percent of such grant funds shall be used
23 for State and local programs and activities
24 pertaining to learners from birth through
25 kindergarten entry.

1 (ii) STUDENTS IN KINDERGARTEN
2 THROUGH GRADE 5.—Not less than 40
3 percent of such implementation grant
4 funds shall be used for State and local pro-
5 grams and activities allocated equitably
6 among grades kindergarten through grade
7 5.

8 (iii) STUDENTS IN GRADES 6
9 THROUGH 12.—Not less than 40 percent of
10 such implementation grant funds shall be
11 used for State and local programs and ac-
12 tivities, allocated equitably among grades 6
13 through 12.

14 (iv) STATE ACTIVITIES.—Not more
15 than 10 percent of such implementation
16 grant funds shall be used for the State ac-
17 tivities described in section 8.

18 (F) PRIORITY.—An assurance that the
19 State educational agency shall give priority to
20 awarding a subgrant to an eligible entity—

21 (i) under section 9 based on the num-
22 ber or percentage of children younger than
23 school entry and the number of students
24 from birth through 17 who are—

1 (I) served by the eligible entity;
2 and

3 (II) from families with income
4 below the poverty level, based on the
5 most recent satisfactory data provided
6 to the Secretary by the Bureau of the
7 Census for determining eligibility
8 under section 1124(c)(1)(A) of the El-
9 elementary and Secondary Education
10 Act of 1965 (20 U.S.C.
11 6333(c)(1)(A)); and

12 (ii) under section 10 based on—

13 (I) the number or percentage de-
14 scribed in clause (i); and

15 (II) the number or percentage of
16 students served by the eligible entity
17 that are reading and writing below
18 grade level according to State assess-
19 ments.

20 (c) APPROVAL OF APPLICATIONS.—

21 (1) IN GENERAL.—The Secretary, in consulta-
22 tion with the peer review panel established in para-
23 graph (2), shall evaluate State educational agency
24 applications under subsection (b) based on the re-

1 sponsiveness of the applications to the application
2 requirements under such subsection.

3 (2) PEER REVIEW.—The Secretary shall con-
4 vene a peer review panel in accordance with section
5 5(c) to evaluate applications for each implementation
6 grant awarded to a State educational agency under
7 this section.

8 (3) EARLY LEARNING.—In order for a State
9 educational agency’s application under this section
10 to be approved by the Secretary, the application
11 shall contain an assurance that the State agency re-
12 sponsible for administering early childhood education
13 programs and the State agency responsible for ad-
14 ministering child care programs in the State ap-
15 proves of, and will be extensively consulted in the
16 implementation of related activities services con-
17 sistent with section 9 with respect to, the early
18 learning portion of the application.

19 **SEC. 8. STATE ACTIVITIES.**

20 (a) REQUIRED ACTIVITIES.—A State educational
21 agency shall use funds made available under section
22 5(a)(2)(A) and described in section 7(b)(2)(F)(iv) to carry
23 out the activities proposed in a State’s plan consistent
24 with section 7(b)(2), including the following activities:

1 (1) CARRYING OUT ASSURANCES AND ACTIVI-
2 TIES IN APPLICATION.—Carrying out the assurances
3 and activities provided in the State application
4 under section 7(b)(2).

5 (2) TECHNICAL ASSISTANCE.—In consultation
6 with the State literacy leadership team, providing
7 technical assistance or engaging qualified providers
8 to provide technical assistance to eligible entities to
9 enable the eligible entities to design and implement
10 a literacy program under sections 9 and 10.

11 (3) PRESERVICE COURSEWORK REVIEW.—Con-
12 tinuing to consult with the State literacy leadership
13 team and continuing to coordinate with institutions
14 of higher education in the State—

15 (A) in order to provide recommendations
16 to strengthen and enhance preservice courses
17 for students preparing, at institutions of higher
18 education in the State, to teach children from
19 birth through grade 12 in explicit, systematic,
20 and intensive instruction in evidence-based lit-
21 eracy methods; and

22 (B) by following up reviews completed by
23 the State literacy leadership team with rec-
24 ommendations to ensure that such institutions
25 offer courses that meet the highest standards.

