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H.R.3222

Literacy Involves Families Together Act (Referred in Senate)

HR 3222 RFS

106th CONGRESS

2d Session

H. R. 3222

IN THE SENATE OF THE UNITED STATES

September 13, 2000

Received; read twice and referred to the Committee on Health, Education, Labor, and Pensions

AN ACT

To amend the Elementary and Secondary Education Act of 1965 to improve literacy through family literacy projects and to reauthorize the inexpensive book distribution program.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Literacy Involves Families Together Act'.

TITLE I--FAMILY LITERACY

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Section 1002(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6302(b)) is amended by striking '\$118,000,000 for fiscal year 1995 and such sums as may be necessary for each of the four succeeding fiscal years.' and inserting '\$250,000,000 for fiscal year 2001.'.

SEC. 102. IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATIONAL AGENCIES.

Section 1111(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(c)) is

amended--

(1) in paragraph (5), by striking 'and' at the end;

(2) in paragraph (6), by striking the period at the end and inserting '; and'; and

(3) by adding at the end the following:

'(7) the State educational agency will encourage local educational agencies and individual schools participating in a program assisted under this part to offer family literacy services (using funds under this part), if the agency or school determines that a substantial number of students served under this part by the agency or school have parents who do not have a high school diploma or its recognized equivalent or who have low levels of literacy.'

SEC. 103. EVEN START FAMILY LITERACY PROGRAMS.

(a) PART HEADING- The part heading for part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6361 et seq.) is amended to read as follows:

'PART B--WILLIAM F. GOODLING EVEN START FAMILY LITERACY PROGRAMS'.

(b) STATEMENT OF PURPOSE- Section 1201 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6361) is amended--

(1) in paragraph (1), by inserting 'high quality' after 'build on'; and

(2) by amending paragraph (2) to read as follows:

'(2) promote the academic achievement of children and adults;';

(3) by striking the period at the end of paragraph (3) and inserting '; and'; and

(4) by adding at the end the following:

'(4) use instructional programs based on scientifically based reading research (as defined in section 2252) and the prevention of reading difficulties for children and, to the extent such research is available, scientifically based reading research (as so defined) for adults.'

(c) PROGRAM AUTHORIZED-

(1) RESERVATION FOR MIGRANT PROGRAMS, OUTLYING AREAS, AND INDIAN TRIBES- Section 1202(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6362(a)) is amended--

(A) in paragraph (1), in the matter preceding subparagraph (A), by inserting '(or, if such appropriated amount exceeds \$200,000,000, 6 percent of such amount)' after '1002(b)';

(B) in paragraph (2), by striking 'If the amount of funds made available under this subsection exceeds \$4,600,000,' and inserting 'After the date of the enactment of the Literacy Involves Families Together Act,'; and

(C) by adding at the end the following:

'(3) COORDINATION OF PROGRAMS FOR AMERICAN INDIANS- The Secretary

shall ensure that programs under paragraph (1)(C) are coordinated with family literacy programs operated by the Bureau of Indian Affairs in order to avoid duplication and to encourage the dissemination of information on high quality family literacy programs serving American Indians.'

(2) RESERVATION FOR FEDERAL ACTIVITIES- Section 1202(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6362(b)) is amended to read as follows:

'(b) RESERVATION FOR FEDERAL ACTIVITIES-

'(1) EVALUATION, TECHNICAL ASSISTANCE, PROGRAM IMPROVEMENT, AND REPLICATION ACTIVITIES- From amounts appropriated under section 1002(b), the Secretary may reserve not more than 3 percent of such amounts for purposes of--

'(A) carrying out the evaluation required by section 1209; and

'(B) providing, through grants or contracts with eligible organizations, technical assistance, program improvement, and replication activities.

'(2) RESEARCH- In the case of fiscal years 2001 through 2004, if the amounts appropriated under section 1002(b) for any of such years exceed such amounts appropriated for the preceding fiscal year, the Secretary shall reserve from such excess amount \$2,000,000 or 50 percent, whichever is less, to carry out section 1211(b).'

(d) RESERVATION FOR GRANTS- Section 1202(c)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6362(c)(1)) is amended--

(1) by striking 'From funds reserved under section 2260(b)(3), the Secretary shall award grants,' and inserting 'For any fiscal year for which at least one State applies and qualifies and for which the amount appropriated under section 1002(b) exceeds the amount appropriated under such section for the preceding fiscal year, the Secretary shall reserve, from the amount of such excess remaining after the application of subsection (b)(2), the amount of such remainder or \$1,000,000, whichever is less, to award grants,'; and

(2) by adding at the end 'No State may receive more than one grant under this subsection.'

(e) ALLOCATIONS- Section 1202(d)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6362(d)(2)) is amended by striking 'that section' and inserting 'that part'.

