

111TH CONGRESS
1ST SESSION

H. R. 4037

To establish a comprehensive literacy program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 6, 2009

Mr. YARMUTH (for himself, Mr. POLIS of Colorado, and Mr. GEORGE MILLER of California) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To establish a comprehensive literacy program, and for other purposes.

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—

5 (1) the “Literacy Education for All, Results for
6 the Nation Act”; or

7 (2) the “LEARN Act”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Purposes.

- Sec. 4. Programs authorized.
- Sec. 5. State planning grants.
- Sec. 6. State implementation grants.
- Sec. 7. Subgrants to eligible entities in support of literacy for children from birth through kindergarten entry.
- Sec. 8. Subgrants to eligible entities in support of literacy for students in kindergarten through grade 12.
- Sec. 9. Additional State activities.
- Sec. 10. National evaluation, information dissemination, and technical assistance.
- Sec. 11. Consequences of insufficient progress, reporting requirements, and conflicts of interest.
- Sec. 12. Rules of construction.
- Sec. 13. Definitions.
- Sec. 14. Authorization of appropriations.

1 **SEC. 2. FINDINGS.**

2 The Congress finds that in order for a comprehensive
3 and effective literacy program to address the needs of chil-
4 dren it is critical to address the following:

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

9 (2) The development of literacy skills begins at
10 birth. Infants and toddlers associate sounds, ges-
11 tures, and marks on paper with consequences and
12 meaning. However, many low-income children do not
13 receive the exposure to oral and print language-rich
14 environments they need to support strong literacy
15 development.

16 (3) Research shows that writing leads to im-
17 proved reading achievement, reading leads to better
18 writing performance, and combined instruction leads

1 to improvements in both areas. Students in kinder-
2 garten through grade 12 need to be engaged in com-
3 bined reading and writing experiences that lead to a
4 higher level of thinking than when either process is
5 taught alone.

6 (4) Teachers and early childhood educators
7 need professional development to improve the read-
8 ing and writing abilities of children who are at risk
9 for developmental delays or are reading and writing
10 several years below grade level. Middle school and
11 secondary school teachers in core academic subjects
12 must have the tools and skills to teach reading and
13 writing for subject area understanding and to dif-
14 ferentiate and provide instruction for students with
15 varying literacy skills.

16 (5) Approximately 70 percent of 4th graders
17 and 8th graders read below the proficient level on
18 the 2007 National Assessment of Educational
19 Progress.

20 (6) Between 1971 and 2008, the reading levels
21 of 17-year-olds in the United States showed little to
22 no improvement. The ability of secondary school stu-
23 dents to read complex texts is strongly predictive of
24 their performance in postsecondary mathematics and
25 science courses.

1 (7) Only one-third of secondary school students
2 who enter 9th grade each year can expect to grad-
3 uate in 4 years with the skills needed to succeed in
4 higher education and the workplace.

5 (8) The 25 fastest-growing professions have
6 higher than average literacy demands and approxi-
7 mately half of all job growth between 2004 and
8 2014 will require high-level literacy skills.

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

14 (10) Only 73.9 percent of secondary school stu-
15 dents graduate on time with a diploma, meaning
16 that every year 1,230,000 students fail to graduate
17 from secondary school in the United States. These
18 1,230,000 nongraduates cost the United States more
19 than \$300,000,000,000 in lost wages, taxes, and
20 productivity over their lifetimes.

21 (11) Meaningful engagement of families in their
22 children's early learning supports school readiness
23 and later academic success. Parental literacy habits
24 are positively associated with parental reading be-
25 liefs, parent-child literacy and language activities in

1 the home, children's print knowledge, and interest in
2 reading.

3 **SEC. 3. PURPOSES.**

4 The purposes of this Act are—

5 (1) to improve reading, writing, and academic
6 achievement for children and students by providing
7 Federal support to State educational agencies, in
8 collaboration with State agencies that oversee child
9 care programs, to develop, coordinate, and imple-
10 ment comprehensive State literacy plans that ensure
11 high-quality instruction in early language and lit-
12 eracy in early learning programs (serving children
13 from birth through kindergarten entry) and in read-
14 ing and writing in kindergarten through grade 12;
15 and

16 (2) to assist State educational agencies and
17 State agencies that oversee child care programs in
18 achieving the purposes described in paragraph (1)
19 by—

20 (A) supporting the development and imple-
21 mentation of early learning through grade 12
22 literacy programs that are based on scientif-
23 ically valid research, to ensure that every stu-
24 dent can read and write at grade level or above;

1 (B) providing children attending early
2 learning programs that serve children from
3 birth through kindergarten entry, including pro-
4 grams, such as child care, Early Head Start,
5 Head Start, State-funded preschool, and other
6 early childhood education settings, with high-
7 quality, language-rich, literature-rich, and infor-
8 mational text-rich environments, so that such
9 children develop the fundamental knowledge
10 and skills necessary for literacy engagement,
11 development, and achievement in kindergarten
12 and beyond;

13 (C) supporting efforts to link and align
14 standards and evidence-based instruction in
15 early learning programs serving children from
16 birth through kindergarten entry;

17 (D) supporting effective educational envi-
18 ronments for children and students from birth
19 through grade 12 to develop oral language,
20 reading, and writing abilities through research-
21 based instruction and practices;

22 (E) improving student achievement by es-
23 tablishing literacy initiatives that provide ex-
24 plicit and systematic instruction in oral lan-

1 guage, reading, and writing development across
2 the curriculum;

3 (F) identifying and supporting students
4 who are reading and writing below grade level
5 by providing evidence-based intensive interven-
6 tions, including extended learning time, to help
7 such students acquire the language and literacy
8 skills they need to graduate from secondary
9 school;

10 (G) providing assistance to eligible entities
11 in order to provide educators with high-quality
12 professional development in the essential com-
13 ponents of early literacy instruction and the es-
14 sential components of reading and writing in-
15 struction;

16 (H) supporting State educational agencies
17 and local educational agencies in using age- and
18 developmentally appropriate instructional mate-
19 rials and strategies, including those consistent
20 with universal design for learning, that assist
21 teachers as they work with students to develop
22 reading and writing competencies appropriate
23 to the student's grade and skill levels;

24 (I) supporting State educational agencies
25 and eligible entities in improving reading, writ-

ing, and academic achievement for children and students, especially those that are low-income, limited English proficient, migratory, Indian or Alaskan Native, neglected or delinquent, homeless, in the custody of the child welfare system, those that have disabilities, or those who have dropped out of school; and

(J) strengthening coordination among schools, early learning programs, early literacy programs, family literacy programs, juvenile justice programs, public libraries, and outside-of-school programs that provide children and youth with strategies, curricula, interventions, and assessments designed to advance early and continuing language and literacy development in ways appropriate for each context.

SEC. 4. PROGRAMS AUTHORIZED.

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

(1) to award State planning grants in accordance with subsection (b) and section 5; and

(2) to award State implementation grants in accordance with subsection (b) and section 6 to enable—

1 (A) the State agency that oversees child
2 care programs to award subgrants to eligible
3 entities in accordance with section 7;

4 (B) the State educational agency to award
5 subgrants to eligible entities in accordance with
6 section 8; and

7 (C) the State educational agency to carry
8 out the additional State activities described in
9 section 9.

10 (b) AWARDS TO STATE EDUCATIONAL AGENCIES.—

11 (1) DISCRETIONARY GRANTS.—

12 (A) IN GENERAL.—If the amount appro-
13 priated under section 14 for a fiscal year is less
14 than \$500,000,000 the Secretary shall—

15 (i) reserve not more than 5 percent of
16 such amount for the national evaluation,
17 dissemination of information, and technical
18 assistance under section 10;

19 (ii) reserve not more than 5 percent of
20 such amount to make awards, on a com-
21 petitive basis, under section 5, except that
22 during the first year in which amounts are
23 distributed under such section, the Sec-
24 retary may reserve not more than 15 per-
25 cent of such amount for this purpose; and

1 (iii) use the amount not reserved
2 under clauses (i) and (ii) to make awards,
3 on a competitive basis and based on the
4 quality of the applications submitted, to
5 State educational agencies that have appli-
6 cations approved under section 6 to enable
7 the agencies to carry out sections 7
8 through 9.

9 (B) ALLOCATION OF FUNDS.—The Sec-
10 retary shall allocate the funds described in sub-
11 paragraph (A)(iii) among approved applicants
12 on the basis of the relative number or percent-
13 age of children counted under section 1124(c)
14 of the Elementary and Secondary Education
15 Act of 1965 (20 U.S.C. 6333(c)) in a State
16 served by an approved applicant compared to
17 the number or percentage of such children in all
18 States served by approved applicants, except
19 that awards under this paragraph shall be of
20 sufficient size and scope to be effective.

21 (2) FORMULA GRANTS.—

22 (A) IN GENERAL.—If the amount appro-
23 priated under section 14 for a fiscal year is
24 equal to or exceeds \$500,000,000 the Secretary
25 shall—

1 (i) reserve not more than 5 percent of
2 such amount for the national evaluation,
3 dissemination of information, and technical
4 assistance under section 10;

5 (ii) reserve not more than 5 percent of
6 such amount to make awards, on a com-
7 petitive basis, under section 5, except that
8 during the first year in which amounts are
9 distributed under such section, the Sec-
10 retary may reserve not more than 15 per-
11 cent of such amount for this purpose;

12 (iii) reserve a total of 1 percent of
13 such amount for—

14 (I) allotments for the United
15 States Virgin Islands, Guam, Amer-
16 ican Samoa, and the Commonwealth
17 of the Northern Mariana Islands, to
18 be distributed among such outlying
19 areas on the basis of their relative
20 need, as determined by the Secretary
21 in accordance with the purposes of
22 this Act; and

23 (II) the Secretary of the Interior
24 for programs under sections 5
25 through 9 in schools operated or fund-

1 ed by the Bureau of Indian Edu-
2 cation; and

3 (iv) use the amount not reserved
4 under clauses (i) through (iii) to make
5 awards, from allotments under subpara-
6 graph (B), to State educational agencies
7 serving States, excluding States described
8 in clause (iii)(I), that have applications ap-
9 proved under section 6 to enable the agen-
10 cies to carry out sections 7 through 9.

