

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

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 10, 2015

Mr. YARMUTH (for himself, Mr. POLIS, Ms. NORTON, Mr. COHEN, Mr. MCGOVERN, Mr. RANGEL, and Mr. POCAN) 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. 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.

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 65 percent of 4th graders
20 and 8th graders read below the proficient level on
21 the 2013 National Assessment of Educational
22 Progress.

23 (6) One in four students enter 9th grade read-
24 ing below grade level and struggle to graduate be-
25 cause their literacy achievement is alarmingly low.

2 U.S. high schools each year without a diploma have
3 low literacy skills. For those students who earn a di-
4 ploma, an increasing number must take remedial
5 coursework upon entering college, without promising
6 results: students who enroll in a remedial reading
7 course are less likely to eventually earn a degree or
8 certificate.

9 (7) Fewer than 2 in 10 high school students
10 who graduated in 2014 met all 4 ACT College Read-
11 iness Benchmarks (English, Mathematics, Reading,
12 and Science), the minimum level of achievement that
13 ACT indicates is necessary if students are to experi-
14 ence success in first-year college courses.

15 (8) Roughly 40 percent of secondary school
16 graduates lack the literacy skills employers seek.
17 The 25 fastest growing professions have higher than
18 average literacy demands while the fastest declining
19 professions have lower than average literacy de-
20 mands.

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

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

8 (11) Research shows that low expectations for
9 the reading and writing achievement of students in
10 schools results in curricula that do not challenge stu-
11 dents or adequately support literacy education, while
12 high academic expectations and quality instruction
13 and supports can boost student learning and
14 achievement.

15 **SEC. 3. PURPOSES.**

16 The purposes of this Act are—

17 (1) to improve reading, writing, and academic
18 achievement for children and students by providing
19 Federal support to State educational agencies, in
20 collaboration with State agencies that oversee child
21 care programs, to develop, coordinate, and imple-
22 ment comprehensive State literacy plans that ensure
23 high-quality instruction and effective practices in
24 early language and literacy in early learning pro-
25 grams (serving children from birth through kinder-

2 garten through grade 12, and
3 (2) to assist State educational agencies and
4 State agencies that oversee child care and other
5 early childhood programs in achieving the purposes
6 described in paragraph (1) by—

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

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

2 support their child's communication and liter-
3 eracy development;

4 (D) supporting efforts to link and align
5 standards and evidence-based teaching practices
6 and instruction in early learning programs serv-
7 ing children from birth through kindergarten
8 entry;

9 (E) supporting high-quality, effective edu-
10 cational and development environments for chil-
11 dren and students from birth through grade 12
12 to develop oral language, reading comprehen-
13 sion, and writing abilities through evidence-
14 based instruction and practices;

15 (F) improving student achievement by es-
16 tablishing literacy initiatives that provide ex-
17 plicit and systematic instruction in oral lan-
18 guage, reading, and writing development across
19 the curriculum;

20 (G) identifying and supporting students
21 who are reading and writing below grade level
22 by providing evidence-based intensive interven-
23 tions, including extended learning time, to help
24 such students acquire the language and literacy

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school,
(H) providing assistance to eligible entities in order to provide educators with high-quality professional development in the essential components of early literacy instruction and the essential components of reading and writing instruction;

(I) supporting State educational agencies and local educational agencies in using age- and developmentally appropriate instructional materials and strategies, including those consistent with universal design for learning, that assist teachers as they work with students to develop reading and writing competencies appropriate to the student's grade and skill levels;

(J) supporting State educational agencies and eligible entities in improving reading, writing, and academic achievement for children and students, especially those that are low-income, limited English proficient, migratory, Indian or Alaskan Native, neglected or delinquent, homeless, in the custody of the child welfare system, those that have disabilities, or those who have dropped out of school; and

2 schools, early learning programs, early literacy
3 programs, family literacy programs, juvenile
4 justice programs, public libraries, and outside-
5 of-school programs that provide children and
6 youth with strategies, curricula, interventions,
7 and assessments designed to advance early and
8 continuing language and literacy development in
9 ways appropriate for each context.

10 **SEC. 4. PROGRAMS AUTHORIZED.**

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

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

14 (2) to award State implementation grants in ac-
15 cordance with subsection (b) and section 6 to en-
16 able—

17 (A) the State agency that oversees child
18 care programs, in consultation with the State
19 Advisory Council on Early Childhood Education
20 and Care described in section 642B of the
21 Head Start Act and other early childhood agen-
22 cies, to award subgrants to eligible entities in
23 accordance with section 7;

2 subgrants to eligible entities in accordance with
3 section 8; and

4 (C) the State educational agency to carry
5 out the additional State activities described in
6 section 9.

