

113TH CONGRESS
1ST SESSION

S. 758

To establish a comprehensive literacy program.

IN THE SENATE OF THE UNITED STATES

APRIL 18, 2013

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

A BILL

To establish a comprehensive literacy program.

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

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

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

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

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

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

1 **SEC. 2. FINDINGS.**

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

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

9 (2) Developing literacy skills begins at birth as
 10 infants and toddlers associate sounds, gestures, and
 11 marks on paper with consequences and meaning.
 12 Many low-income children from birth through kin-
 13 dergarten entry lack oral and print language-rich en-
 14 vironments in their homes and early childhood edu-
 15 cation programs and teachers and staff in early
 16 childhood education programs are often not provided
 17 with high-quality professional development on how to
 18 support children's language and literacy develop-
 19 ment.

1 (3) Early childhood educators whose profes-
2 sional preparation and ongoing development includes
3 study of language learning and early childhood de-
4 velopment promote early language and literacy as
5 part of the overall curriculum for children's readi-
6 ness for school, particularly for young English lan-
7 guage learners and children with disabilities or de-
8 velopmental delays.

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

17 (5) Environments rich in language and literacy
18 experiences, books, resources, and models facilitate
19 reading and writing development. Schools, prin-
20 cipals, librarians, and teachers must have the knowl-
21 edge, skills, and tools to create environments appro-
22 priate to meet the diverse literacy needs of children
23 from birth through grade 12, especially for children
24 whose home environments lack support for literacy
25 development.

1 (6) Middle school and secondary school teachers
2 need professional development to improve the read-
3 ing and writing abilities of students who are reading
4 and writing several years below grade level. Middle
5 school and secondary school teachers in core aca-
6 demic subjects must have the tools and skills to
7 teach reading and writing for subject area under-
8 standing and to differentiate and provide instruction
9 for students with varying literacy skills.

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

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

21 (9) Fewer than 2 in 10 eighth graders who
22 were in the secondary school graduating classes for
23 2005 and 2006 met all 4 EXPLORE College Read-
24 iness Benchmarks (English, Mathematics, Reading,
25 and Science), the minimum level of achievement that

1 ACT has shown is necessary if students are to be
2 college and career ready upon their secondary school
3 graduation.

4 (10) Seventy percent of eighth graders read
5 below the proficient level on the 2007 National As-
6 sessment of Educational Progress, indicating that
7 students in middle schools and secondary schools
8 struggle to graduate because the students' literacy
9 achievement is alarmingly low. Only one-third of sec-
10 ondary school students who enter grade 9 each year
11 can expect to graduate in 4 years with the skills the
12 student needs to succeed in college and the work-
13 place.

14 (11) Secondary school graduation rates for low-
15 income students and students of color hover around
16 50 percent, as do graduation rates for students in
17 urban school districts and students with disabilities.
18 Graduation rates for English language learners are
19 particularly low.

20 (12) Only 71 percent of secondary school stu-
21 dents graduate on time with a diploma, meaning
22 that every year 1,230,000 students fail to graduate
23 from secondary school. These 1,230,000 nongrad-
24 uates cost the United States more than

1 \$319,000,000,000 in lost wages, taxes, and produc-
2 tivity over the lifetimes of the nongraduates.

3 (13) About 40 percent of secondary school
4 graduates lack the literacy skills employers seek.
5 The 25 fastest growing professions have far greater
6 than average literacy demands, while the fastest de-
7 clining professions have lower than average literacy
8 demands.

9 (14) Research shows that low expectations for
10 the reading and writing achievement of students in
11 schools results in curricula that do not challenge or
12 adequately support the student's literacy learning
13 and in subsequent low achievement, while high aca-
14 demic expectations can help boost student learning
15 and achievement.

16 (15) Children learn best in settings where
17 teachers understand the developmental continuum of
18 language, reading, and writing and are skilled in a
19 variety of strategies that help the children achieve.

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

23 (17) Parental literacy habits are positively asso-
24 ciated with parental reading beliefs, parent-child lit-
25 eracy and language activities in the home, children's

1 print knowledge, and parents' and children's interest
2 in reading and writing.

3 **SEC. 3. PURPOSES.**

4 The purposes of this Act are—

5 (1) to improve student academic achievement in
6 reading and writing by providing Federal support to
7 State educational agencies to develop, coordinate,
8 and implement comprehensive literacy plans that en-
9 sure high-quality instruction and effective strategies
10 in reading and writing from early education through
11 grade 12; and

12 (2) to assist State educational agencies in
13 achieving the purpose described in paragraph (1)
14 by—

15 (A) supporting the development and imple-
16 mentation of comprehensive early learning
17 through grade 12 literacy programs in every
18 State that are based on scientifically valid re-
19 search, to ensure that every child can read and
20 write at grade level or above;

21 (B) providing children with learning oppor-
22 tunities in high-quality, language rich, lit-
23 erature rich, informational text rich, culturally
24 relevant, and developmentally appropriate envi-
25 ronments so that the children develop the fun-

1 damental knowledge and skills necessary for lit-
2 eracy engagement, development, and achieve-
3 ment in kindergarten through grade 12;

4 (C) educating parents in the ways that
5 parents can support their child's communication
6 and literacy development;

7 (D) supporting efforts to link and align
8 standards and research-based instruction and
9 teaching practices in early learning programs;

10 (E) supporting high-quality and effective
11 strategies for children to develop oral language,
12 reading, and writing abilities through high-qual-
13 ity research-based instruction and teaching
14 practices;

15 (F) improving academic achievement by es-
16 tablishing adolescent literacy initiatives that
17 provide instruction in oral language, reading,
18 and writing across the curriculum;

19 (G) identifying and supporting children
20 reading and writing significantly below grade
21 level by providing research-based, intensive
22 interventions, including interventions conducted
23 during extended learning time, to help the chil-
24 dren acquire the language and literacy skills the
25 children need to stay on track for graduation;

(H) providing assistance to local educational agencies so that educators have ongoing, job-embedded professional development, and other support, that focuses on—

(i) effective literacy instruction; and

(ii) the special knowledge and skills necessary to teach and support literacy development effectively across the developmental and age span;

(I) supporting State educational agencies and local educational agencies in improving reading, writing, and literacy-based academic achievement for children, especially children who are low-income individuals, are English learners, are migratory, are children with disabilities, are Indian or Alaskan Native, are neglected or delinquent, are homeless, are in the custody of the child welfare system, or have dropped out of school;

(J) supporting State educational agencies and local educational agencies in using age appropriate and developmentally and linguistically appropriate instructional materials and strategies that assist teachers as the teachers work with children to develop reading and writing

1 competencies appropriate to the children's
2 grade and skill levels;

3 (K) strengthening coordination among
4 schools, early literacy programs, family literacy
5 programs, juvenile justice programs, public li-
6 braries, and outside-of-school programs that
7 provide children with strategies, curricula,
8 interventions, and assessments designed to ad-
9 vance early and continuing language and lit-
10 eracy development in ways appropriate for each
11 context;

12 (L) supporting professional development
13 for educators based on scientific approaches to
14 adult learning; and

15 (M) evaluating whether the professional
16 development activities and approaches are effec-
17 tive in building knowledge and skills of edu-
18 cators and the educators' use of appropriate
19 and effective practices.

20 **SEC. 4. DEFINITIONS.**

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

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

1 (1) CHILD.—The term “child” means an indi-
 2 vidual from the age of birth through the final year
 3 for which the State provides free public education.

4 (2) CLASSROOM-BASED INSTRUCTIONAL AS-
 5 SESSMENT.—The term “classroom-based instruc-
 6 tional assessment” means an assessment for children
 7 from birth through grade 3 that—

8 (A) is valid and reliable for the age and
 9 population of children served in the program;

10 (B) is used to evaluate children’s develop-
 11 mental progress and learning and includes sys-
 12 tematic observations by teachers of children
 13 performing tasks, including academic and lit-
 14 eracy tasks, that are part of the children’s daily
 15 classroom experience; and

16 (C) is used to improve classroom instruc-
 17 tion.

18 (3) COMPREHENSIVE LITERACY INSTRUCC-
 19 TION.—The term “comprehensive literacy instruc-
 20 tion” means instruction that—

21 (A) incorporates effective literacy instruc-
 22 tion; and

23 (B) is designed to support—

24 (i) developmentally appropriate, con-
 25 textually explicit, systematic instruction,

1 and frequent practice, in reading across
2 content areas; and

3 (ii) developmentally appropriate and
4 contextually explicit instruction, and fre-
5 quent practice, in writing across content
6 areas.

