

112TH CONGRESS
1ST SESSION

H. R. 2272

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2011

Mr. YARMUTH (for himself, Mr. POLIS, Ms. BERKLEY, Mr. SABLAN, Mr. BRADY of Pennsylvania, Mr. GRIJALVA, Mr. CONNOLLY of Virginia, Mr. BERMAN, Mr. COHEN, and Ms. HIRONO) introduced the following bill; which was referred to the Committee on Education and the Workforce

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) Developing literacy skills begins at birth as
10 infants and toddlers associate sounds, gestures, and
11 marks on paper with consequences and meaning.
12 Many teachers and staff in early learning programs
13 are not provided with high-quality professional devel-
14 opment in how to support children’s language and
15 literacy development. Such high-quality professional
16 learning and preparation, that is job-embedded and
17 ongoing, promotes strong early language and literacy
18 for all children’s readiness for school.

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

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

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

23 (6) Between 1971 and 2008, the reading levels
24 of 17-year-olds in the United States showed little to
25 no improvement. The ability of secondary school stu-

1 dents to read complex texts is strongly predictive of
2 their performance in postsecondary mathematics and
3 science courses.

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

8 (8) The 25 fastest growing professions have
9 higher than average literacy demands and approxi-
10 mately half of all job growth between 2004 and
11 2014 will require high-level literacy skills.

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

17 (10) Only 73.9 percent of secondary school stu-
18 dents graduate on time with a diploma, meaning
19 that every year 1,230,000 students fail to graduate
20 from secondary school in the United States. These
21 1,230,000 nongraduates cost the United States more
22 than \$300,000,000,000 in lost wages, taxes, and
23 productivity over their lifetimes.

24 (11) Meaningful engagement of families in their
25 children's early learning supports school readiness

1 and later academic success. Parental literacy habits
2 are positively associated with parental reading be-
3 liefs, parent-child literacy and language activities in
4 the home, children's print knowledge, and interest in
5 reading and writing.

6 **SEC. 3. PURPOSES.**

7 The purposes of this Act are—

8 (1) to improve reading, writing, and academic
9 achievement for children and students by providing
10 Federal support to State educational agencies, in
11 collaboration with State agencies that oversee child
12 care programs, to develop, coordinate, and imple-
13 ment comprehensive State literacy plans that ensure
14 high-quality instruction and effective practices in
15 early language and literacy in early learning pro-
16 grams (serving children from birth through kinder-
17 garten entry) and in reading and writing in kinder-
18 garten through grade 12; and

19 (2) to assist State educational agencies and
20 State agencies that oversee child care and other
21 early childhood programs in achieving the purposes
22 described in paragraph (1) by—

23 (A) supporting the development and imple-
24 mentation of early learning through grade 12
25 literacy programs that are based on scientif-

1 ically valid research, to ensure that every stu-
2 dent can read and write at grade level or above;

3 (B) providing children attending early
4 learning programs that serve children from
5 birth through kindergarten entry, including pro-
6 grams, such as child care, Early Head Start,
7 Head Start, State-funded preschool, public li-
8 brary programs, and other early childhood edu-
9 cation settings, with high-quality, language-rich,
10 literature-rich, informational text-rich, cul-
11 turally relevant, developmentally appropriate
12 environments, so that such children develop the
13 fundamental knowledge and skills necessary for
14 literacy engagement, development, and achieve-
15 ment in kindergarten and beyond;

16 (C) educating parents in the ways they can
17 support their child's communication and lit-
18 eracy development;

19 (D) supporting efforts to link and align
20 standards and evidence-based teaching practices
21 and instruction in early learning programs serv-
22 ing children from birth through kindergarten
23 entry;

24 (E) supporting high-quality, effective edu-
25 cational and development environments for chil-

1 dren and students from birth through grade 12
2 to develop oral language, reading comprehen-
3 sion, and writing abilities through research-
4 based instruction and practices;

5 (F) improving student achievement by es-
6 tablishing literacy initiatives that provide ex-
7 plicit and systematic instruction in oral lan-
8 guage, reading, and writing development across
9 the curriculum;

10 (G) identifying and supporting students
11 who are reading and writing below grade level
12 by providing evidence-based intensive interven-
13 tions, including extended learning time, to help
14 such students acquire the language and literacy
15 skills they need to graduate from secondary
16 school;

17 (H) providing assistance to eligible entities
18 in order to provide educators with high-quality
19 professional development in the essential com-
20 ponents of early literacy instruction and the es-
21 sential components of reading and writing in-
22 struction;

23 (I) supporting State educational agencies
24 and local educational agencies in using age- and
25 developmentally appropriate instructional mate-

1 rials and strategies, including those consistent
2 with universal design for learning, that assist
3 teachers as they work with students to develop
4 reading and writing competencies appropriate
5 to the student’s grade and skill levels;

6 (J) supporting State educational agencies
7 and eligible entities in improving reading, writ-
8 ing, and academic achievement for children and
9 students, especially those that are low-income,
10 limited English proficient, migratory, Indian or
11 Alaskan Native, neglected or delinquent, home-
12 less, in the custody of the child welfare system,
13 those that have disabilities, or those who have
14 dropped out of school; and

15 (K) strengthening coordination among
16 schools, early learning programs, early literacy
17 programs, family literacy programs, juvenile
18 justice programs, public libraries, and outside-
19 of-school programs that provide children and
20 youth with strategies, curricula, interventions,
21 and assessments designed to advance early and
22 continuing language and literacy development in
23 ways appropriate for each context.

24 **SEC. 4. PROGRAMS AUTHORIZED.**

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

1 (1) to award State planning grants in accord-
2 ance with subsection (b) and section 5; and

3 (2) to award State implementation grants in ac-
4 cordance with subsection (b) and section 6 to en-
5 able—

6 (A) the State agency that oversees child
7 care programs, in consultation with the State
8 Advisory Council on Early Childhood Education
9 and Care described in section 642B of the
10 Head Start Act and other early childhood agen-
11 cies, to award subgrants to eligible entities in
12 accordance with section 7;

13 (B) the State educational agency to award
14 subgrants to eligible entities in accordance with
15 section 8; and

16 (C) the State educational agency to carry
17 out the additional State activities described in
18 section 9.