11 (B) STATE ALLOTMENT FORMULA.—From
12 the funds described in subparagraph (A)(iv),
13 the Secretary shall make an award to each ap-
14 proved applicant under section 6 on the basis of
15 the relative number of children counted under
16 section 1124(c) of the Elementary and Sec-
17 ondary Education Act of 1965 (20 U.S.C.
18 6333(c)) in the State served by the applicant
19 compared to the number of such children in all
20 States served by approved applicants.

21 (C) PROPORTIONAL DIVISION.—In each
22 fiscal year, the amount reserved under subpara-
23 graph (A)(iii) shall be divided between the uses
24 described in subclauses (I) and (II) of such sub-
25 paragraph in the same proportion as the

1 amount reserved under section 1121(a) of the
2 Elementary and Secondary Education Act of
3 1965 (20 U.S.C. 6331(a)) is divided between
4 the uses described in paragraphs (1) and (2) of
5 such section 1121(a) for such fiscal year.

6 (3) CONSULTATION.—

7 (A) IN GENERAL.—As applicable, a State
8 educational agency that receives a discretionary
9 grant or allotment under this subsection shall
10 engage in timely and meaningful consultation
11 with representatives of Indian tribes located in
12 the State in order to improve the coordination
13 of activities designed to develop effective ap-
14 proaches to achieve the purposes of the Act
15 consistent with the cultural, language, and edu-
16 cational needs of Indian students.

17 (B) SPECIAL RULE.—Of the funds re-
18 served under paragraph (2)(A)(iii)(II), the Sec-
19 retary of the Interior shall consult with tribes
20 and school boards connected with bureau-fund-
21 ed schools to ensure allocation of funds to the
22 extent possible in accordance with subpara-
23 graphs (A), (B), and (C) of section 6(a)(2).

24 (c) PEER REVIEW.—

1 (1) IN GENERAL.—The Secretary shall convene
2 a peer review panel to evaluate and make rec-
3 ommendations to the Secretary regarding each appli-
4 cation for a grant under section 5 or 6 using the
5 evaluation criteria described in paragraph (2).

6 (2) DEVELOPMENT OF EVALUATION CRI-
7 TERIA.—The Secretary shall report to the Congress
8 the peer review process and evaluation criteria that
9 will be used to evaluate grant applications under sec-
10 tions 5 and 6.

11 (3) MEMBERSHIP.—

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

15 (i) 3 shall be appointed by the Sec-
16 retary;

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

19 (I) recommended by the Chair-
20 man of the National Research Council
21 of the National Academy of Sciences;
22 and

23 (II) with expertise in literacy in-
24 struction and learning at various de-
25 velopmental stages; and

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

3 (I) recommended by the Director
4 of the National Institute of Child
5 Health and Human Development; and

6 (II) with expertise concerning lit-
7 eracy development from birth through
8 grade 12.

9 (B) COMPETENCY AND EXPERTISE.—

10 (i) COMPETENCY.—The Secretary
11 shall ensure that each member of the peer
12 review panel appointed under this para-
13 graph is competent, by virtue of the train-
14 ing, expertise, or experience of the mem-
15 ber, to evaluate grant applications under
16 sections 5 and 6.

17 (ii) EXPERTISE.—The Secretary shall
18 ensure that the peer review panel ap-
19 pointed under this paragraph includes, at a
20 minimum—

21 (I) not less than one individual
22 with expertise in early childhood de-
23 velopment and early literacy;

1 (II) classroom teachers with ex-
2 pertise in literacy or literacy coaches,
3 such as—

4 (aa) special education teach-
5 ers;

6 (bb) teachers of students
7 who are English language learn-
8 ers; and

9 (cc) early childhood edu-
10 cators who provide high-quality
11 professional development in child
12 language and literacy develop-
13 ment;

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

19 (IV) experts in screening, diag-
20 nostic, and formative assessments of
21 reading and writing; and

22 (V) experts in reading and writ-
23 ing, language development, and
24 English language acquisition, as ap-

1 appropriate, including reading and writ-
2 ing in core academic subjects.

3 (4) DISTRIBUTION OF RECOMMENDATIONS.—

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

12 (d) SUPPLEMENT NOT SUPPLANT.—Grant funds
13 provided under this section shall be used to supplement,
14 and not supplant, other Federal, State, or local funds that
15 would, in the absence of such grant funds, be made avail-
16 able for literacy instruction and support of children and
17 students participating in programs assisted under this
18 Act.

19 (e) MAINTENANCE OF EFFORT.—Each State edu-
20 cational agency that receives an award under this Act, and
21 each eligible entity that receives a subgrant under section
22 7 or 8, shall maintain the expenditures of the State edu-
23 cational agency or eligible entity, respectively, for literacy
24 instruction at a level not less than the level of such ex-
25 penditures maintained by the State educational agency or

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

3 **SEC. 5. STATE PLANNING GRANTS.**

4 (a) PLANNING GRANTS AUTHORIZED.—

5 (1) IN GENERAL.—The Secretary may award
6 planning grants to State educational agencies to en-
7 able the State educational agencies to conduct and
8 complete comprehensive planning, in consultation
9 with the State agency that oversees child care pro-
10 grams, 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 under
14 this section shall be awarded for a period of not
15 more 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 (4) RELATION TO IMPLEMENTATION GRANTS.—
20 A State educational agency may not receive a plan-
21 ning grant under this section at the same time it is
22 receiving an implementation grant under section 6.

23 (b) APPLICATION.—

24 (1) IN GENERAL.—Each State educational
25 agency desiring a planning grant under this section

1 shall submit, jointly with the State agency that over-
2 sees child care programs, an application to the Sec-
3 retary at such time, in such manner, and accom-
4 panied by such information as the Secretary may re-
5 quire.

6 (2) CONTENTS.—

7 (A) IN GENERAL.—Each application shall,
8 at a minimum, include a description of how the
9 State educational agency and the State agency
10 that oversees child care programs propose to
11 use the planning grant funds awarded under
12 this section to develop a plan for improving
13 State efforts to develop, coordinate, and imple-
14 ment comprehensive literacy activities based on
15 the essential components of early literacy in-
16 struction and the essential components of read-
17 ing and writing instruction.

18 (B) REQUIRED ITEMS.—Such application
19 shall—

20 (i) describe the activities for which as-
21 sistance under this section is sought;

22 (ii) provide a budget for the use of the
23 planning grant funds to complete the re-
24 quired activities described in subsection

25 (c);

1 (iii) include an assurance that the
2 State has a process to safeguard against
3 conflicts of interest consistent with section
4 11(c) for individuals providing technical
5 assistance on behalf of the State edu-
6 cational agency or the State agency that
7 oversees child care programs or serving on
8 the State literacy leadership team; and

9 (iv) provide such additional assur-
10 ances and information as the Secretary de-
11 termines to be necessary to ensure compli-
12 ance with the requirements of this section.

13 (c) REQUIRED ACTIVITIES.—A State educational
14 agency receiving planning grant funds under this section
15 shall, in collaboration with the State agency that oversees
16 child care programs, carry out each of the following activi-
17 ties:

18 (1) REVIEW.—Reviewing reading, writing, and
19 other literacy resources and programs across the
20 State and coordinating any new plans and resources
21 under this Act with such existing resources and pro-
22 grams.

23 (2) STATE LITERACY LEADERSHIP TEAM.—
24 Forming or designating a State literacy leadership
25 team that shall execute the following functions:

1 (A) COMPREHENSIVE STATE LITERACY
2 PLAN.—Creating a comprehensive State literacy
3 plan to improve early literacy and language de-
4 velopment in children, and reading, writing, and
5 academic achievement in students that—

6 (i) includes a needs assessment and
7 an implementation plan;

8 (ii) ensures high-quality literacy in-
9 struction in early learning programs (serv-
10 ing children from birth through kinder-
11 garten entry) through grade 12; and

12 (iii) provides for activities designed to
13 improve literacy achievement for students,
14 including students with disabilities and
15 English language learners who—

16 (I) read or write below grade
17 level;

18 (II) attend schools that are iden-
19 tified for school improvement under
20 section 1116(b) of the Elementary
21 and Secondary Education Act of 1965
22 (20 U.S.C. 6316(b)); and

23 (III) are counted under section
24 1124(c) of the Elementary and Sec-

1 ondary Education Act of 1965 (20
2 U.S.C. 6333(c)).

3 (B) STANDARDS.—Providing recommenda-
4 tions to guide the State educational agency in
5 such agency’s process of strengthening State
6 literacy standards and embedding State literacy
7 standards into the State’s challenging academic
8 content standards, academic achievement stand-
9 ards, and to guide the State in their early
10 learning and development standards.

11 (C) PROGRESS.—Providing recommenda-
12 tions to guide the State educational agency in
13 such agency’s process of measuring, assessing,
14 and monitoring progress in implementation of
15 literacy instruction and interventions at the
16 school, local educational agency, and State lev-
17 els.

18 (D) CRITERIA.—Identifying criteria for
19 high-quality professional development providers
20 for eligible entities.