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

11 (5) EFFECTIVE LITERACY INSTRUCTION.—

12 (A) IN GENERAL.—The term “effective lit-
13 eracy instruction” means literacy instruction
14 that—

15 (i) includes age-appropriate, explicit,
16 systematic, and intentional instruction in
17 phonological awareness, phonic decoding,
18 vocabulary, language structure, reading
19 fluency, and reading comprehension;

20 (ii) includes age-appropriate, explicit
21 instruction in writing, including opportuni-
22 ties for children to write with clear pur-
23 poses, with critical reasoning appropriate
24 to the topic and purpose, and with specific

1 instruction and feedback from instructional
2 staff;

3 (iii) makes available and uses diverse,
4 high-quality print materials that reflect the
5 reading and development levels, and inter-
6 ests, of children;

7 (iv) uses differentiated instructional
8 approaches, including individual and small
9 group instruction and discussion;

10 (v) provides opportunities for children
11 to use language with peers and adults in
12 order to develop language skills, including
13 developing vocabulary;

14 (vi) includes frequent practice of read-
15 ing and writing strategies;

16 (vii) uses age-appropriate, valid, and
17 reliable screening assessments, diagnostic
18 assessments, formative assessment proc-
19 esses, and summative assessments to iden-
20 tify a child's learning needs, to inform in-
21 struction, and to monitor the child's
22 progress and the effects of instruction;

23 (viii) uses strategies to enhance chil-
24 dren's motivation to read and write and

1 children’s engagement in self-directed
2 learning;

3 (ix) incorporates the principles of uni-
4 versal design for learning;

5 (x) depends on teachers’ collaboration
6 in planning, instruction, and assessing a
7 child’s progress and on continuous profes-
8 sional learning; and

9 (xi) links literacy instruction to the
10 State challenging academic content stand-
11 ards under section 1111(b)(1) of the Ele-
12 mentary and Secondary Education Act of
13 1965 (20 U.S.C. 6311(b)(1)), including
14 the ability to navigate, understand, and
15 write about, complex print and digital sub-
16 ject matter.

17 (B) BIRTH THROUGH KINDERGARTEN.—
18 When used with respect to instruction for chil-
19 dren from birth through kindergarten entry, the
20 term “effective literacy instruction” also in-
21 cludes—

22 (i) developing such children’s alphabet
23 knowledge, reading aloud to children, dis-
24 cussing reading and writing with children,
25 and modeling age and developmentally ap-

appropriate reading and writing strategies;
and

(ii) encouraging children’s early attempts at oral communication, reading, and writing.

(C) KINDERGARTEN THROUGH GRADE

12.—When used with respect to the instruction of children in kindergarten through grade 12, the term “effective literacy instruction” also includes—

(i) providing systematic and intensive interventions, which can be provided inside or outside the classroom as well as before, during, or after regular school hours, to supplement regular instruction for children reading below grade level;

(ii) providing reading and writing opportunities that build academic vocabulary and knowledge of different text structures in core academic subjects;

(iii) enabling children to write, communicate, and create knowledge, in ways that fit purpose, audience, occasion, discipline, and format, including practice in—

1 (I) adhering to language conven-
 2 tions, including spelling, punctuation,
 3 and grammar;

4 (II) planning and revising to im-
 5 prove clarity, coherence, logical devel-
 6 opment, and language usage; and

7 (III) writing individually and col-
 8 laboratively with feedback from in-
 9 structors and peers; and

10 (iv) cultivating shared responsibility
 11 for children's literacy learning by coordi-
 12 nating writing tasks, instructional prac-
 13 tices, and criteria for feedback across aca-
 14 demic content areas.

15 (6) ELIGIBLE ENTITY.—The term “eligible enti-
 16 ty” means an entity—

17 (A) that serves high-need children; and

18 (B)(i) when used with respect to a
 19 subgrant under section 9, that consists of—

20 (I) 1 or more local educational agen-
 21 cies providing early learning programs that
 22 have a demonstrated record of providing
 23 comprehensive literacy instruction for the
 24 age group such agencies or programs pro-
 25 pose to serve;

1 (II) 1 or more public or private early
 2 learning programs, such as a Head Start
 3 program, a child care program, a State-
 4 funded prekindergarten program, a public
 5 library program, or a family literacy pro-
 6 gram, that have a demonstrated record of
 7 providing comprehensive literacy instruc-
 8 tion for the age group such programs pro-
 9 pose to serve; or

10 (III) 1 or more local educational agen-
 11 cies providing early learning programs, or
 12 1 or more public or private early learning
 13 programs, such as a Head Start program,
 14 a child care program, a State-funded pre-
 15 kindergarten program, a public library pro-
 16 gram, or a family literacy program, in
 17 partnership with 1 or more public or pri-
 18 vate nonprofit organizations or agencies
 19 that have a demonstrated record of effec-
 20 tiveness—

21 (aa) in improving the early lit-
 22 eracy development of children from
 23 birth through kindergarten entry; and

1 (bb) in providing professional de-
 2 velopment aligned with the activities
 3 described in section 9(e)(1); or

4 (ii) when used with respect to a subgrant
 5 under section 10—

6 (I) that is—

7 (aa) a local educational agency;

8 (bb) a consortium of local edu-
 9 cational agencies; or

10 (cc) a local educational agency or
 11 consortium of local educational agen-
 12 cies acting in partnership with 1 or
 13 more public or private nonprofit orga-
 14 nizations or agencies that have a dem-
 15 onstrated record of effectiveness in—

16 (AA) improving literacy
 17 achievement of children con-
 18 sistent with the purposes of their
 19 participation from kindergarten
 20 through grade 12; and

21 (BB) providing professional
 22 development aligned with the ac-
 23 tivities described in subsections
 24 (b) and (c) of section 10; and

(II)(aa) has the highest numbers or proportion of children who are counted under section 1124(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6333(c)), in comparison to other local educational agencies in the State;

(bb) is among or consists of the local educational agencies in the State with the highest numbers or percentages of children reading or writing below grade level, based on the most currently available State academic assessment data under section 1111(b)(3) of such Act; or

(cc) has jurisdiction over a significant number or percentage of schools that are identified for school improvement under section 1116(b) of such Act (20 U.S.C. 6316(b)).

(7) EARLY LEARNING PROGRAM.—The term “early learning program” means a program serving children between the ages of birth and kindergarten entry.

(8) ENGLISH LANGUAGE ACQUISITION.—

(A) IN GENERAL.—The term “English language acquisition” means the process by which

a non-native English speaker acquires proficiency in speaking, listening, reading, and writing the English language.

(B) INCLUSIONS FOR ENGLISH LEARNERS IN SCHOOL.—For an English learner in school, such term includes not only the social language proficiency needed to participate in the school environment, but also the academic language proficiency needed to acquire literacy and academic content and demonstrate the child’s learning.

(9) FAMILY LITERACY SERVICES.—The term “family literacy services” means literacy services provided to participants on a voluntary basis that are of sufficient intensity and quality, that better enable parents to support their children’s learning needs, and that integrate—

(A) interactive literacy activities between or among family members who are primary caregivers and their children, including family literacy education to improve literacy of parents; and

(B) training for family members who are primary caregivers regarding how to be the pri-

1 mary teacher for their children and full part-
2 ners in the education of their children.

3 (10) FORMATIVE ASSESSMENT PROCESS.—The
4 term “formative assessment process” means an as-
5 sessment process that—

6 (A) is teacher-generated or selected by
7 teachers or instructional leaders for use during
8 learning;

9 (B) is embedded within the learning activ-
10 ity and linked directly to the intended outcomes
11 of the current unit of instruction; and

12 (C) provides feedback to help adjust ongo-
13 ing teaching and learning to improve children’s
14 achievement of intended instructional outcomes.

15 (11) HIGH-QUALITY PROFESSIONAL DEVELOP-
16 MENT.—The term “high-quality professional devel-
17 opment” means professional development that—

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

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

23 (C) is designed to increase the knowledge
24 and expertise of teachers, early childhood edu-
25 cators and administrators, principals, other in-

1 instructional leaders, and other program staff in
 2 applying—

3 (i) effective literacy instruction; and

4 (ii) instructional strategies and prac-
 5 tices that are appropriate to the age, devel-
 6 opment, and needs of children and improve
 7 learning, including strategies and practices
 8 consistent with the principles of universal
 9 design for learning;

10 (D) includes and supports teachers in ef-
 11 fectively administering age and developmentally
 12 appropriate assessments, and analyzing the re-
 13 sults of these assessments for the purposes of
 14 planning, monitoring, adapting, and improving
 15 effective classroom instruction or teaching
 16 strategies to improve child literacy;

17 (E) includes instructional strategies uti-
 18 lizing one-to-one, small group, and classroom-
 19 based instructional materials and approaches
 20 based on scientifically valid research on literacy;

21 (F) provides ongoing instructional literacy
 22 coaching—

23 (i) to ensure high-quality implementa-
 24 tion of comprehensive literacy instruction
 25 that is—

- 1 (I) content centered;
- 2 (II) integrated across the cur-
- 3 rriculum;
- 4 (III) collaborative; and
- 5 (IV) school, setting, and class-
- 6 room embedded; and
- 7 (ii) that uses student data to improve
- 8 instruction;
- 9 (G) includes and supports teachers in set-
- 10 ting high reading and writing achievement goals
- 11 for all children and provides the teachers with
- 12 the instructional tools and skills to help chil-
- 13 dren reach such goals;
- 14 (H) for educators serving children in kin-
- 15 dergarten through grade 12—
- 16 (i) supports effective literacy instruc-
- 17 tion through core academic subjects, and
- 18 through career and technical education
- 19 subjects where such career and technical
- 20 education subjects provide for the integra-
- 21 tion of core academic subjects; and
- 22 (ii) includes instruction in—
- 23 (I) discipline-specific thinking;
- 24 and

1 (II) text structures and features
 2 of reading and writing in multiple dis-
 3 ciplines;

4 (I) is differentiated for educators working
 5 with children from birth through kindergarten
 6 entry, children in kindergarten through grade
 7 3, and children in grades 4 through 12, and, as
 8 appropriate, based on the grade or needs of the
 9 children; and

10 (J) supports family literacy experiences
 11 and practices, and educating parents, teachers,
 12 and other caregivers about literacy development
 13 and child literacy development.