19 (b) AWARDS TO STATE EDUCATIONAL AGENCIES.—

20 (1) DISCRETIONARY GRANTS.—

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

24 (i) reserve not more than 5 percent of
25 such amount for the national evaluation,

1 dissemination of information, and technical
2 assistance under section 10;

3 (ii) reserve not more than 5 percent of
4 such amount to make awards, on a com-
5 petitive basis, under section 5; and

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

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

1 (2) FORMULA GRANTS.—

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

6 (i) reserve not more than 5 percent of
7 such amount for the national evaluation,
8 dissemination of information, and technical
9 assistance under section 10;

10 (ii) reserve not more than 5 percent of
11 such amount to make awards, on a com-
12 petitive basis, under section 5;

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

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

24 (II) the Secretary of the Interior
25 for programs under sections 5

1 through 9 in schools operated or fund-
2 ed by the Bureau of Indian Edu-
3 cation; and

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

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

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

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

7 (3) CONSULTATION.—

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

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

25 (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;
- 11 (III) experts, including teachers,
12 who provide high-quality professional
13 development to teachers and other in-
14 dividuals to support children’s literacy
15 development;
- 16 (IV) experts in screening, diag-
17 nostic, and formative assessments of
18 reading and writing; and
- 19 (V) experts in strategies and in-
20 struction in reading and writing, lan-
21 guage development, and English lan-
22 guage acquisition, as appropriate, in-
23 cluding reading and writing in core
24 academic subjects.

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

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

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

1 **SEC. 5. STATE PLANNING GRANTS.**

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

3 (1) **IN GENERAL.**—The Secretary may award
4 planning grants to State educational agencies to en-
5 able the State educational agencies to conduct and
6 complete comprehensive planning, in consultation
7 with the State agencies that oversee child care and
8 other early childhood programs, the State Advisory
9 Council on Early Childhood Education and Care,
10 and the State Head Start Collaboration Office, to
11 carry out activities that improve literacy for children
12 and students from birth through grade 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
26 shall submit, jointly with the State agencies that

1 oversee child care and other early childhood pro-
2 grams and the State Advisory Council on Early
3 Childhood Education and Care, an application to the
4 Secretary at such time, in such manner, and accom-
5 panied by such information as the Secretary may re-
6 quire.

7 (2) CONTENTS.—

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

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

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

23 (ii) provide a budget for the use of the
24 planning grant funds to complete the re-

1 required activities described in subsection
2 (c);

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

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

15 (c) REQUIRED ACTIVITIES.—A State educational
16 agency receiving planning grant funds under this section
17 shall, in collaboration with the State agencies that oversee
18 child care and other early childhood programs, the State
19 Advisory Council on Early Childhood Education and Care,
20 and the Head Start Collaboration Office, carry out each
21 of the following activities:

22 (1) REVIEW.—Reviewing reading, writing, or
23 other literacy resources and programs, such as pub-
24 lic and school library programs, and data across the
25 State and coordinating any new plans and resources

1 under this Act with such existing resources and pro-
2 grams.

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

6 (A) COMPREHENSIVE STATE LITERACY
7 PLAN.—Creating a comprehensive State literacy
8 plan to improve early literacy and language de-
9 velopment in children, and reading, writing, and
10 academic achievement in students that—

11 (i) includes a needs assessment and
12 an implementation plan;

13 (ii) ensures high-quality literacy strat-
14 egies and instruction in early literacy de-
15 velopment, early learning programs (serv-
16 ing children from birth through kinder-
17 garten entry) and in kindergarten through
18 grade 12; and

19 (iii) provides for activities designed to
20 improve literacy achievement for students,
21 including students with disabilities and
22 English language learners who—

23 (I) read or write below grade
24 level;

1 (II) attend schools that are iden-
2 tified for school improvement under
3 section 1116(b) of the Elementary
4 and Secondary Education Act of 1965
5 (20 U.S.C. 6316(b)); and

6 (III) are counted under section
7 1124(e) of the Elementary and Sec-
8 ondary Education Act of 1965 (20
9 U.S.C. 6333(e)).

10 (B) STANDARDS.—Providing recommenda-
11 tions to guide the State educational agency in
12 such agency’s process of strengthening State
13 literacy standards and embedding State literacy
14 standards into the State’s challenging academic
15 content standards, academic achievement stand-
16 ards, and to guide the State in their early
17 learning and development standards.

18 (C) PROGRESS.—Providing recommenda-
19 tions to guide the State educational agency in
20 such agency’s process of measuring, assessing,
21 and monitoring progress in implementation of
22 literacy instruction and interventions at the
23 school, local educational agency, and State lev-
24 els.

1 (D) CRITERIA.—Identifying criteria for
2 high-quality professional development providers
3 for eligible entities.

4 (E) DATA.—Advising the State educational
5 agency on how to help ensure that local edu-
6 cational agencies and schools provide timely and
7 appropriate student assessment data to teach-
8 ers.

9 (F) EDUCATOR CAPACITY.—Providing rec-
10 ommendations to guide the State educational
11 agency and the State agencies that oversee
12 child care and other early childhood programs
13 and the State Advisory Council on Early Child-
14 hood Education and Care in such agencies’
15 planning process of building educators’ capacity
16 to provide high-quality literacy instruction.

17 (3) REPORTING REQUIREMENTS.—Not later
18 than 1 year after a State educational agency receives
19 a planning grant under this section, the State edu-
20 cational agency, in collaboration with the State
21 agency that oversees child care programs, shall sub-
22 mit a report to the Secretary on the performance of
23 the activities described in this subsection by such
24 agencies. The Secretary shall submit a report to the
25 Congress on the activities carried out by State edu-

1 cational agencies under this section, and shall make
2 such report available to the public upon its submis-
3 sion.

4 **SEC. 6. STATE IMPLEMENTATION GRANTS.**

5 (a) IMPLEMENTATION GRANTS AUTHORIZED.—

6 (1) IN GENERAL.—The Secretary shall award
7 implementation grants to State educational agen-
8 cies—

9 (A) to implement, in collaboration with the
10 State agencies that oversee child care and other
11 early childhood programs, the State Advisory
12 Council on Early Childhood Education and
13 Care, and the State Head Start Collaboration
14 Office—

15 (i) the comprehensive State literacy
16 plan developed under section 5, if the State
17 educational agency received a grant under
18 such section; or

19 (ii) another comprehensive State lit-
20 eracy plan for serving children from birth
21 through grade 12;

22 (B) to provide funds made available under
23 paragraph (2)(A) to the State agency that over-
24 sees child care programs to award subgrants
25 under section 7;

1 (C) to award subgrants under section 8;
2 and

3 (D) to carry out additional State activities
4 under section 9.

5 (2) USE OF FUNDS.—State educational agency
6 shall use implementation grant funds received under
7 this section as follows:

8 (A) LEARNERS FROM BIRTH THROUGH
9 KINDERGARTEN ENTRY.—Not less than 15 per-
10 cent of such grant funds shall be used in ac-
11 cordance with section 7.

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

20 (C) STUDENTS IN GRADES 6 THROUGH
21 12.—Not less than 40 percent of such grant
22 funds shall be used in accordance with section
23 8, to be allocated equitably among grades 6
24 through 12, unless the State educational agency
25 determines that an exception is necessary based

1 on a capacity survey described in section
2 8(e)(1).

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

6 (3) DURATION OF GRANTS.—An implementa-
7 tion grant under this section shall be awarded for a
8 period of not less than 3 years and not more than
9 5 years.