1 (4) STATE LICENSURE AND CERTIFICATION
2 RECOMMENDATIONS.—Reviewing and updating, in
3 collaboration with teachers, statewide educational
4 and professional organizations representing teachers,
5 and statewide educational and professional organiza-
6 tions representing institutions of higher education,
7 State licensure and certification standards in the
8 area of literacy instruction in early education
9 through grade 12.

10 (5) EFFECTIVE PRACTICES.—Making publicly
11 available, including on the State educational agen-
12 cy’s website, information on promising instructional
13 practices to improve student literacy achievement.

14 (b) PERMISSIVE ACTIVITIES.—After carrying out ac-
15 tivities described in subsection (a), a State educational
16 agency may use remaining funds made available under
17 section 5(a)(2)(A) and described in section 7(b)(2)(F)(iv)
18 to carry out 1 or more of the following activities:

19 (1) DATA SYSTEMS TRAINING.—Training the
20 personnel of eligible entities to use data systems that
21 track student literacy achievement.

22 (2) LITERACY COACH TRAINING.—Developing
23 literacy coach training programs and training lit-
24 eracy coaches.

1 (3) PUBLIC SUPPORT.—Building public support
2 among local educational agency personnel, early
3 childhood education programs, and the community
4 for comprehensive literacy instruction for children
5 and students from birth through grade 12.

6 **SEC. 9. SUBGRANTS TO ELIGIBLE ENTITIES IN SUPPORT OF**
7 **BIRTH THROUGH KINDERGARTEN ENTRY**
8 **LITERACY.**

9 (a) SUBGRANTS.—A State educational agency, in
10 consultation with the State agency responsible for admin-
11 istering early childhood education programs and the State
12 agency responsible for administering child care programs,
13 shall use implementation grant funds provided under sec-
14 tion 5(a)(2)(B) to award subgrants, on a competitive
15 basis, to eligible entities to enable the eligible entities to
16 support high quality early literacy initiatives for children
17 from birth through kindergarten entry.

18 (b) SUFFICIENT SIZE AND SCOPE.—Each subgrant
19 awarded under this section shall be of sufficient size and
20 scope to allow the eligible entity to carry out high quality
21 early literacy initiatives for children from birth through
22 kindergarten entry.

23 (c) LOCAL APPLICATIONS.—An eligible entity desir-
24 ing to receive a subgrant under this section shall submit
25 an application to the State educational agency, at such

1 time, in such manner, and containing such information as
2 the State educational agency may require. Such applica-
3 tion shall include a description of—

4 (1) how the subgrant funds will be used to en-
5 hance the language and literacy aspects of school
6 readiness of children, from birth through kinder-
7 garten entry, in early childhood education programs,
8 including an analysis of the data used to identify
9 how funds will be used to improve language and lit-
10 eracy;

11 (2) the programs assisted under the subgrant,
12 including demographic and socioeconomic informa-
13 tion on the children enrolled in the programs;

14 (3) a budget for the eligible entity that projects
15 the cost of developing and implementing literacy ini-
16 tiatives to carry out the activities described in sub-
17 section (e);

18 (4) how, if the eligible entity is requesting a
19 planning period, the eligible entity will use that plan-
20 ning period to prepare for successful implementation
21 of a plan to support the development of learning and
22 literacy consistent with the purposes of this Act;

23 (5) the literacy initiatives, if any, in place and
24 how these initiatives will be coordinated and inte-
25 grated with activities supported under this section;

1 (6) how the subgrant funds will be used to pre-
2 pare and provide ongoing assistance to staff in the
3 programs, through high quality professional develop-
4 ment;

5 (7) how the subgrant funds will be used to pro-
6 vide services, incorporate activities, and select and
7 use literacy instructional materials that meet the di-
8 verse developmental and linguistic needs of children,
9 including English language learners and children
10 with disabilities and developmental delays, and that
11 are based on scientifically valid research on child de-
12 velopment and learning for children from birth
13 through kindergarten entry;

14 (8) how the subgrant funds will be used to
15 identify assessments or other appropriate meas-
16 ures—