21 (E) DATA.—Advising the State educational
22 agency on how to help ensure that local edu-
23 cational agencies and schools provide timely and
24 appropriate student assessment data to teach-
25 ers.

1 (F) EDUCATOR CAPACITY.—Providing rec-
2 ommendations to guide the State educational
3 agency and the State agency that oversees child
4 care programs in such agencies’ planning proc-
5 ess of building educators’ capacity to provide
6 high-quality literacy instruction.

7 (3) REPORTING REQUIREMENTS.—Not later
8 than 1 year after a State educational agency receives
9 a planning grant under this section, the State edu-
10 cational agency, in collaboration with the State
11 agency that oversees child care programs, shall sub-
12 mit a report to the Secretary on the performance of
13 the activities described in this subsection by such
14 agencies. The Secretary shall submit a report to the
15 Congress on the activities carried out by State edu-
16 cational agencies under this section, and shall make
17 such report available to the public upon its submis-
18 sion.

19 **SEC. 6. STATE IMPLEMENTATION GRANTS.**

20 (a) IMPLEMENTATION GRANTS AUTHORIZED.—

21 (1) IN GENERAL.—The Secretary shall award
22 implementation grants to State educational agen-
23 cies—

1 (A) to implement, in collaboration with the
2 State agency that oversees child care pro-
3 grams—

4 (i) the comprehensive State literacy
5 plan developed under section 5, if the State
6 educational agency received a grant under
7 such section; or

8 (ii) another comprehensive State lit-
9 eracy plan for serving children from birth
10 through grade 12;

11 (B) to provide funds made available under
12 paragraph (2)(A) to the State agency that over-
13 sees child care programs to award subgrants
14 under section 7;

15 (C) to award subgrants under section 8;
16 and

17 (D) to carry out additional State activities
18 under section 9.

19 (2) USE OF FUNDS.—State educational agency
20 shall use implementation grant funds received under
21 this section as follows:

22 (A) LEARNERS FROM BIRTH THROUGH
23 KINDERGARTEN ENTRY.—Not less than 15 per-
24 cent of such grant funds shall be used in ac-
25 cordance with section 7.

1 (B) STUDENTS IN KINDERGARTEN
2 THROUGH GRADE 5.—Not less than 40 percent
3 of such grant funds shall be used in accordance
4 with section 8, to be allocated equitably among
5 grades kindergarten through grade 5, unless
6 the State educational agency determines that
7 an exception is necessary based on a capacity
8 survey described in section 8(c)(1).

9 (C) STUDENTS IN GRADES 6 THROUGH
10 12.—Not less than 40 percent of such grant
11 funds shall be used in accordance with section
12 8, to be allocated equitably among grades 6
13 through 12, unless the State educational agency
14 determines that an exception is necessary based
15 on a capacity survey described in section
16 8(c)(1).

17 (D) STATE ACTIVITIES.—Not more than 5
18 percent of such grant funds shall be used for
19 the State activities described in section 9.

20 (3) DURATION OF GRANTS.—An implementa-
21 tion grant under this section shall be awarded for a
22 period of not less than 3 years and not more than
23 5 years.

24 (4) RENEWALS.—

1 (A) IN GENERAL.—Implementation grants
2 under this section may be renewed.

3 (B) CONDITIONS.—In order to be eligible
4 to have an implementation grant renewed under
5 this paragraph, the State educational agency
6 and the State agency that oversees child care
7 programs shall demonstrate, to the satisfaction
8 of the Secretary, that—

9 (i) the State educational agency, in
10 collaboration with the State agency that
11 oversees child care programs, has complied
12 with the terms of the grant including by
13 undertaking all required activities; and

14 (ii) during the period of the grant
15 there has been significant progress in stu-
16 dent achievement, as measured by appro-
17 priate assessments, including meeting the
18 measurable annual objectives established
19 pursuant to section 1111(b)(2)(C)(v) of
20 the Elementary and Secondary Education
21 Act of 1965 (20 U.S.C. 6311(b)(2)(C)(v)).

22 (b) STATE APPLICATIONS.—

23 (1) IN GENERAL.—A State educational agency
24 that desires to receive an implementation grant
25 under this section shall, in collaboration with the

1 State agency that oversees child care programs, sub-
2 mit an application to the Secretary at such time, in
3 such manner, and containing such information as
4 the Secretary may require.

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

7 (A) STATE LITERACY TEAM AND PLAN.—

8 A description of how the State educational
9 agency has formed a State literacy leadership
10 team and developed a comprehensive State lit-
11 eracy plan, as described in section 5.

12 (B) CONFLICTS OF INTEREST.—An assur-
13 ance that the State has a process to safeguard
14 against conflicts of interest consistent with sec-
15 tion 11(c) for individuals providing technical as-
16 sistance on behalf of the State educational
17 agency or the State agency that oversees child
18 care programs or serving on the State literacy
19 leadership team.

20 (C) IMPLEMENTATION.—An implementa-
21 tion plan that includes a description of how the
22 State educational agency and the State agency
23 that oversees child care programs will—

24 (i) assist eligible entities with—

1 (I) selecting and using screening
2 assessments and diagnostic assess-
3 ments;

4 (II) providing classroom-based
5 instruction that is supported by one-
6 to-one and small group instruction;

7 (III) using curricular materials
8 and instructional tools, which may in-
9 clude technology, to improve instruc-
10 tion and literacy achievement;

11 (IV) using the principles of uni-
12 versal design for learning in all phases
13 of instructional practice, including
14 professional development, curriculum
15 development and selection of instruc-
16 tional materials, and classroom in-
17 struction;

18 (V) providing high-quality profes-
19 sional development as part of such eli-
20 gible entities' literacy initiatives to im-
21 prove the literacy development and
22 learning of children and students
23 served under the implementation
24 grant; and

1 (VI) providing diverse learners,
2 including English language learners,
3 with culturally, linguistically, and de-
4 velopmentally appropriate curricula,
5 instructional materials, interactive
6 technologies, and valid and reliable as-
7 sessments that support such learners
8 in meeting State academic and con-
9 tent standards;

10 (ii) ensure that eligible entities in the
11 State have leveraged and are effectively
12 leveraging the resources to implement
13 high-quality literacy instruction, and have
14 the capacity to implement high-quality lit-
15 eracy initiatives effectively;

16 (iii) ensure that professional develop-
17 ment activities are based on—

18 (I) the essential components of
19 early literacy instruction and the es-
20 sential components of reading and
21 writing instruction, as appropriate;
22 and

23 (II) evidence-based English lan-
24 guage acquisition and adult learning
25 research, as appropriate;

1 (iv) coordinate and align, as appro-
2 priate, the activities assisted under this
3 section and sections 7 and 8 with other
4 State and local programs that—

5 (I) serve children and students,
6 and their families; and

7 (II) promote literacy instruction
8 and learning;

9 (v) ensure that funds provided under
10 this section are awarded in a manner that
11 will provide services to all age and grade
12 levels consistent with section 6(a)(2);

13 (vi) award subgrants to eligible enti-
14 ties to enable the eligible entities to carry
15 out the activities described in sections 7
16 and 8, including to—

17 (I) eligible entities that serve
18 rural areas; and

19 (II) eligible entities that serve
20 urban areas; and

21 (vii) assist the eligible entities in the
22 State in—

23 (I) providing strategic and inten-
24 sive literacy instruction for students
25 reading and writing below grade level,

1 including through the use of multi-
2 tiered systems of supports;

3 (II) providing high-quality pro-
4 fessional development in literacy in-
5 struction to teachers, including—

6 (aa) special education teach-
7 ers or teachers of students who
8 are English language learners;
9 and

10 (bb) teachers of core aca-
11 demic subjects;

12 (III) addressing the literacy
13 needs of children and students with
14 disabilities and English language
15 learners served by the eligible entity;
16 and

17 (IV) providing training to par-
18 ents so that the parents can partici-
19 pate in the literacy related activities
20 described under sections 7 and 8 to
21 assist in the language and literacy de-
22 velopment of their children.

23 (D) KEY DATA METRICS.—A description of
24 the key data metrics that will be collected and
25 reported annually under section 11(b)(1)(E).

(E) NATIONAL EVALUATION.—An assurance that the State educational agency, the State agency that awards subgrants under section 7, and any eligible entity receiving a subgrant under section 7 or 8, will, if requested, participate in the national evaluation under section 10.

(F) PRIORITY.—An assurance that the State educational agency and the State agency that oversees child care programs, as appropriate, shall prioritize awarding subgrants—

(i) under section 7, based on the percentage of low-income children proposed to be served by the applicant; and

(ii) under section 8, based on the number or percentage of children counted under section 1124(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6333(c)) proposed to be served by the applicant.

**SEC. 7. SUBGRANTS TO ELIGIBLE ENTITIES IN SUPPORT OF
LITERACY FOR CHILDREN FROM BIRTH
THROUGH KINDERGARTEN ENTRY.**

(a) SUBGRANTS.—A State educational agency shall provide the funds provided under section 4(a)(2)(A) to the

1 State agency that oversees child care programs, who shall
2 award subgrants, on a competitive basis, to eligible entities
3 to enable the eligible entities to carry out the activities
4 described in subsection (e).

5 (b) SUFFICIENT SIZE AND SCOPE.—Each subgrant
6 awarded under this section shall be of sufficient size and
7 scope to allow the eligible entity to carry out the activities
8 described in subsection (e).

