

110TH CONGRESS  
1ST SESSION

# H. R. 2289

To establish an adolescent literacy program.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2007

Mr. YARMUTH (for himself, Mr. PLATTS, Mr. BOYD of Florida, Mr. CHANDLER, Mr. HINOJOSA, Mr. MCGOVERN, Ms. JACKSON-LEE of Texas, Mr. ROGERS of Alabama, Mr. BONNER, Mr. REGULA, Mr. GRIJALVA, Mr. ALTMIRE, and Ms. HIRONO) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To establish an adolescent 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.**

4 This Act may be cited as the “Striving Readers Act  
5 of 2007”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) Only 68 percent of high school students  
9 graduate on time with a diploma, meaning that

1 every year 1,300,000 students fail to graduate from  
2 high school.

3 (2) In 2004 alone, these 1,300,000 nongrad-  
4 uates cost the Nation more than \$325,000,000,000  
5 in lost wages, taxes, and productivity over their life-  
6 times.

7 (3) High school graduation rates for low-income  
8 students and students of color hover around 50 per-  
9 cent, as do graduation rates for students in urban  
10 school districts. Graduation rates for English lan-  
11 guage learners are particularly low.

12 (4) Only 34 percent of high school students  
13 graduate with the skills the students need to succeed  
14 in college or the workplace.

15 (5) Community colleges alone pay  
16 \$1,400,000,000 a year to provide remedial education  
17 to students under 25 who should have learned these  
18 basic skills in secondary school.

19 (6) Seventy-one percent of 8th graders read  
20 below the proficient level on the 2005 National As-  
21 sessment of Educational Progress, indicating that  
22 students in middle schools and high schools struggle  
23 to graduate because their literacy achievement is  
24 alarmingly low.

1           (7) Between 1971 and 2004, the reading levels  
2 of America's 17-year-olds showed no improvement at  
3 all.

4           (8) In a typical high-poverty urban school, ap-  
5 proximately half of incoming 9th grade students  
6 read at a 6th or 7th grade level, and among low-in-  
7 come 8th graders, just 15 percent read at a pro-  
8 ficient level.

9           (9) On average, African-American and Hispanic  
10 12th grade students read at the same level as White  
11 8th grade students.

12           (10) Secondary school students' ability to read  
13 complex texts is strongly predictive of the students'  
14 performance in college mathematics and science  
15 courses.

16           (11) The 25 fastest-growing professions have  
17 far greater than average literacy demands, while the  
18 fastest-declining professions have lower than average  
19 literacy demands.

20           (12) About 40 percent of secondary school  
21 graduates lack the literacy skills employers seek.

22           (13) Students need literacy instruction at all  
23 grade levels and in every subject in order to improve  
24 their achievement and school completion.

1           (14) Researchers are in strong consensus as to  
2           a number of specific steps that can be taken to im-  
3           prove literacy instruction in grades 4 through 12.

4 **SEC. 3. PURPOSES.**

5           The purposes of this Act are—

6           (1) to improve student achievement in grades 4  
7           through 12 by establishing adolescent literacy initia-  
8           tives with measurable goals and explicit action steps  
9           to achieve those goals;

10          (2) to improve secondary school graduation and  
11          college readiness rates by improving adolescent lit-  
12          eracy achievement;

13          (3) to provide support for selecting, admin-  
14          istering, and interpreting diagnostic assessments,  
15          formative assessments, and summative assessments  
16          for adolescent literacy achievement;

17          (4) to develop curricular materials, instructional  
18          tools, and teaching strategies that boost adolescent  
19          literacy achievement;

20          (5) to provide intensive high-quality profes-  
21          sional development for teachers of core academic  
22          subjects to integrate adolescent literacy instructional  
23          strategies and assessments that support the learning  
24          of content;

1           (6) to provide training for literacy coaches to  
2           guide and support all teachers regarding schoolwide  
3           literacy implementation;

4           (7) to provide high-quality professional develop-  
5           ment for school leaders in developing and admin-  
6           istering adolescent literacy initiatives at the school  
7           level; and

8           (8) to improve the coordination of standards,  
9           curricula, interventions, and assessments for adoles-  
10          cent literacy skills within and among schools, local  
11          educational agencies, and States.

12 **SEC. 4. DEFINITIONS.**

13          (a) ESEA DEFINITIONS.—In this Act, the terms  
14          “core academic subjects”, “limited English proficient”,  
15          “local educational agency”, “poverty line”, “secondary  
16          school”, and “State educational agency” have the mean-  
17          ings given the terms in section 9101 of the Elementary  
18          and Secondary Education Act of 1965 (20 U.S.C. 7801).

19          (b) OTHER DEFINITIONS.—In this Act:

20                 (1) ADOLESCENT LITERACY.—The term “ado-  
21                 lescent literacy” means the possession of the grade  
22                 level appropriate reading and writing skills required  
23                 for students in grades 4 through 12 to construct and  
24                 communicate meaning from text and to become ac-  
25                 tively engaged in the learning process.

1           (2) ADOLESCENT LITERACY INITIATIVE.—The  
2 term “adolescent literacy initiative” means a com-  
3 prehensive approach to improving adolescent literacy  
4 achievement in grades 4 through 12.

5           (3) CHILD WITH A DISABILITY.—The term  
6 “child with a disability” has the meaning given the  
7 term in section 602 of the Individuals with Disabil-  
8 ities Education Act (20 U.S.C. 1401).

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

11                 (A) valid, reliable, and based on literacy  
12 research; and

13                 (B) 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 for, and the  
22 related special needs of, the student.