7 (b) AWARDS TO STATE EDUCATIONAL AGENCIES.—

8 (1) DISCRETIONARY GRANTS.—

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

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

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

19 (iii) use the amount not reserved
20 under clauses (i) and (ii) to make awards,
21 on a competitive basis and based on the
22 quality of the applications submitted, to
23 State educational agencies that have appli-
24 cations approved under section 6 to enable

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through 9.

(B) ALLOCATION OF FUNDS.—The Secretary shall allocate the funds described in subparagraph (A)(iii) among approved applicants on the basis of the relative number or percentage of children counted under section 1124(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6333(c)) in a State served by an approved applicant compared to the number or percentage of such children in all States served by approved applicants, except that awards under this paragraph shall be of sufficient size and scope to be effective.

(2) FORMULA GRANTS.—

(A) IN GENERAL.—If the amount appropriated under section 14 for a fiscal year is equal to or exceeds \$500,000,000 the Secretary shall—

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

2 such amount to make awards, on a com-
3 petitive basis, under section 5;

4 (iii) reserve a total of 1 percent of
5 such amount for—

6 (I) allotments for the United
7 States Virgin Islands, Guam, Amer-
8 ican Samoa, and the Commonwealth
9 of the Northern Mariana Islands, to
10 be distributed among such outlying
11 areas on the basis of their relative
12 need, as determined by the Secretary
13 in accordance with the purposes of
14 this Act; and

15 (II) the Secretary of the Interior
16 for programs under sections 5
17 through 9 in schools operated or fund-
18 ed by the Bureau of Indian Edu-
19 cation; and

20 (iv) use the amount not reserved
21 under clauses (i) through (iii) to make
22 awards, from allotments under subpara-
23 graph (B), to State educational agencies
24 serving States, excluding States described
25 in clause (iii)(I), that have applications ap-

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3 (B) STATE ALLOTMENT FORMULA.—From
4 the funds described in subparagraph (A)(iv),
5 the Secretary shall make an award to each ap-
6 proved applicant under section 6 on the basis of
7 the relative number of children counted under
8 section 1124(c) of the Elementary and Sec-
9 ondary Education Act of 1965 (20 U.S.C.
10 6333(c)) in the State served by the applicant
11 compared to the number of such children in all
12 States served by approved applicants.

13 (C) PROPORTIONAL DIVISION.—In each
14 fiscal year, the amount reserved under subpara-
15 graph (A)(iii) shall be divided between the uses
16 described in subclauses (I) and (II) of such sub-
17 paragraph in the same proportion as the
18 amount reserved under section 1121(a) of the
19 Elementary and Secondary Education Act of
20 1965 (20 U.S.C. 6331(a)) is divided between
21 the uses described in paragraphs (1) and (2) of
22 such section 1121(a) for such fiscal year.

23 (3) CONSULTATION.—

24 (A) IN GENERAL.—As applicable, a State
25 educational agency that receives a discretionary

2 engage in timely and meaningful consultation
3 with representatives of Indian tribes located in
4 the State in order to improve the coordination
5 of activities designed to develop effective ap-
6 proaches to achieve the purposes of the Act
7 consistent with the cultural, language, and edu-
8 cational needs of Indian students.

9 (B) SPECIAL RULE.—Of the funds re-
10 served under paragraph (2)(A)(iii)(II), the Sec-
11 retary of the Interior shall consult with tribes
12 and school boards connected with bureau-fund-
13 ed schools to ensure allocation of funds to the
14 extent possible in accordance with subpara-
15 graphs (A), (B), and (C) of section 6(a)(2).

16 (c) PEER REVIEW.—

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

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

2 view panel's comments available to the public.
3 (d) SUPPLEMENT NOT SUPPLANT.—Grant funds
4 provided under this section shall be used to supplement,
5 and not supplant, other Federal, State, or local funds that
6 would, in the absence of such grant funds, be made avail-
7 able for literacy instruction and support of children and
8 students participating in programs assisted under this
9 Act.