9 (c) LOCAL APPLICATIONS.—An eligible entity that
10 desires to receive a subgrant under this section shall sub-
11 mit an application to the State agency that oversees child
12 care programs, at such time, in such manner, and includ-
13 ing such information as such agency may require. Such
14 application shall include a description of—

15 (1) the programs assisted under the subgrant,
16 including demographic and socioeconomic informa-
17 tion on the children from birth through kindergarten
18 entry enrolled in the programs;

19 (2) a budget for the eligible entity that projects
20 the cost of developing and implementing literacy ini-
21 tiatives to carry out the activities described in sub-
22 section (e);

23 (3) how the subgrant funds will be used to en-
24 hance the language and literacy aspects of school

1 readiness of children from birth through kinder-
2 garten entry in early childhood education programs;

3 (4) how the subgrant funds will be used to pre-
4 pare and provide ongoing assistance to staff in the
5 programs, through professional development focused
6 on the essential components of early literacy instruc-
7 tion, including onsite intensive mentoring by early
8 childhood literacy coaches to provide high-quality lit-
9 eracy activities based on scientifically valid research
10 on child development and learning for children from
11 birth through kindergarten entry;

12 (5) how the subgrant funds will be used to pro-
13 vide services, incorporate activities, and select and
14 use literacy instructional materials that are based on
15 scientifically valid research on child development and
16 early learning;

17 (6) how the subgrant funds will be used to pro-
18 vide—

19 (A) screening assessments or other appro-
20 priate measures—

21 (i) to effectively identify children from
22 birth through kindergarten entry who may
23 be at risk for delayed development or later
24 academic difficulties; and

1 (ii) to determine whether such chil-
2 dren are developing the fundamental
3 knowledge necessary for literacy, engage-
4 ment, development, and achievement in
5 kindergarten and beyond; and

6 (B) diagnostic assessments, as appropriate,
7 to determine the need for additional services;

8 (7) how the subgrant funds will be used to help
9 instructional staff in the programs assisted under
10 the subgrant to more effectively meet the diverse de-
11 velopmental and linguistic needs of children from
12 birth through kindergarten entry in the community,
13 including the needs of English language learners and
14 children with disabilities;

15 (8) how the subgrant funds will be used to en-
16 sure that parents receive instruction—

17 (A) on their children’s early literacy devel-
18 opment; and

19 (B) on how parents can support children’s
20 literacy development at home;

21 (9) how the subgrant funds will be used to help
22 children, particularly children experiencing difficulty
23 with spoken and written language, to make the tran-
24 sition from early education to formal classroom in-
25 struction;

1 (10) how the activities assisted under the
2 subgrant will be coordinated with literacy instruction
3 at the kindergarten through grade 3 levels;

4 (11) how the eligible entity will—

5 (A) evaluate the success of the activities
6 supported under the subgrant in enhancing the
7 early literacy development of children served
8 under such subgrant; and

9 (B) evaluate data for program improve-
10 ment; and

11 (12) such other information as the State agency
12 that oversees child care programs may require.

13 (d) APPROVAL OF LOCAL APPLICATIONS.—The State
14 agency that oversees child care programs shall—

15 (1) award subgrants to eligible entities in ac-
16 cordance with this section based on the quality of
17 applications submitted; and

18 (2) prioritize awarding subgrants based on the
19 criteria described in section 6(b)(2)(F).

20 (e) LOCAL USES OF FUNDS.—

21 (1) REQUIRED USES.—An eligible entity that
22 receives a subgrant under this section shall use the
23 subgrant funds to carry out the following activities
24 to support the development of early language and

1 literacy in children from birth through kindergarten
2 entry:

3 (A) Enhance and improve early learning
4 programs to ensure that children in such pro-
5 grams are provided with high-quality, develop-
6 mentally appropriate oral language, literature-
7 and print-rich environments.

8 (B) Provide high-quality professional devel-
9 opment on how children develop language and
10 literacy skills (including children with disabil-
11 ities and English language learners), and the
12 selection and integration of developmentally,
13 linguistically, and culturally appropriate literacy
14 instructional strategies, activities, and mate-
15 rials, which may include the use of an early lit-
16 eracy coach for the staff of the eligible entity,
17 in such entity's curriculum and activities.

18 (C) Acquire, provide training for, and im-
19 plement, as appropriate—

20 (i) screening assessments or other ap-
21 propriate measures to determine whether
22 children from birth through kindergarten
23 entry are developing appropriate early lan-
24 guage and literacy skills; and

1 (ii) diagnostic assessments, as appro-
2 priate, to determine the need for additional
3 services.

4 (D) Acquire, as appropriate, and integrate
5 evidence-based instructional materials, activi-
6 ties, tools, and measures into the early learning
7 programs offered by the eligible entity to im-
8 prove development of children's early language
9 and literacy skills.

10 (2) ALLOWABLE USES.—An eligible entity that
11 receives a subgrant under this section may use the
12 subgrant funds to carry out either or both of the fol-
13 lowing activities to support the development of early
14 language and literacy in children from birth through
15 kindergarten entry:

16 (A) Selecting, developing, and imple-
17 menting a multi-tier system of supports.

18 (B) Providing activities that encourage
19 family literacy experiences and practices and
20 educate parents of children enrolled in a pro-
21 gram receiving funds under this section on the
22 development of their children's early literacy
23 skills.

24 (f) PROHIBITION.—The use of assessment items and
25 data on any assessment authorized under this section to

1 provide rewards or sanctions for individual children, early
2 learning providers, program directors, or principals is pro-
3 hibited.

4 **SEC. 8. SUBGRANTS TO ELIGIBLE ENTITIES IN SUPPORT OF**
5 **LITERACY FOR STUDENTS IN KINDERGARTEN**
6 **THROUGH GRADE 12.**

7 (a) SUBGRANTS.—A State educational agency shall
8 use the implementation grant funds provided under sec-
9 tion 4(a)(2)(B) to award subgrants, on a competitive
10 basis, to eligible entities to enable the eligible entities to
11 carry out the activities described in subsection (e).

12 (b) SUFFICIENT SIZE AND SCOPE.—Each subgrant
13 awarded under this section shall be of sufficient size and
14 scope to allow the eligible entity to carry out the activities
15 described in subsection (e).

16 (c) LOCAL APPLICATIONS.—An eligible entity desir-
17 ing to receive a subgrant under this section shall submit
18 an application to the State educational agency at such
19 time, in such manner, and containing such information as
20 the State educational agency may require. Such applica-
21 tion shall include, the following information:

22 (1) CAPACITY SURVEY.—Results of the eligible
23 entity's capacity survey that—

24 (A) identify—

1 (i) the strengths and weaknesses of
2 such entity related to literacy;

3 (ii) how subgrant funds will be used
4 to inform and improve literacy instruction
5 within such entity; and

6 (iii) the demographic and socio-
7 economic information on the students en-
8 rolled in such entity; and

9 (B) include an analysis, disaggregated by
10 the subgroups described in section
11 1111(b)(2)(C)(v)(II) of the Elementary and
12 Secondary Education Act of 1965 (20 U.S.C.
13 6311(b)(2)(C)(v)(II)) and by grade level, of—

14 (i) State scores on the reading or lan-
15 guage arts assessments conducted under
16 section 1111(b)(3) of the Elementary and
17 Secondary Education Act of 1965 (20
18 U.S.C. 6311(b)(3));

19 (ii) National Assessment of Edu-
20 cational Progress reading scores, as appro-
21 priate;

22 (iii) the percentage of students in
23 need of reading and writing remediation;

24 (iv) core course passing and failure
25 rates for secondary school students;

1 (v) credit accumulation for secondary
2 school students; and

3 (vi) graduation rates.

4 (2) PROFESSIONAL DEVELOPMENT.—How each
5 participating school, eligible entity, or a provider of
6 high-quality professional development will provide
7 ongoing high-quality professional development in
8 language development, English language acquisition
9 (as appropriate), and literacy instruction to all
10 teachers, principals, and other school leaders served
11 by the school.

12 (3) INTERVENTIONS.—How each participating
13 school will identify students in need of interventions
14 and provide appropriate scientifically valid instruc-
15 tional interventions and extended learning time for
16 struggling students.

17 (4) BUDGET.—A budget for each participating
18 school that projects the cost of developing and im-
19 plementing literacy initiatives to carry out the activi-
20 ties described in subsection (e).

21 (5) INTEGRATION.—An explanation of how each
22 participating school will integrate literacy instruction
23 into core academic subjects.

24 (6) COORDINATION.—A description of how each
25 participating school will coordinate literacy instruc-

1 tion with early education, after-school programs, and
2 other programs serving students in the school, as
3 appropriate.

4 (7) ASSESSMENTS.—A description of the
5 screening, diagnostic, formative, and summative as-
6 sessments that will be used in an assessment system
7 to improve literacy instruction and track student lit-
8 eracy progress.

9 (8) FAMILIES AND CAREGIVERS.—A description
10 of how the families and caregivers will be involved
11 in supporting their children’s literacy instruction
12 and assessment.

13 (9) INITIATIVES.—A description of the literacy
14 and other academic initiatives, if any, in place and
15 how these initiatives will be coordinated and inte-
16 grated with activities supported under this section.

17 (10) PARTICIPATION IN EVALUATION.—An as-
18 surance that the eligible entity will, if requested,
19 participate in the national evaluation described in
20 section 10.

21 (d) APPROVAL OF LOCAL APPLICATIONS.—The State
22 educational agency shall—

23 (1) award subgrants to eligible entities in ac-
24 cordance with this section based on the quality of
25 applications submitted; and

1 (2) prioritize awarding subgrants to eligible en-
2 tities based on the criteria described in section
3 6(b)(2)(F).