23           (5) FORMATIVE ASSESSMENT.—The term  
24 “formative assessment” means an assessment that—

1 (A) evaluates a student’s learning based on  
2 systematic observations by teachers of the stu-  
3 dent performing academic tasks that are part of  
4 the student’s daily classroom experience;

5 (B) is used to improve instruction in lit-  
6 eracy, including classroom instruction; and

7 (C) causes the student to reflect on the  
8 student’s strengths and needs, and helps the  
9 student to internalize strategies for improving  
10 the student’s literacy skills.

11 (6) HIGH-QUALITY PROFESSIONAL DEVELOP-  
12 MENT.—The term “high-quality professional devel-  
13 opment” means job-embedded, ongoing professional  
14 development that—

15 (A) provides teachers, administrators, and  
16 school leaders with the research-based elements  
17 of an effective adolescent literacy initiative; and

18 (B) supports adolescent literacy instruction  
19 in core academic subjects.

20 (7) INSTITUTION OF HIGHER EDUCATION.—The  
21 term “institution of higher education” has the  
22 meaning given the term in section 101(a) of the  
23 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

24 (8) LITERACY COACH.—The term “literacy  
25 coach” means a professional—

1 (A) who—

2 (i) has previous teaching experience  
3 and a master’s degree with a concentration  
4 in reading and writing education;

5 (ii) has obtained such experience and  
6 training not later than 3 years after as-  
7 suming the role of literacy coach; or

8 (iii) has demonstrated proficiency in  
9 teaching reading and/or writing in a con-  
10 tent area such as math, science, or social  
11 studies;

12 (B) whose primary role with teachers and  
13 school personnel is to—

14 (i) provide high-quality professional  
15 development opportunities for teachers and  
16 school personnel;

17 (ii) collaborate with paraprofessionals,  
18 teachers, administrators, and the commu-  
19 nity served by the school in the areas of  
20 reading and writing; and

21 (iii) work cooperatively and collabo-  
22 ratively with other professionals in plan-  
23 ning programs to meet the needs of diverse  
24 population learners, including children with



1 disabilities and students who are limited  
2 English proficient; and

3 (C) who may provide students with—

4 (i) reflective, inquiry-based reading or  
5 writing diagnosis, instruction, and assess-  
6 ment; and

7 (ii) reading and writing assessment, in  
8 cooperation with other professionals (such  
9 as special education teachers, speech and  
10 language teachers, and school psycholo-  
11 gists).

12 (9) LITERACY LEADERSHIP TEAM.—The term  
13 “literacy leadership team” means a team of not less  
14 than 2 individuals in a school that assumes the re-  
15 sponsibility to guide the development and implemen-  
16 tation of an adolescent literacy initiative, which indi-  
17 viduals—

18 (A) shall include not less than 1 individual  
19 who has literacy training; and

20 (B) may include a school leader, a literacy  
21 specialist serving the school (including a lit-  
22 eracy coach or media specialist), a counselor, a  
23 teacher of a core academic subject, a special  
24 education teacher, or a teacher with expertise in

1 teaching the English language to children who  
2 are limited English proficient.

3 (10) RESEARCH-BASED ELEMENTS OF AN EF-  
4 FECTIVE ADOLESCENT LITERACY INITIATIVE.—The  
5 term “research-based elements of an effective adoles-  
6 cent literacy initiative” means elements of a com-  
7 prehensive approach to adolescent literacy that en-  
8 tails—

9 (A) explicit and systematic instruction in  
10 adolescent literacy strategies, including—

11 (i) direct and explicit comprehension  
12 instruction;

13 (ii) motivation and self-directed learn-  
14 ing;

15 (iii) text-based collaborative learning;

16 (iv) strategic tutoring;

17 (v) use of diverse texts;

18 (vi) intensive writing;

19 (vii) use of technology; and

20 (viii) use of formative assessments;

21 and

22 (B) school-level structural efforts to im-  
23 prove adolescent literacy instruction, includ-  
24 ing—

- 1 (i) extended time for adolescent lit-  
2 eracy instruction;
- 3 (ii) high-quality professional develop-  
4 ment for teachers;
- 5 (iii) the use of summative assess-  
6 ments;
- 7 (iv) creating teacher teams to analyze  
8 student work and to plan instruction;
- 9 (v) involving school leaders; and
- 10 (vi) creating interdisciplinary and  
11 interdepartmental literacy teams to coordi-  
12 nate literacy instruction in a school.

13 (11) SCHOOL LEADER.—The term “school lead-  
14 er” means an individual who—

- 15 (A) is an employee or officer of a school;  
16 and
- 17 (B) is responsible for—
- 18 (i) the school’s performance; and
- 19 (ii) the daily instructional and mana-  
20 gerial operations of the school.

21 (12) SECRETARY.—The term “Secretary”  
22 means the Secretary of Education.

23 (13) SPECIAL EDUCATION.—The term “special  
24 education” has the meaning given the term in sec-

1 tion 602 of the Individuals with Disabilities Edu-  
2 cation Act (20 U.S.C. 1401).

3 (14) STATE.—The term “State” means each of  
4 the several States of the United States, the District  
5 of Columbia, and the Commonwealth of Puerto Rico.

6 (15) SUMMATIVE ASSESSMENT.—The term  
7 “summative assessment” means an assessment that  
8 evaluates a student’s learning based on a standard-  
9 ized examination designed to measure literacy  
10 achievement.