17 (A) to effectively identify children who may
18 be at risk for delayed development or lack of
19 school preparedness; and

20 (B) to determine whether such children are
21 making progress on early literacy skills develop-
22 ment;

23 (9) how families and caregivers will be involved,
24 as appropriate, in supporting their children’s literacy
25 instruction and assessment;

1 (10) how the subgrant funds will be used to
2 help children, particularly children experiencing dif-
3 ficulty with spoken and written language, to make
4 the transition from early education to formal class-
5 room instruction;

6 (11) how the activities assisted under the
7 subgrant will be coordinated with literacy instruction
8 at the kindergarten through grade 5 level;

9 (12) how the subgrant funds will be used—

10 (A) to evaluate the success of the activities
11 assisted under the subgrant in enhancing the
12 early literacy development of children from
13 birth through kindergarten entry; and

14 (B) to evaluate data for program improve-
15 ment; and

16 (13) such other information as the State edu-
17 cational agency may require.

18 (d) APPROVAL OF LOCAL APPLICATIONS.—The State
19 educational agency, in consultation with the State agency
20 responsible for administering early childhood education
21 programs and the State agency responsible for admin-
22 istering child care programs, shall—

23 (1) select applications for funding under this
24 section based on the quality of the applications sub-
25 mitted, including the relationship between literacy

1 activities proposed and the research base or data
2 supporting such investments, as appropriate, and the
3 recommendations of—

4 (A) the State literacy leadership team; and

5 (B) other experts in the area of early lit-
6 eracy; and

7 (2) place priority for funding programs based
8 on the criteria in section 7(b)(2)(G).

9 (e) LOCAL USES OF FUNDS.—

10 (1) IN GENERAL.—An eligible entity that re-
11 ceives a subgrant under this section shall use the
12 subgrant funds consistent with the plan proposed in
13 subsection (c) to carry out the following activities:

14 (A) EARLY LEARNING PROGRAMS.—En-
15 hancing and improving early learning programs
16 to ensure that children in such programs are
17 provided with high quality oral language and
18 literature- and print-rich environments in which
19 to develop early literacy skills.

20 (B) PROFESSIONAL DEVELOPMENT.—Pro-
21 viding high quality professional development.

22 (C) SCREENING ASSESSMENTS AND MEAS-
23 URES.—Acquiring, providing training for, and
24 implementing screening assessments or other
25 appropriate measures to determine whether

1 children from birth through kindergarten entry
2 are developing appropriate early language and
3 literacy skills.

4 (D) MULTITIER SYSTEM OF SUPPORT.—
5 Selecting, developing, and implementing a
6 multitier system of support.

7 (E) INTEGRATING.—Integrating research-
8 based instructional materials, activities, tools,
9 and measures into the programs offered by the
10 eligible entity to improve development of early
11 learning language and literacy skills.

12 (F) TRAINING.—Training providers and
13 personnel to support, develop, and administer
14 high quality early learning literacy initiatives
15 that—

16 (i) utilize data—
17 (I) to inform instructional design;
18 and
19 (II) to assess literacy needs; and
20 (ii) provide time and support for per-
21 sonnel to meet to plan literacy instruction.

22 (G) FAMILY LITERACY SERVICES.—Pro-
23 viding for family literacy services, as appro-
24 priate.

1 (H) DATA.—Annually collecting, summa-
2 rizing, and reporting to the State educational
3 agency data—

4 (i) to document and monitor, for the
5 purpose of improving or increasing early
6 literacy and language skills development
7 pursuant to activities carried out under
8 this section;

9 (ii) to stimulate and accelerate im-
10 provement by identifying the programs
11 served by the eligible entity that produce
12 significant gains in skills development; and

13 (iii) for all subgroups of students and
14 categories of students, including students
15 described in section 1111(b)(2)(C)(v)(II)
16 of the Elementary and Secondary Edu-
17 cation Act of 1965 (20 U.S.C.
18 6311(b)(2)(C)(v)(II)), in a manner that—

19 (I) utilizes a variety of data; and

20 (II) is consistent across the

21 State.

22 (2) CURRICULA AND ASSESSMENT MATERIALS
23 LIMITATION.—Each eligible entity that receives a
24 subgrant under this section shall not use more than

1 10 percent of the subgrant funds to purchase cur-
2 ricula and assessment materials.