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

16 (A) who has—

17 (i) previous teaching experience; and

18 (ii)(I) a master’s degree with a con-
 19 centration in reading and writing edu-
 20 cation or demonstrated proficiency in
 21 teaching reading or writing in a core aca-
 22 demic subject consistent with effective lit-
 23 eracy instruction; or

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

1 entry, a concentration, credential, or sig-
2 nificant experience in child development
3 and early literacy development;

4 (B) who supports teachers to—

5 (i) apply research on how children be-
6 come successful readers, writers, and com-
7 municators;

8 (ii) apply multiple forms of assess-
9 ment to guide instructional decisionmaking
10 and use data to improve literacy instruc-
11 tion;

12 (iii) improve children’s writing and
13 reading in and across content areas such
14 as mathematics, science, social studies, and
15 language arts;

16 (iv) develop and implement differen-
17 tiated instruction and teaching approaches
18 to serve the needs of the full range of
19 learners, including English learners and
20 children with disabilities;

21 (v) apply principles of universal design
22 for learning;

23 (vi) employ best practices in engaging
24 principals, early learning program edu-
25 cators and administrators, teachers, and

other relevant professionals to change school cultures that encourage and support literacy development and achievement; and

(vii) set for children birth to kindergarten developmentally appropriate expectations for language and literacy development, and high reading and writing achievement goals for all children and select, acquire, and use instructional tools and skills to help children reach such goals; and

(C) whose role with teachers and professionals supporting literacy instruction is—

(i) to provide high-quality professional development, consistent with the definition of comprehensive literacy instruction;

(ii) to work cooperatively and collaboratively with principals, teachers, and other professionals in employing strategies to help teachers identify and support child literacy and language development needs and teach literacy across the content areas and developmental domains; and

(iii) to work cooperatively and collaboratively with other professionals in employ-

1 ing strategies to help teachers teach lit-
 2 eracy across the content areas so that the
 3 teachers can meet the needs of all children,
 4 including children with disabilities, English
 5 learners, and children who are reading at
 6 or above grade level.

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

9 (A) has the meaning given the term in sec-
 10 tion 9101 of the Elementary and Secondary
 11 Education Act of 1965 (20 U.S.C. 7801); and

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

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

23 (15) READING.—The term “reading” means a
 24 complex system of deriving meaning from print that

1 is developmentally appropriate, that requires all of
 2 the following:

3 (A) The skills and knowledge to under-
 4 stand how phonemes, or speech sounds, are
 5 connected to print.

6 (B) The ability to read with comprehen-
 7 sion.

8 (C) The ability to decode unfamiliar words
 9 with fluency.

10 (D) The use of background knowledge and
 11 vocabulary to make meaning from a text.

12 (E) The development and use of appro-
 13 priate active strategies to interpret and con-
 14 struct meaning from print.

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

17 (16) INSTRUCTIONAL LEADER.—The term “in-
 18 structional leader” means an individual who—

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

21 (B) is responsible for—

22 (i) the school’s performance; and

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

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

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

8 (A) valid, reliable, and based on scientif-
 9 ically based reading research; and

10 (B) a brief procedure designed as a first
 11 step in identifying children who may be at high
 12 risk for delayed development or academic fail-
 13 ure and in need of further diagnosis of their
 14 need for special services or additional reading
 15 instruction.

16 (19) STATE.—The term “State” means each of
 17 the 50 States, the District of Columbia, and the
 18 Commonwealth of Puerto Rico.

19 (20) STATE LITERACY LEADERSHIP TEAM.—

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

22 (i) is appointed and coordinated by
 23 the State educational agency;

- 1 (ii) assumes the responsibility to guide
- 2 the development and implementation of a
- 3 statewide, comprehensive literacy plan;
- 4 (iii) shall include, at a minimum—
- 5 (I) a school principal with lit-
- 6 eracy expertise;
- 7 (II) a teacher with literacy exper-
- 8 tise;
- 9 (III) a teacher or administrator
- 10 with expertise in special education;
- 11 (IV) a teacher or administrator
- 12 with expertise in teaching the English
- 13 language to English learners;
- 14 (V) a representative from the
- 15 State educational agency who oversees
- 16 literacy initiatives; and
- 17 (VI) a representative from higher
- 18 education who is actively involved in
- 19 research, development, or teacher
- 20 preparation in comprehensive literacy
- 21 instruction and intervention based on
- 22 scientifically valid research;
- 23 (iv) may include—
- 24 (I) a literacy specialist serving in
- 25 a school district within the State;

- 1 (II) a literacy coach;
- 2 (III) a librarian;
- 3 (IV) a representative with family
- 4 literacy expertise;
- 5 (V) a representative from a State
- 6 child-serving agency with expertise in
- 7 comprehensive language and literacy
- 8 instruction and strategies;
- 9 (VI) a school counselor;
- 10 (VII) a teacher of a core aca-
- 11 demic subject;
- 12 (VIII) a special education admin-
- 13 istrator;
- 14 (IX) a professor from a 4-year
- 15 institution of higher education;
- 16 (X) a parent;
- 17 (XI) a business leader;
- 18 (XII) the Governor or a dele-
- 19 gated representative of the Governor;
- 20 (XIII) a representative from the
- 21 State board of education;
- 22 (XIV) a representative from the
- 23 State legislature;
- 24 (XV) a representative of a non-
- 25 profit and community-based organiza-

1 tion providing comprehensive literacy
2 instruction and support; and

3 (XVI) a representative from a
4 school district superintendent's office;
5 and

6 (v) shall include, among the individ-
7 uals selected to be members of the council
8 pursuant to clauses (iii) and (iv), not less
9 than 5 individuals who have literacy exper-
10 tise in 1 of each of the areas of—

11 (I) birth through kindergarten
12 entry, such as the State Head Start
13 collaboration director;

14 (II) kindergarten entry through
15 grade 3;

16 (III) grades 4 through 12;

17 (IV) English learners; and

18 (V) special education.

19 (B) INCLUSION OF A PREEXISTING PART-
20 NERSHIP.—If, before the date of enactment of
21 this Act, a State educational agency established
22 a consortium, partnership, or any other similar
23 body that was considered a literacy partnership
24 for purposes of subpart 1 or 2 of part B of title
25 I of the Elementary and Secondary Education

1 Act of 1965 (20 U.S.C. 6361 et seq., 6371 et
 2 seq.) and that includes the individuals required
 3 under clauses (iii) and (v) of subparagraph (A),
 4 such consortium, partnership, or body may be
 5 considered a State literacy leadership team for
 6 purposes of subparagraph (A).

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

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

13 (B) for children from birth through kinder-
 14 garten entry, measures how young children
 15 have progressed over time relative to develop-
 16 mental norms, and for children in kindergarten
 17 through grade 12, measures what children have
 18 learned over time, relative to academic content
 19 standards.

20 (22) UNIVERSAL DESIGN FOR LEARNING.—The
 21 term “universal design for learning” has the mean-
 22 ing given the term in section 103 of the Higher
 23 Education Act of 1965 (20 U.S.C. 1003).

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

1 (A) composing meaning in print or through
 2 other media, including technologies, to commu-
 3 nicate and to create new knowledge in ways ap-
 4 propriate to the context of the writing and the
 5 literacy development stage of the writer;

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

9 (C) choosing vocabulary, tone, genre, and
 10 conventions, such as spelling and punctuation,
 11 suitable to the purpose, audience, and occasion;
 12 and

13 (D) revising compositions for clarity of
 14 ideas, coherence, logical development, and preci-
 15 sion of language use.