10 (4) RENEWALS.—

11 (A) IN GENERAL.—Implementation grants
12 under this section may be renewed.

13 (B) CONDITIONS.—In order to be eligible
14 to have an implementation grant renewed under
15 this paragraph, the State educational agency, in
16 collaboration with the State agencies that over-
17 see child care and other early childhood pro-
18 grams and the State Advisory Council on Early
19 Childhood Education and Care, shall dem-
20 onstrate, to the satisfaction of the Secretary,
21 that—

22 (i) the State educational agency has
23 complied with the terms of the grant, in-
24 cluding using the funds to—

1 (I) increase access to high-quality
2 professional development;

3 (II) use developmentally appro-
4 priate curricula and teaching mate-
5 rials; and

6 (III) use developmentally appro-
7 priate classroom-based instructional
8 assessments and developmentally ap-
9 propriate screening and diagnostic as-
10 sements; and

11 (ii) with respect to students in kinder-
12 garten through grade 12, during the period
13 of the grant there has been significant
14 progress in student achievement, as meas-
15 ured by appropriate assessments, including
16 meeting the measurable annual objectives
17 established pursuant to section
18 1111(b)(2)(C)(v) of the Elementary and
19 Secondary Education Act of 1965 (20
20 U.S.C. 6311(b)(2)(C)(v)).

21 (b) STATE APPLICATIONS.—

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

1 early childhood programs and the State Advisory
2 Council on Early Childhood Education and Care,
3 submit an application to the Secretary at such time,
4 in such manner, and containing such information as
5 the Secretary may require.

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

8 (A) STATE LITERACY TEAM AND PLAN.—

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

13 (B) CONFLICTS OF INTEREST.—An assur-

14 ance that the State has a process to safeguard
15 against conflicts of interest consistent with sec-
16 tion 11(c) for individuals providing technical as-
17 sistance on behalf of the State educational
18 agency or the State agencies that oversee child
19 care and other early childhood programs or
20 serving on the State literacy leadership team.

21 (C) IMPLEMENTATION.—An implementa-

22 tion plan that includes a description of how the
23 State educational agency and the State agency
24 that oversees child care programs will—

25 (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).

1 (E) NATIONAL EVALUATION.—An assur-
2 ance that the State educational agency, the
3 State agency that awards subgrants under sec-
4 tion 7, and any eligible entity receiving a
5 subgrant under section 7 or 8, will, if re-
6 quested, participate in the national evaluation
7 under section 10.

8 (F) PRIORITY.—An assurance that the
9 State educational agency and the State agency
10 that oversees child care programs, as appro-
11 priate, shall prioritize awarding subgrants—

12 (i) under section 7, based on the per-
13 centage of low-income children proposed to
14 be served by the applicant; and

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

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

24 (a) SUBGRANTS.—A State educational agency shall
25 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, in consultation
3 with the State Advisory Council on Early Childhood Edu-
4 cation and Care and other State early childhood agencies,
5 to eligible entities to enable the eligible entities to carry
6 out the activities described in subsection (e).

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

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

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

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

1 (3) how the subgrant funds will be used to en-
2 hance the language and literacy aspects of school
3 readiness of children from birth through kinder-
4 garten entry in early childhood education programs;

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

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

19 (6) how the subgrant funds will be used to pro-
20 vide—

21 (A) screening assessments or other appro-
22 priate measures—

23 (i) to effectively identify children from
24 birth through kindergarten entry who may

1 be at risk for delayed development or later
2 academic difficulties; and

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

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

10 (C) classroom-based instructional assess-
11 ments; and

12 (D) other appropriate assessments of de-
13 velopmental progress;

14 (7) how the subgrant funds will be used to help
15 instructional staff in the programs assisted under
16 the subgrant to more effectively meet the diverse de-
17 velopmental and linguistic needs of children from
18 birth through kindergarten entry in the community,
19 including the needs of English language learners and
20 children with disabilities;

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

23 (A) on their children’s early literacy devel-
24 opment; and

1 (B) on how parents can support children's
2 literacy development at home;

3 (9) how the subgrant funds will be used to help
4 children, particularly children experiencing difficulty
5 with spoken and written language, to make the tran-
6 sition from early education to formal classroom in-
7 struction;

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

11 (11) how the eligible entity will—

12 (A) evaluate the success of the activities
13 supported under the subgrant in enhancing the
14 early language and literacy development of chil-
15 dren served under such subgrant; and

16 (B) evaluate data for program improve-
17 ment; and

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

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

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

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

3 (e) LOCAL USES OF FUNDS.—

4 (1) REQUIRED USES.—An eligible entity that
5 receives a subgrant under this section shall use the
6 subgrant funds to carry out the following activities
7 to support the development of early language and
8 literacy in children from birth through kindergarten
9 entry:

10 (A) Enhance and improve early learning
11 programs to ensure that children in such pro-
12 grams are provided with high-quality, develop-
13 mentally appropriate oral language, literature-
14 and print-rich environments.

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

1 (C) Acquire, provide training for, and im-
2 plement, as appropriate—

3 (i) screening assessments or other ap-
4 propriate measures to determine whether
5 children from birth through kindergarten
6 entry are developing appropriate early lan-
7 guage and literacy skills;

8 (ii) diagnostic assessments, as appro-
9 priate, to determine the need for additional
10 services; and

11 (iii) classroom-based instructional as-
12 sessments.

13 (D) Acquire, as appropriate, and integrate
14 evidence-based instructional materials, activi-
15 ties, tools, and measures into the early learning
16 programs offered by the eligible entity to im-
17 prove development of children’s early language
18 and literacy skills.

19 (2) ALLOWABLE USES.—An eligible entity that
20 receives a subgrant under this section may use the
21 subgrant funds to carry out either or both of the fol-
22 lowing activities to support the development of early
23 language and literacy in children from birth through
24 kindergarten entry:

1 (A) Selecting, developing, and imple-
2 menting a multitier system of supports.

3 (B) Providing activities that encourage
4 family literacy experiences and practices and
5 educate parents of children enrolled in a pro-
6 gram receiving funds under this section on the
7 development of their children’s early literacy
8 skills.

9 (f) PROHIBITION.—The use of assessment items and
10 data on any assessment authorized under this section to
11 provide rewards or sanctions for individual children, early
12 learning providers, program directors, or principals is pro-
13 hibited.