10 **SEC. 5. STATE PLANNING GRANTS.**

11 (a) PLANNING GRANTS AUTHORIZED.—

12 (1) IN GENERAL.—The Secretary may award
13 planning grants to State educational agencies to en-
14 able the State educational agencies to develop or im-
15 prove a comprehensive plan, in consultation with the
16 State agencies that oversee child care and other
17 early childhood programs, the State Advisory Coun-
18 cil on Early Childhood Education and Care, and the
19 State Head Start Collaboration Office, to carry out
20 activities that improve literacy for children and stu-
21 dents from birth through grade 12.

22 (2) GRANT PERIOD.—A planning grant under
23 this section shall be awarded for a period of not
24 more than 1 year.

2 not award a State educational agency more than 1
3 planning grant under this section.

4 (4) RELATION TO IMPLEMENTATION GRANTS.—

5 A State educational agency may not receive a plan-
6 ning grant under this section at the same time it is
7 receiving an implementation grant under section 6.

8 (b) APPLICATION.—Each State educational agency
9 desiring a planning grant under this section shall submit,
10 jointly with the State agencies that oversee child care and
11 other early childhood programs and the State Advisory
12 Council on Early Childhood Education and Care, an appli-
13 cation to the Secretary at such time, in such manner, and
14 accompanied by such information as the Secretary may
15 require.

16 (c) EXISTING STATE LITERACY PLAN.—An existing
17 Federally funded comprehensive State literacy plan may
18 be improved using a grant under this section.

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

20 (a) IMPLEMENTATION GRANTS AUTHORIZED.—

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

24 (A) to implement, in collaboration with the
25 State agencies that oversee child care and other

2 Council on Early Childhood Education and
3 Care, and the State Head Start Collaboration
4 Office—

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

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

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

16 (C) to award subgrants under section 8;

17 and

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

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

23 (A) LEARNERS FROM BIRTH THROUGH
24 KINDERGARTEN ENTRY.—Not less than 15 per-

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

11 (C) STUDENTS IN GRADES 6 THROUGH
12 12.—Not less than 40 percent of such grant
13 funds shall be used in accordance with section
14 8, to be allocated equitably among grades 6
15 through 12, unless the State educational agency
16 determines that an exception is necessary based
17 on a capacity survey described in section
18 8(c)(1).

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

22 (3) DURATION OF GRANTS.—An implementa-
23 tion grant under this section shall be awarded for a
24 period of not less than 3 years and not more than
25 5 years.

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under this section may be renewed.

(B) CONDITIONS.—In order to be eligible to have an implementation grant renewed under this paragraph, the State educational agency, in collaboration with the State agencies that oversee child care and other early childhood programs and the State Advisory Council on Early Childhood Education and Care, shall demonstrate, to the satisfaction of the Secretary, that—

(i) the State educational agency has complied with the terms of the grant, including using the funds to—

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

(II) use developmentally appropriate curricula and teaching materials; and

(III) use developmentally appropriate classroom-based instructional assessments and developmentally appropriate screening and diagnostic assessments; and

2 garten through grade 12, during the period
3 of the grant there has been significant
4 progress in student achievement, as meas-
5 ured by appropriate assessments, including
6 meeting the measurable annual objectives
7 established pursuant to section
8 1111(b)(2)(C)(v) of the Elementary and
9 Secondary Education Act of 1965 (20
10 U.S.C. 6311(b)(2)(C)(v)).

11 (b) STATE APPLICATIONS.—

12 (1) IN GENERAL.—A State educational agency
13 that desires to receive an implementation grant
14 under this section shall, in collaboration with the
15 State agencies that oversee child care and other
16 early childhood programs and the State Advisory
17 Council on Early Childhood Education and Care,
18 submit an application to the Secretary at such time,
19 in such manner, and containing such information as
20 the Secretary may require.

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

23 (A) STATE LITERACY TEAM AND PLAN.—

24 A description of how the State educational
25 agency has formed a State literacy leadership

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eracy plan, as described in section 9.

(B) CONFLICTS OF INTEREST.—An assurance that the State has a process to safeguard against conflicts of interest consistent with section 11(c) for individuals providing technical assistance on behalf of the State educational agency or the State agencies that oversee child care and other early childhood programs or serving on the State literacy leadership team.