4 (e) LOCAL USES OF FUNDS FOR KINDERGARTEN
5 THROUGH GRADE 12.—

6 (1) REQUIRED USES.—An eligible entity that
7 receives a subgrant under this section shall use the
8 subgrant funds to carry out the following activities
9 for students in kindergarten through grade 12:

10 (A) Develop and implement a literacy ini-
11 tiative that—

12 (i) includes all of the essential compo-
13 nents of reading and writing instruction;

14 (ii) supports activities that are pro-
15 vided primarily during the regular school
16 day but which may be augmented by in-
17 struction during nonschool hours or peri-
18 ods when school is not in session (such as
19 before and after school or during summer
20 recess);

21 (iii) integrates literacy instruction into
22 core academic subjects and, to the extent
23 practicable, other subjects taught in a
24 school, such as career and technical edu-
25 cation; and

1 (iv) addresses the literacy needs of
2 English language learners and students
3 with disabilities.

4 (B) Form school literacy leadership teams
5 to help implement, assess, and identify changes
6 to the literacy initiative.

7 (C) Provide high-quality, developmentally-
8 appropriate oral language, including listening
9 and speaking, literature, and print-rich class-
10 room environments.

11 (D) Provide high-quality professional de-
12 velopment for instructional staff, including lit-
13 eracy coaches and teachers of students with dis-
14 abilities and English language learners.

15 (E) Select and administer screening and
16 diagnostic assessments and support teachers'
17 use of formative assessments and assessment
18 data to plan instruction.

19 (F) Select and implement a multi-tier sys-
20 tem of supports that includes intensive, supple-
21 mental interventions for students in grades kin-
22 dergarten through grade 5 reading below grade
23 level.

24 (G) Provide training to principals and
25 other school and district personnel in imple-

1 menting the literacy initiative, particularly in
2 the areas of—

3 (i) utilizing data;

4 (ii) assessing the quality of literacy in-
5 struction across content areas; and

6 (iii) providing time and support for
7 teachers to plan literacy instruction.

8 (H) Provide family literacy services for
9 students and their parents, including training
10 to enable families and caregivers to support the
11 literacy initiative.

12 (I) Promote writing experiences and imple-
13 ment programs that instruct and engage stu-
14 dents in practicing writing for multiple audi-
15 ences and purposes appropriate to the interests
16 and capacities of students.

17 (J) Annually collect, analyze, and report
18 data to the State educational agency.

19 (2) ALLOWABLE USES.—An eligible entity that
20 receives a subgrant under this section may use the
21 subgrant funds to carry out the following activities
22 for students in kindergarten through grade 12:

23 (A) Acquire and utilize developmentally ap-
24 propriate instructional materials based on sci-

1 entifically valid research, including materials
2 that utilize technology.

3 (B) Hire and train literacy coaches.

4 (C) Select and implement a multi-tier sys-
5 tem of supports that includes intensive, supple-
6 mental interventions for students in grades 6
7 through 12 reading below grade level.

8 (D) Promote reading, library, and writing
9 programs that provide access to engaging read-
10 ing material in school and at home.

11 (E) Connect out-of-school learning oppor-
12 tunities to in-school learning, including the
13 alignment of after-school activities with in-
14 school curricula, in order to improve the literacy
15 achievement of students.

16 (F) Form an acting partnership with 1 or
17 more public or private nonprofit organizations
18 that have a demonstrated record of effective-
19 ness in improving literacy development or pro-
20 viding professional development aligned with
21 the activities described in this subsection.

22 (f) LIMITATION TO CERTAIN SCHOOLS.—An eligible
23 entity receiving a subgrant under this section shall, in dis-
24 tributing subgrant funds under this subsection, provide

1 the subgrant funds only to schools, including public char-
 2 ter schools, that—

3 (1) are among the schools served by the eligible
 4 entity with the highest numbers or percentages of
 5 students in grades kindergarten through 12 reading
 6 and writing below grade level, based on the most
 7 current State data as available; and

8 (2) have the highest numbers or percentages of
 9 children counted under section 1124(c) of the Ele-
 10 mentary and Secondary Education Act of 1965 (20
 11 U.S.C. 6333(c)).

12 **SEC. 9. ADDITIONAL STATE ACTIVITIES.**

13 (a) **REQUIRED ACTIVITIES.**—A State educational
 14 agency, in consultation with the State agency that over-
 15 sees child care programs, shall use funds made available
 16 under section 4(a)(2)(C) and described in section
 17 6(a)(1)(D) to carry out each of the following activities:

18 (1) Providing technical assistance or engaging
 19 qualified providers to provide such assistance, to as-
 20 sist eligible entities to design and implement literacy
 21 initiatives.

22 (2) Identifying and supporting high-quality pro-
 23 fessional development in literacy instruction for eligi-
 24 ble entities.

1 (3) Coordinating activities under this Act with
2 reading, writing, and other literacy resources and
3 programs across the State.

4 (4) Disseminating information, including mak-
5 ing publicly available on the websites of the State
6 educational agency and the State agency that over-
7 sees child care programs, on promising practices to
8 improve children’s early literacy and language devel-
9 opment and student literacy achievement.

10 (5) Reviewing and developing recommendations
11 in collaboration with teachers, early childhood pro-
12 viders, statewide educational and professional orga-
13 nizations representing teachers, and statewide and
14 educational and professional organizations rep-
15 resenting institutions of higher education, to
16 strengthen State licensure and certification stand-
17 ards for literacy instruction in early education
18 through grade 12.

19 (6) Coordinating with institutions of higher
20 education in the State to strengthen and enhance
21 pre-service course work for students preparing to
22 teach literacy to children and students from birth
23 through grade 12.

24 (7) Administration and reporting.

(b) PERMISSIVE ACTIVITIES.—A State educational agency, in collaboration with the State agency that oversees child care programs, may use funds made available under section 4(a)(2)(C) and described in section 6(a)(1)(D) to carry out 1 or more of the following activities:

(1) Training personnel of eligible entities to use data systems to track student literacy achievement.

(2) Developing and providing training to literacy coaches, including literacy coaches with expertise in early literacy development, language development, and adolescent literacy.

SEC. 10. NATIONAL EVALUATION, INFORMATION DISSEMINATION, AND TECHNICAL ASSISTANCE.

(a) NATIONAL EVALUATION.—

(1) IN GENERAL.—From funds reserved under paragraph (1)(A)(i) or (2)(A)(i) of section 4(b), the Secretary shall perform a 5-year national evaluation of the grant and subgrant programs assisted under this Act by entering into one or more contracts or cooperative agreements with independent organizations. Such evaluation shall include scientifically valid research that applies rigorous and systematic procedures to obtain information relevant to the im-

1 plementation and effect of the programs assisted
2 under this Act.

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

6 (A) IMPACT.—The impact of literacy ini-
7 tiatives supported under this Act on improving
8 early literacy skills and student academic out-
9 comes, including student literacy development
10 in reading and writing, student literacy develop-
11 ment in other academic content areas, grade
12 promotion, and graduation.

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

21 (C) OTHER INQUIRIES.—Other inquiries as
22 designated by the Secretary, such as—

23 (i) the types of literacy initiatives that
24 have demonstrated the greatest impact on
25 student achievement;

1 (ii) how State standards, local edu-
2 cational agency and school curricula, as-
3 sessments, and interventions combine to
4 improve literacy;

5 (iii) how screening, diagnostic, and
6 formative assessments of reading and writ-
7 ing assist teachers in identifying students'
8 reading and writing needs;

9 (iv) how job-embedded, ongoing, high-
10 quality professional development improves
11 teacher practice and increases literacy
12 skills of children and students;

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

17 (vi) how early learning providers are
18 being prepared with scientifically valid re-
19 search on early childhood literacy and lit-
20 eracy development;

21 (vii) how early literacy instructional
22 materials and activities based on scientif-
23 ically valid research are being integrated
24 into preschools, child care programs and
25 programs carried out under the Head

1 Start Act (42 U.S.C. 9831 et seq.), and
2 family literacy programs;

3 (viii) the impact of adolescent literacy
4 initiatives on student motivation, engage-
5 ment, and participation in adolescent lit-
6 eracy activities;

7 (ix) the impact of literacy initiatives
8 on diverse learners, including English lan-
9 guage learners; and

10 (x) the relationship between students'
11 literacy achievement and secondary school
12 graduation rates.

13 (3) REPORTS.—

14 (A) INTERIM REPORT.—Not later than 2
15 years after the date of the enactment of this
16 Act, the Secretary shall submit to the Congress
17 an interim report on the national evaluation
18 conducted under this subsection.

19 (B) FINAL REPORT.—Not later than 5
20 years after the date of the enactment of this
21 Act, the Secretary shall submit a final report
22 containing the results of the national evaluation
23 conducted under this subsection to—

1 (i) State educational agencies and eli-
2 gible entities on a periodic basis for use in
3 program improvement; and

4 (ii) the Congress.

5 (b) INFORMATION DISSEMINATION AND TECHNICAL
6 ASSISTANCE.—

7 (1) IN GENERAL.—From amounts reserved
8 under paragraph (1)(A)(i) or (2)(A)(i) of section
9 4(b), the Secretary shall, in collaboration with the
10 Secretary of Health and Human Services, the Direc-
11 tor of the National Institute of Child Health and
12 Human Development, regional educational labora-
13 tories established under section 174 of the Edu-
14 cation Sciences Reform Act of 2002 (20 U.S.C.
15 9564), and the comprehensive centers established
16 under section 203 of the Educational Technical As-
17 sistance Act of 2002 (20 U.S.C. 9602), distribute
18 information and provide technical assistance on lit-
19 eracy instruction, including—

20 (A) information on literacy instruction and
21 the impact of the instruction on—

22 (i) student achievement, motivation,
23 and engagement for literacy; and

24 (ii) student graduation with a sec-
25 ondary school diploma;

1 (B) information on elements of job-embed-
2 ded, ongoing, high-quality professional develop-
3 ment that improves literacy achievement in chil-
4 dren and students in early education through
5 grade 12; and

6 (C) information on schools, eligible enti-
7 ties, and States that have successfully improved
8 literacy achievement in early education through
9 grade 12.