14 **SEC. 8. SUBGRANTS TO ELIGIBLE ENTITIES IN SUPPORT OF**
15 **LITERACY FOR STUDENTS IN KINDERGARTEN**
16 **THROUGH GRADE 12.**

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

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

1 (c) LOCAL APPLICATIONS.—An eligible entity desir-
2 ing to receive a subgrant under this section shall submit
3 an application to the State educational agency at such
4 time, in such manner, and containing such information as
5 the State educational agency may require. Such applica-
6 tion shall include, the following information:

7 (1) CAPACITY SURVEY.—Results of the eligible
8 entity’s capacity survey that—

9 (A) identify—

10 (i) the strengths and weaknesses of
11 such entity related to literacy;

12 (ii) how subgrant funds will be used
13 to inform and improve literacy instruction
14 within such entity; and

15 (iii) the demographic and socio-
16 economic information on the students en-
17 rolled in such entity; and

18 (B) include an analysis, disaggregated by
19 the subgroups described in section
20 1111(b)(2)(C)(v)(II) of the Elementary and
21 Secondary Education Act of 1965 (20 U.S.C.
22 6311(b)(2)(C)(v)(II)) and by grade level, of—

23 (i) State scores on the reading or lan-
24 guage arts assessments conducted under
25 section 1111(b)(3) of the Elementary and

1 Secondary Education Act of 1965 (20
2 U.S.C. 6311(b)(3));

3 (ii) National Assessment of Edu-
4 cational Progress reading scores, as appro-
5 priate;

6 (iii) the percentage of students in
7 need of reading and writing remediation;

8 (iv) core course passing and failure
9 rates for secondary school students;

10 (v) credit accumulation for secondary
11 school students; and

12 (vi) graduation rates.

13 (2) PROFESSIONAL DEVELOPMENT.—How each
14 participating school, eligible entity, or a provider of
15 high-quality professional development will provide
16 ongoing high-quality professional development in
17 language development, English language acquisition
18 (as appropriate), and literacy instruction to all
19 teachers, principals, and other school leaders served
20 by the school.

21 (3) INTERVENTIONS.—How each participating
22 school will identify students in need of interventions
23 and provide appropriate scientifically valid instruc-
24 tional interventions and extended learning time for
25 struggling students.

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

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

8 (6) COORDINATION.—A description of how each
9 participating school will coordinate literacy instruc-
10 tion with early education, after-school programs, and
11 other programs serving students in the school, such
12 as library programs, as appropriate.

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

18 (8) FAMILIES AND CAREGIVERS.—A description
19 of how the families and caregivers will be involved
20 in supporting their children’s literacy instruction
21 and assessment.

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

1 (10) PARTICIPATION IN EVALUATION.—An as-
2 surance that the eligible entity will, if requested,
3 participate in the national evaluation described in
4 section 10.

5 (d) APPROVAL OF LOCAL APPLICATIONS.—The State
6 educational agency shall—

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

10 (2) prioritize awarding subgrants to eligible en-
11 tities based on the criteria described in section
12 6(b)(2)(F).

13 (e) LOCAL USES OF FUNDS FOR KINDERGARTEN
14 THROUGH GRADE 12.—

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

19 (A) Develop and implement a literacy ini-
20 tiative that—

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

23 (ii) supports activities that are pro-
24 vided primarily during the regular school
25 day but which may be augmented by in-

1 instruction during nonschool hours or peri-
2 ods when school is not in session (such as
3 before and after school or during summer
4 recess);

5 (iii) integrates literacy instruction into
6 core academic subjects and, to the extent
7 practicable, other subjects taught in a
8 school, such as career and technical edu-
9 cation; and

10 (iv) addresses the literacy needs of
11 English language learners and students
12 with disabilities.

13 (B) Form school literacy leadership teams
14 to help implement, assess, and identify changes
15 to the literacy initiative.

16 (C) Provide high-quality, developmentally
17 appropriate oral language, including listening
18 and speaking, literature, and print-rich class-
19 room environments.

20 (D) Provide high-quality professional de-
21 velopment for instructional staff, including lit-
22 eracy coaches and teachers of students with dis-
23 abilities and English language learners.

24 (E) Select and administer screening and
25 diagnostic assessments and support teachers'

1 use of formative assessments and assessment
2 data to plan instruction.

3 (F) Select and implement a multitier sys-
4 tem of supports that includes intensive, supple-
5 mental interventions for students in grades kin-
6 dergarten through grade 5 reading below grade
7 level.

8 (G) Provide training to principals and
9 other school and district personnel in imple-
10 menting the literacy initiative, particularly in
11 the areas of—

12 (i) utilizing data;

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

15 (iii) providing time and support for
16 teachers to plan literacy instruction.

17 (H) Provide family literacy services for
18 students and their parents, including training
19 to enable families and caregivers to support the
20 literacy initiative.

21 (I) Promote writing experiences and imple-
22 ment programs that instruct and engage stu-
23 dents in practicing writing for multiple audi-
24 ences and purposes appropriate to the interests
25 and capacities of students.

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

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

7 (A) Acquire and utilize developmentally ap-
8 propriate instructional materials based on sci-
9 entifically valid research, including materials
10 that utilize technology.

11 (B) Hire and train literacy coaches.

12 (C) Select and implement a multitier sys-
13 tem of supports that includes intensive, supple-
14 mental interventions for students in grades 6
15 through 12 reading below grade level.

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

19 (E) Connect out-of-school learning oppor-
20 tunities to in-school learning, including the
21 alignment of after-school activities with in-
22 school curricula, in order to improve the literacy
23 achievement of students.

24 (F) Form an acting partnership with 1 or
25 more public or private nonprofit organizations

1 that have a demonstrated record of effective-
2 ness in improving literacy development or pro-
3 viding professional development aligned with
4 the activities described in this subsection.

5 (G) Providing time for teachers and school
6 librarians to meet to plan literacy instruction,
7 as appropriate.

8 (f) **LIMITATION TO CERTAIN SCHOOLS.**—An eligible
9 entity receiving a subgrant under this section shall, in dis-
10 tributing subgrant funds under this subsection, provide
11 the subgrant funds only to schools, including public char-
12 ter schools, that—

13 (1) are among the schools served by the eligible
14 entity with the highest numbers or percentages of
15 students in grades kindergarten through 12 reading
16 and writing below grade level, based on the most
17 current State data as available; and

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

22 **SEC. 9. ADDITIONAL STATE ACTIVITIES.**

23 (a) **REQUIRED ACTIVITIES.**—A State educational
24 agency, in consultation with the State agency that over-
25 sees child care programs, shall use funds made available

1 under section 4(a)(2)(C) and described in section
2 6(a)(1)(D) to carry out each of the following activities:

3 (1) Providing technical assistance or engaging
4 qualified providers to provide such assistance, to as-
5 sist eligible entities to design and implement literacy
6 initiatives.

7 (2) Identifying and supporting high-quality pro-
8 fessional development in literacy instruction for eligi-
9 ble entities.

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

13 (4) Disseminating information, including mak-
14 ing publicly available on the Web sites of the State
15 educational agency and the State agency that over-
16 sees child care programs, on promising practices to
17 improve children's early literacy and language devel-
18 opment and student literacy achievement.