(C) IMPLEMENTATION.—An implementation plan that includes a description of how the State educational agency and the State agency that oversees child care programs will—

(i) assist eligible entities with—

(I) selecting and using screening assessments and diagnostic assessments;

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

(III) using curricular materials and instructional tools, which may include technology, to improve instruction and literacy achievement;

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3 of instructional practice, including
4 professional development, curriculum
5 development and selection of instruc-
6 tional materials, and classroom in-
7 struction;

8 (V) providing high-quality profes-
9 sional development as part of such eli-
10 gible entities' literacy initiatives to im-
11 prove the literacy development and
12 learning of children and students
13 served under the implementation
14 grant; and

15 (VI) providing diverse learners,
16 including English language learners,
17 with culturally, linguistically, and de-
18 velopmentally appropriate curricula,
19 instructional materials, interactive
20 technologies, and valid and reliable as-
21 sessments that support such learners
22 in meeting State academic and con-
23 tent standards;

24 (ii) ensure that eligible entities in the
25 State have leveraged and are effectively

2 high-quality literacy instruction, and have
3 the capacity to implement high-quality lit-
4 eracy initiatives effectively;

5 (iii) ensure that professional develop-
6 ment activities are based on—

7 (I) the essential components of
8 early literacy instruction and the es-
9 sential components of reading and
10 writing instruction, as appropriate;
11 and

12 (II) evidence-based English lan-
13 guage acquisition and adult learning
14 research, as appropriate;

15 (iv) coordinate and align, as appro-
16 priate, the activities assisted under this
17 section and sections 7 and 8 with other
18 State and local programs that—

19 (I) serve children and students,
20 and their families; and

21 (II) promote literacy instruction
22 and learning;

23 (v) ensure that funds provided under
24 this section are awarded in a manner that

levels consistent with section 6(a)(2),

(vi) award subgrants to eligible entities to enable the eligible entities to carry out the activities described in sections 7 and 8, including to—

(I) eligible entities that serve rural areas; and

(II) eligible entities that serve urban areas; and

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

(I) providing strategic and intensive literacy instruction for students reading and writing below grade level, including through the use of multi-tiered systems of supports;

(II) providing high-quality professional development in literacy instruction to teachers, including—

(aa) special education teachers or teachers of students who are English language learners; and

3 (III) addressing the literacy
4 needs of children and students with
5 disabilities and English language
6 learners served by the eligible entity;
7 and

8 (IV) providing training to par-
9 ents so that the parents can partici-
10 pate in the literacy related activities
11 described under sections 7 and 8 to
12 assist in the language and literacy de-
13 velopment of their children.

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

17 (E) NATIONAL EVALUATION.—An assur-
18 ance that the State educational agency, the
19 State agency that awards subgrants under sec-
20 tion 7, and any eligible entity receiving a
21 subgrant under section 7 or 8, will, if re-
22 quested, participate in the national evaluation
23 under section 10.

24 (F) PRIORITY.—An assurance that the
25 State educational agency and the State agency

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

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

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

15 (a) SUBGRANTS.—A State educational agency shall
16 provide the funds provided under section 4(a)(2)(A) to the
17 State agency that oversees child care programs, who shall
18 award subgrants, on a competitive basis, in consultation
19 with the State Advisory Council on Early Childhood Edu-
20 cation and Care and other State early childhood agencies,
21 to eligible entities to enable the eligible entities to carry
22 out the activities described in subsection (e).

23 (b) SUFFICIENT SIZE AND SCOPE.—Each subgrant
24 awarded under this section shall be of sufficient size and

2 described in subsection (c).

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

9 (1) a needs assessment, including an analysis of
10 data on child literacy as applicable;

11 (2) an implementation plan that utilizes the
12 needs assessment described in paragraph 1 that
13 identifies a baseline level of literacy and early lit-
14 eracy skills, as well as benchmarks for making im-
15 provements and monitoring progress;

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

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

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

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

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

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

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

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

2 children are developing the fundamental
3 knowledge necessary for literacy, engage-
4 ment, development, and achievement in
5 kindergarten and beyond; and
6 (B) diagnostic assessments, as appropriate,
7 to determine the need for additional services;
8 (C) classroom-based instructional assess-
9 ments; and
10 (D) other appropriate assessments of de-
11 velopmental progress;
12 (9) how the subgrant funds will be used to help
13 instructional staff in the programs assisted under
14 the subgrant to more effectively meet the diverse de-
15 velopmental and linguistic needs of children from
16 birth through kindergarten entry in the community,
17 including the needs of English language learners and
18 children with disabilities;
19 (10) how the subgrant funds will be used to en-
20 sure that parents receive instruction—
21 (A) on their children’s early literacy devel-
22 opment; and
23 (B) on how parents can support children’s
24 literacy development at home;

2 help children, particularly children experiencing dif-
3 ficulty with spoken and written language, to make
4 the transition from early education to formal class-
5 room instruction;

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

9 (13) how the eligible entity will—

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

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

16 (14) such other information as the State agency
17 that oversees child care programs may require.