16 **SEC. 5. PROGRAM AUTHORIZED.**

17 (a) RESERVATIONS AND AWARDS TO STATE EDU-
 18 CATIONAL AGENCIES.—

19 (1) IN GENERAL.—From the amounts appro-
 20 priated to carry out this Act for a fiscal year, the
 21 Secretary shall—

22 (A) reserve not more than a total of 4 per-
 23 cent of such amounts for the national evalua-
 24 tion and dissemination of information and tech-
 25 nical assistance in accordance with section 11;

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

5 (C) in the case of a fiscal year for which
6 the amounts to carry out this Act are less than
7 \$500,000,000, use the amount not reserved
8 under subparagraphs (A) and (B) to make
9 awards, on a competitive basis, to State edu-
10 cational agencies serving States that have appli-
11 cations approved under section 7 to enable the
12 State educational agencies to carry out the ac-
13 tivities described in section 7(a); and

14 (D) in the case of a fiscal year for which
15 the amounts appropriated to carry out this Act
16 are equal to or exceeding \$500,000,000—

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

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

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

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

8 (ii) use the amount not reserved
9 under clause (i) and subparagraphs (A)
10 and (B) to make awards, as described in
11 paragraph (2), to State educational agen-
12 cies serving States that have applications
13 approved under section 7 to enable the
14 State educational agencies to carry out the
15 activities described in section 7(a).

16 (2) SPECIAL RULES FOR YEARS WITH FUNDS
17 EQUAL OR EXCEEDING \$500,000,000.—

18 (A) PROPORTIONAL DIVISION.—In each
19 fiscal year described in paragraph (1)(D), the
20 amount reserved under paragraph (1)(D)(i)
21 shall be divided between the uses described in
22 subclauses (I) and (II) of such paragraph in the
23 same proportion as the amount reserved under
24 section 1121(a) of the Elementary and Sec-
25 ondary Education Act of 1965 (20 U.S.C.

1 6631(a)) is divided between the uses described
2 in paragraphs (1) and (2) of such section for
3 such fiscal year.

4 (B) CONSULTATION.—A State educational
5 agency that receives an allotment under para-
6 graph (1)(D)(ii) shall engage in timely and
7 meaningful consultation with representatives of
8 Indian tribes located in the State in order to
9 improve the coordination and quality of activi-
10 ties designed to develop effective approaches to
11 achieve the purposes of this Act consistent with
12 the cultural, language, and educational needs of
13 Indian children.

14 (C) STATE ALLOTMENT FORMULA.—The
15 Secretary shall allot the amount made available
16 under paragraph (1)(D)(ii) for a fiscal year
17 among the States in proportion to the number
18 of children, from birth through age 17, who re-
19 side within the State and are from families with
20 incomes below the poverty line for the most re-
21 cent fiscal year for which satisfactory data are
22 available, compared to the number of such chil-
23 dren who reside in all States for that fiscal
24 year.

1 (3) MINIMUM AWARD AMOUNT.—No State edu-
 2 cational agency receiving an award under this sec-
 3 tion for a fiscal year may receive less than one-
 4 fourth of 1 percent of the total amount appropriated
 5 to carry out this Act for the fiscal year.

6 (b) PEER REVIEW.—

7 (1) IN GENERAL.—The Secretary shall convene
 8 a peer review panel to evaluate the applications for
 9 a grant under section 6 or 7 using the evaluation
 10 criteria described in paragraph (2).

11 (2) DEVELOPMENT OF EVALUATION CRI-
 12 TERIA.—The Secretary shall report to Congress re-
 13 garding the peer review process and evaluation cri-
 14 teria that shall be used to evaluate the grant appli-
 15 cations under sections 6 or 7.

16 (3) MEMBERSHIP.—

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

20 (i) 3 shall be appointed by the Sec-
 21 retary;

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

24 (I) recommended by the Chair-
 25 man of the National Research Council

1 of the National Academy of Sciences;
 2 and

3 (II) with expertise in comprehen-
 4 sive language and literacy instruction
 5 and strategies; and

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

8 (I) recommended by the Director
 9 of the National Institute of Child
 10 Health and Human Development; and

11 (II) with expertise concerning lit-
 12 eracy development in children from
 13 birth through grade 12.

14 (B) COMPETENCY AND EXPERTISE; EX-
 15 PERTISE.—The peer review panel convened
 16 under paragraph (1) may include—

17 (i) classroom teachers with expertise
 18 in literacy, and literacy coaches, includ-
 19 ing—

20 (I) special education teachers;

21 (II) teachers of children who are
 22 English learners; and

23 (III) early childhood educators;

24 (ii) experts who provide high-quality
 25 professional development to teachers and

1 other instructional staff to support chil-
 2 dren's literacy development;

3 (iii) experts in screening assessments,
 4 diagnostic assessments, formative assess-
 5 ment processes, or other assessments of
 6 children's literacy development; and

7 (iv) experts in comprehensive literacy
 8 instruction and strategies in reading and
 9 writing, language development, and
 10 English language acquisition, as appro-
 11 priate, including reading and writing in
 12 core academic subjects.

13 (4) DISTRIBUTION OF RECOMMENDATIONS.—

14 Not later than 120 days after a peer review panel
 15 submits to the Secretary the panel's recommenda-
 16 tion regarding an application by a State educational
 17 agency for a grant under section 6 or 7, the Sec-
 18 retary shall notify the State educational agency that
 19 the application has been approved or disapproved
 20 and shall provide to such State educational agency
 21 a copy of the peer review panel's recommendation.

22 (c) CONFLICTS OF INTEREST.—

23 (1) PEER REVIEW PANELS.—The Secretary
 24 shall ensure that each member of a peer review
 25 panel described in subsection (b) does not stand to

1 benefit financially from a grant or subgrant awarded
2 under this Act.

3 (2) STATE LITERACY LEADERSHIP TEAMS.—

4 Each State educational agency that receives funding
5 under this Act shall ensure that each member of a
6 State literacy leadership team participating in a pro-
7 gram or activity assisted under this Act does not
8 stand to benefit financially from a grant or subgrant
9 awarded under this Act.

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

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

1 such fiscal year for which the grant or subgrant is re-
2 ceived.

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

4 (a) PLANNING GRANTS AUTHORIZED.—

5 (1) IN GENERAL.—From amounts made avail-
6 able under section 5(a)(1)(B), the Secretary may
7 award planning grants to State educational agencies
8 to enable the State educational agencies to complete
9 comprehensive planning to carry out activities that
10 improve literacy for children from birth through
11 grade 12.

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

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

18 (b) APPLICATION.—

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

24 (2) CONTENTS.—Each application submitted
25 under this subsection shall, at a minimum, include

1 a description of how the State educational agency
2 will develop a plan for improving State efforts to de-
3 velop, coordinate, implement, and assess comprehen-
4 sive literacy activities that ensure high-quality in-
5 struction and effective strategies in reading and
6 writing for all children in early learning programs
7 and kindergarten through grade 12 programs. Such
8 plan shall—

9 (A) describe the activities for which assist-
10 ance under this section is sought, dem-
11 onstrating a particular focus on children who
12 are reading or writing below grade level and
13 children whose early literacy skills are below the
14 appropriate age or developmental level;

15 (B) provide a budget for the use of the
16 planning grant funds to complete the required
17 activities described in subsection (c);

18 (C) include an analysis of data on child lit-
19 eracy and language and student academic
20 achievement in reading to identify and establish
21 baseline and benchmark levels against which to
22 monitor child progress and improvement in lit-
23 eracy; and

24 (D) provide an assurance that all State
25 agencies responsible for administering early

1 learning programs and services (including the
 2 State Head Start Collaboration Office and the
 3 State agency responsible for administering child
 4 care) and the State Advisory Council on Early
 5 Childhood Education and Care collaborated
 6 with the State educational agency to write the
 7 early learning portion of the grant application
 8 submitted under this subsection.

9 (3) APPROVAL OF APPLICATIONS.—The Sec-
 10 retary shall evaluate applications under this sub-
 11 section based on the responsiveness of the applica-
 12 tions to the requirements under this subsection.

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

16 (1) Reviewing reading, writing, or other lan-
 17 guage and literacy resources and programs, such as
 18 school library programs, and data across the State
 19 to identify any literacy needs and gaps in the State.

20 (2) Forming or designating a State literacy
 21 leadership team which shall execute the following
 22 functions:

23 (A) Creating a comprehensive State lit-
 24 eracy plan that—

1 (i) is designed to improve language
2 development, reading, writing, and aca-
3 demic achievement for children, especially
4 children reading below grade level and chil-
5 dren whose literacy skills are below the ap-
6 propriate age or developmental level;

7 (ii) includes—

8 (I) a needs assessment and an
9 implementation plan, including an
10 analysis of data on child literacy and
11 student academic achievement in
12 reading and writing to identify base-
13 line and benchmark levels of literacy
14 and early literacy skills in order to
15 monitor progress and improvement;
16 and

17 (II) a plan to improve reading
18 and writing achievement among all
19 children;

20 (iii) ensures high-quality instruction,
21 consistent with the characteristics of effec-
22 tive literacy instruction and strategies, in
23 early learning programs and kindergarten
24 through grade 12 programs; and

1 (iv) provides for activities designed to
2 improve literacy achievement for children
3 who read or write below grade level, includ-
4 ing such children who—

5 (I) attend schools that are identi-
6 fied for school improvement under
7 section 1116(b) of the Elementary
8 and Secondary Education Act of 1965
9 (20 U.S.C. 6316(b)); or

10 (II) are counted under section
11 1124(c).

