

Public Law 94-194
94th Congress

An Act

To amend the national reading improvement program to provide more flexibility in the types of projects which can be funded, and for other purposes.

Dec. 31, 1975
[H.R. 8304]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

National reading
improvement
program.

STATE LEADERSHIP AND TRAINING PROJECTS

SECTION 1. (a) Section 705(a) of the Education Amendments of 1974 is amended by adding at the end thereof the following new paragraph:

20 USC 1921.

“(3) (A) Notwithstanding the requirements of paragraphs (b) through (g) of this section, the Commissioner is authorized to enter into agreements pursuant to this paragraph during the fiscal year 1976 and the period beginning July 1, 1976 through September 30, 1976, with State educational agencies for the carrying out by such agencies of leadership and training activities designed to prepare personnel throughout the State to conduct projects which have been demonstrated in that State or in other States to be effective in overcoming reading deficiencies. These activities shall be limited to (i) assessments of need, including personnel needs, relating to reading problems in the State, (ii) inservice training for local reading program administrators and instructional personnel, and (iii) provision of technical assistance and dissemination of information to local educational agencies and other appropriate nonprofit agencies.

“(B) Not to exceed \$5,300,000 of any sums appropriated pursuant to subsection (a) of section 732 for the fiscal year 1976, and for the period from July 1, 1976 through September 30, 1976, may be used for carrying out this paragraph.”

20 USC 1982.

(b) (1) Part C of such Act is amended by adding after section 723 the following new section:

“STATE LEADERSHIP AND TRAINING PROJECTS

“SEC. 724. The Commissioner is authorized to enter into agreements pursuant to this section with State educational agencies for the carrying out by such agencies of leadership and training activities designed to prepare personnel throughout the State to conduct projects which have been demonstrated in that State or other States to be effective in overcoming reading deficiencies. The activities authorized by this section shall be limited to—

20 USC 1964.

“(1) assessments of need, including personnel needs, relating to reading problems in the State,

“(2) inservice training for local reading program administrators and instructional personnel, and

“(3) provision of technical assistance and dissemination of information to local educational agencies and other appropriate nonprofit agencies.”

(2) The amendment made by paragraph (1) of this subsection shall take effect on October 1, 1976.

Effective date.
20 USC 1964
note.

20 USC 1921.

(3) Section 705(a)(3) of the Education Amendments of 1974 as added by subsection (a) of this section is repealed effective September 30, 1976.

Appropriation
authorization.
20 USC 1982.
Ante, p. 1103.

(c) Section 732 of such Act is amended by adding at the end thereof the following new subsection:

"(e) There are authorized to be appropriated to carry out the provisions of section 724, relating to State leadership and training projects, \$6,400,000 each for the fiscal year ending September 30, 1977, and for the succeeding fiscal year."

READING PROGRAM REQUIREMENTS

SEC. 2. (a) Section 705(b) of such Act is amended by striking out "Each such application shall set forth a reading program which provides for—" and by inserting in lieu thereof "Each such application shall set forth a reading program which provides for the following (except that the requirements contained in paragraphs (4) and (13) shall be met to the extent practicable)—"

(b) Section 705(c) of such Act is amended by striking out ", in addition to meeting the requirements of subsection (b)", and by inserting in lieu thereof ", in addition to meeting the requirements of subsection (b), except for paragraphs (4) and (13) thereof,".

(c) Section 705(c)(3) of such Act is amended by inserting "at" before the phrase "which such preelementary".

(d) Section 705(e) of such Act is amended to read as follows:

"(e) No agreement may be entered into under this part unless the application submitted to the Commissioner has first been approved by the State educational agency."

STATE ADMINISTRATIVE COSTS

SEC. 3. Section 705 of such Act is amended by adding at the end thereof the following new subsection:

"(h) From the sums appropriated for the purposes of this part for any fiscal year, the Commissioner may pay to each State educational agency, in addition to any amounts paid to such agency pursuant to subsection (a) of this section, the amount necessary to meet the costs of carrying out its responsibilities under this section, including the costs of the advisory council required to be established pursuant to subsection (d). However, such amount may not exceed 1 per centum of the total amount of grants under this part made within the State for that fiscal year."

STATE ADVISORY COUNCILS

20 USC 1944.

SEC. 4. Section 714 of such Act is amended by adding at the end thereof the following new subsection:

"(f) The functions of the State advisory council on reading, required to be established by subsection (a)(2) of this section, may be carried out by the State advisory council created pursuant to section 705(d)(1)."

READING ACADEMIES

20 USC 1963.

SEC. 5. Section 723(a) of such Act is amended by inserting "in-school as well as out-of-school" before "youths"

NATIONAL IMPACT READING PROGRAMS

SEC. 6. (a) Part C of title VII of such Act is amended by adding the following new section after section 724:

"NATIONAL IMPACT READING PROGRAMS

"SEC. 725. (a) The Commissioner is authorized to carry out, either directly or through grants or contracts, (1) innovation and development projects and activities of national significance which show promise of having a substantial impact in overcoming reading deficiencies in children, youths, and adults through incorporation into ongoing State and local educational systems throughout the Nation, and (2) dissemination of information related to such programs. 20 USC 1965.

"(b) Not to exceed \$600,000 of any sums appropriated pursuant to subsection (a) of section 732 for the fiscal year 1976, and for the period from July 1, 1976 through September 30, 1976, may be used for carrying out this section." 20 USC 1982.