19 (5) Reviewing and developing recommendations
20 in collaboration with teachers, early childhood pro-
21 viders, statewide educational and professional orga-
22 nizations representing teachers, and statewide and
23 educational and professional organizations rep-
24 resenting institutions of higher education, to
25 strengthen State licensure and certification stand-

1 ards for literacy instruction in early education
2 through grade 12.

3 (6) Coordinating with institutions of higher
4 education in the State to strengthen and enhance
5 pre-service course work for students preparing to
6 teach literacy to children and students from birth
7 through grade 12.

8 (7) Administration and reporting.

9 (b) PERMISSIVE ACTIVITIES.—A State educational
10 agency, in collaboration with the State agency that over-
11 sees child care programs, may use funds made available
12 under section 4(a)(2)(C) and described in section
13 6(a)(1)(D) to carry out one or more of the following activi-
14 ties:

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

17 (2) Developing and providing training to lit-
18 eracy coaches, including literacy coaches with exper-
19 tise in early literacy development, language develop-
20 ment, and adolescent literacy.

21 **SEC. 10. NATIONAL EVALUATION, INFORMATION DISSEMI-**
22 **NATION, AND TECHNICAL ASSISTANCE.**

23 (a) NATIONAL EVALUATION.—

24 (1) IN GENERAL.—From funds reserved under
25 paragraph (1)(A)(i) or (2)(A)(i) of section 4(b), the

1 Secretary shall perform a 5-year national evaluation
2 of the grant and subgrant programs assisted under
3 this Act by entering into one or more contracts or
4 cooperative agreements with independent organiza-
5 tions. Such evaluation shall include scientifically
6 valid research that applies rigorous and systematic
7 procedures to obtain information relevant to the im-
8 plementation and effect of the programs assisted
9 under this Act.

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

13 (A) IMPACT.—The impact of literacy ini-
14 tiatives supported under this Act on improving
15 early literacy skills and student academic out-
16 comes, including student literacy development
17 in reading and writing, student literacy develop-
18 ment in other academic content areas, grade
19 promotion, and graduation.

20 (B) IMPLEMENTATION OF CORE FEA-
21 TURES.—The fidelity of implementation of core
22 program features, such as coherence of program
23 across grades, quality of technical assistance,
24 State and school district leadership, profes-
25 sional development for teachers and administra-

1 tors, use of quality materials and pedagogy, and
2 use of assessment.

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

5 (i) the types of literacy initiatives that
6 have demonstrated the greatest impact on
7 student achievement;

8 (ii) how State standards, local edu-
9 cational agency and school curricula, as-
10 sessments, and interventions combine to
11 improve literacy;

12 (iii) how screening, diagnostic, and
13 formative assessments of reading and writ-
14 ing assist teachers in identifying students'
15 reading and writing needs;

16 (iv) how job-embedded, ongoing, high-
17 quality professional development improves
18 teacher practice and increases literacy
19 skills of children and students;

20 (v) the types of literacy activities that
21 improve the early reading, writing, and
22 language skills of children from birth
23 through kindergarten entry;

24 (vi) how early learning providers are
25 being prepared with scientifically valid re-

1 search on early childhood literacy and lit-
2 eracy development;

3 (vii) how early literacy instructional
4 materials and activities based on scientif-
5 ically valid research are being integrated
6 into preschools, child care programs and
7 programs carried out under the Head
8 Start Act (42 U.S.C. 9831 et seq.), and
9 family literacy programs;

10 (viii) the impact of adolescent literacy
11 initiatives on student motivation, engage-
12 ment, and participation in adolescent lit-
13 eracy activities;

14 (ix) the impact of literacy initiatives
15 on diverse learners, including English lan-
16 guage learners;

17 (x) the relationship between students'
18 literacy achievement and secondary school
19 graduation rates; and

20 (xi) effective strategies to integrate
21 school and public library programs to im-
22 prove literacy.

23 (3) REPORTS.—

24 (A) INTERIM REPORT.—Not later than 2
25 years after the date of the enactment of this

1 Act, the Secretary shall submit to the Congress
2 an interim report on the national evaluation
3 conducted under this subsection.

4 (B) FINAL REPORT.—Not later than 5
5 years after the date of the enactment of this
6 Act, the Secretary shall submit a final report
7 containing the results of the national evaluation
8 conducted under this subsection to—

9 (i) State educational agencies and eli-
10 gible entities on a periodic basis for use in
11 program improvement; and

12 (ii) the Congress.

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

15 (1) IN GENERAL.—From amounts reserved
16 under paragraph (1)(A)(i) or (2)(A)(i) of section
17 4(b), the Secretary shall, in collaboration with the
18 Secretary of Health and Human Services, the Direc-
19 tor of the National Institute of Child Health and
20 Human Development, regional educational labora-
21 tories established under section 174 of the Edu-
22 cation Sciences Reform Act of 2002 (20 U.S.C.
23 9564), and the comprehensive centers established
24 under section 203 of the Educational Technical As-
25 sistance Act of 2002 (20 U.S.C. 9602), distribute

1 information and provide technical assistance on lit-
2 eracy instruction, including—

3 (A) information on literacy instruction and
4 the impact of the instruction on—

5 (i) student achievement, motivation,
6 and engagement for literacy; and

7 (ii) student graduation with a sec-
8 ondary school diploma;

9 (B) information on elements of job-embed-
10 ded, ongoing, high-quality professional develop-
11 ment that improves literacy achievement in chil-
12 dren and students in early education through
13 grade 12; and

14 (C) information on schools, eligible enti-
15 ties, and States that have successfully improved
16 literacy achievement in early education through
17 grade 12.

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

21 (A) recipients of Federal financial assist-
22 ance under this Act, part A of title I of the Ele-
23 mentary and Secondary Education Act of 1965
24 (20 U.S.C. 6311 et seq.), the Head Start Act
25 (42 U.S.C. 9831 et seq.), the Individuals with

1 Disabilities Education Act (20 U.S.C. 1400 et
2 seq.), and the Adult Education and Family Lit-
3 eracy Act (20 U.S.C. 9201 et seq.); and

4 (B) each school operated or funded by the
5 Bureau of Indian Education.

6 (3) USE OF NETWORKS.—In carrying out this
7 subsection, the Secretary shall, to the extent prac-
8 ticable, use information and dissemination networks
9 developed and maintained through other public and
10 private entities.

11 **SEC. 11. CONSEQUENCES OF INSUFFICIENT PROGRESS, RE-**
12 **PORTING REQUIREMENTS, AND CONFLICTS**
13 **OF INTEREST.**

14 (a) CONSEQUENCES OF INSUFFICIENT PROGRESS.—

15 (1) CONSEQUENCES FOR GRANT RECIPIENTS.—

16 If the Secretary determines that a State educational
17 agency receiving an award under section 4(b) or an
18 eligible entity receiving a subgrant under section 7
19 or 8 is not making significant progress in meeting
20 the purposes of this Act after the submission of a
21 report described in subsection (b), then the Sec-
22 retary may withhold, in whole or in part, further
23 payments under this Act in accordance with section
24 455 of the General Education Provisions Act (20
25 U.S.C. 1234d) or take such other action authorized

1 by law as the Secretary determines necessary, in-
2 cluding providing technical assistance upon request
3 of the State educational agency, or eligible entity,
4 respectively.