12 (B) Providing recommendations to guide
13 the State educational agency in the State edu-
14 cational agency's process of strengthening State
15 literacy standards and embedding State literacy
16 standards with the State's college and career
17 ready academic content standards and college
18 and career ready student academic achievement
19 standards, and early learning and development
20 standards.

21 (C) Providing recommendations to guide
22 the State educational agency in the State edu-
23 cational agency's process of measuring, assess-
24 ing, and monitoring progress in literacy at the

1 school, local educational agency, and State lev-
2 els.

3 (D) Identifying criteria for high-quality
4 professional development providers, which pro-
5 viders may include qualified teachers within the
6 State, for the State educational agency and
7 local educational agencies.

8 (E) Advising the State educational agency
9 on how to help ensure that local educational
10 agencies and schools provide timely and appro-
11 priate data to teachers to inform and improve
12 instruction.

13 (F) Providing recommendations to guide
14 the State educational agency in the State edu-
15 cational agency's planning process of building
16 educators' capacity to provide high-quality com-
17 prehensive literacy instruction.

18 **SEC. 7. STATE IMPLEMENTATION GRANTS.**

19 (a) IMPLEMENTATION GRANTS AUTHORIZED.—

20 (1) IN GENERAL.—From amounts made avail-
21 able under subparagraphs (C) or (D)(ii) of section
22 5(a)(1) (as applicable), the Secretary shall award
23 implementation grants to State educational agencies
24 to enable the State educational agencies—

1 (A) to implement a comprehensive literacy
2 plan that meets the criteria in section
3 6(c)(2)(A) for early learning programs and kin-
4 dergarten through grade 12 programs;

5 (B) to carry out State activities under sec-
6 tion 8; and

7 (C) to award subgrants under sections 9
8 and 10.

9 (2) LIMITATION.—The Secretary shall not
10 award an implementation grant under this section to
11 a State for any year for which the State has received
12 a planning grant under section 6.

13 (3) DURATION OF GRANTS.—An implementa-
14 tion grant under this section shall be awarded for a
15 period of not more than 5 years.

16 (4) RENEWALS.—

17 (A) IN GENERAL.—The Secretary may
18 renew a grant under this section for a period of
19 not more than 2 years.

20 (B) CONDITIONS.—In order to be eligible
21 to have an implementation grant renewed under
22 this paragraph, the State educational agency
23 shall demonstrate to the satisfaction of the Sec-
24 retary that, during the project period—

(i) with respect to children from birth through kindergarten entry, the State educational agency has collaborated with the State agencies that oversee child care and other early learning programs, and has collaborated with the State Advisory Council on Early Childhood Education and Care, to comply with the terms of the grant, including using the funds—

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

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

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

(ii) with respect to children in kindergarten through grade 12, demonstrates that there has been significant progress in student academic achievement, as measured by appropriate assessments, including meeting the measurable annual objectives

1 established pursuant to section
2 1111(b)(2)(C)(v) of the Elementary and
3 Secondary Education Act of 1965 (20
4 U.S.C. 6311(b)(2)(C)(v)).

5 (b) STATE APPLICATIONS.—

6 (1) IN GENERAL.—A State educational agency
7 that desires to receive an implementation grant
8 under this section shall submit an application to the
9 Secretary at such time, in such manner, and con-
10 taining such information as the Secretary may re-
11 quire. The State educational agency shall collaborate
12 with the State agency responsible for administering
13 early learning programs and the State agency re-
14 sponsible for administering child care programs in
15 the State in writing and implementing the early
16 learning portion of the grant application under this
17 subsection.

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

20 (A) A description of the members of the
21 State literacy leadership team and a description
22 of how the State educational agency has devel-
23 oped a comprehensive State literacy plan, con-
24 sistent with the requirements of section
25 6(c)(2)(A).

1 (B) An implementation plan that includes
2 a description of how the State educational agen-
3 cy will—

4 (i) carry out the State activities de-
5 scribed in section 8;

6 (ii) assist eligible entities with—

7 (I) providing strategic and inten-
8 sive comprehensive literacy instruction
9 based on scientifically valid research
10 for children who are reading and writ-
11 ing below grade level, including
12 through—

13 (aa) the use of multitier sys-
14 tems of support; and

15 (bb) addressing the literacy
16 needs of children with disabilities
17 or developmental delays and
18 English learners in programs
19 serving children from birth
20 through grade 12;

21 (II) providing training to par-
22 ents, as appropriate, so that the par-
23 ents can participate in the literacy re-
24 lated activities described in sections 9

- 1 and 10 to assist in the language and
- 2 literacy development of their children;
- 3 (III) selecting and using reading
- 4 and writing assessments;
- 5 (IV) providing classroom-based
- 6 instruction that is supported by one-
- 7 to-one and small group work;
- 8 (V) using curricular materials
- 9 and instructional tools, which may in-
- 10 clude technology, to improve instruc-
- 11 tion and literacy achievement;
- 12 (VI) providing for high-quality
- 13 professional development; and
- 14 (VII) using the principles of uni-
- 15 versal design for learning;
- 16 (iii) ensure that local educational
- 17 agencies in the State have leveraged and
- 18 are effectively leveraging the resources
- 19 needed to implement effective comprehen-
- 20 sive literacy instruction, and have the ca-
- 21 pacity to implement literacy initiatives ef-
- 22 fectively; and
- 23 (iv) continually coordinate and align
- 24 the activities assisted under this Act with
- 25 reading, writing, and other literacy re-

sources and programs across the State and locally that serve children and their families and promote comprehensive literacy instruction and learning, including strengthening partnerships among schools, libraries, local youth-serving agencies, and programs, in order to improve literacy for all children.

(C) A description of the key data metrics, and the performance targets for such metrics, that will be used and reported annually under section 12(b)(1), which shall include—

(i) progress in meeting the annual objectives established pursuant to section 1111(b)(2)(C)(v) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(v)) for students in grades 3 through 12; and

(ii) the relevant program metrics and performance targets that the State shall use to monitor the implementation of its plan under section 12.

(D) An assurance that the State educational agency, and any eligible entity receiving a subgrant from the State educational agen-

1 cy under section 9 or 10, will, if requested, par-
2 ticipate in the national evaluation under section
3 11.

4 (E) An assurance that the State edu-
5 cational agency will use implementation grant
6 funds for literacy programs as follows:

7 (i) Not less than 15 percent of such
8 grant funds shall be used for State and
9 local programs and activities pertaining to
10 children from birth through kindergarten
11 entry.

12 (ii) Not less than 40 percent of such
13 grant funds shall be used for State and
14 local programs and activities, allocated eq-
15 uitably among the grades of kindergarten
16 through grade 5.

17 (iii) Not less than 40 percent of such
18 grant funds shall be used for State and
19 local programs and activities, allocated eq-
20 uitably among grades 6 through 12.

21 (iv) Not more than 5 percent of such
22 implementation grant funds shall be used
23 for the State activities described in section
24 8.

1 (F) An assurance that the State edu-
2 cational agency shall give priority to awarding
3 a subgrant to an eligible entity—

4 (i) under section 9 based on the num-
5 ber or percentage of children younger than
6 the age of kindergarten entry who are—

7 (I) served by the eligible entity;

8 and

9 (II) from families with income
10 levels below the poverty line; and

11 (ii) under section 10 based on—

12 (I) the number or percentage of
13 children from birth through age 17
14 who are—

15 (aa) served by the eligible
16 entity; and

17 (bb) from families with in-
18 come levels below the poverty
19 line; and

20 (II) the number or percentage of
21 children in kindergarten through
22 grade 12 served by the eligible entity
23 who are reading and writing below
24 grade level according to State assess-
25 ments.

1 (c) APPROVAL OF APPLICATIONS.—

2 (1) IN GENERAL.—The Secretary shall evaluate
3 State educational agency applications under sub-
4 section (b) based on the responsiveness of the appli-
5 cations to the application requirements under such
6 subsection.

7 (2) PEER REVIEW.—The Secretary shall con-
8 vene a peer review panel in accordance with section
9 5(b) to evaluate applications for each implementa-
10 tion grant awarded to a State educational agency
11 under this section.

12 (3) EARLY LEARNING.—In order for a State
13 educational agency's application under this section
14 to be approved by the Secretary, the application
15 shall contain an assurance that the State agencies
16 responsible for administering early learning pro-
17 grams and services, including the State agency re-
18 sponsible for administering child care programs, and
19 the State Advisory Council on Early Childhood Edu-
20 cation and Care approve of, and will be extensively
21 consulted in the implementation of activities con-
22 sistent with section 9 with respect to, the early
23 learning portion of the application.

1 **SEC. 8. STATE ACTIVITIES.**

2 (a) **REQUIRED ACTIVITIES.**—A State educational
3 agency shall use the implementation grant funds described
4 in section 7(b)(2)(E)(iv) to carry out the activities pro-
5 posed in a State’s implementation plan under section
6 7(b)(2)(B), including the following activities:

7 (1) In consultation with the State literacy lead-
8 ership team, providing technical assistance, or en-
9 gaging qualified providers to provide technical assist-
10 ance, to eligible entities to enable the eligible entities
11 to design and implement literacy programs under
12 section 9 or 10.