11 **SEC. 5. STRIVING READERS PROGRAM AUTHORIZED.**

12 (a) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—

13 (1) IN GENERAL.—For any fiscal year for  
14 which the funds appropriated under section 11 are  
15 less than \$200,000,000, the Secretary shall—

16 (A) reserve not more than a total of 1 per-  
17 cent of such funds—

18 (i) to award a contract under section  
19 9 for a national evaluation of the grant  
20 programs assisted under this subsection;  
21 and

22 (ii) for the dissemination of informa-  
23 tion, resulting from the grant programs as-  
24 sisted under this subsection, in accordance  
25 with section 10; and

1 (B) use the funds not reserved under sub-  
2 paragraph (A) to award grants, on a competi-  
3 tive basis and in accordance with section 7(e),  
4 to local educational agencies (or consortia of  
5 local educational agencies) described in para-  
6 graph (2) that apply under section 7(b), for the  
7 purpose of enabling the local educational agen-  
8 cies or consortia to carry out the authorized ac-  
9 tivities described in section 7(d).

10 (2) ELIGIBILITY.—A local educational agency  
11 or consortium of local educational agencies shall only  
12 be eligible for a grant under this subsection if—

13 (A) in the case of a single local educational  
14 agency, the local educational agency is eligible  
15 for assistance under part A of title I of the Ele-  
16 mentary and Secondary Education Act of 1965  
17 (20 U.S.C. 6311 et seq.); and

18 (B) in the case of a consortium of local  
19 educational agencies, each local educational  
20 agency participating in the consortium is eligi-  
21 ble for assistance under such part.

22 (b) GRANTS TO STATE EDUCATIONAL AGENCIES.—

23 (1) IN GENERAL.—For any fiscal year for  
24 which the funds appropriated under section 11 equal  
25 or exceed \$200,000,000, the Secretary shall—

1 (A) reserve not more than a total of 1 per-  
2 cent of such funds or \$3,000,000, whichever  
3 amount is less—

4 (i) to award a contract under section  
5 9 for a national evaluation of the State  
6 grant and subgrant programs assisted  
7 under this Act; and

8 (ii) for the dissemination of informa-  
9 tion, resulting from the State grant and  
10 subgrant programs assisted under this Act,  
11 in accordance with section 10;

12 (B) reserve  $\frac{1}{2}$  of 1 percent for allotments  
13 for the United States Virgin Islands, Guam,  
14 American Samoa, and the Commonwealth of  
15 the Northern Mariana Islands, to be distributed  
16 among such outlying areas on the basis of their  
17 relative need, as determined by the Secretary in  
18 accordance with the purposes of this Act;

19 (C) reserve  $\frac{1}{2}$  of 1 percent for the Sec-  
20 retary of the Interior for programs under this  
21 Act in schools operated or funded by the Bu-  
22 reau of Indian Affairs; and

23 (D) use the funds not reserved under sub-  
24 paragraphs (A), (B), and (C) to award grants  
25 to State educational agencies, through allot-

1           ments under paragraph (2), to enable the State  
2           educational agencies to award subgrants to  
3           local educational agencies or consortia of local  
4           educational agencies for the implementation of  
5           adolescent literacy initiatives in accordance with  
6           section 7.

7           (2) ALLOTMENT FORMULA.—From the funds  
8           made available under paragraph (1)(D) for a fiscal  
9           year and subject to paragraph (3), the Secretary  
10          shall allot to each State educational agency for the  
11          fiscal year an amount that bears the same ratio to  
12          such funds as the product of—

13                 (A) the number of children, aged 5 to 17,  
14                 who reside within the State and are from fami-  
15                 lies below the poverty level, based on the most  
16                 recent satisfactory data provided to the Sec-  
17                 retary by the Bureau of the Census for deter-  
18                 mining eligibility under section 1124(c)(1)(A)  
19                 of the Elementary and Secondary Education  
20                 Act of 1965 (20 U.S.C. 6333(c)(1)(A)); multi-  
21                 plied by

22                 (B) the percentage of students in grade 8  
23                 in the State who received a score below the  
24                 basic level of achievement on the most recent  
25                 grade 8 reading assessment conducted as part

1 of the National Assessment of Educational  
2 Progress under section 303 of the National As-  
3 sessment of Educational Progress Authorization  
4 Act (20 U.S.C. 9622) for which data are avail-  
5 able,

6 bears to the sum of all such products for all States.

7 (3) SPECIAL RULES.—

8 (A) MINIMUM ALLOTMENT.—No State re-  
9 ceiving an allotment under paragraph (2) may  
10 receive less than one-fourth of 1 percent of the  
11 total amount allotted under such paragraph.

12 (B) SPECIAL RULES FOR PUERTO RICO.—  
13 In determining the allotment under paragraph  
14 (2) for Puerto Rico, the Secretary shall comply  
15 with the following:

16 (i) USE OF NATIONAL PERCENT-  
17 AGE.—If Puerto Rico did not participate in  
18 the most recent grade 8 reading assess-  
19 ment of the National Assessment of Edu-  
20 cational Progress for which data are avail-  
21 able, the Secretary shall use the national  
22 percentage of students who received a  
23 score below the basic level of achievement  
24 on such assessment to calculate Puerto  
25 Rico's allotment.



1                   (ii) LIMITATION OF ALLOTMENT PER-  
2                   CENTAGE.—Notwithstanding clause (i) or  
3                   paragraph (2), in no case shall the Sec-  
4                   retary allot to Puerto Rico under para-  
5                   graph (2) for a fiscal year a percentage of  
6                   the total amount available for all allot-  
7                   ments under paragraph (1)(D) that ex-  
8                   ceeds the percentage allotted to Puerto  
9                   Rico of the total funds allotted to all  
10                  States under part A of title I of the Ele-  
11                  mentary and Secondary Education Act of  
12                  1965 (20 U.S.C. 6311 et seq.) for the pre-  
13                  ceding fiscal year.