10 (2) DISSEMINATION AND COORDINATION.—The
11 Secretary shall disseminate and make publicly avail-
12 able the information described in paragraph (1) to—

13 (A) recipients of Federal financial assist-
14 ance under this Act, part A of title I of the Ele-
15 mentary and Secondary Education Act of 1965
16 (20 U.S.C. 6311 et seq.), the Head Start Act
17 (42 U.S.C. 9831 et seq.), the Individuals with
18 Disabilities Education Act (20 U.S.C. 1400 et
19 seq.), and the Adult Education and Family Lit-
20 eracy Act (20 U.S.C. 9201 et seq.); and

21 (B) each school operated or funded by the
22 Bureau of Indian Education.

23 (3) USE OF NETWORKS.—In carrying out this
24 subsection, the Secretary shall, to the extent prac-
25 ticable, use information and dissemination networks

1 developed and maintained through other public and
2 private entities.

3 **SEC. 11. CONSEQUENCES OF INSUFFICIENT PROGRESS, RE-**
4 **PORTING REQUIREMENTS, AND CONFLICTS**
5 **OF INTEREST.**

6 (a) CONSEQUENCES OF INSUFFICIENT PROGRESS.—

7 (1) CONSEQUENCES FOR GRANT RECIPIENTS.—

8 If the Secretary determines that a State educational
9 agency receiving an award under section 4(b) or an
10 eligible entity receiving a subgrant under section 7
11 or 8 is not making significant progress in meeting
12 the purposes of this Act after the submission of a
13 report described in subsection (b), then the Sec-
14 retary may withhold, in whole or in part, further
15 payments under this Act in accordance with section
16 455 of the General Education Provisions Act (20
17 U.S.C. 1234d) or take such other action authorized
18 by law as the Secretary determines necessary, in-
19 cluding providing technical assistance upon request
20 of the State educational agency, or eligible entity,
21 respectively.

22 (2) CONSEQUENCES FOR SUBGRANT RECIPI-
23 ENTS.—A State educational agency or State agency
24 that oversees child care programs, as appropriate,
25 receiving an award under section 4(b) may refuse to

1 award subgrant funds to an eligible entity under sec-
2 tion 7 or 8 if such State agency finds that the eligi-
3 ble entity is not making significant progress in meet-
4 ing the purposes of this Act, after—

5 (A) providing technical assistance to the el-
6 igible entity; and

7 (B) affording the eligible entity notice and
8 an opportunity for a hearing.

9 (b) REPORTING REQUIREMENTS.—

10 (1) STATE EDUCATIONAL AGENCY REPORTS.—

11 Each State educational agency receiving an award
12 under section 6 shall report annually to the Sec-
13 retary regarding the State educational agency's
14 progress and the progress of the State agency that
15 oversees child care programs in addressing the pur-
16 poses of this Act. Such report shall include, at a
17 minimum, a description of—

18 (A) the professional development activities
19 provided under the award, including types of
20 activities and entities involved in providing pro-
21 fessional development to early childhood pro-
22 viders, classroom teachers, and other instruc-
23 tional staff;

1 (B) instruction, strategies, activities, cur-
2 rricula, materials, and assessments used in the
3 programs funded under the award;

4 (C) the types of programs funded under
5 the award and the ages, grade levels, and demo-
6 graphic information of children served by the
7 programs funded under the award, except that
8 individually identifiable information shall not be
9 included;

10 (D) the experience and qualifications of
11 the instructional staff who provide literacy in-
12 struction under the programs funded under the
13 award, including the experience and qualifica-
14 tions of those staff working with children with
15 disabilities and with English language learners;

16 (E) key data metrics used for literacy ini-
17 tiatives;

18 (F) student performance on relevant pro-
19 gram metrics, as identified in the State edu-
20 cation agency's implementation plan under sec-
21 tion 6(b)(2)(C), such as—

22 (i) the number of students reading
23 and writing on grade level by the end of
24 the third grade, disaggregated by the sub-
25 groups described in section

1111(b)(2)(C)(v)(II) of the Elementary
and Secondary Education Act of 1965 (20
U.S.C. 6311(b)(2)(C)(v)(II)); and

(ii) the instruction and activities delivered to at-risk students served under the award; and

(G) the outcomes of programs and activities provided under the award.

(2) ELIGIBLE ENTITY REPORTS.—Each eligible entity receiving a subgrant under section 7 or 8 shall report annually to the State educational agency or the State agency that oversees child care programs, as appropriate, regarding the eligible entity’s progress in addressing the purposes of this Act. Such report shall include, at a minimum, a description of—

(A) how the subgrant funds were used;

(B) the literacy achievement growth of students, including children who are English language learners and children with disabilities, assisted under the subgrant;

(C) the professional development of activities provided under the award, including types of activities and entities involved in providing professional development to early childhood pro-

1 viders, classroom teachers, and other instruc-
2 tional staff;

3 (D) instruction, strategies, activities, cur-
4 ricula, materials, and assessments used in the
5 programs funded under the award;

6 (E) the types of programs funded under
7 the award and the ages, grade levels, and demo-
8 graphic information of children served by the
9 programs funded under the award, except that
10 individually identifiable information shall not be
11 included;

12 (F) the experience and qualifications of the
13 instructional staff who provide literacy instruc-
14 tion under the programs funded under the
15 award, including the experience and qualifica-
16 tions of those staff working with children with
17 disabilities and with English language learners;

18 (G) key data metrics used for literacy ini-
19 tiatives;

20 (H) student performance on relevant pro-
21 gram metrics, as identified in the State edu-
22 cation agency's implementation plan under sec-
23 tion 6(b)(2)(C), such as—

24 (i) the number of students reading
25 and writing on grade level by the end of

the third grade, disaggregated by the subgroups described in section 1111(b)(2)(C)(v)(II) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(v)(II)) ; and

(ii) the instruction and activities delivered to at-risk students served under the award;

(I) the outcomes of programs and activities provided under the award; and

(J) the results of an external evaluation, if the Secretary determines applicable.

(c) CONFLICTS OF INTEREST.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Education shall create and implement procedures—

(A) to assess whether a covered individual or entity has a potential conflict of interest; and

(B) to require the disclosure and mitigation of any such conflict of interest to ensure the integrity of the related program.

(2) EVALUATION BY THE COMPTROLLER GENERAL.—

1 (A) IN GENERAL.—Not later than 60 days
2 after the creation of the procedures described in
3 paragraph (1), the Comptroller General of the
4 United States shall report to the Committee on
5 Education and Labor of the House of Rep-
6 resentatives and the Committee on Health,
7 Education, Labor and Pensions of the Senate
8 on the adequacy of such procedures to identify,
9 disclose, and manage conflicts of interest.

10 (B) UPDATES.—Beginning not less than 6
11 months after the report described in subpara-
12 graph (A) is filed, the Comptroller General shall
13 evaluate the Department’s implementation of
14 the procedures described in paragraph (1) and
15 report to the Committee on Education and
16 Labor of the House of Representatives and the
17 Committee on Health, Education, Labor, and
18 Pensions of the Senate every 6 months to en-
19 sure that the Department has adequately imple-
20 mented such procedures. The Comptroller Gen-
21 eral shall include in the reports any rec-
22 ommendations for modifications to such proce-
23 dures that the Comptroller General determines
24 are appropriate to properly identify, disclose,
25 and manage conflicts of interest.

1 (3) DEFINITIONS.—For the purposes of this
2 subsection:

3 (A) The term “covered individual or enti-
4 ty” means—

5 (i) an officer or professional employee
6 of the Department of Education;

7 (ii) a contractor or subcontractor of
8 the Department, or an individual hired by
9 the contracted entity;

10 (iii) a member of a peer review panel
11 described in section 4(c); or

12 (iv) a consultant or advisor to the De-
13 partment.

14 (B) The term “conflict of interest” means
15 a financial interest or other self-interest that a
16 reasonable person would expect to lead to an
17 undue bias, or the appearance of such bias, to-
18 wards a particular product or service purchased
19 with, guaranteed or insured by, or under con-
20 sideration for purchase with, or to be guaran-
21 teed or insured by, funds administered by the
22 Department of Education or a contracted entity
23 of the Department.

1 **SEC. 12. RULES OF CONSTRUCTION.**

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

10 (b) IDEA EVALUATION.—The assessments required
11 under this Act shall not be construed to constitute an eval-
12 uation required under the Individuals with Disabilities
13 Education Act (20 U.S.C. 1400 et seq.).

14 **SEC. 13. DEFINITIONS.**

15 (a) IN GENERAL.—Except as otherwise provided in
16 this Act, the terms used in this Act have the meanings
17 given such terms in section 9101 of the Elementary and
18 Secondary Education Act of 1965 (20 U.S.C. 7801).

19 (b) OTHER TERMS.—In this Act:

20 (1) CHILD WITH A DISABILITY.—The term
21 “child with a disability” has the same meaning given
22 the term in section 602(3) of the Individuals with
23 Disabilities Education Act (20 U.S.C. 1401(3)).