5 (2) CONSEQUENCES FOR SUBGRANT RECIPI-
6 ENTS.—A State educational agency or State agency
7 that oversees child care programs, as appropriate,
8 receiving an award under section 4(b) may refuse to
9 award subgrant funds to an eligible entity under sec-
10 tion 7 or 8 if such State agency finds that the eligi-
11 ble entity is not making significant progress in meet-
12 ing the purposes of this Act, after—

13 (A) providing technical assistance to the el-
14 igible entity; and

15 (B) affording the eligible entity notice and
16 an opportunity for a hearing.

17 (b) REPORTING REQUIREMENTS.—

18 (1) STATE EDUCATIONAL AGENCY REPORTS.—
19 Each State educational agency receiving an award
20 under section 6 shall report annually to the Sec-
21 retary regarding the State educational agency's
22 progress and the progress of the State agency that
23 oversees child care programs in addressing the pur-
24 poses of this Act. Such report shall include, at a
25 minimum, a description of—

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

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

10 (C) the types of programs and program
11 settings for children younger than kindergarten
12 entry funded under the award and the ages,
13 grade levels, and demographic information of
14 children served by the programs funded under
15 the award, except that individually identifiable
16 information shall not be included;

17 (D) the experience and qualifications of
18 the instructional staff who provide literacy in-
19 struction under the programs funded under the
20 award, including the experience and qualifica-
21 tions of those staff working with children with
22 disabilities, English language learners, and chil-
23 dren younger than kindergarten entry;

24 (E) key data metrics used for literacy ini-
25 tiatives;

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

5 (i) the number of students reading
6 and writing on grade level by the end of
7 the third grade, disaggregated by the sub-
8 groups described in section
9 1111(b)(2)(C)(v)(II) of the Elementary
10 and Secondary Education Act of 1965 (20
11 U.S.C. 6311(b)(2)(C)(v)(II)); and

12 (ii) the instruction and activities deliv-
13 ered to at-risk students served under the
14 award; and

15 (G) the outcomes of programs and activi-
16 ties provided under the award.

17 (2) ELIGIBLE ENTITY REPORTS.—Each eligible
18 entity receiving a subgrant under section 7 or 8
19 shall report annually to the State educational agency
20 or the State agency that oversees child care pro-
21 grams, as appropriate, regarding the eligible entity's
22 progress in addressing the purposes of this Act.
23 Such report shall include, at a minimum, a descrip-
24 tion of—

25 (A) how the subgrant funds were used;

1 (B) the degree of appropriate develop-
2 mental progress or literacy achievement growth
3 of students, including children who are English
4 language learners and children with disabilities,
5 assisted under the subgrant;

6 (C) the professional development of activi-
7 ties provided under the award, including types
8 of activities and entities involved in providing
9 professional development to early childhood pro-
10 viders, classroom teachers, and other instruc-
11 tional staff;

12 (D) instruction, strategies, activities, cur-
13 ricula, materials, and assessments used in the
14 programs funded under the award;

15 (E) the types of programs funded under
16 the award and the ages, grade levels, and demo-
17 graphic information of children served by the
18 programs funded under the award, except that
19 individually identifiable information shall not be
20 included;

21 (F) the experience and qualifications of the
22 instructional staff who provide literacy instruc-
23 tion under the programs funded under the
24 award, including the experience and qualifica-

1 tions of those staff working with children with
2 disabilities and with English language learners;

3 (G) key data metrics used for literacy ini-
4 tiatives;

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

9 (i) the number of students reading
10 and writing on grade level by the end of
11 the third grade, disaggregated by the sub-
12 groups described in section
13 1111(b)(2)(C)(v)(II) of the Elementary
14 and Secondary Education Act of 1965 (20
15 U.S.C. 6311(b)(2)(C)(v)(II)) ; and

16 (ii) the instruction and activities deliv-
17 ered to at-risk students served under the
18 award;

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

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

23 (c) CONFLICTS OF INTEREST.—

24 (1) IN GENERAL.—Not later than 30 days after
25 the date of the enactment of this Act, the Secretary

1 of Education shall create and implement proce-
2 dures—

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

5 (B) to require the disclosure and mitiga-
6 tion of any such conflict of interest to ensure
7 the integrity of the related program.

8 (2) EVALUATION BY THE COMPTROLLER GEN-
9 ERAL.—

10 (A) IN GENERAL.—Not later than 60 days
11 after the creation of the procedures described in
12 paragraph (1), the Comptroller General of the
13 United States shall report to the Committee on
14 Education and Labor of the House of Rep-
15 resentatives and the Committee on Health,
16 Education, Labor, and Pensions of the Senate
17 on the adequacy of such procedures to identify,
18 disclose, and manage conflicts of interest.

19 (B) UPDATES.—Beginning not less than 6
20 months after the report described in subpara-
21 graph (A) is filed, the Comptroller General shall
22 evaluate the Department's implementation of
23 the procedures described in paragraph (1) and
24 report to the Committee on Education and
25 Labor of the House of Representatives and the

1 Committee on Health, Education, Labor, and
2 Pensions of the Senate every 6 months to en-
3 sure that the Department has adequately imple-
4 mented such procedures. The Comptroller Gen-
5 eral shall include in the reports any rec-
6 ommendations for modifications to such proce-
7 dures that the Comptroller General determines
8 are appropriate to properly identify, disclose,
9 and manage conflicts of interest.

10 (3) DEFINITIONS.—For the purposes of this
11 subsection:

12 (A) The term “covered individual or enti-
13 ty” means—

14 (i) an officer or professional employee
15 of the Department of Education;

16 (ii) a contractor or subcontractor of
17 the Department, or an individual hired by
18 the contracted entity;

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

21 (iv) a consultant or advisor to the De-
22 partment.

23 (B) The term “conflict of interest” means
24 a financial interest or other self-interest that a
25 reasonable person would expect to lead to an

1 undue bias, or the appearance of such bias, to-
2 wards a particular product or service purchased
3 with, guaranteed or insured by, or under con-
4 sideration for purchase with, or to be guaran-
5 teed or insured by, funds administered by the
6 Department of Education or a contracted entity
7 of the Department.

8 **SEC. 12. RULES OF CONSTRUCTION.**

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

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

21 **SEC. 13. DEFINITIONS.**

22 (a) **IN GENERAL.**—Except as otherwise provided in
23 this Act, the terms used in this Act have the meanings
24 given such terms in section 9101 of the Elementary and
25 Secondary Education Act of 1965 (20 U.S.C. 7801).