14               (c) DURATION OF GRANT OR SUBGRANT.—Each  
15               grant or subgrant awarded under subsection (b) shall be  
16               for a period of not more than 5 years.

17               (d) PEER REVIEW.—

18                   (1) IN GENERAL.—The Secretary, in consulta-  
19                   tion with the Director of the National Institute for  
20                   Literacy, shall convene a peer review panel to evalu-  
21                   ate applications for each grant awarded to a State  
22                   educational agency under subsection (b)(1)(D), or to  
23                   a local educational agency under subsection  
24                   (a)(1)(B), using the evaluation criteria described in  
25                   paragraph (2).

1           (2) DEVELOPMENT OF EVALUATION CRI-  
2           TERIA.—The Secretary shall promulgate regulations,  
3           subject to notice and comment, establishing the cri-  
4           teria that the peer review panel shall use to evaluate  
5           the grant applications under this section.

6           (3) MEMBERSHIP.—

7           (A) COMPOSITION.—The peer review panel  
8           convened under paragraph (1) shall be com-  
9           posed of not less than 12 members, of whom—

10           (i) 3 shall be appointed by the Sec-  
11           retary;

12           (ii) 3 shall be appointed by the Sec-  
13           retary from among persons recommended  
14           by the Director of the National Institute  
15           for Literacy and relevant education organi-  
16           zations and professional associations with  
17           expertise in adolescent literacy;

18           (iii) 3 shall be appointed by the Sec-  
19           retary from among persons recommended  
20           by the Chairman of the National Research  
21           Council of the National Academy of  
22           Sciences; and

23           (iv) 3 shall be appointed by the Sec-  
24           retary from among persons recommended

1 by the Director of the National Institute of  
2 Child Health and Human Development.

3 (B) COMPETENCY AND EXPERTISE.—

4 (i) COMPETENCY.—The Secretary  
5 shall ensure that each member of the peer  
6 review panel appointed under subpara-  
7 graph (A) is competent, by virtue of the  
8 training, expertise, or experience of the  
9 member, to evaluate grant applications  
10 under this section.

11 (ii) EXPERTISE.—The Secretary shall  
12 ensure that the peer review panel ap-  
13 pointed under subparagraph (A) includes,  
14 at a minimum—

15 (I) classroom teachers or literacy  
16 coaches with expertise in literacy, in-  
17 cluding special education teachers and  
18 teachers of students who are limited  
19 English proficient;

20 (II) experts who provide high-  
21 quality professional development to in-  
22 dividuals who teach literacy to chil-  
23 dren and adults;

1 (III) experts who provide high-  
2 quality professional development to  
3 other instructional staff; and

4 (IV) experts in screening, diag-  
5 nostic, and classroom-based instruc-  
6 tional reading assessments.

7 (iii) CONFLICT OF INTEREST.—The  
8 Secretary shall ensure that members of the  
9 peer review panel do not stand to benefit  
10 financially from grants awarded under this  
11 Act.

12 (4) RECOMMENDATIONS.—The panel shall rec-  
13 ommend grant applications under this section to the  
14 Secretary for funding or for disapproval.

15 (5) DISTRIBUTION OF RECOMMENDATIONS.—  
16 Not later than 120 days after the panel submits the  
17 panel's recommendation regarding an application by  
18 a State educational agency or a local educational  
19 agency for a grant under this section to the Sec-  
20 retary, the Secretary shall notify the State edu-  
21 cational agency or local educational agency that the  
22 application has been approved or disapproved and  
23 shall provide to such State educational agency or  
24 local educational agency a copy of the panel's rec-  
25 ommendation.

1 (e) SUPPLEMENT NOT SUPPLANT.—Grant funds  
2 awarded under this section shall supplement, and not sup-  
3 plant, non-Federal funds that would, in the absence of  
4 such grant funds, be made available for the literacy in-  
5 struction of pupils participating in programs assisted  
6 under this Act.

7 (f) MAINTENANCE OF EFFORT.—Each State edu-  
8 cational agency that receives a grant under this section,  
9 and each local educational agency that receives a grant  
10 or subgrant under this section, shall maintain the expendi-  
11 tures of the State educational agency or local educational  
12 agency, respectively, for literacy instruction in grades 4  
13 through 12 at a level not less than the level of such ex-  
14 penditures maintained by the State educational agency or  
15 local educational agency, respectively, for the fiscal year  
16 preceding the fiscal year for which the grant or subgrant  
17 is received.

18 **SEC. 6. STATE GRANTS.**

19 (a) STATE APPLICATIONS.—A State educational  
20 agency desiring to receive an allotment under section  
21 5(b)(1)(D) shall submit an application to the Secretary  
22 at such time, in such manner, and containing such infor-  
23 mation as the Secretary may require. Each such applica-  
24 tion shall include—

1           (1) an assurance from the State educational  
2 agency that the State educational agency will form  
3 an adolescent literacy team that—

4           (A) builds public support for a statewide  
5 focus on adolescent literacy;

6           (B) strengthens and aligns State literacy  
7 standards with curricula, assessments, and  
8 high-quality professional development require-  
9 ments;

10          (C) guides local educational agencies and  
11 schools in the creation of adolescent literacy ini-  
12 tiatives;

13          (D) builds educators' capacity to provide  
14 adolescent literacy instruction;

15          (E) measures and assesses progress in ad-  
16 olescent literacy at the school, local educational  
17 agency, and State levels, using existing data if  
18 such data are valid, appropriate, and approved  
19 by the Secretary; and