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

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

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

25 (e) LOCAL USES OF FUNDS.—

2 receives a subgrant under this section shall use the
3 subgrant funds to carry out the following activities
4 to support the development of early language and
5 literacy in children from birth through kindergarten
6 entry:

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

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

22 (C) Acquire, provide training for, and im-
23 plement, as appropriate—

24 (i) screening assessments or other ap-
25 propriate measures to determine whether

2 entry are developing appropriate early lan-
3 guage and literacy skills;

4 (ii) diagnostic assessments, as appro-
5 priate, to determine the need for additional
6 services; and

7 (iii) classroom-based instructional as-
8 sessments.

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

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

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

23 (B) Providing activities that encourage
24 family literacy experiences and practices and
25 educate parents of children enrolled in a pro-

3 skills.

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

9 **SEC. 8. SUBGRANTS TO ELIGIBLE ENTITIES IN SUPPORT OF**
10 **LITERACY FOR STUDENTS IN KINDERGARTEN**
11 **THROUGH GRADE 12.**

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

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

21 (c) LOCAL APPLICATIONS.—An eligible entity desir-
22 ing to receive a subgrant under this section shall submit
23 an application to the State educational agency at such
24 time, in such manner, and containing such information as

2 tion shall include, the following information.

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

5 (A) identify—

6 (i) the strengths and weaknesses of
7 such entity related to literacy;

8 (ii) how subgrant funds will be used
9 to inform and improve literacy instruction
10 within such entity; and

11 (iii) the demographic and socio-
12 economic information on the students en-
13 rolled in such entity; and

14 (B) include an analysis, disaggregated by
15 the subgroups described in section
16 1111(b)(2)(C)(v)(II) of the Elementary and
17 Secondary Education Act of 1965 (20 U.S.C.
18 6311(b)(2)(C)(v)(II)) and by grade level, of—

19 (i) State scores on the reading or lan-
20 guage arts assessments conducted under
21 section 1111(b)(3) of the Elementary and
22 Secondary Education Act of 1965 (20
23 U.S.C. 6311(b)(3));

- 2 educational Progress Reading scores, as appro-
3 priate;
- 4 (iii) the percentage of students in
5 need of reading and writing remediation;
- 6 (iv) core course passing and failure
7 rates for secondary school students;
- 8 (v) credit accumulation for secondary
9 school students; and
- 10 (vi) graduation rates.

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

19 (3) INTERVENTIONS.—How each participating
20 school will identify students in need of interventions
21 and provide appropriate scientifically valid instruc-
22 tional interventions or other services which may in-
23 clude one-on-one instruction and extended learning
24 time for struggling students.

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.

2 assurance 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-

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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'

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data to plan instruction.
(F) Select and implement a multitier system of supports that includes intensive, supplemental interventions for students.

(G) Provide training to principals and other school and district personnel in implementing the literacy initiative, particularly in the areas of—

- (i) utilizing data;
- (ii) assessing the quality of literacy instruction across content areas; and
- (iii) providing time and support for teachers to plan literacy instruction.

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

(I) Promote writing experiences and implement programs that instruct and engage students in practicing writing for multiple audiences and purposes appropriate to the interests and capacities of students.

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

2 receives a subgrant under this section may use the
3 subgrant funds to carry out the following activities
4 for students in kindergarten through grade 12:

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

9 (B) Hire and train literacy coaches.

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

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

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

2 moratoriums to meet to plan literacy instruction,
3 as appropriate.

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

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

14 (2) have the highest numbers or percentages of
15 children counted under section 1124(c) of the Ele-
16 mentary and Secondary Education Act of 1965 (20
17 U.S.C. 6333(e)).

18 **SEC. 9. ADDITIONAL STATE ACTIVITIES.**

19 (a) REQUIRED ACTIVITIES.—A State educational
20 agency, in consultation with the State agency that over-
21 sees child care programs, shall use funds made available
22 under section 4(a)(2)(C) and described in section
23 6(a)(1)(D) to carry out each of the following activities:

24 (1) Providing technical assistance or engaging
25 qualified providers to provide such assistance, to as-

2 initiatives.
3 (2) Identifying and supporting high-quality pro-
4 fessional development in literacy instruction for eligi-
5 ble entities.