1 (b) OTHER TERMS.—In this Act:

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

6 (2) CLASSROOM-BASED INSTRUCTIONAL AS-
7 SESSMENT.—The term “classroom-based instruc-
8 tional assessment” means an assessment for children
9 in third grade or younger that—

10 (A) is valid and reliable for the age and
11 population of children served in the program,
12 and is used to evaluate children’s developmental
13 progress and learning, including systematic ob-
14 servations by teachers of children performing
15 tasks, including academic and literary tasks,
16 that are part of their daily classroom experi-
17 ence; and

18 (B) is used to improve classroom instruc-
19 tion.

20 (3) DIAGNOSTIC ASSESSMENT.—The term “di-
21 agnostic assessment” means an assessment that—

22 (A) is developmentally, linguistically, and
23 culturally appropriate;

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

4 (C) is used for the purposes of—

5 (i) identifying a student’s specific
6 areas of strengths and weaknesses in oral
7 language and literacy;

8 (ii) determining any difficulties that
9 the student may have in language and lit-
10 eracy and the potential cause of such dif-
11 ficulties; and

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

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

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

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

23 (i) one or more local educational agen-
24 cies providing early learning programs, or
25 one or more public or private early learn-

1 ing programs, serving children from birth
2 through kindergarten entry, such as a
3 Head Start agency, an Early Head Start
4 program, a child care program, a State-
5 funded pre-kindergarten program, a public
6 library program, or a family literacy pro-
7 gram that has a demonstrated record of
8 providing effective literacy instruction for
9 the age group such agency or program is
10 proposing to serve under section 7; or

11 (ii) one or more local educational
12 agencies providing early learning pro-
13 grams, or one or more public or private
14 early learning programs, serving children
15 from birth through kindergarten entry,
16 such as a Head Start agency, an Early
17 Head Start program, 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 one 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(e)), in comparison to other
22 local educational agencies in the State.

23 (5) 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 (6) 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 (7) 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 (8) 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 (9) 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-
19 periences.

20 (10) 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 (11) 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 one-day or short-
11 term workshop or conference, if such workshop
12 or conference is part of a professional develop-
13 ment 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 teachers and
21 early learning providers in administering age-
22 and developmentally appropriate assessments;
23 and analyzing the results of these student as-
24 sessments when implementing the essential
25 components of early literacy instruction and the

1 essential components of reading and writing in-
2 struction for the purposes of planning, moni-
3 toring, adapting, and improving classroom in-
4 struction or teaching strategies to improve stu-
5 dent learning, as appropriate;

6 (E) for kindergarten through 12th grade,
7 supports the integration of literacy instruction
8 in core academic subjects and, to the extent
9 practicable, other subjects taught at school,
10 such as career and technical education;

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

15 (G) provides ongoing instructional literacy
16 coaching—

17 (i) to ensure high-quality implementa-
18 tion of effective practices of literacy in-
19 struction that is content centered, inte-
20 grated across the curricula, collaborative,
21 and school, setting, and classroom embed-
22 ded; and

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

1 (H) includes and supports teachers in set-
2 ting high reading and writing achievement goals
3 for all students and provides the teachers with
4 the instructional tools and skills, including
5 strategies consistent with the principles of uni-
6 versal design for learning, to help students
7 reach such goals; and

8 (I) is differentiated for educators working
9 with children from birth through kindergarten
10 entry, students in kindergarten through grade
11 5, and students in grades 6 through 12, and, as
12 appropriate, by student grade or student need.

13 (12) INSTRUCTIONAL STAFF.—

14 (A) IN GENERAL.—The term “instruc-
15 tional staff” means individuals who have re-
16 sponsibility for teaching students to read and
17 write, or in the case of children from birth to
18 kindergarten entry, teaching early literacy skills
19 and language development.

20 (B) INCLUSIONS.—Such term includes
21 principals, teachers, early learning providers,
22 supervisors of instruction, pupil services per-
23 sonnel, librarians, library school media special-
24 ists, teachers of academic subjects other than
25 reading or writing, other school leaders, literacy

1 coaches, and other individuals who have respon-
2 sibility for assisting children to learn to read
3 and write.

4 (13) LITERACY COACH.—The term “literacy
5 coach” means a professional—

6 (A) who—

7 (i) has previous teaching experience
8 and—

9 (I) for the purpose of literacy
10 coaches working with early learning
11 programs, has expertise in early child-
12 hood development and early literacy;
13 and

14 (II) for the purpose of literacy
15 coaches working with kindergarten
16 through grade 12—

17 (aa) a master’s degree with
18 a concentration in reading and
19 writing education; or

20 (bb) has demonstrated pro-
21 ficiency in teaching reading or
22 writing in a core academic sub-
23 ject; and

1 (ii) is able to demonstrate the ability
2 to help early learning providers or teach-
3 ers—

4 (I) use evidence-based research
5 on how children and students become
6 successful readers, writers, and com-
7 municators;

8 (II) use multiple forms of assess-
9 ment to guide instructional decision-
10 making;

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

13 (aa) early learning pro-
14 grams, support and coordinate
15 the language and literacy cur-
16 ricula and activities with the
17 overall early childhood education
18 program; and

19 (bb) teachers in kinder-
20 garten through grade 12, im-
21 prove student writing and read-
22 ing in and across content areas
23 such as mathematics, science, so-
24 cial studies, and language arts;

1 (IV) develop and implement dif-
2 ferentiated instruction and teaching
3 approaches to serve the needs of di-
4 verse learners, including English lan-
5 guage learners and children with dis-
6 abilities;

7 (V) use the principles of uni-
8 versal design for learning in instruc-
9 tional strategies and in selecting ma-
10 terials and tools to serve the diverse
11 needs of all learners, including
12 English language learners and chil-
13 dren with disabilities;

14 (VI) employ best practices in en-
15 gaging instructional staff to change
16 school cultures to better encourage
17 and support literacy development and
18 achievement;

19 (VII) use data to improve in-
20 struction; and

21 (VIII) for the purpose of literacy
22 coaches working with—

23 (aa) early learning pro-
24 grams, set developmentally ap-
25 propriate early literacy goals and

1 select and acquire instructional
2 tools and skills to help children
3 reach such goals; and

4 (bb) kindergarten through
5 grade 12, set high reading and
6 writing achievement goals for all
7 students and select and acquire
8 instructional tools and skills to
9 help students reach such goals;
10 and

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

13 (i) to provide high-quality professional
14 development opportunities in literacy and
15 language development for early learning
16 providers, teachers and school personnel,
17 including in the case of early learning pro-
18 viders, helping staff in planning and imple-
19 mentation of ongoing professional develop-
20 ment;

21 (ii) to work cooperatively and collabo-
22 ratively with principals, teachers, early
23 learning providers and other professionals
24 in planning programs to help, as appro-
25 priate—

1 (I) early learning providers iden-
2 tify children’s early literacy needs so
3 that such providers can meet the early
4 literacy needs of children at risk for
5 delayed development and later aca-
6 demic difficulties; and

7 (II) teachers identify student lit-
8 eracy needs and teach literacy across
9 the content areas so that the teachers
10 can meet the needs of students read-
11 ing and writing below grade level; and

12 (iii) to work cooperatively and collabo-
13 ratively with other professionals in plan-
14 ning programs to help early learning pro-
15 viders and teachers teach literacy across
16 content areas so that the early learning
17 providers and teachers can meet the needs
18 of diverse learners, including children with
19 disabilities, English language learners, and
20 students who are reading at grade level.