3 (f) PROHIBITION.—The use of assessment items and
4 data on any assessment authorized under this section to
5 provide rewards or sanctions for individual children, early
6 learning providers, teachers, program directors, or prin-
7 cipals is prohibited.

8 **SEC. 10. SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES**
9 **IN SUPPORT OF KINDERGARTEN THROUGH**
10 **GRADE 12 LITERACY.**

11 (a) SUBGRANTS TO LOCAL EDUCATIONAL AGEN-
12 CIES.—

13 (1) SUBGRANTS.—A State educational agency
14 shall use the implementation grant funds provided
15 under section 5(a)(2)(C) to award subgrants, on a
16 competitive basis, to eligible entities to enable the el-
17 igible entities to carry out the authorized activities
18 described in subsections (b) and (c).

19 (2) SUFFICIENT SIZE AND SCOPE.—A State
20 educational agency shall award subgrants under this
21 section of sufficient size and scope to allow the eligi-
22 ble entities to carry out high quality literacy initia-
23 tives in each grade level for which the subgrant
24 funds are provided.

1 (3) LOCAL APPLICATIONS.—An eligible entity
2 desiring to receive a subgrant under this section
3 shall submit an application to the State educational
4 agency at such time, in such manner, and containing
5 such information as the State educational agency
6 may require. Such application shall include, for each
7 school that the eligible entity identifies as partici-
8 pating in a subgrant program under this section, the
9 following information:

10 (A) CAPACITY SURVEY.—A description of
11 the eligible entity’s capacity survey conducted to
12 identify how subgrant funds will be used to in-
13 form and improve literacy instruction at the
14 school.

15 (B) PROFESSIONAL DEVELOPMENT.—How
16 the school, local educational agency, or a pro-
17 vider of high quality professional development
18 will provide ongoing high quality professional
19 development to all teachers, principals, and
20 other school leaders served by the school.

21 (C) INTERVENTIONS.—How the school will
22 identify students in need of literacy interven-
23 tions or other support services and provide ap-
24 propriate scientifically valid instructional inter-
25 ventions or other support services which may

1 include extended learning time for struggling
2 students.

3 (D) BUDGET.—A budget for the school
4 that projects the cost of developing and imple-
5 menting literacy initiatives to carry out the ac-
6 tivities described in subsections (b) and (c) as
7 applicable.

8 (E) INTEGRATION.—An explanation of how
9 the school will integrate literacy instruction into
10 core academic subjects.

11 (F) COORDINATION.—A description of how
12 the school will coordinate literacy instruction
13 with early education and after-school programs
14 and activities in the area served by the local
15 educational agency.

16 (G) ASSESSMENTS.—A description of the
17 assessments that will be used in an assessment
18 system to improve literacy instruction and track
19 student literacy progress.

20 (H) FAMILIES AND CAREGIVERS.—A de-
21 scription of how families and caregivers will be
22 involved in supporting their children’s literacy
23 instruction and assessment.

24 (I) PLANNING PERIOD.—A description of
25 how, if an eligible entity is requesting a plan-

1 ning period, the eligible entity will use that
2 planning period to prepare for successful imple-
3 mentation of a plan to support the development
4 of learning and literacy consistent with the pur-
5 poses of this Act.

6 (J) INITIATIVES.—A description of the lit-
7 eracy initiatives, if any, in place and how these
8 initiatives will be coordinated and integrated
9 with activities supported under this section.

10 (K) PARTICIPATION IN EVALUATION.—An
11 assurance that the eligible entity will, if re-
12 quested, participate in the national evaluation
13 described in section 11.