20          (F) disseminates information on promising  
21 practices and progress in student literacy  
22 achievement;

23           (2) an assurance that the State educational  
24 agency, and any local educational agency receiving a  
25 subgrant from the State educational agency under

1 section 7, will, if requested, participate in the na-  
2 tional evaluation under section 9; and

3 (3) an implementation plan that includes—

4 (A) a description of how the State edu-  
5 cational agency will assist local educational  
6 agencies with developing and using the forma-  
7 tive assessments, summative assessments,  
8 teaching strategies, curricular materials, in-  
9 structional tools, high-quality professional devel-  
10 opment, and research-based elements of an ef-  
11 fective adolescent literacy initiative;

12 (B) evidence that local educational agen-  
13 cies in the State are committed to instructional  
14 changes and can implement adolescent literacy  
15 initiatives effectively;

16 (C) a description of how the State edu-  
17 cational agency will coordinate and align the  
18 State grant program assisted under this Act  
19 with—

20 (i) other State and local programs  
21 that promote adolescent literacy instruc-  
22 tion; and

23 (ii) overall literacy instruction in the  
24 State in kindergarten through grade 12;

1 (D) a description of how the State edu-  
2 cational agency will, to the extent practicable,  
3 award grants to—

4 (i) local educational agencies that  
5 serve rural areas; and

6 (ii) local educational agencies that  
7 serve urban areas; and

8 (E) a description of how local educational  
9 agencies in the State will address the literacy  
10 needs of children with disabilities, and students  
11 who are limited English proficient, in grades 4  
12 through 12 and how local educational agencies  
13 in the State will provide professional develop-  
14 ment in adolescent literacy instruction to spe-  
15 cial education teachers or teachers of students  
16 who are limited English proficient.

17 (b) STATE DISTRIBUTION OF FUNDS.—Of the  
18 amount allotted to a State educational agency under sec-  
19 tion 5(b)(1)(D), the State educational agency shall use—

20 (1) not less than 80 percent of such amount to  
21 award subgrants under section 7;

22 (2) not more than 15 percent of such amount  
23 to administer the subgrant program; and

24 (3) not more than 5 percent of such amount to  
25 carry out the activities described in subsection (c).



1 (c) STATE ACTIVITIES.—

2 (1) MANDATORY ACTIVITIES.—A State edu-  
3 cational agency that receives an allotment under sec-  
4 tion 5(b)(1)(D) shall use the funds made available  
5 under subsection (b)(3) to carry out all of the fol-  
6 lowing activities:

7 (A) PROFESSIONAL DEVELOPMENT OR  
8 TECHNICAL ASSISTANCE.—The State edu-  
9 cational agency shall provide high-quality pro-  
10 fessional development, or technical assistance,  
11 to a local educational agency, or a provider of  
12 high-quality professional development associated  
13 with a local educational agency, to help the  
14 local educational agency or provider administer  
15 high-quality professional development in order  
16 to train teachers and school leaders in adoles-  
17 cent literacy instruction.

18 (B) PRESERVICE COURSEWORK REVIEW.—  
19 The State educational agency shall strengthen  
20 and enhance preservice courses for students  
21 preparing, at all public institutions of higher  
22 education in the State, to teach any of grades  
23 4 through 12 by—

24 (i) reviewing such courses to deter-  
25 mine whether the courses' content is con-

1           sistent with findings of the most recent lit-  
2           eracy research, including findings on the  
3           researched based elements of an effective  
4           adolescent literacy initiative;

5           (ii) following up such reviews with  
6           recommendations to ensure that such insti-  
7           tutions offer courses that meet the highest  
8           standards; and

9           (iii) preparing a report on the results  
10          of such reviews and submitting the report  
11          to the reading and literacy partnership for  
12          the State established under section  
13          1203(d) of the Elementary and Secondary  
14          Education Act of 1965 (20 U.S.C.  
15          6363(d)) and all public institutions of  
16          higher education in the State, and making  
17          the report available for public review by  
18          means of the Internet.

19          (C) STATE LICENSURE AND CERTIFI-  
20          CATION RECOMMENDATIONS.—The State edu-  
21          cational agency shall make recommendations on  
22          how the State licensure and certification stand-  
23          ards in the area of reading instruction in  
24          grades 4 through 12 might be improved.

1 (D) PROGRESS REPORTS FOR STATE EDU-  
2 CATIONAL AGENCY GRANT RECIPIENTS.—

3 (i) SUBMISSION.—Not later than 60  
4 days after the termination of the third  
5 year and the fifth year of the grant period,  
6 the State educational agency shall submit  
7 a progress report to the Secretary that  
8 shall include—

9 (I) information on the progress  
10 the State educational agency and local  
11 educational agencies within the State  
12 are making in reducing the number of  
13 students served under this Act in  
14 grades 4 through 12 who are reading  
15 or writing below grade level (as dem-  
16 onstrated by such information as  
17 teacher reports and school evaluations  
18 of mastery of the research-based ele-  
19 ments of an effective adolescent lit-  
20 eracy initiative);

21 (II) evidence from the State edu-  
22 cational agency and local educational  
23 agencies within the State that the  
24 State educational agency and the local  
25 educational agencies have—

1           (aa) significantly increased  
2           the number of students reading  
3           and writing at or above grade  
4           level;

5           (bb) significantly increased  
6           the percentages of students de-  
7           scribed           in           section  
8           1111(b)(2)(C)(v)(II) of the Ele-  
9           mentary and Secondary Edu-  
10          cation Act of 1965 (20 U.S.C.  
11          6311 (b)(2)(C)(v)(II)) who are  
12          reading at or above grade level;  
13          and

14          (cc) successfully imple-  
15          mented the State educational  
16          agency's duties under this Act;  
17          and

18          (III) information regarding the  
19          number and percentage of students  
20          served by the local educational agen-  
21          cies within the State who are grad-  
22          uating from secondary school with a  
23          regular secondary school diploma in  
24          the standard number of years.