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

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

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

24 (6) Coordinating with institutions of higher
25 education in the State to strengthen and enhance

2 teach literacy to children and students from birth
3 through grade 12.

4 (7) Administration and reporting.

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

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

13 (2) Developing and providing training to lit-
14 eracy coaches, including literacy coaches with exper-
15 tise in early literacy development, language develop-
16 ment, and adolescent literacy.

17 **SEC. 10. NATIONAL EVALUATION, INFORMATION DISSEMI-**
18 **NATION, AND TECHNICAL ASSISTANCE.**

19 (a) NATIONAL EVALUATION.—

20 (1) IN GENERAL.—From funds reserved under
21 paragraph (1)(A)(i) or (2)(A)(i) of section 4(b), the
22 Secretary shall perform a 5-year national evaluation
23 of the grant and subgrant programs assisted under
24 this Act by entering into one or more contracts or
25 cooperative agreements with independent organiza-

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3 procedures to obtain information relevant to the im-
4 plementation and effect of the programs assisted
5 under this Act.

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

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

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

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

2 have demonstrated the greatest impact on
3 student achievement;

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

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

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

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

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

24 (vii) how early literacy instructional
25 materials and activities based on scientif-

2 into preschools, child care programs and
3 programs carried out under the Head
4 Start Act (42 U.S.C. 9831 et seq.), and
5 family literacy programs;

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

10 (ix) the impact of literacy initiatives
11 on diverse learners, including English lan-
12 guage learners;

13 (x) the relationship between students'
14 literacy achievement and secondary school
15 graduation rates; and

16 (xi) effective strategies to integrate
17 school and public library programs to im-
18 prove literacy.

19 (3) REPORTS.—

20 (A) INTERIM REPORT.—Not later than 2
21 years after the date of the enactment of this
22 Act, the Secretary shall submit to the Congress
23 an interim report on the national evaluation
24 conducted under this subsection.

2 years after the date of the enactment of this
3 Act, the Secretary shall submit a final report
4 containing the results of the national evaluation
5 conducted under this subsection to—

6 (i) State educational agencies and eli-
7 gible entities on a periodic basis for use in
8 program improvement; and

9 (ii) the Congress.

10 (b) INFORMATION DISSEMINATION AND TECHNICAL
11 ASSISTANCE.—

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

2 the impact of the instruction on—
3 (i) student achievement, motivation,
4 and engagement for literacy; and
5 (ii) student graduation with a sec-
6 ondary school diploma;
7 (B) information on elements of job-embed-
8 ded, ongoing, high-quality professional develop-
9 ment that improves literacy achievement in chil-
10 dren and students in early education through
11 grade 12; and
12 (C) information on schools, eligible enti-
13 ties, and States that have successfully improved
14 literacy achievement in early education through
15 grade 12.

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

19 (A) recipients of Federal financial assist-
20 ance under this Act, part A of title I of the Ele-
21 mentary and Secondary Education Act of 1965
22 (20 U.S.C. 6311 et seq.), the Head Start Act
23 (42 U.S.C. 9831 et seq.), the Individuals with
24 Disabilities Education Act (20 U.S.C. 1400 et

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

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

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

13 (a) CONSEQUENCES OF INSUFFICIENT PROGRESS.—

14 (1) CONSEQUENCES FOR GRANT RECIPIENTS.—

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

2 of the State educational agency, or eligible entity,
3 respectively.

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

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

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

16 (b) REPORTING REQUIREMENTS.—

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

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;

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;

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-

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

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

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

(2) EVALUATION BY THE COMPTROLLER GENERAL.—

(A) IN GENERAL.—Not later than 60 days after the creation of the procedures described in paragraph (1), the Comptroller General of the United States shall report to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate on the adequacy of such procedures to identify, disclose, and manage conflicts of interest.

(B) UPDATES.—Beginning not less than 6 months after the report described in subparagraph (A) is filed, the Comptroller General shall evaluate the Department’s implementation of the procedures described in paragraph (1) and report to the Committee on Education and Labor of the House of Representatives and the

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3 ensure 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

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).