24 (2) DIAGNOSTIC ASSESSMENT.—The term “di-
25 agnostic assessment” means an assessment that—

1 (A) is developmentally, linguistically, and
2 culturally appropriate;

3 (B) is valid, reliable, and based on scientif-
4 ically valid research on literacy and English lan-
5 guage acquisition;

6 (C) is used for the purposes of—

7 (i) identifying a student’s specific
8 areas of strengths and weaknesses in lit-
9 eracy;

10 (ii) determining any difficulties that
11 the student may have in literacy and the
12 potential cause of such difficulties; and

13 (iii) helping to determine possible lit-
14 eracy intervention strategies and related
15 special needs of the student; and

16 (D) in the case of young children, is con-
17 ducted after a screening assessment that identi-
18 fies potential risks for delayed development or
19 later academic difficulties.

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

22 (A) when used with respect to children
23 from birth through kindergarten entry—

24 (i) 1 or more local educational agen-
25 cies providing early learning programs, or

1 1 or more public or private early learning
2 programs, serving children from birth
3 through kindergarten entry, such as a
4 Head Start agency, a child care program,
5 a State-funded pre-kindergarten program,
6 a public library program, or a family lit-
7 eracy program that has a demonstrated
8 record of providing effective literacy in-
9 struction for the age group such agency or
10 program is proposing to serve under sec-
11 tion 7; or

12 (ii) 1 or more local educational agen-
13 cies providing early learning programs, or
14 1 or more public or private early learning
15 programs, serving children from birth
16 through kindergarten entry, such as a
17 Head Start agency, a child care program,
18 a State-funded pre-kindergarten program,
19 a public library program, or a family lit-
20 eracy program in partnership with 1 or
21 more public or private nonprofit organiza-
22 tions or agencies that have a demonstrated
23 record of effectiveness—

1 (I) in improving the early literacy
 2 development of children from birth
 3 through kindergarten entry; and

4 (II) in providing professional de-
 5 velopment aligned with the activities
 6 described in section 7(e)(1); and

7 (B) when used with respect to students in
 8 kindergarten through grade 12, a local edu-
 9 cational agency or consortium of local edu-
 10 cational agencies that—

11 (i) is among the local educational
 12 agencies in the State with the highest
 13 numbers or percentages of students read-
 14 ing and writing below grade level, based on
 15 the most current State data, where avail-
 16 able; and

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

23 (4) ENGLISH LANGUAGE ACQUISITION.—

24 (A) IN GENERAL.—The term “English lan-
 25 guage acquisition” means the process by which

1 a non-native English speaker acquires pro-
2 ficiency in speaking, listening, reading, and
3 writing the English language.

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

12 (5) ENGLISH LANGUAGE LEARNER.—The term
13 “English language learner” means an individual who
14 is limited English proficient, as defined in section
15 9101(25) of the Elementary and Secondary Edu-
16 cation Act of 1965 (20 U.S.C. 7801(25)).

17 (6) ESSENTIAL COMPONENTS OF EARLY LIT-
18 ERACY INSTRUCTION.—The term “essential compo-
19 nents of early literacy instruction” means providing,
20 for children prior to the age of kindergarten entry,
21 interactive experiences in a print- and literacy-rich
22 environment that promote the development of—

23 (A) oral language, including vocabulary,
24 grammar, and syntax;

- 1 (B) motivational aspects of early literacy,
- 2 including enjoyment of reading and books;
- 3 (C) book-reading behaviors, including book
- 4 handling and orientation;
- 5 (D) recognition and understanding of pic-
- 6 tures and story concepts;
- 7 (E) concepts about print;
- 8 (F) alphabet knowledge;
- 9 (G) phonological awareness, including the
- 10 awareness of rhymes, sounds, and syllables;
- 11 (H) emergent writing skills, including use
- 12 of writing materials; and
- 13 (I) integration of print concepts into play.

14 (7) ESSENTIAL COMPONENTS OF READING AND
 15 WRITING INSTRUCTION.—The term “essential com-
 16 ponents of reading and writing instruction” means,
 17 for students in kindergarten through grade 12, de-
 18 velopmentally appropriate, explicit, and systematic
 19 instruction that provides students the following:

- 20 (A) With respect to students in kinder-
- 21 garten through grade 12—
- 22 (i) high-quality professional develop-
- 23 ment for teachers, instructional staff, and
- 24 principals;

1 (ii) diverse texts at the appropriate
2 reading and interest level of students;

3 (iii) differentiated instructional ap-
4 proaches;

5 (iv) instruction and supports to in-
6 crease students' motivation to read, includ-
7 ing self-directed learning;

8 (v) as appropriate, systematic and in-
9 tensive one-to-one and small group instruc-
10 tion, including extended time for intense
11 intervention for students reading signifi-
12 cantly below grade level, which can be pro-
13 vided both inside and outside the classroom
14 as well as during and outside regular
15 school hours;

16 (vi) opportunities to write individually
17 and collaboratively;

18 (vii) instruction in uses of print mate-
19 rials, multimedia, and technological re-
20 sources for research and for generating
21 and presenting content and ideas; and

22 (viii) use of screening, diagnostic,
23 formative, and summative assessments.

24 (B) With respect to students in grades kin-
25 dergarten through grade 3—

1 (i) strategic and explicit instruction
2 using phonological awareness, phonic de-
3 coding, vocabulary, language structure,
4 reading fluency and reading comprehen-
5 sion;

6 (ii) use of oral modeling techniques to
7 build language skills; and

8 (iii) coordinated involvement of fami-
9 lies, caregivers, school leaders, and instruc-
10 tional staff.

11 (C) With respect to students in grades 4
12 through 12—

13 (i) direct and explicit comprehension
14 instruction;

15 (ii) direct and explicit instruction that
16 builds academic vocabulary;

17 (iii) multiple opportunities to write
18 with clear purposes and critical reasoning
19 appropriate to the topic and purpose and
20 with specific instruction and feedback from
21 teachers;

22 (iv) text-based collaborative learning;
23 and

24 (v) coordinated involvement of school
25 leaders and instructional staff that are

1 interdisciplinary and interdepartmental
2 and that analyze student work over time
3 and plan literacy instruction.

4 (8) FAMILY LITERACY SERVICES.—The term
5 “family literacy services” means services provided to
6 participants on a voluntary basis that are of suffi-
7 cient intensity in terms of hours, and of sufficient
8 duration, to make sustainable changes in a family,
9 and that integrate all of the following activities:

10 (A) Interactive literacy activities between
11 parents and their children.

12 (B) Training for parents regarding how to
13 be the primary teacher for their children and
14 full partners in the education of their children.

15 (C) Parent literacy training that leads to
16 economic self-sufficiency.

17 (D) An age-appropriate education to pre-
18 pare children for success in school and life ex-
19periences.

20 (9) FORMATIVE ASSESSMENT.—The term
21 “formative assessment” means assessment ques-
22 tions, tools, and processes that are—

23 (A) developmentally, linguistically, and cul-
24 turally appropriate;

25 (B) embedded in instruction; and

1 (C) used by teachers and students to pro-
2 vide timely feedback for purposes of adjusting
3 instruction to improve learning.

4 (10) HIGH-QUALITY PROFESSIONAL DEVELOP-
5 MENT.—The term “high-quality professional devel-
6 opment” means professional development that—

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

9 (B) is sustained, intensive, and classroom
10 focused, and may include a 1-day or short-term
11 workshop or conference, if such workshop or
12 conference is part of a professional development
13 plan for the attendee;

14 (C) is designed to increase the knowledge
15 and expertise of instructional staff in imple-
16 menting the essential components of early lit-
17 eracy instruction and the essential components
18 of reading and writing instruction, as appro-
19 priate;

20 (D) includes and supports early learning
21 providers and teachers in appropriately and ef-
22 fectively administering screening and diagnostic
23 assessments, and in using information from
24 such assessments when implementing the essen-
25 tial components of early literacy instruction and

1 the essential components of reading and writing
2 instruction for the purposes of planning, moni-
3 toring, adapting, and improving classroom in-
4 struction in order to improve student learning,
5 as appropriate;

6 (E) supports the integration of literacy in-
7 struction in core academic subjects and, to the
8 extent practicable, other subjects taught at
9 school, such as career and technical education;

10 (F) includes information on one-to-one,
11 small group, and classroom-based instructional
12 materials and approaches based on scientifically
13 valid research on literacy;

14 (G) provides ongoing instructional literacy
15 coaching—

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

21 (ii) that uses student data to improve
22 instruction;

23 (H) includes and supports teachers in set-
24 ting high reading and writing achievement goals
25 for all students and provides the teachers with

the instructional tools and skills, including strategies consistent with the principles of universal design for learning, to help students reach such goals.

(11) INSTRUCTIONAL STAFF.—

(A) IN GENERAL.—The term “instructional staff” means individuals who have responsibility for teaching students to read and write, or in the case of children from birth to kindergarten entry, teaching early literacy skills and language development.

(B) INCLUSIONS.—Such term includes principals, teachers, early learning providers, supervisors of instruction, pupil services personnel, librarians, library school media specialists, teachers of academic subjects other than reading or writing, other school leaders, literacy coaches, and other individuals who have responsibility for assisting children to learn to read and write.