14 (b) LOCAL USES OF FUNDS FOR KINDERGARTEN
15 THROUGH GRADE 5.—An eligible entity that receives a
16 subgrant under this section shall use the subgrant funds
17 to carry out the following activities pertaining to learners
18 in kindergarten through grade 5:

19 (1) LITERACY PLAN.—Developing and imple-
20 menting a literacy plan across content areas that—

21 (A) serves the needs of all students, includ-
22 ing children with disabilities and English lan-
23 guage learners, especially the students who are
24 reading or writing below grade level;

1 (B) provides intensive, supplemental, accel-
2 erated, and explicit intervention and support in
3 reading and writing for students whose literacy
4 skills are below grade level; and

5 (C) supports activities that are provided
6 primarily during the regular school day but
7 which may be augmented by after-school and
8 out-of-school time instruction.

9 (2) ASSESSMENTS.—Acquiring, providing train-
10 ing for, selecting, and administering assessments,
11 and managing, monitoring, and planning instruction
12 based on the assessment data.

13 (3) PROFESSIONAL DEVELOPMENT.—Providing
14 high quality professional development.

15 (4) TRAINING.—Training principals, pupil serv-
16 ices personnel, and other school district personnel to
17 support, develop, and administer and evaluate high
18 quality kindergarten through grade 5 literacy initia-
19 tives that—

20 (A) utilize data—

21 (i) to inform instructional decisions;

22 and

23 (ii) to assess professional development

24 needs; and

1 (B) provide time and support for teachers
2 to meet to plan literacy instruction.

3 (c) LOCAL USES OF FUNDS FOR GRADES 6
4 THROUGH 12.—

5 (1) REQUIRED USES.—An eligible entity that
6 receives a subgrant under this section shall use
7 subgrant funds to carry out the following activities
8 pertaining to learners in grades 6 through 12:

9 (A) LITERACY PLAN.—Developing and im-
10 plementing a literacy plan across content areas
11 that—

12 (i) serves the needs of all students, in-
13 cluding children with disabilities and
14 English language learners, especially stu-
15 dents who are reading or writing below
16 grade level;

17 (ii) provides intensive, supplemental,
18 accelerated, and explicit intervention and
19 support in reading and writing for stu-
20 dents whose literacy skills are below grade
21 level; and

22 (iii) supports activities that are pro-
23 vided primarily during the regular school
24 day but which may be augmented by after-
25 school and out-of-school time instruction.

1 (B) ASSESSMENTS.—Acquiring, providing
2 training for, selecting and administering assess-
3 ments, and managing, monitoring, and planning
4 instruction based on the assessment data.

5 (C) PROFESSIONAL DEVELOPMENT.—Pro-
6 viding high quality professional development.

7 (D) TRAINING.—Training principals, pupil
8 service personnel, and other school leaders to
9 support, develop, administer, and evaluate high
10 quality adolescent literacy initiatives that—

11 (i) utilize data—

12 (I) to inform instructional deci-
13 sions and allow for personalization of
14 instruction based on student need;
15 and

16 (II) to assess professional devel-
17 opment needs;

18 (ii) assess the quality of adolescent lit-
19 eracy instruction in core academic subjects,
20 and career and technical education sub-
21 jects where such career and technical edu-
22 cation subjects provide for the integration
23 of core academic subjects;

24 (iii) provide time for teachers to meet
25 to plan research-based adolescent literacy

1 instruction in core academic subjects, and
2 career and technical education subjects
3 where such career and technical education
4 subjects provide for the integration of core
5 academic subjects; and

6 (iv) include explicit instruction in dis-
7 cipline-specific thinking and how to read
8 and interpret discipline-specific text struc-
9 tures and features.

10 (E) DATA.—Annually collecting, summa-
11 rizing, and reporting to the State educational
12 agency data—

13 (i) to document and monitor for the
14 purpose of improving practice, improve-
15 ments or increases in student reading and
16 writing pursuant to activities carried out
17 under this section;

18 (ii) to stimulate and accelerate im-
19 provement by identifying the schools that
20 produce significant gains in literacy
21 achievement; and

22 (iii) for all students and categories of
23 students, including students described in
24 section 1111(b)(2)(C)(v)(II) of the Ele-
25 mentary and Secondary Education Act of

1 1965 (20 U.S.C. 6311(b)(2)(C)(v)(II)), in
2 a manner that utilizes a variety of data
3 and that is consistent across the State.