1 (ii) PEER REVIEW.—The progress re-  
2 port described in this paragraph shall be  
3 reviewed by the peer review panel convened  
4 under section 5(d).

5 (2) PERMISSIVE ACTIVITIES.—A State edu-  
6 cational agency that receives an allotment under sec-  
7 tion 5(b)(1)(D) may use the funds made available  
8 under subsection (b)(3) to carry out any of the fol-  
9 lowing activities:

10 (A) Identifying providers of high-quality  
11 professional development for local educational  
12 agencies.

13 (B) Training the personnel of local edu-  
14 cational agencies to use data systems that track  
15 student literacy achievement.

16 **SEC. 7. GRANTS AND SUBGRANTS TO LOCAL EDUCATIONAL**  
17 **AGENCIES.**

18 (a) SUBGRANTS AUTHORIZED.—A State receiving an  
19 allotment under section 5(b)(1)(D) shall use funds made  
20 available under section 6(b)(1) to award subgrants, on a  
21 competitive basis, to local educational agencies and con-  
22 sortia of local educational agencies to enable the local edu-  
23 cational agencies and consortia to carry out the authorized  
24 activities described in subsection (d).

1           (b) APPLICATIONS.—A local educational agency or  
2 consortium desiring to receive a grant or subgrant under  
3 this Act shall submit an application to the Secretary or  
4 the State educational agency (as appropriate) at such  
5 time, in such manner, and containing such information as  
6 the Secretary or the State educational agency, respec-  
7 tively, may require. Such application shall include the fol-  
8 lowing information:

9           (1) For each school that the local educational  
10 agency or consortium identifies as participating in a  
11 grant or subgrant program under this Act—

12                   (A) how the school, local educational agen-  
13 cy, or a provider of high-quality professional de-  
14 velopment will provide ongoing high-quality pro-  
15 fessional development in adolescent literacy in-  
16 struction to teachers of core academic subjects  
17 and school leaders served by the school, local  
18 educational agency, or provider, respectively;

19                   (B) how the school will perform a capacity  
20 survey to identify the strengths and weaknesses  
21 of such school related to adolescent literacy;

22                   (C) how the results of the survey described  
23 in subparagraph (B) will be used to inform in-  
24 struction at the school;

1 (D)(i) how the school will form a literacy  
2 leadership team;

3 (ii) the composition of the literacy leader-  
4 ship team; and

5 (iii) how the literacy leadership team will—

6 (I) create an adolescent literacy initia-  
7 tive;

8 (II) assess the success of the adoles-  
9 cent literacy initiative; and

10 (III) determine what refinements and  
11 changes are needed to the adolescent lit-  
12 eracy initiative;

13 (E) a budget for the school that projects  
14 the costs of developing and implementing an  
15 adolescent literacy initiative; and

16 (F) an explanation of how the school will  
17 integrate adolescent literacy instruction into  
18 core academic subjects.

19 (2) A description of—

20 (A) the assessment system that will be  
21 used to track literacy progress in schools that  
22 the local educational agency or consortium iden-  
23 tifies as participating in a grant program or  
24 subgrant program, as appropriate, under this  
25 Act;

1 (B) the types of formative assessments and  
2 summative assessments that will be used in the  
3 assessment system; and

4 (C) the types of assessment results that  
5 will determine the success of the adolescent lit-  
6 eracy initiative under this Act.

7 (3) How parents will be involved in supporting  
8 adolescent literacy instruction.

9 (4) In the case of a local educational agency de-  
10 siring a grant under section 5(a)(1)(B), an assur-  
11 ance that the local educational agency will, if re-  
12 quested, participate in the national evaluation under  
13 section 9.

14 (c) AWARD BASIS.—

15 (1) PRIORITY.—

16 (A) IN GENERAL.—The Secretary or the  
17 State educational agency, as appropriate, shall  
18 give priority to awarding a grant or subgrant  
19 under this Act to a local educational agency or  
20 consortium, on the basis of the factors de-  
21 scribed in subparagraph (B).

22 (B) FACTORS.—The factors referred to in  
23 subparagraph (A) are—

24 (i) the number of children aged 5 to  
25 17 served by the local educational agency



1 or consortium who are from families below  
2 the poverty level, based on the most recent  
3 satisfactory data provided to the Secretary  
4 by the Bureau of the Census for deter-  
5 mining eligibility under section  
6 1124(c)(1)(A) of the Elementary and Sec-  
7 ondary Education Act of 1965 (20 U.S.C.  
8 6333(c)(1)(A));

9 (ii) the number or percentage of stu-  
10 dents in grades 4 through 12 served by the  
11 local educational agency or consortium who  
12 are reading or writing below grade level;  
13 and

14 (iii) the total number or percentage of  
15 schools served by the local educational  
16 agency or consortium that—

17 (I) enroll students in any of the  
18 grades 4 through 12; and

19 (II) were identified for school im-  
20 provement, corrective action, or re-  
21 structuring under paragraph (1),(7),  
22 or (8) of section 1116(b) of the Ele-  
23 mentary and Secondary Education  
24 Act of 1965 (20 U.S.C. 6316(b)) for  
25 the preceding academic year.