13 (2) Consulting with the State literacy leader-
14 ship team and coordinating with institutions of high-
15 er education in the State—

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

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

1 (3) Reviewing and updating, in collaboration
2 with teachers, statewide educational and professional
3 organizations representing teachers, and statewide
4 educational and professional organizations rep-
5 resenting institutions of higher education, State li-
6 censure or certification standards in the area of lit-
7 eracy instruction in early education through grade
8 12.

9 (4) Making publicly available, including on the
10 State educational agency's website, information on
11 promising instructional practices to improve child lit-
12 eracy achievement.

13 (b) PERMISSIVE ACTIVITIES.—After carrying out the
14 activities described in subsection (a), a State educational
15 agency may use remaining implementation grant funds de-
16 scribed in section 7(b)(2)(E)(iv) to carry out 1 or more
17 of the following activities:

18 (1) Training the personnel of eligible entities to
19 use data systems to improve child literacy learning.

20 (2) Developing literacy coach training programs
21 and training literacy coaches.

22 (3) Building public support among local edu-
23 cational agency personnel, early learning programs,
24 and the community for comprehensive literacy in-
25 struction for children from birth through grade 12.

1 (4) Administration and evaluation of activities
2 carried out under this Act.

3 **SEC. 9. SUBGRANTS TO ELIGIBLE ENTITIES IN SUPPORT OF**
4 **BIRTH THROUGH KINDERGARTEN ENTRY**
5 **LITERACY.**

6 (a) SUBGRANTS.—

7 (1) IN GENERAL.—A State educational agency,
8 in consultation with the State agencies responsible
9 for administering early learning programs and serv-
10 ices, including the State agency responsible for ad-
11 ministering child care programs, and the State Advi-
12 sory Council on Early Childhood Education and
13 Care, shall use a portion of implementation grant
14 funds provided under subparagraph (C) or (D)(ii) of
15 section 5(a)(1) to award subgrants, on a competitive
16 basis, to eligible entities to enable the eligible enti-
17 ties to support high-quality early literacy initiatives
18 for children from birth through kindergarten entry.

19 (2) DURATION.—The term of a subgrant under
20 this section shall be determined by the State edu-
21 cational agency awarding the subgrant.

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 high-quality

1 early literacy initiatives for children from birth through
2 kindergarten entry.

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

9 (1) how the subgrant funds will be used to en-
10 hance the language and literacy development and
11 school readiness of children, from birth through kin-
12 dergarten entry, in early learning programs, which
13 shall include an analysis of data that support the
14 proposed use of subgrant funds;

15 (2) the programs that the eligible entity pro-
16 poses to assist under the subgrant, including demo-
17 graphic and socioeconomic information on the chil-
18 dren enrolled in the programs;

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

23 (4) how, if the eligible entity is requesting a
24 planning period, which shall not exceed 1 year, the
25 eligible entity will use that planning period to pre-

1 pare for successful implementation of a plan to sup-
2 port the development of learning and literacy con-
3 sistent with the purposes of this Act;

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

7 (6) how the subgrant funds will be used to pre-
8 pare and provide ongoing assistance to staff in the
9 programs, through high-quality professional develop-
10 ment;

11 (7) how the subgrant funds will be used to pro-
12 vide services, incorporate activities, and select and
13 use literacy instructional materials that—

14 (A) meet the diverse developmental and
15 linguistic needs of children, including English
16 learners and children with disabilities and de-
17 velopmental delays; and

18 (B) are based on scientifically valid re-
19 search on child development and learning for
20 children from birth through kindergarten entry;

21 (8) how the subgrant funds will be used to pro-
22 vide screening assessments, diagnostic assessments,
23 formative assessment processes, and assessments of
24 developmental progress;

1 (9) how families and caregivers will be involved,
 2 as appropriate, in supporting their child's literacy
 3 development, instruction, and assessment;

4 (10) how the subgrant funds will be used to
 5 help children, particularly children experiencing dif-
 6 ficulty with spoken and written language, to make
 7 the transition from early childhood education pro-
 8 grams to formal classroom instruction;

9 (11) how the activities assisted under the
 10 subgrant will be coordinated with comprehensive lit-
 11 eracy instruction at the kindergarten through grade
 12 12 levels;

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

14 (A) to evaluate the success of the activities
 15 assisted under the subgrant in enhancing the
 16 early language and literacy development of chil-
 17 dren from birth through kindergarten entry;
 18 and

19 (B) to evaluate data for program improve-
 20 ment; and

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

23 (d) APPROVAL OF LOCAL APPLICATIONS.—The State
 24 educational agency, in consultation with the State agencies
 25 responsible for administering early learning programs, in-

cluding the State agency responsible for administering
 child care programs and the State Advisory Council on
 Early Childhood Education and Care, shall—

(1) select applications for funding under this
 section based on the quality of the applications sub-
 mitted, including the relationship between literacy
 activities proposed and the research base or data
 supporting such investments, as appropriate, and the
 recommendations of—

(A) the State literacy leadership team; and

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

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

(e) LOCAL USES OF FUNDS.—

(1) IN GENERAL.—An eligible entity that re-
 ceives a subgrant under this section shall use the
 subgrant funds, consistent with the entity's approved
 application under subsection (c), to—

(A) enhance and improve early learning
 programs to ensure that children in such pro-
 grams are provided with high-quality oral lan-
 guage and literature- and print-rich environ-
 ments in which to develop early literacy skills;

1 (B) carry out high-quality professional de-
2 velopment opportunities for early childhood edu-
3 cators, teachers, and instructional leaders;

4 (C) acquire, provide training for, and im-
5 plement screening assessments, diagnostic as-
6 sessments, and classroom-based instructional
7 assessments;

8 (D) select, develop, and implement a
9 multitier system of support;

10 (E) integrate research-based instructional
11 materials, activities, tools, and measures into
12 the programs offered by the eligible entity to
13 improve development of early learning language
14 and literacy skills;

15 (F) train providers and personnel to sup-
16 port, develop, and administer high-quality early
17 learning literacy initiatives that—

18 (i) utilize data—

19 (I) to inform instructional design;

20 and

21 (II) to assess literacy needs; and

22 (ii) provide time and support for per-
23 sonnel to meet to plan comprehensive lit-
24 eracy instruction;

1 (G) provide family literacy services, as ap-
2 propriate, and educate parents, teachers, and
3 other caregivers about child literacy develop-
4 ment;

5 (H) annually collect, summarize, and re-
6 port to the State educational agency data—

7 (i) to document child progress in early
8 literacy and language skills development as
9 a result of activities carried out under this
10 section;

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

15 (iii) for all subgroups of children and
16 categories of children, including students
17 in the groups described in section
18 1111(b)(2)(C)(v)(II) of the Elementary
19 and Secondary Education Act of 1965 (20
20 U.S.C. 6311(b)(2)(C)(v)(II)), in a manner
21 that—

22 (I) utilizes a variety of measures
23 of child literacy and language skills
24 development; and

1 (II) is consistent across the
2 State; and

3 (I) coordinate the involvement of families,
4 early learning program staff, principals, other
5 instructional leaders, and teachers in literacy
6 development of children served under this Act.

7 (2) CURRICULA AND ASSESSMENT MATERIALS
8 LIMITATION.—Each eligible entity that receives a
9 subgrant under this section shall not use more than
10 20 percent of the subgrant funds in the first year
11 of subgrant funding, and not more than 10 percent
12 of the subgrant funds in each year thereafter, to
13 purchase curricula and assessment materials.

14 (f) PROHIBITION.—The use of assessment items and
15 data on any assessment authorized under this section to
16 provide rewards or sanctions for individual children, early
17 learning program providers, teachers, program directors,
18 or principals is prohibited.

19 **SEC. 10. SUBGRANTS TO ELIGIBLE ENTITIES IN SUPPORT**
20 **OF KINDERGARTEN THROUGH GRADE 12 LIT-**
21 **ERACY.**

22 (a) SUBGRANTS TO LOCAL EDUCATIONAL AGEN-
23 CIES.—

24 (1) SUBGRANTS.—A State educational agency
25 shall use a portion of the implementation grant

1 funds provided under subparagraph (C) or (D)(ii) of
2 section 5(a)(1) to award subgrants, on a competitive
3 basis, to eligible entities to enable the eligible enti-
4 ties to carry out the authorized activities described
5 in subsections (b) and (c).

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

12 (3) LOCAL APPLICATIONS.—An eligible entity
13 desiring to receive a subgrant under this section
14 shall submit an application to the State educational
15 agency at such time, in such manner, and containing
16 such information as the State educational agency
17 may require. Such application shall include, for each
18 school that the eligible entity identifies as partici-
19 pating in a subgrant program under this section, the
20 following information:

21 (A) A description of the eligible entity's ca-
22 pacity survey conducted to identify how
23 subgrant funds will be used to inform and im-
24 prove comprehensive literacy instruction at the
25 school.