(f) DEFINITIONS- Section 1202(e) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6362(e)) is amended--

(1) in paragraph (1)(B), by striking 'or' after 'higher education,' and inserting 'a religious organization, or'; and

(2) in paragraph (2), by striking 'nonprofit organization' and inserting 'nonprofit organization, including a religious organization,'.

(g) SUBGRANTS FOR LOCAL PROGRAMS- Section 1203(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6363(b)(2)) is amended to read as follows:

'(2) MINIMUM SUBGRANT AMOUNTS-

'(A) IN GENERAL- Except as provided in subparagraphs (B) and (C), no State shall award a subgrant under paragraph (1) in an amount less than \$75,000.

'(B) SUBGRANTEES IN NINTH AND SUCCEEDING YEARS- No State shall

award a subgrant under paragraph (1) in an amount less than \$52,500 to an eligible entity for a fiscal year to carry out an Even Start program that is receiving assistance under this part or its predecessor authority for the ninth (or any subsequent) fiscal year.

`(C) EXCEPTION FOR SINGLE SUBGRANT- A State may award one subgrant in each fiscal year of sufficient size, scope, and quality to be effective in an amount less than \$75,000 if, after awarding subgrants under paragraph (1) for such fiscal year in accordance with subparagraphs (A) and (B), less than \$75,000 is available to the State to award such subgrants.'.

(h) USES OF FUNDS- Section 1204 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6364) is amended--

(1) in subsection (a), by striking `family-centered education programs' and inserting `family literacy services'; and

(2) by adding at the end the following:

`(c) USE OF FUNDS FOR FAMILY LITERACY SERVICES-

`(1) IN GENERAL- States may use a portion of funds received under this part to assist eligible entities receiving a subgrant under section 1203(b) in improving the quality of family literacy services provided under Even Start programs under this part, except that in no case may a State's use of funds for this purpose for a fiscal year result in a decrease from the level of activities and services provided to program participants in the preceding year.

`(2) PRIORITY- In carrying out paragraph (1), a State shall give priority to programs that were of low quality, as evaluated based on the indicators of program quality developed by the State under section 1210.

`(3) TECHNICAL ASSISTANCE TO HELP LOCAL PROGRAMS RAISE ADDITIONAL FUNDS- In carrying out paragraph (1), a State may use the funds referred to in such paragraph to provide technical assistance to help local programs of demonstrated effectiveness to access and leverage additional funds for the purpose of expanding services and reducing waiting lists.

`(4) TECHNICAL ASSISTANCE AND TRAINING- Assistance under paragraph (1) shall be in the form of technical assistance and training, provided by a State through a grant, contract, or cooperative agreement with an entity that has experience in offering high quality training and technical assistance to family literacy providers.'.

(i) PROGRAM ELEMENTS- Section 1205 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6365) is amended--

(1) by redesignating paragraphs (9) and (10) as paragraphs (13) and (14), respectively;

(2) by redesignating paragraphs (5) through (8) as paragraphs (6) through (9), respectively;

(3) by inserting after paragraph (4) the following:

`(5) with respect to the qualifications of staff the cost of whose salaries are paid, in whole or in part, with Federal funds provided under this part, ensure that--

`(A) not later than 4 years after the date of the enactment of the Literacy Involves Families Together Act--

`(i) a majority of the individuals providing academic instruction--

`(I) shall have obtained an associate's, bachelor's, or graduate degree in a field related to early childhood education, elementary school education, or adult education; or

`(II) shall meet qualifications established by the State for early childhood education, elementary school education, or adult education provided as part of an Even Start program or another family literacy program;

`(ii) the individual responsible for administration of family literacy services under this part has received training in the operation of a family literacy program; and

`(iii) paraprofessionals who provide support for academic instruction have a high school diploma or its recognized equivalent; and } *more?*

`(B) beginning on the date of the enactment of the Literacy Involves Families Together Act, all new personnel hired to provide academic instruction--

`(i) have obtained an associate's, bachelor's, or graduate degree in a field related to early childhood education, elementary school education, or adult education; or

`(ii) meet qualifications established by the State for early childhood education, elementary school education, or adult education provided as part of an Even Start program or another family literacy program;';

(4) by inserting after paragraph (9) (as so redesignated by paragraph (2)) the following:

`(10) use instructional programs based on scientifically based reading research (as defined in section 2252) for children and, to the extent such research is available, for adults;

`(11) encourage participating families to attend regularly and to remain in the program a sufficient time to meet their program goals;

`(12) include reading readiness activities for preschool children based on scientifically based reading research (as defined in section 2252) to ensure children enter school ready to learn to read;'; and

(5) in paragraph (14) (as so redesignated), by striking 'program.' and inserting 'program to be used for program improvement.'.