1           (2) AMOUNT OF THE GRANT.—In determining  
2 the amounts of the grant or subgrant awards under  
3 this Act, the Secretary or the State educational  
4 agency, as applicable, shall—

5           (A) provide funds in sufficient size and  
6 scope to enable the local educational agency or  
7 consortium receiving a grant or subgrant to im-  
8 prove adolescent literacy instruction; and

9           (B) provide funds in an amount related to  
10 the number or percentage of students in grades  
11 4 through 12 served by the local educational  
12 agency or consortium who are reading below  
13 grade level.

14 (d) LOCAL AUTHORIZED ACTIVITIES.—

15           (1) MANDATORY ACTIVITIES.—A local edu-  
16 cational agency or consortium that receives a grant  
17 or subgrant under this Act shall use the grant or  
18 subgrant funds to carry out all of the following ac-  
19 tivities for students in grades 4 through 12:

20           (A) Selecting and administering  
21 screenings, diagnostic assessments, formative  
22 assessments, and summative assessments to de-  
23 termine the students' literacy difficulties, read-  
24 ing and writing levels, and literacy growth.

1 (B) Developing and implementing adoles-  
2 cent literacy plans that serve the needs of stu-  
3 dents (including children with disabilities and  
4 students who are limited English proficient)  
5 who are reading or writing significantly below  
6 grade level, which plans shall—

7 (i) provide intensive, accelerated, ex-  
8 plicit instruction in reading to students  
9 who have significant deficits in reading  
10 skills;

11 (ii) include the research-based ele-  
12 ments of an effective adolescent literacy  
13 initiative;

14 (iii) provide literacy materials and in-  
15 structional strategies to improve reading or  
16 writing achievement;

17 (iv) provide, to teachers in core aca-  
18 demic subjects, high-quality professional  
19 development that includes instruction on  
20 utilizing the research-based elements of an  
21 effective adolescent literacy initiative, in-  
22 cluding utilizing age-appropriate reading  
23 materials and instructional strategies to  
24 improve the literacy skills of the students  
25 within the content area;

1 (v) provide, in addition to regular  
2 classroom instruction, extended learning  
3 opportunities for the students during  
4 school hours or at school facilities; and

5 (vi) allow teachers to meet together to  
6 plan instruction, review the work of the  
7 students, and analyze literacy data.

8 (C) Training school leaders to support, de-  
9 velop, and administer adolescent literacy initia-  
10 tives that—

11 (i) utilize data—

12 (I) to inform instructional deci-  
13 sions; and

14 (II) to assess professional devel-  
15 opment needs;

16 (ii) assess the quality of adolescent lit-  
17 eracy instruction in core academic subjects;  
18 and

19 (iii) provide time for teachers to meet  
20 to plan adolescent literacy instruction in  
21 core academic subjects.

22 (D) Collecting, analyzing, and reporting  
23 data on the literacy achievement growth of the  
24 students who are served by the local educational  
25 agency or consortium and who read or write

1 significantly below grade level (as determined  
2 by the Secretary or the State educational agen-  
3 cy, as appropriate), which may include con-  
4 tracting with an external evaluator to measure  
5 the impact of adolescent literacy interventions  
6 on the students.

7 (E) In the case of a local educational agen-  
8 cy or consortium receiving a subgrant under  
9 subsection (a)—

10 (i) collecting and summarizing data—

11 (I) to document the effectiveness  
12 of activities carried out under this Act  
13 in individual schools and in the local  
14 educational agency as a whole; and

15 (II) to stimulate and accelerate  
16 improvement by identifying the  
17 schools that produce significant gains  
18 in academic achievement; and

19 (ii) reporting data to the State edu-  
20 cational agency for all students and cat-  
21 egories of students described in section  
22 1111(b)(2)(C)(v)(II) of the Elementary  
23 and Secondary Education Act of 1965 (20  
24 U.S.C. 6311(b)(2)(C)(v)(II)).

1           (F) In the case of a local educational agen-  
2           cy or consortium receiving a grant under sec-  
3           tion 5(a)(1)(B), submitting to the Secretary,  
4           not later than 60 days after the termination of  
5           the third year and the fifth year of the grant  
6           period, a progress report that contains the in-  
7           formation described in section 6(c)(1)(D)(i)  
8           with respect to the local educational agency,  
9           which report shall be reviewed by the peer re-  
10          view panel convened under section 5(d).

11          (2) PERMISSIVE ACTIVITIES.—A local edu-  
12          cational agency or consortium that receives a grant  
13          or subgrant under this Act may use the grant or  
14          subgrant funds to carry out any of the following ac-  
15          tivities for students in grades 4 through 12:

16                (A) Recruiting, placing, and training ado-  
17                lescent literacy coaches.

18                (B) Providing high-quality professional de-  
19                velopment for teachers or identifying providers  
20                of high-quality professional development for  
21                teachers.

22                (C) Connecting out-of-school learning op-  
23                portunities to in-school learning in order to im-  
24                prove the literacy achievement of the students.

1 (D) Training parents and family members  
2 to support the improvement of adolescent lit-  
3 eracy, as appropriate.

4 (E) Acquiring academically rich literacy  
5 materials that support multiple reading levels  
6 and engage the interests of the students.

7 (F) Utilizing technology and purchasing  
8 software to improve literacy achievement.

9 (G) Purchasing, implementing, or adapting  
10 supplementary literacy interventions for stu-  
11 dents who are reading or writing below grade  
12 level.