1 (B) How the school, the local educational
2 agency, or a provider of high-quality profes-
3 sional development will provide ongoing high-
4 quality professional development to all teachers,
5 including early childhood educators, principals,
6 and other instructional leaders served by the
7 school, including early learning program admin-
8 istrators.

9 (C) How the school will identify children in
10 need of literacy interventions or other support
11 services and provide appropriate scientifically
12 valid instructional interventions or other sup-
13 port services which may include extended learn-
14 ing time for struggling children.

15 (D) A budget for the school that projects
16 the cost of developing and implementing literacy
17 initiatives to carry out the activities described
18 in subsections (b) and (c) as applicable.

19 (E) An explanation of how the school will
20 integrate comprehensive literacy instruction into
21 core academic subjects.

22 (F) A description of how the school will co-
23 ordinate comprehensive literacy instruction with
24 early learning and after-school programs and
25 activities in the area served by the local edu-

1 educational agency, such as school library pro-
 2 grams.

3 (G) A description of the assessments that
 4 will be used in an assessment system to improve
 5 comprehensive literacy instruction and track
 6 child literacy progress.

7 (H) A description of how families and
 8 caregivers will be involved in supporting their
 9 children's literacy instruction and assessment.

10 (I) A description of how, if an eligible enti-
 11 ty is requesting a planning period, the eligible
 12 entity will use that planning period to prepare
 13 for successful implementation of a plan to sup-
 14 port the development of learning and literacy
 15 consistent with the purposes of this Act.

16 (J) A description of the literacy initiatives,
 17 if any, in place and how these initiatives will be
 18 coordinated and integrated with activities sup-
 19 ported under this section.

20 (K) An assurance that the eligible entity
 21 will, if requested, participate in the national
 22 evaluation described in section 11.

23 (b) LOCAL USES OF FUNDS FOR KINDERGARTEN
 24 THROUGH GRADE 5.—An eligible entity that receives a
 25 subgrant under this section shall use the subgrant funds

1 to carry out the following activities pertaining to children
2 in kindergarten through grade 5:

3 (1) Developing and implementing a literacy
4 plan across content areas that—

5 (A) serves the needs of all children, includ-
6 ing children with disabilities and English learn-
7 ers, especially children who are reading or writ-
8 ing below grade level;

9 (B) provides intensive, supplemental, accel-
10 erated, and explicit intervention and support in
11 reading and writing for children whose literacy
12 skills are below grade level; and

13 (C) supports activities that are provided
14 primarily during the regular school day but
15 which may be augmented by after-school and
16 out-of-school time instruction.

17 (2) Acquiring, providing training for, selecting,
18 and administering assessments, and managing, mon-
19 itoring, and planning instruction based on the as-
20 sessment data.

21 (3) Providing high-quality professional develop-
22 ment opportunities for teachers, literacy coaches, lit-
23 eracy specialists, English as a second language spe-
24 cialists (as appropriate), principals, and other pro-
25 gram staff.

1 (4) Training principals, specialized instruction
 2 support personnel, and other school district per-
 3 sonnel to support, develop, administer, and evaluate
 4 high-quality kindergarten through grade 5 literacy
 5 initiatives that—

6 (A) utilize data—

7 (i) to inform instructional decisions;

8 and

9 (ii) to assess professional development
 10 needs; and

11 (B) provide time and support for teachers
 12 to meet to plan comprehensive literacy instruc-
 13 tion.

14 (5) Coordinating the involvement of early learn-
 15 ing program staff, principals, other instructional
 16 leaders, teachers, teacher literacy teams, English as
 17 a second language specialists (as appropriate), spe-
 18 cial educators, and school librarians in the literacy
 19 development of children served under this Act.

20 (6) Engaging families and encouraging family
 21 literacy experiences and practices to support literacy
 22 development.

23 (7) Annually collecting, summarizing, and re-
 24 porting to the State educational agency data—

1 (A) to document and monitor for the pur-
2 pose of improving practice, improvements, or
3 increases in children's reading and writing pur-
4 suant to activities carried out under this sec-
5 tion;

6 (B) to stimulate and accelerate improve-
7 ment by identifying the schools that produce
8 significant gains in literacy achievement; and

9 (C) for all children and categories of chil-
10 dren, including the groups of students described
11 in section 1111(b)(2)(C)(v)(II) of the Elemen-
12 tary and Secondary Education Act of 1965 (20
13 U.S.C. 6311(b)(2)(C)(v)(II)), in a manner that
14 utilizes a variety of measures and that is con-
15 sistent across the State.

16 (c) LOCAL USES OF FUNDS FOR GRADES 6
17 THROUGH 12.—An eligible entity that receives a subgrant
18 under this section shall use subgrant funds to carry out
19 the following activities pertaining to children in grades 6
20 through 12:

21 (1) Developing and implementing a literacy
22 plan described in paragraphs (1), (2), (3), (6), and
23 (7) of subsection (b) for children in grades 6
24 through 12.

(2) Training principals, specialized instruction support personnel, and other instructional leaders to support, develop, administer, and evaluate high-quality adolescent literacy initiatives that—

(A) utilize data—

(i) to inform instructional decisions and allow for personalization of instruction based on a child's need; and

(ii) to assess professional development needs;

(B) assess the quality of adolescent comprehensive literacy instruction in core academic subjects, and career and technical education subjects where such career and technical education subjects provide for the integration of core academic subjects;

(C) provide time for teachers to meet to plan research-based adolescent comprehensive literacy instruction in core academic subjects, and career and technical education subjects where such career and technical education subjects provide for the integration of core academic subjects; and

(D) include instruction in—

(i) discipline-specific thinking;

1 (ii) reading and interpreting dis-
 2 cipline-specific text structures and fea-
 3 tures; and

4 (iii) writing in different disciplines.

5 (3) Coordinating the involvement of principals,
 6 other instructional leaders, teachers, teacher literacy
 7 teams, English as a second language specialists (as
 8 appropriate), special educators, and school librarians
 9 in the literacy development of children served under
 10 this Act.

11 (d) ALLOWABLE USES.—An eligible entity that re-
 12 ceives a subgrant under this section may, in addition to
 13 carrying out the activities described in subsections (b) and
 14 (c), use subgrant funds to carry out the following activities
 15 pertaining to children in kindergarten through grade 12:

16 (1) Providing a planning period of not more
 17 than 1 year for eligible entities to establish the ele-
 18 ments necessary for successful implementation of a
 19 literacy program for kindergarten through grade 12.

20 (2) Recruiting, placing, training, and compen-
 21 sating literacy coaches.

22 (3) Connecting out-of-school learning opportuni-
 23 ties to in-school learning in order to improve the lit-
 24 eracy achievement of the children.

(6) Forming a school literacy leadership team to help implement, assess, and identify necessary changes to the literacy initiatives in 1 or more schools to ensure success.

(7) Providing high-quality, literacy-rich environments that engage children with materials and experiences at the children's reading and writing levels.

(8) Providing time for teachers (and other literacy staff, as appropriate, such as school librarians) to meet to plan comprehensive literacy instruction.

(e) LIMITATION OF USE TO CERTAIN SCHOOLS.—An eligible entity receiving a subgrant under this section shall, in distributing the subgrant funds, provide the subgrant funds only to schools, including public charter schools, that have the highest percentages or numbers of children counted under section 1124(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6333(c)).

21 SEC. 11. NATIONAL EVALUATION, INFORMATION DISSEMI-
22 NATION, AND TECHNICAL ASSISTANCE.

(1) IN GENERAL.—From funds reserved under section 5(a)(1)(A), the Secretary shall enter into a

1 contract with an organization independent of the
2 Department for a 5-year national evaluation of the
3 grant and subgrant programs assisted under this
4 Act. Such evaluation shall include scientifically valid
5 research that applies rigorous and systematic proce-
6 dures to obtain valid knowledge relevant to the im-
7 plementation and effect of the programs.

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

11 (A) The impact of the implementation of
12 literacy initiatives and practices supported
13 under this Act on—

14 (i) increasing academic outcomes, in-
15 cluding child literacy development in read-
16 ing and writing, and speaking (as appro-
17 priate), grade promotion, and graduation
18 to the extent predictable;

19 (ii) promoting the appropriate early
20 literacy development of young children;
21 and

22 (iii) strengthening the literacy skills of
23 English learners and children with disabil-
24 ities.

1 (B) The fidelity of implementation of core
2 program features, such as coherence of the pro-
3 gram across grades, quality of technical assist-
4 ance, State and local educational agency leader-
5 ship, professional development for teachers and
6 administrators, use of quality materials and
7 pedagogy, and use of assessment.

8 (C) The relationship between implementa-
9 tion of core features and children's academic
10 outcomes.