21 (14) LOCAL EDUCATIONAL AGENCY.—The term
22 “local educational agency”—

23 (A) has the meaning given to that term in
24 section 9101 of the Elementary and Secondary
25 Education Act of 1965; and

1 (B) includes any public charter school that
2 constitutes a local educational agency under
3 State law.

4 (15) MULTITIER SYSTEM OF SUPPORTS.—The
5 term “multitier system of supports” means a com-
6 prehensive system of differentiated supports that in-
7 cludes evidence-based instruction, universal screen-
8 ing, progress monitoring, formative assessment, and
9 research-based interventions matched to student
10 needs, and educational decisionmaking using student
11 outcome data.

12 (16) READING.—The term “reading” means a
13 complex system of deriving meaning from print that
14 requires all of the following:

15 (A) The skills and knowledge to under-
16 stand how phonemes, or speech sounds, are
17 connected to print.

18 (B) The ability to decode unfamiliar words.

19 (C) The ability to read fluently.

20 (D) Sufficient background information and
21 vocabulary to foster reading comprehension.

22 (E) The development of appropriate active
23 strategies to construct meaning from print.

24 (F) The development and maintenance of a
25 motivation to read.

1 (17) SCHOOL LEADER.—The term “school leader”
2 means an individual who—

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

4 and

5 (B) is responsible for—

6 (i) the school’s performance; and

7 (ii) the daily instructional and managerial
8 operations of the school.

9 (18) SCIENTIFICALLY VALID RESEARCH.—The
10 term “scientifically valid research” has the meaning
11 given the term in section 200 of the Higher Education
12 Act of 1965 (20 U.S.C. 1021).

13 (19) SCREENING ASSESSMENT.—The term
14 “screening assessment” means an assessment that—

15 (A) is developmentally, linguistically, and
16 culturally appropriate;

17 (B) is valid, reliable, and based on scientific
18 ally valid research on literacy and English language
19 acquisition; and

20 (C) is a procedure designed as a first step
21 in identifying children who may be at high risk
22 for delayed development or later academic difficulties
23 and in need of further diagnosis of the
24 children’s need for special services or additional
25 literacy instruction.

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

6 (21) STATE LITERACY LEADERSHIP TEAM.—

7 (A) IN GENERAL.—

8 (i) APPOINTMENT; RESPONSIBILITY;
9 COMPOSITION.—The term “State literacy
10 leadership team” means a team that—

11 (I) is appointed and coordinated
12 by the State educational agency, ex-
13 cept that individuals described in sub-
14 clauses (I)(aa), (I)(hh), and (II)(gg)
15 of clause (ii) shall be appointed by the
16 State agency that oversees child care
17 programs; and

18 (II) is composed of not less than
19 13 individuals and includes the indi-
20 viduals described in clause (ii).

21 (ii) INDIVIDUALS INCLUDED.—A
22 State literacy team—

23 (I) shall include—

24 (aa) an individual who has
25 literacy expertise with respect to

- 1 children from birth through kin-
2 dergarten entry;
- 3 (bb) an individual who has
4 literacy expertise with respect to
5 students in kindergarten through
6 grade 5;
- 7 (cc) an individual who has
8 literacy expertise with respect to
9 students in grades 6 through 12;
- 10 (dd) a school principal;
- 11 (ee) a special education
12 teacher with literacy expertise;
- 13 (ff) a representative from
14 the family literacy community;
- 15 (gg) a teacher or adminis-
16 trator with expertise in teaching
17 English language learners;
- 18 (hh) a representative from
19 the State’s agency that oversees
20 child care programs;
- 21 (ii) a representative from
22 the State educational agency who
23 oversees literacy initiatives; and
- 24 (jj) a representative from
25 higher education who is actively

- 1 involved in research, develop-
2 ment, and teacher preparation in
3 literacy instruction and interven-
4 tion based on scientifically valid
5 research; and
- 6 (II) may include—
- 7 (aa) a literacy specialist
8 serving in a school district within
9 the State;
- 10 (bb) a literacy coach;
- 11 (cc) a library media spe-
12 cialist;
- 13 (dd) a school counselor;
- 14 (ee) a teacher of a core aca-
15 demic subject;
- 16 (ff) a special education ad-
17 ministrator;
- 18 (gg) an early learning pro-
19 vider;
- 20 (hh) a college or university
21 professor;
- 22 (ii) a parent;
- 23 (jj) a business leader;
- 24 (kk) a representative from
25 the Governor's office;

- 1 (ll) a representative from
2 the State board of education;
- 3 (mm) a representative from
4 the State legislature;
- 5 (nn) a nonprofit and com-
6 munity-based organization pro-
7 viding literacy instruction and
8 support; and
- 9 (oo) a representative from a
10 school district superintendent's
11 office.

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

1 (22) STUDENT WITH A DISABILITY.—The term
2 “student with a disability” has the meaning given
3 the term “child with a disability” in section 602(3)
4 of the Individuals with Disabilities Education Act
5 (20 U.S.C. 1401(3)).

6 (23) SUMMATIVE ASSESSMENT.—The term
7 “summative assessment” means an assessment
8 that—

9 (A) is developmentally, linguistically, and
10 culturally appropriate;

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

14 (C) measures how young children have pro-
15 gressed over time relative to developmental
16 norms and what students have learned over
17 time.

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

22 (25) WRITING.—The term “writing” means—

23 (A) the ability to compose meaning and
24 print to communicate ideas, including the use of

1 vocabulary, tone, and genre to fit purpose, audi-
2 ence and occasion;

3 (B) the use of conventions such as spelling
4 and punctuation; and

5 (C) the ability to revise in order to improve
6 clarity of ideas, coherence, logical development,
7 and precision of language use.

8 **SEC. 14. AUTHORIZATION OF APPROPRIATIONS.**

9 There are authorized to be appropriated to carry out
10 this Act—

11 (1) \$2,350,000,000 for fiscal year 2012;

12 (2) \$2,350,000,000 for fiscal year 2013;

13 (3) \$2,350,000,000 for fiscal year 2014;

14 (4) \$2,350,000,000 for fiscal year 2015; and

15 (5) \$2,350,000,000 for fiscal year 2016.

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