4 (2) LIMITATION TO CERTAIN SCHOOLS.—An eli-
5 gible entity receiving a subgrant under this section
6 shall, in distributing subgrant funds under this sub-
7 section, provide the subgrant funds only to schools,
8 including public charter schools, that have the high-
9 est percentages or numbers of children counted
10 under section 1124(c) of the Elementary and Sec-
11 ondary Education Act of 1965 (20 U.S.C. 6333(e))
12 after carrying out the activities described in this
13 subsection and subsection (b).

14 (d) ALLOWABLE USES.—An eligible entity that re-
15 ceives a subgrant under this section may use remaining
16 subgrant funds to carry out the following activities per-
17 taining to learners in kindergarten through 12:

18 (1) PLANNING.—Providing a planning period of
19 not more than 1 year for eligible entities to establish
20 the elements necessary for successful implementation
21 of a literacy program for kindergarten through 12.

22 (2) LITERACY COACHES.—Recruiting, placing,
23 training, and compensating literacy coaches.

24 (3) CONNECTING LEARNING OPPORTUNITIES.—
25 Connecting out-of-school learning opportunities to

1 in-school learning in order to improve the literacy
2 achievement of the students.

3 (4) TRAINING.—Training families and care-
4 givers to support the improvement of adolescent lit-
5 eracy.

6 (5) MULTITIER SYSTEM OF SUPPORT.—Pro-
7 viding for a multitier system of support.

8 (6) SCHOOL LITERACY LEADERSHIP TEAM.—
9 Forming a school literacy leadership team to help
10 implement, assess, and identify necessary changes to
11 the literacy initiatives in 1 or more schools to ensure
12 success.

13 (7) LITERACY-RICH ENVIRONMENT.—Providing
14 high quality, literacy-rich environments that engage
15 students with materials and experiences at the stu-
16 dents' reading and writing levels.

17 **SEC. 11. NATIONAL EVALUATION, INFORMATION DISSEMI-**
18 **NATION, AND TECHNICAL ASSISTANCE.**

19 (a) NATIONAL EVALUATION.—

20 (1) IN GENERAL.—From funds reserved under
21 section 5(b)(1)(A) or 5(b)(2)(A)(iii), the Secretary
22 shall enter into a contract with an organization inde-
23 pendent of the Department of Education for a 5-
24 year national evaluation of the grant and subgrant
25 programs assisted under this Act. Such evaluation

1 shall include scientifically valid research that applies
2 rigorous and systematic procedures to obtain valid
3 knowledge relevant to the implementation and effect
4 of the programs.

5 (2) CONTENTS OF EVALUATION.—The evalua-
6 tion described in this subsection shall include an
7 analysis of each of the following:

8 (A) IMPACT.—The impact of the imple-
9 mentation of literacy initiatives and practices
10 supported under this Act on increasing student
11 academic outcomes, including student literacy
12 development in reading and writing, and speak-
13 ing (as appropriate), grade promotion, and
14 graduation to the extent predictable.

15 (B) IMPLEMENTATION OF CORE FEA-
16 TURES.—The fidelity of implementation of core
17 program features, such as coherence of program
18 across grades, quality of technical assistance,
19 State and school district leadership, profes-
20 sional development for teachers and administra-
21 tors, use of quality materials and pedagogy, and
22 use of assessment.

23 (C) STUDENT ACADEMIC OUTCOMES.—The
24 relationship between implementation of core
25 features, and student academic outcomes.

1 (D) OTHER INQUIRIES.—Other inquiries
2 as designated by the Secretary, such as—

3 (i) the core functions of literacy initia-
4 tives that have demonstrated the greatest
5 impact on student literacy achievement, es-
6 pecially among students reading below
7 grade level;

8 (ii) effective strategies to integrate
9 State and local standards, curricula, as-
10 sessments, and interventions to improve
11 literacy;

12 (iii) the types of literacy activities that
13 most effectively improve the early reading,
14 writing, and language skills of children
15 from birth through kindergarten entry;

16 (iv) the impact of adolescent literacy
17 initiatives on student motivation, engage-
18 ment, and participation in adolescent lit-
19 eracy activities; and

20 (v) the relationship between students'
21 literacy achievement and secondary
22 schools' success, including improving grad-
23 uation rates.