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;

2 early and 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-

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—

2 development of children from birth
3 through kindergarten entry; and

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

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

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

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

23 (5) ENGLISH LANGUAGE ACQUISITION.—

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

2 proficiency 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;

- 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;

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—

2 using phonological awareness, phonics 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

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

2
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, if such workshop or conference is part
11 of a professional development plan for the
12 attendee;

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

19 (D) includes and supports teachers and
20 early learning providers in administering age-
21 and developmentally appropriate assessments;
22 and analyzing the results of these student as-
23 sessments when implementing the essential
24 components of early literacy instruction and the
25 essential components of reading and writing in-

2 learning, adapting, and improving classroom in-
3 struction or teaching strategies to improve stu-
4 dent learning, as appropriate;

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

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

14 (G) provides ongoing instructional literacy
15 coaching—

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

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

24 (H) includes and supports teachers in set-
25 ting high reading and writing achievement goals

2 the instructional tools and skills, including
3 strategies consistent with the principles of uni-
4 versal design for learning, to help students
5 reach such goals; and

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

11 (12) INSTRUCTIONAL STAFF.—

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

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

2 and write.

3 (13) LITERACY COACH.—The term “literacy

4 coach” means a professional—

5 (A) who—

6 (i) has previous teaching experience

7 and—

8 (I) for the purpose of literacy

9 coaches working with early learning

10 programs, has expertise in early child-

11 hood development and early literacy;

12 and

13 (II) for the purpose of literacy

14 coaches working with kindergarten

15 through grade 12—

16 (aa) a master’s degree with

17 a concentration in reading and

18 writing education; or

19 (bb) has demonstrated pro-

20 ficiency in teaching reading or

21 writing in a core academic sub-

22 ject; and

23 (ii) is able to demonstrate the ability

24 to help early learning providers or teach-

25 ers—

2 on how children and students become
3 successful readers, writers, and com-
4 municators;

5 (II) use multiple forms of assess-
6 ment to guide instructional decision-
7 making;

8 (III) for the purpose of literacy
9 coaches working with—

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

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

22 (IV) develop and implement dif-
23 ferentiated instruction and teaching
24 approaches to serve the needs of di-
25 verse learners, including English lan-

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(V) use the principles of universal design for learning in instructional strategies and in selecting materials and tools to serve the diverse needs of all learners, including English language learners and children with disabilities;

(VI) employ best practices in engaging instructional staff to change school cultures to better encourage and support literacy development and achievement;

(VII) use data to improve instruction; and

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

(aa) early learning programs, set developmentally appropriate early literacy goals and select and acquire instructional tools and skills to help children reach such goals; and

2 grade 12, set high reading and
3 writing achievement goals for all
4 students and select and acquire
5 instructional tools and skills to
6 help students reach such goals;
7 and

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

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

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

23 (I) early learning providers iden-
24 tify children's early literacy needs so
25 that such providers can meet the early

2 delayed development and later academic difficulties; and

3
4 (II) teachers identify student literacy needs and teach literacy across
5 the content areas so that the teachers
6 can meet the needs of students reading and writing below grade level; and

7
8 (iii) to work cooperatively and collaboratively with other professionals in planning programs to help early learning providers and teachers teach literacy across content areas so that the early learning providers and teachers can meet the needs of diverse learners, including children with disabilities, English language learners, and students who are reading at grade level.

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18 (14) LOCAL EDUCATIONAL AGENCY.—The term
19 “local educational agency”—

20 (A) has the meaning given to that term in
21 section 9101 of the Elementary and Secondary
22 Education Act of 1965; and

23 (B) includes any public charter school that
24 constitutes a local educational agency under
25 State law.

2 term "multitier system of supports" means a com-
3 prehensive system of differentiated supports that in-
4 cludes evidence-based instruction, universal screen-
5 ing, progress monitoring, formative assessment, and
6 evidence-based interventions matched to student
7 needs, and educational decisionmaking using student
8 outcome data.

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

12 (A) The skills and knowledge to under-
13 stand how phonemes, or speech sounds, are
14 connected to print.

15 (B) The ability to decode unfamiliar words.

16 (C) The ability to read fluently.

17 (D) Sufficient background information and
18 vocabulary to foster reading comprehension.

19 (E) The development of appropriate active
20 strategies to construct meaning from print.

21 (F) The development and maintenance of a
22 motivation to read.

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

3 (B) is responsible for—

4 (i) the school’s performance; and

5 (ii) the daily instructional and mana-
6 gerial operations of the school.