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

(A) who—

(i) has previous teaching experience
and—

1 (I) for the purpose of literacy
2 coaches working with early learning
3 programs, has expertise in early child-
4 hood development and early literacy;

5 (II) for the purpose of literacy
6 coaches working with kindergarten
7 through grade 12—

8 (aa) a master’s degree with
9 a concentration in reading and
10 writing education; or

11 (bb) has demonstrated pro-
12 ficiency in teaching reading or
13 writing in a core academic sub-
14 ject; and

15 (ii) is able to demonstrate the ability
16 to help early learning providers or teach-
17 ers—

18 (I) use evidence-based research
19 on how children and students become
20 successful readers, writers, and com-
21 municators;

22 (II) use multiple forms of assess-
23 ment to guide instructional decision
24 making;

1 (III) for the purpose of literacy
2 coaches working with—

3 (aa) early learning pro-
4 grams, support and coordinate
5 the language and literacy cur-
6 rricula and activities with the
7 overall early childhood education
8 program; and

9 (bb) teachers in kinder-
10 garten through grade 12, im-
11 prove student writing and read-
12 ing in and across content areas
13 such as mathematics, science, so-
14 cial studies, and language arts;

15 (IV) develop and implement dif-
16 ferentiated instruction to serve the
17 needs of diverse learners, including
18 English language learners and chil-
19 dren with disabilities;

20 (V) use the principles of uni-
21 versal design for learning in instruc-
22 tional strategies and in selecting ma-
23 terials and tools to serve the diverse
24 needs of all learners, including

1 English language learners and chil-
2 dren with disabilities;

3 (VI) employ best practices in en-
4 gaging principals, teachers, early
5 learning providers, and other edu-
6 cation staff to change school cultures
7 to better encourage and support lit-
8 eracy development and achievement;

9 (VII) use data to improve in-
10 struction; and

11 (VIII) for the purpose of literacy
12 coaches working with—

13 (aa) early learning pro-
14 grams, set developmentally ap-
15 propriate early literacy goals and
16 select and acquire instructional
17 tools and skills to help children
18 reach such goals;

19 (bb) kindergarten through
20 grade 12, set high reading and
21 writing achievement goals for all
22 students and select and acquire
23 instructional tools and skills to
24 help students reach such goals;
25 and

1 (B) whose role with early learning pro-
2 viders, teachers and school personnel is—

3 (i) to provide high-quality professional
4 development opportunities in literacy and
5 language development for early learning
6 providers, teachers and school personnel,
7 including in the case of early learning pro-
8 viders, helping staff in planning and imple-
9 mentation of ongoing professional develop-
10 ment;

11 (ii) to work cooperatively and collabo-
12 ratively with principals, teachers, early
13 learning providers and other professionals
14 in planning programs to help, as appro-
15 priate—

16 (I) early learning providers iden-
17 tify children's early literacy needs so
18 that such providers can meet the early
19 literacy needs of children at risk for
20 delayed development and later aca-
21 demic difficulties;

22 (II) teachers identify student lit-
23 eracy needs and teach literacy across
24 the content areas so that the teachers

1 can meet the needs of students read-
2 ing and writing below grade level; and
3 (iii) to work cooperatively and collabo-
4 ratively with other professionals in plan-
5 ning programs to help early learning pro-
6 viders and teachers teach literacy across
7 content areas so that the early learning
8 providers and teachers can meet the needs
9 of diverse learners, including children with
10 disabilities, English language learners, and
11 students who are reading at grade level.

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

14 (A) has the meaning given to that term in
15 section 9101 of the Elementary and Secondary
16 Education Act of 1965; and

17 (B) includes any public charter school that
18 constitutes a local educational agency under
19 State law.

20 (14) MULTI-TIER SYSTEM OF SUPPORTS.—The
21 term “multi-tier system of supports” means a com-
22 prehensive system of differentiated supports that in-
23 cludes evidence-based instruction, universal screen-
24 ing, progress monitoring, formative assessment, and
25 research-based interventions matched to student

1 needs, and educational decisionmaking using student
2 outcome data.

3 (15) READING.—The term “reading” means a
4 complex system of deriving meaning from print that
5 requires all of the following:

6 (A) The skills and knowledge to under-
7 stand how phonemes, or speech sounds, are
8 connected to print.

9 (B) The ability to decode unfamiliar words.

10 (C) The ability to read fluently.

11 (D) Sufficient background information and
12 vocabulary to foster reading comprehension.

13 (E) The development of appropriate active
14 strategies to construct meaning from print.

15 (F) The development and maintenance of a
16 motivation to read.

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

19 (A) is an employee or officer of a school;
20 and

21 (B) is responsible for—

22 (i) the school’s performance; and

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

1 (17) SCIENTIFICALLY VALID RESEARCH.—The
2 term “scientifically valid research” has the meaning
3 given the term in section 200 of the Higher Edu-
4 cation Act of 1965 (20 U.S.C. 1021).

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

7 (A) is developmentally, linguistically, and
8 culturally appropriate;

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

12 (C) is a procedure designed as a first step
13 in identifying children who may be at high risk
14 for delayed development or later academic dif-
15 ficulties and in need of further diagnosis of the
16 children’s need for special services or additional
17 literacy instruction.

18 (19) STATE.—The term “State” means each of
19 the 50 States, the District of Columbia, the Com-
20 monwealth of Puerto Rico, the United States Virgin
21 Islands, Guam, American Samoa, and the Common-
22 wealth of the Northern Mariana Islands.

23 (20) STATE LITERACY LEADERSHIP TEAM.—

24 (A) IN GENERAL.—

1 (i) APPOINTMENT; RESPONSIBILITY;
2 COMPOSITION.—The term “State literacy
3 leadership team” means a team that—

4 (I) is appointed and coordinated
5 by the State educational agency, ex-
6 cept that individuals described in sub-
7 clauses (I)(aa), (I)(hh), and (II)(gg)
8 of clause (ii) shall be appointed by the
9 State agency that oversees child care
10 programs; and

11 (II) is composed of not less than
12 13 individuals and includes the indi-
13 viduals described in clause (ii).

14 (ii) INDIVIDUALS INCLUDED.—A
15 State literacy team—

16 (I) shall include—

17 (aa) an individual who has
18 literacy expertise with respect to
19 children from birth through kin-
20 dergarten entry;

21 (bb) an individual who has
22 literacy expertise with respect to
23 students in kindergarten through
24 grade 5;

- 1 (cc) an individual who has
2 literacy expertise with respect to
3 students in grades 6 through 12;
4 (dd) a school principal;
5 (ee) a special education
6 teacher with literacy expertise;
7 (ff) a representative from
8 the family literacy community;
9 (gg) a teacher or adminis-
10 trator with expertise in teaching
11 English language learners;
12 (hh) a representative from
13 the States agency that oversees
14 child care programs;
15 (ii) a representative from
16 the State educational agency who
17 oversees literacy initiatives; and
18 (jj) a representative from
19 higher education who is actively
20 involved in research, develop-
21 ment, and teacher preparation in
22 literacy instruction and interven-
23 tion based on scientifically valid
24 research; and
25 (II) may include—

- 1 (aa) a literacy specialist
- 2 serving in a school district within
- 3 the State;
- 4 (bb) a literacy coach;
- 5 (cc) a library media spe-
- 6 cialist;
- 7 (dd) a school counselor;
- 8 (ee) a teacher of a core aca-
- 9 demic subject;
- 10 (ff) a special education ad-
- 11 ministrator;
- 12 (gg) an early learning pro-
- 13 vider;
- 14 (hh) a college or university
- 15 professor;
- 16 (ii) a parent;
- 17 (jj) a business leader;
- 18 (kk) a representative from
- 19 the Governor's office;
- 20 (ll) a representative from
- 21 the State board of education;
- 22 (mm) a representative from
- 23 the State legislature;
- 24 (nn) a nonprofit and com-
- 25 munity-based organization pro-

1 viding literacy instruction and
2 support; and
3 (oo) a representative from a
4 school district superintendent’s
5 office.

6 (B) INCLUSION OF A PREEXISTING PART-
7 NERSHIP.—If, before the date of the enactment
8 of this Act, a State educational agency estab-
9 lished a consortium, partnership, or any other
10 similar body that was considered a literacy
11 partnership for purposes of subpart 1 or 2 of
12 part B of title I of the Elementary and Sec-
13 ondary Education Act of 1965 (20 U.S.C. 6361
14 et seq., 6371 et seq.) and that includes the indi-
15 viduals required under subparagraph (A)(ii)(I),
16 such consortium, partnership, or body may be
17 considered a State literacy leadership team for
18 purposes of subparagraph (A).

19 (21) STUDENT WITH A DISABILITY.—The term
20 “student with a disability” has the meaning given
21 the term “child with a disability” in section 602(3)
22 of the Individuals with Disabilities Education Act
23 (20 U.S.C. 1401(3)).

1 (22) SUMMATIVE ASSESSMENT.—The term
2 “summative assessment” means an assessment
3 that—

4 (A) is developmentally, linguistically, and
5 culturally appropriate;

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

9 (C) measures what students have learned
10 over time.

11 (23) UNIVERSAL DESIGN FOR LEARNING.—The
12 term “universal design for learning” has the mean-
13 ing given the term in section 103 of the Higher
14 Education Act of 1965 (20 U.S.C. 1001 et seq.).

15 (24) WRITING.—The term “writing” means—

16 (A) the ability to compose meaning and
17 print to communicate ideas, including the use of
18 vocabulary, tone, and genre to fit purpose, audi-
19 ence and occasion;

20 (B) the use of conventions such as spelling
21 and punctuation; and

22 (C) the ability to revise in order to improve
23 clarity of ideas, coherence, logical development,
24 and precision of language use.

1 **SEC. 14. AUTHORIZATION OF APPROPRIATIONS.**

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

4 (1) \$2,350,000,000 for fiscal year 2010;

5 (2) \$2,350,000,000 for fiscal year 2011;

6 (3) \$2,350,000,000 for fiscal year 2012;

7 (4) \$2,350,000,000 for fiscal year 2013; and

8 (5) \$2,350,000,000 for fiscal year 2014.

○