1 (3) PROGRAM IMPROVEMENT.—The findings of
2 the evaluation conducted under this section shall
3 be—

4 (A) provided to State educational agencies
5 and grant recipients for use in program im-
6 provement;

7 (B) made publicly available, including on
8 the Department’s website; and

9 (C) submitted to the Committee on Health,
10 Education, Labor, and Pensions of the Senate
11 and the Committee on Education and Labor of
12 the House of Representatives.

13 (b) INFORMATION DISSEMINATION AND TECHNICAL
14 ASSISTANCE.—

15 (1) IN GENERAL.—From amounts reserved
16 under section 5(b)(1)(A) or 5(b)(2)(A)(iii), the Sec-
17 retary, in collaboration with the regional educational
18 laboratories established under section 174 of the
19 Education Sciences Reform Act of 2002 (20 U.S.C.
20 9564), the Comprehensive Centers established under
21 section 203 of the Educational Technical Assistance
22 Act of 2002 (20 U.S.C. 9602), and the Director of
23 the National Institute of Child Health and Human
24 Development, shall distribute information on literacy
25 instruction, including best practices and model pro-

1 grams identified in the evaluation, other inquiries
2 under this section, or related Federal studies of lit-
3 eracy activities and provide technical assistance in
4 order to assist States and local school districts in
5 improving literacy instruction and learning.

6 (2) DISSEMINATION AND COORDINATION.—The
7 Secretary shall disseminate the information de-
8 scribed in paragraph (1) to—

9 (A) recipients of Federal financial assist-
10 ance under this Act, the Head Start Act, the
11 Individuals with Disabilities Education Act (20
12 U.S.C. 1400 et seq.), and the Adult Education
13 and Family Literacy Act (20 U.S.C. 9201 et
14 seq.); and

15 (B) each Bureau-funded school (as defined
16 in section 1141 of the Education Amendments
17 of 1978 (25 U.S.C. 2021)).

18 (3) USE OF NETWORKS.—In carrying out this
19 subsection, the Secretary shall, to the extent prac-
20 ticable, use information and dissemination networks
21 developed and maintained through other public and
22 private entities.

1 **SEC. 12. CONSEQUENCES OF INSUFFICIENT PROGRESS, RE-**
2 **PORTING REQUIREMENTS, AND CONFLICTS**
3 **OF INTEREST.**

4 (a) CONSEQUENCES OF INSUFFICIENT PROGRESS.—

5 (1) CONSEQUENCES FOR GRANT RECIPIENTS.—

6 If the Secretary determines that a State educational
7 agency receiving an award under section 5(b) or an
8 eligible entity receiving a subgrant under section 9
9 or 10 is not making significant progress in meeting
10 the purposes of this Act and the key metrics identi-
11 fied by the State educational agency in section
12 7(b)(2)(D) after the submission of a report de-
13 scribed in subsection (b), then the Secretary may
14 withhold, in whole or in part, further payments
15 under this Act in accordance with section 455 of the
16 General Education Provisions Act (20 U.S.C.
17 1234d) or take such other action authorized by law
18 as the Secretary determines necessary, including
19 providing technical assistance upon request of the
20 State educational agency, or eligible entity, respec-
21 tively.

22 (2) CONSEQUENCES FOR SUBGRANT RECIPI-
23 ENTS.—

24 (A) IN GENERAL.—A State educational
25 agency receiving an award under section 5(b)
26 may refuse to award subgrant funds to an eligi-

1 ble entity under section 9 or 10 if the State
2 educational agency finds that the eligible entity
3 is not making significant progress in meeting
4 the purposes of this Act, after—

5 (i) affording the eligible entity notice,
6 a period for correction, and an opportunity
7 for a hearing; and

8 (ii) providing technical assistance to
9 the eligible entity.