(j) ELIGIBLE PARTICIPANTS- Section 1206 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6366) is amended--

(1) in subsection (a)(1)(B) by striking 'part;' and inserting 'part, or who are attending secondary school;'; and

(2) in subsection (b), by adding at the end the following:

`(3) CHILDREN 8 YEARS OF AGE OR OLDER- If an Even Start program assisted under this part collaborates with a program under part A, and funds received under such part A program contribute to paying the cost of providing programs under this part to children 8 years of age or older, the Even Start program, notwithstanding subsection (a)(2), may permit the participation of children 8 years of age or older.'.

(k) PLAN- Section 1207(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6367(c)) is amended--

(1) in paragraph (1)--

(A) in the matter preceding subparagraph (A), by inserting `and continuous improvement' after `plan of operation';

(B) in subparagraph (A), by striking `goals;' and inserting `objectives, strategies to meet such objectives, and how they are consistent with the program indicators established by the State;';

(C) in subparagraph (E), by striking `and' at the end;

(D) in subparagraph (F)--

(i) by striking `Act, the Goals 2000: Educate America Act,' and inserting `Act'; and

(ii) by striking the period at the end and inserting `; and'; and

(E) by adding at the end the following:

`(G) a description of how the plan provides for rigorous and objective evaluation of progress toward the program objectives described in subparagraph (A) and for continuing use of evaluation data for program improvement.'; and

(2) in paragraph (2), in the matter preceding subparagraph (A), by striking `(1)(A)' and inserting `(1)'.

(l) AWARD OF SUBGRANTS- Section 1208 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6368) is amended--

(1) in subsection (a)--

(A) in paragraph (1)(B)--

(i) by striking `including a high' and inserting `such as a high'; and

(ii) by striking `part A;' and inserting `part A, a high number or percentage of parents who have been victims of domestic violence, or a high number or percentage of parents who are receiving assistance under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);';

(B) in paragraph (1)(F), by striking `Federal' and inserting `non-Federal';

(C) in paragraph (1)(H), by inserting `family literacy projects and other' before `local educational agencies'; and

(D) in paragraph (3), in the matter preceding subparagraph (A), by striking `one or more of the following individuals:' and inserting `one individual with expertise in family literacy programs, and may include other individuals, such as one or more of the following:'; and

(2) in subsection (b)--

(A) by striking paragraph (3) and inserting the following:

`(3) CONTINUING ELIGIBILITY- In awarding subgrant funds to continue a program under this part after the first year, the State educational agency shall review the progress of each eligible entity in meeting the objectives of the program referred to in section 1207(c)(1)(A) and shall evaluate the program based on the indicators of program quality developed by the State under section 1210.'; and

(B) by amending paragraph (5)(B) to read as follows:

`(B) The Federal share of any subgrant renewed under subparagraph (A) shall be limited in accordance with section 1204(b).'

(m) RESEARCH- Section 1211 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6369b) is amended--

(1) in subsection (b), by striking `subsection (a)' and inserting `subsections (a) and (b)';

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

`(b) SCIENTIFICALLY BASED RESEARCH ON FAMILY LITERACY-

`(1) IN GENERAL- From amounts reserved under section 1202(b)(2), the National Institute for Literacy shall carry out research that--

`(A) is scientifically based reading research (as defined in section 2252); and

`(B) determines--

`(i) the most effective ways of improving the literacy skills of adults with reading difficulties; and

`(ii) how family literacy services can best provide parents with the knowledge and skills they need to support their children's literacy development.

`(2) USE OF EXPERT ENTITY- The National Institute for Literacy shall carry out the research under paragraph (1) through an entity, including a Federal agency, that has expertise in carrying out longitudinal studies of the development of literacy skills in children and has developed effective interventions to help children with reading difficulties.'

(n) TREATMENT OF RELIGIOUS ORGANIZATIONS- Part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6361 et seq.) is amended by adding at the end the following:

`SEC. 1213. RELIGIOUS ORGANIZATIONS.

`(a) RELIGIOUS ORGANIZATIONS INCLUDED AS PARTNERSHIP PARTICIPANTS- In carrying out this part, the Secretary, and any grantee or subgrantee receiving assistance under this part, shall treat religious organizations the same as other nongovernmental organizations, so long as this part is implemented in a manner consistent with the Establishment Clause and the Free Exercise Clause of the first amendment to the Constitution. The Secretary, and any grantee or subgrantee receiving assistance under this part, shall not discriminate against an organization that participates in a partnership that is an eligible entity receiving assistance under this part, or an organization that participates in a partnership that is applying to receive such assistance, on the

basis that the organization has a religious character.

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