(b) (1) Section 725 of the Education Amendments of 1974 as added by subsection (a) of this section is amended by striking out "(a)" after the section designation and by striking out subsection (b) of such section. 20 USC 1965 note.

(2) The amendment made by paragraph (1) of this subsection shall take effect on September 30, 1976. Effective date.

(c) Section 732 of such Act is amended by adding at the end thereof the following new subsection: Appropriations authorization. 20 USC 1982.

"(f) There are authorized to be appropriated to carry out the provisions of section 725, relating to national impact reading programs, \$800,000 each for the fiscal year ending September 30, 1977 and for the succeeding fiscal year."

REPORTING DATE

SEC. 7. Section 731(a) of title VII of such Act is amended by striking out "March 31" and inserting in lieu thereof "February 1". 20 USC 1981.

ACCEPTANCE OF GIFTS BY AN ADMINISTRATIVE HEAD OF AN EDUCATION AGENCY

SEC. 8. Part D of such Act is amended by adding the following new section after section 732:

"ACCEPTANCE OF GIFTS

"SEC. 733. Notwithstanding the provisions of section 408(a)(3) of the General Education Provisions Act, the Commissioner may accept on behalf of the United States, gifts or donations made with or without conditions of services, money or property (real, personal, or mixed; tangible or intangible) made for any activities authorized to be carried out by such agency under the authority of this title." 20 USC 1983. 20 USC 1221e-3.

INEXPENSIVE BOOK DISTRIBUTION PROGRAM FOR READING MOTIVATION

SEC. 9. (a) Part C of title VII of such Act is amended by adding at the end thereof the following new section:

"INEXPENSIVE BOOK DISTRIBUTION PROGRAM FOR READING MOTIVATION

"SEC. 726. (a) The Commissioner is authorized (1) to enter into a contract with a private nonprofit group or public agency (hereinafter in this section referred to as the 'contractor'), which has as its primary purpose the motivation of children to learn to read, to support and promote the establishment of reading motivational programs 20 USC 1966.

which include the distribution of inexpensive books to students and (2) to pay the Federal share of the cost of such programs.

"(b) This contract shall provide that—

"(1) the contractor will enter into subcontracts with local private nonprofit groups or organizations or with public agencies (hereinafter referred to as 'subcontractors') under which the subcontractors will agree to establish, operate, and provide the non-Federal share of the cost of reading motivational programs which include the distribution of books by gift, loan, or sale at a nominal price to children in preelementary, elementary, or secondary schools;

"(2) funds made available by the Commissioner to a contractor pursuant to any contract entered into under this section will be used to pay the Federal share of the cost of establishing and operating reading motivational programs as provided in paragraph (1);

"(3) the contractor will meet such other conditions and standards as the Commissioner determines to be necessary to assure the effectiveness of the programs authorized by this section and will provide technical assistance in furtherance of the purposes of this section.

"(c) The Commissioner shall make no payment of the Federal share of the cost of acquiring and distributing books pursuant to a contract authorized by this section unless he determines that the contractor or the subcontractor, as the case may be, has made arrangements with book publishers or distributors to obtain books at discounts at least as favorable as discounts that are customarily given by such publisher or distributor for book purchases made under similar circumstances in the absence of Federal assistance.

"(d) For purposes of this section—

"(1) the term 'nonprofit', when used in connection with any organization, means an organization no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual;

"(2) the term 'Federal share' means, with respect to the cost of books purchased by a local private nonprofit group, organization, or public agency for a program in a locality for distributing such books to schoolchildren in that locality, 50 per centum of the cost of that agency or group or organization for such books for such program;

"(3) the term 'preelementary school' means a day or residential school which provides pre-elementary education, as determined under State law, except that such term does not include education for children who have not attained three years of age;

"(4) the term 'elementary school' has the same meaning as provided in section 801(c) of the Elementary and Secondary Education Act of 1965; and

"(5) the term 'secondary school' has the same meaning as provided in section 801(h) of the Elementary and Secondary Education Act of 1965."

(b) Section 732 of such Act is amended by adding at the end thereof the following new subsection:

"(g) There are authorized to be appropriated to carry out the provisions of section 726, relating to inexpensive book distribution programs for reading motivation, \$4,000,000 for the fiscal year ending June 30, 1976, and \$9,000,000 for each of the following two fiscal years.

Definitions.

20 USC 881.

Appropriation
authorization.
20 USC 1982.
Ante, p. 1105.

Under such conditions as the Commissioner determines to be appropriate, not to exceed 10 per centum of the amounts appropriated for each fiscal year shall be available for a contract from the Commissioner to the contractor designated under section 726 for technical assistance under subsection (b) (3) of section 726 to carry out the provisions of such section."

Ante, p. 1105.

SPECIAL EMPHASIS PROJECTS

SEC. 10. Section 721(b)(1) of such Act is amended by inserting "and (c)" after "section 705(b)".

20 USC 1961.

Approved December 31, 1975.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 94-720 (Comm. on Education and Labor).
CONGRESSIONAL RECORD, Vol. 121 (1975):

Dec. 15, considered and passed House.

Dec. 17, considered and passed Senate, amended.

Dec. 19, House concurred in Senate amendments.