10 (B) FUNDS AVAILABLE.—Subgrant funds
11 not awarded under subparagraph (A) shall be
12 redirected to an eligible entity serving similar
13 children and students in the same area or re-
14 gion as the eligible entity not awarded the
15 subgrant funds, to the greatest extent prac-
16 ticable.

17 (b) REPORTING REQUIREMENTS.—

18 (1) STATE EDUCATIONAL AGENCY REPORTS.—
19 Each State educational agency receiving an award
20 under section 5(b) shall report annually to the Sec-
21 retary regarding the State educational agency's
22 progress in addressing the purposes of this Act.
23 Such report shall include, at a minimum, a descrip-
24 tion of—

1 (A) the professional development activities
2 provided under the award, including types of
3 activities and entities involved in providing pro-
4 fessional development to classroom teachers and
5 other program staff;

6 (B) instruction, strategies, activities, cur-
7ricula, materials, and assessments used in the
8 programs funded under the award;

9 (C) the types of programs funded under
10 the award and the ages and demographic infor-
11 mation, that is not individually identifiable, of
12 children served by the programs funded under
13 the award;

14 (D) the experience and qualifications of
15 the program staff who provide literacy instruc-
16 tion under the programs funded under the
17 award, including the experience and qualifica-
18 tions of those staff working with children with
19 disabilities or developmental delays and with
20 English language learners;

21 (E) key data metrics identified under sec-
22 tion 7(b)(2)(D) used for literacy initiatives;

23 (F) student performance on relevant pro-
24 gram metrics, as identified in the State edu-

1 cation agency's implementation plan under sec-
2 tion 7(b)(2)(D), such as—

3 (i) the number and percentage of chil-
4 dren reading and writing on grade level by
5 the end of the third grade;

6 (ii) the percent of students served
7 under the award who receive special edu-
8 cation services; and

9 (iii) the instruction and activities de-
10 livered to at-risk students served under the
11 award; and

12 (G) the outcomes of programs and activi-
13 ties provided under the award.

14 (2) ELIGIBLE ENTITY REPORTS.—Each eligible
15 entity receiving a subgrant under section 9 or 10
16 shall report annually to the State educational agency
17 regarding the eligible entity's progress in addressing
18 the purposes of this Act. Such report shall include,
19 at a minimum, a description of—

20 (A) how the subgrant funds were used;

21 (B) the literacy achievement growth of stu-
22 dents, disaggregated by subgroup; and

23 (C) the results of an external evaluation, if
24 the Secretary determines applicable.

1 (c) CONFLICTS OF INTEREST.—The Secretary shall
2 ensure that each member of the peer review panel de-
3 scribed in section 5(c) and each member of a State literacy
4 leadership team participating in a program or activity as-
5 sisted under this Act does not stand to benefit financially
6 from a grant or subgrant awarded under this Act.

7 **SEC. 13. RULES OF CONSTRUCTION.**

8 (a) STUDENT ELIGIBILITY.—Nothing in this Act
9 shall be construed to prohibit students eligible for assist-
10 ance under title I or III of the Elementary and Secondary
11 Education Act of 1965 (20 U.S.C. 6301 et seq., 6801 et
12 seq.) or students eligible for assistance under the Individ-
13 uals with Disabilities Education Act (20 U.S.C. 1400 et
14 seq.) from receiving literacy instruction and intervention
15 under this Act.

16 (b) IDEA EVALUATION.—The screening assess-
17 ments, diagnostic assessments, and formative assessments
18 of reading and writing authorized under this Act shall not
19 be construed to constitute an evaluation required under
20 the Individuals with Disabilities Education Act (20 U.S.C.
21 1400 et seq.).

22 **SEC. 14. AUTHORIZATION OF APPROPRIATIONS.**

23 There are authorized to be appropriated to carry out
24 this Act—

25 (1) \$2,350,000,000 for fiscal year 2010;

- 1 (2) \$2,350,000,000 for fiscal year 2011;
- 2 (3) \$2,350,000,000 for fiscal year 2012;
- 3 (4) \$2,350,000,000 for fiscal year 2013; and
- 4 (5) \$2,350,000,000 for fiscal year 2014.

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