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

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

13 (A) is developmentally, linguistically, and
14 culturally appropriate;

15 (B) is valid, reliable, and based on scientif-
16 ically valid research on literacy and English lan-
17 guage acquisition; and

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

24 (20) SPECIALIZED INSTRUCTIONAL SUPPORT
25 PERSONNEL.—The term “Specialized Instructional

2 school social workers, school psychologists, and other
3 qualified professional personnel involved in providing
4 assessment, diagnosis, counseling, educational,
5 therapeutic, and other necessary services (including
6 related services as that term is defined in section
7 602 of the Individuals with Disabilities Education
8 Act) as part of a comprehensive program to meet
9 student needs.

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

15 (22) STATE LITERACY LEADERSHIP TEAM.—

16 (A) IN GENERAL.—

17 (i) APPOINTMENT; RESPONSIBILITY;
18 COMPOSITION.—The term “State literacy
19 leadership team” means a team that—

20 (I) is appointed and coordinated
21 by the State educational agency, ex-
22 cept that individuals described in sub-
23 clauses (I)(aa), (I)(hh), and (II)(gg)
24 of clause (ii) shall be appointed by the

programs, and

3 (II) is composed of not less than
4 13 individuals and includes the indi-
5 viduals described in clause (ii).

6 (ii) INDIVIDUALS INCLUDED.—A

7 State literacy team—

8 (I) shall include—

9 (aa) an individual who has
10 literacy expertise with respect to
11 children from birth through kin-
12 dergarten entry;

13 (bb) an individual who has
14 literacy expertise with respect to
15 students in kindergarten through
16 grade 5;

17 (cc) an individual who has
18 literacy expertise with respect to
19 students in grades 6 through 12;

20 (dd) a school principal;

21 (ee) a special education
22 teacher with literacy expertise;

23 (ff) a representative from
24 the family literacy community;

erator with expertise in teaching
English language learners;

(hh) a representative from
the State's agency that oversees
child care programs;

(ii) a representative from
the State educational agency who
oversees literacy initiatives; and

(jj) a representative from
higher education who is actively
involved in research, develop-
ment, and teacher preparation in
literacy instruction and interven-
tion based on scientifically valid
research; and

(II) may include—

(aa) a literacy specialist
serving in a school district within
the State;

(bb) a literacy coach;

(cc) a library media spe-
cialist;

(dd) specialized instructional
support personnel;

academic subject,

(ff) a special education administrator;

(gg) an early learning provider;

(hh) a college or university professor;

(ii) a parent;

(jj) a business leader;

(kk) a representative from the Governor's office;

(ll) a representative from the State board of education;

(mm) a representative from the State legislature;

(nn) a nonprofit and community-based organization providing literacy instruction and support; and

(oo) a representative from a school district superintendent's office.

(B) INCLUSION OF A PREEXISTING PARTNERSHIP.—If, before the date of the enactment

2
3 similar body that was considered a literacy
4 partnership for purposes of subpart 1 or 2 of
5 part B of title I of the Elementary and Sec-
6 ondary Education Act of 1965 (20 U.S.C. 6361
7 et seq., 6371 et seq.) and that includes the indi-
8 viduals required under subparagraph (A)(ii)(I),
9 such consortium, partnership, or body may be
10 considered a State literacy leadership team for
11 purposes of subparagraph (A).

12 (23) STUDENT WITH A DISABILITY.—The term
13 “student with a disability” has the meaning given
14 the term “child with a disability” in section 602(3)
15 of the Individuals with Disabilities Education Act
16 (20 U.S.C. 1401(3)).

17 (24) SUMMATIVE ASSESSMENT.—The term
18 “summative assessment” means an assessment
19 that—

20 (A) is developmentally, linguistically, and
21 culturally appropriate;

22 (B) is valid, reliable, and based on scientif-
23 ically valid research on literacy and English lan-
24 guage acquisition; and

2 gressed over time relative to developmental
3 norms and what students have learned over
4 time.

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

9 (26) WRITING.—The term “writing” means—

10 (A) the ability to compose meaning and
11 print to communicate ideas, including the use of
12 vocabulary, tone, and genre to fit purpose, audi-
13 ence and occasion;

14 (B) the use of conventions such as spelling
15 and punctuation; and

16 (C) the ability to revise in order to improve
17 clarity of ideas, coherence, logical development,
18 and precision of language use.

19 **SEC. 14. AUTHORIZATION OF APPROPRIATIONS.**

20 There are authorized to be appropriated to carry out
21 this Act—

22 (1) \$500,000,000 for fiscal year 2016;

23 (2) \$525,000,000 for fiscal year 2017;

24 (3) \$550,000,000 for fiscal year 2018;

25 (4) \$575,000,000 for fiscal year 2019; and

•HR 858 IH