11 (D) Other inquiries as designated by the
12 Secretary, such as—

13 (i) the core functions of literacy initia-
14 tives that have demonstrated the greatest
15 impact on child literacy achievement, espe-
16 cially among children reading and writing
17 below grade level;

18 (ii) effective strategies to integrate
19 State and local standards, curricula, as-
20 sessments, instruction, materials, and
21 interventions to improve literacy;

22 (iii) the types of literacy activities and
23 professional development that most effec-
24 tively improve the early reading, writing,

1 and language skills of children from birth
 2 through kindergarten entry;

3 (iv) the impact of adolescent literacy
 4 initiatives on adolescent motivation, en-
 5 gagement, and participation in adolescent
 6 literacy activities;

7 (v) the relationship between children's
 8 literacy achievement and secondary school
 9 success, including improving graduation
 10 rates; and

11 (vi) effective strategies to integrate
 12 school and public library programs to im-
 13 prove literacy.

14 (3) PROGRAM IMPROVEMENT.—The Secretary
 15 shall—

16 (A) provide the findings of the evaluation
 17 conducted under this section to State edu-
 18 cational agencies and subgrant recipients for
 19 use in program improvement;

20 (B) make such findings publicly available,
 21 including on the Department's website; and

22 (C) submit such findings to the author-
 23 izing committees.

24 (b) INFORMATION DISSEMINATION AND TECHNICAL
 25 ASSISTANCE.—

1 (1) IN GENERAL.—From amounts reserved
2 under section 5(a)(1)(A), the Secretary, in collabora-
3 tion with the regional educational laboratories estab-
4 lished under section 174 of the Education Sciences
5 Reform Act of 2002, the comprehensive centers es-
6 tablished under section 203 of the Educational
7 Technical Assistance Act of 2002, and the Director
8 of the National Institute of Child Health and
9 Human Development, shall—

10 (A) distribute information on—

11 (i) comprehensive literacy instruction,
12 including best practices and model pro-
13 grams identified in the evaluation;

14 (ii) other inquiries designated by the
15 Secretary under subsection (a)(2)(D); or

16 (iii) other relevant Federal studies of
17 literacy activities; and

18 (B) provide technical assistance in order to
19 assist States and local educational agencies in
20 improving comprehensive literacy instruction
21 and learning.

22 (2) DISSEMINATION AND COORDINATION.—The
23 Secretary shall disseminate the information de-
24 scribed in paragraph (1)(A) to—

(A) recipients of Federal financial assistance under this Act, the Head Start Act, the Individuals with Disabilities Education Act, and the Adult Education and Family Literacy Act; and

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

(3) USE OF NETWORKS.—In carrying out this subsection, the Secretary shall, to the extent practicable, use information and dissemination networks developed and maintained through other public and private entities.

SEC. 12. CONSEQUENCES OF INSUFFICIENT PROGRESS, REPORTING REQUIREMENTS, AND CONFLICTS OF INTEREST.

(a) CONSEQUENCES OF INSUFFICIENT PROGRESS.—

(1) CONSEQUENCES FOR GRANT RECIPIENTS.—

If the Secretary determines that a State educational agency receiving an award under subparagraph (C) or (D)(ii) of section 5(a)(1), or an eligible entity receiving a subgrant under section 9 or 10, is not making significant progress in meeting the purposes of this Act and the key data metrics identified by the State educational agency in section 7(b)(2)(C)

1 after the submission of a report described in sub-
 2 section (b), then the Secretary may withhold, in
 3 whole or in part, further payments under this Act in
 4 accordance with section 455 of the General Edu-
 5 cation Provisions Act or take such other action au-
 6 thorized by law as the Secretary determines nec-
 7 essary, including providing technical assistance upon
 8 request of the State educational agency, or eligible
 9 entity, respectively.

10 (2) CONSEQUENCES FOR SUBGRANT RECIPI-
 11 ENTS.—

12 (A) IN GENERAL.—A State educational
 13 agency receiving an award under subparagraph
 14 (C) or (D)(ii) of section 5(a)(1) may refuse to
 15 award subgrant funds to an eligible entity
 16 under section 9 or 10 if the State educational
 17 agency finds that the eligible entity is not mak-
 18 ing significant progress in meeting the purposes
 19 of this Act, after—

20 (i) affording the eligible entity notice,
 21 a period for correction, and an opportunity
 22 for a hearing; and

23 (ii) providing technical assistance to
 24 the eligible entity.

1 (B) FUNDS AVAILABLE.—Subgrant funds
 2 not awarded under subparagraph (A) shall be
 3 redirected to an eligible entity serving similar
 4 children in the same area or region as the eligi-
 5 ble entity not awarded the subgrant funds, to
 6 the greatest extent practicable.

7 (b) REPORTING REQUIREMENTS.—

8 (1) STATE EDUCATIONAL AGENCY ANNUAL RE-
 9 PORTS.—Each State educational agency receiving an
 10 award under subparagraph (C) or (D)(ii) of section
 11 5(a)(1) shall report annually to the Secretary re-
 12 garding the State educational agency’s progress in
 13 addressing the purposes of this Act. Such report
 14 shall include at a minimum data, for each sub-
 15 grantee, and for the State, on the metrics identified
 16 under section 7(b)(2)(C), such as—

17 (A) the number and percentage of children
 18 reading and writing on grade level by the end
 19 of grade 3;

20 (B) the percent of children served under
 21 the award who receive special education and re-
 22 lated services; and

23 (C) the degree of appropriate develop-
 24 mental progress or literacy achievement growth
 25 of children, disaggregated by the groups de-

1 scribed in section 1111(b)(2)(C)(v)(II) of the
 2 Elementary and Secondary Education Act of
 3 1965 (20 U.S.C. 6311(b)(2)(C)(v)(II)).

4 (2) PERIODIC REPORTS.—Each State edu-
 5 cational agency receiving an award under subpara-
 6 graph (C) or (D)(ii) of section 5(a)(1) shall periodi-
 7 cally report to the Secretary regarding the State
 8 educational agency’s progress in addressing the pur-
 9 poses of this Act. Such reports shall be submitted at
 10 such times, and in such manner, as the Secretary
 11 shall establish, and shall, over the term of the grant,
 12 include descriptions of—

13 (A) the professional development activities
 14 provided under the award, including types of
 15 activities and entities involved in providing pro-
 16 fessional development to classroom teachers and
 17 other program staff, such as school librarians;

18 (B) instruction, strategies, activities, cur-
 19 ricula, materials, and assessments used in the
 20 programs funded under the award;

21 (C) the types of programs funded under
 22 the award and demographic information, includ-
 23 ing ages, of the children served by the programs
 24 funded under the award, except that such infor-
 25 mation shall not be personally identifiable;

1 (D) the experience and qualifications of
2 the program staff who provide comprehensive
3 literacy instruction under the programs funded
4 under the award, including the experience and
5 qualifications of those staff working with chil-
6 dren with disabilities or developmental delay,
7 with English learners, and with children from
8 birth through kindergarten entry; and

9 (E) student performance on relevant pro-
10 gram metrics, as identified in the State edu-
11 cational agency's plan, such as—

12 (i) the number of children reading
13 and writing on grade level by the end of
14 the third grade;

15 (ii) the percent of students served
16 under this Act receiving special education
17 services;

18 (iii) the instruction and activities de-
19 livered to at-risk students served under
20 this Act; and

21 (iv) the professional development ac-
22 tivities provided to teachers participating
23 under this Act.

24 (3) ELIGIBLE ENTITY REPORTS.—Each eligible
25 entity receiving a subgrant under section 9 or 10

1 shall report to the State educational agency regard-
2 ing the eligible entity's progress in addressing the
3 purposes of this Act. Such report shall be submitted
4 at such times, and in such manner, as the State
5 educational agency shall establish, consistent with
6 the requirements of paragraphs (1) and (2) for re-
7 ports submitted by the State educational agency to
8 the Secretary, and shall, over the term of the
9 subgrant, include, consistent with such requirements
10 for the State educational agency reports, descrip-
11 tions of—

12 (A) how the subgrant funds were used; and

13 (B) the results of an external evaluation, if
14 the Secretary determines such evaluation to be
15 applicable.

16 **SEC. 13. RULES OF CONSTRUCTION.**

17 (a) CHILD ELIGIBILITY.—Nothing in this Act shall
18 be construed to prohibit children eligible for assistance
19 under title I or III of the Elementary and Secondary Edu-
20 cation Act of 1965 (20 U.S.C. 6301 et seq., 6801 et seq.)
21 or children eligible for assistance under the Individuals
22 with Disabilities Education Act from receiving literacy in-
23 struction and intervention under this Act.

24 (b) IDEA EVALUATION.—The screening assess-
25 ments, diagnostic assessments, and formative assessment

1 processes of reading and writing authorized under this Act
2 shall not be construed to constitute an evaluation required
3 under the Individuals with Disabilities Education Act, ex-
4 cept that assessments administered under this Act may
5 be used in conjunction with other assessments as part of
6 an evaluation under the Individuals with Disabilities Edu-
7 cation Act, provided that all assessment requirements of
8 such Act are met.

9 **SEC. 14. AUTHORIZATION OF APPROPRIATIONS.**

10 There are authorized to be appropriated to carry out
11 this Act, \$2,350,000,000 for fiscal year 2014 and each
12 of the 5 succeeding fiscal years.

○