13 (3) LIMITATION TO CERTAIN SCHOOLS.—A  
14 local educational agency receiving a subgrant under  
15 subsection (a) shall, in distributing subgrant funds  
16 under this subsection, provide funds only to schools  
17 that both—

18 (A) are among the schools served by the  
19 local educational agency with the highest per-  
20 centages or numbers of students in grades 4  
21 through 12 reading below grade level, based on  
22 the most currently available data; and

23 (B)(i) are identified for school improve-  
24 ment, corrective action, or restructuring under  
25 paragraph (1), (7), or (8) of section 1116(b) of

1 the Elementary and Secondary Education Act  
2 of 1965 (20 U.S.C. 6316(b)); or

3 (ii) have the highest percentages or num-  
4 bers of children counted under section 1124(c)  
5 of such Act (20 U.S.C. 6333(c)).

6 **SEC. 8. CONSEQUENCES OF INSUFFICIENT PROGRESS.**

7 (a) CONSEQUENCES FOR GRANT RECIPIENTS.—If  
8 the Secretary determines that a State educational agency  
9 receiving a grant under section 5(b)(1)(D) or a local edu-  
10 cational agency or consortium receiving a grant under sec-  
11 tion 5(a)(1)(B) is not making significant progress in meet-  
12 ing the purposes of this Act after the submission of a  
13 progress report described in section 6(c)(1)(D) or section  
14 7(d)(1)(F), respectively, then the Secretary may withhold,  
15 in whole or in part, further payments under this Act in  
16 accordance with section 455 of the General Education  
17 Provisions Act (20 U.S.C. 1234d) or take such other ac-  
18 tion authorized by law as the Secretary determines nec-  
19 essary, including providing technical assistance upon re-  
20 quest of the State educational agency, local educational  
21 agency, or consortium, respectively.

22 (b) CONSEQUENCES FOR SUBGRANT RECIPIENTS.—  
23 A State educational agency receiving a grant under section  
24 5(b)(1)(D) may refuse to award subgrant funds to a local  
25 educational agency or consortium under section 7(a) if the



1 State educational agency finds that the local educational  
2 agency or consortium is not making significant progress  
3 in meeting the purposes of this Act, after—

4 (1) providing technical assistance to the local  
5 educational agency or consortium; and

6 (2) affording the local educational agency or  
7 consortium notice and an opportunity for a hearing.

8 **SEC. 9. NATIONAL EVALUATION.**

9 (a) IN GENERAL.—From amounts reserved under  
10 subsection (a)(1) or (b)(1) (as the case may be) of section  
11 5, the Secretary shall enter into a contract with an inde-  
12 pendent organization to perform a 5-year evaluation of the  
13 grant and subgrant programs assisted under this Act.  
14 Such evaluation shall include research that applies rig-  
15 orous, systematic, and objective procedures to obtain valid  
16 knowledge relevant to literacy development, reading and  
17 writing instruction, and reading and writing difficulties;  
18 and includes research that employs experimental, quasi-  
19 experimental, and qualitative research methods involving  
20 rigorous data analyses that are adequate to test the stated  
21 hypotheses and justify the general conclusions drawn.

22 (b) CONTENTS OF EVALUATION.—The evaluation de-  
23 scribed in subsection (a) shall include an analysis of each  
24 of the following:

1           (1) The impact of the research-based elements  
2 of an effective adolescent literacy initiative on stu-  
3 dent achievement, and how various elements combine  
4 to promote student learning.

5           (2) How State standards, local educational  
6 agency and school curricula, and school interventions  
7 combine to impact student achievement.

8           (3) The impact of diagnostic assessments and  
9 formative assessments on student achievement.

10          (4) High-quality professional development and  
11 the improvement of teacher practice and student  
12 achievement resulting from such professional devel-  
13 opment.

14          (5) The impact of adolescent literacy initiatives  
15 on student motivation, engagement, and participa-  
16 tion in literacy activities and academics.

17          (6) The relationship between students' literacy  
18 achievement and secondary school graduation rates.

19 **SEC. 10. INFORMATION DISSEMINATION.**

20          From amounts reserved under subsection (a)(1) or  
21 (b)(1) (as the case may be) of section 5, the Director of  
22 the National Institute for Literacy, in collaboration with  
23 the Secretary, the regional educational laboratories estab-  
24 lished under part D of the Education Sciences Reform Act  
25 of 2002 (20 U.S.C. 9561 et seq.), and the Director of the

1 National Institute of Child Health and Human Develop-  
2 ment, shall distribute information on adolescent literacy  
3 instruction, including—

4 (1) information on adolescent literacy instruc-  
5 tion and the impact of the instruction on—

6 (A) student achievement, motivation, and  
7 engagement for literacy; and

8 (B) student graduation with a secondary  
9 school diploma;

10 (2) information on elements of high-quality pro-  
11 fessional development that improve literacy achieve-  
12 ment in students in grades 4 through 12; and

13 (3) information on schools, local educational  
14 agencies, and States that have successfully improved  
15 literacy achievement in grades 4 through 12.

16 **SEC. 11. PROHIBITION AGAINST FEDERAL MANDATES, DI-**  
17 **RECTION, OR CONTROL.**

18 Nothing in this title shall be construed to authorize  
19 an officer, employee, or contractor of the Federal Govern-  
20 ment to mandate, direct, limit, or control a State, local  
21 educational agency, or school's specific instructional con-  
22 tent, academic achievement standards and assessments,  
23 curriculum, or program of instruction.

1 **SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

2       There are authorized to be appropriated to carry out  
3 this Act—

4           (1) \$200,000,000 for fiscal year 2008;

5           (2) \$400,000,000 for fiscal year 2009;

6           (3) \$600,000,000 for fiscal year 2010;

7           (4) \$800,000,000 for fiscal year 2011; and

8           (5) \$1,000,000,000 for fiscal year 2012.

○