

107TH CONGRESS  
1ST SESSION

# S. 377

To strengthen the role of the Federal Government in helping to identify children with reading deficiencies and to provide grants to State and local governments to implement early reading intervention programs.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 15, 2001

Ms. COLLINS introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To strengthen the role of the Federal Government in helping to identify children with reading deficiencies and to provide grants to State and local governments to implement early reading intervention programs.

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.**

4       This Act may be cited as the “Early Literacy Inter-  
5       vention Initiative Act”.

6       **SEC. 2. FINDINGS AND PURPOSES.**

7       (a) FINDINGS.—Congress makes the following find-  
8       ings:

1           (1) It is estimated that at a minimum  
2           10,000,000 children have difficulty learning to read.  
3           10 to 15 percent of those children eventually drop  
4           out of high school, and only 2 percent complete a 4-  
5           year college program.

6           (2) In line with the promise that every child be  
7           able to read by 3rd grade, it is critical that the tools  
8           for assessing whether children have developed the  
9           fundamental skills necessary for early reading and  
10          appropriate skill building support services be avail-  
11          able to younger children.

12          (3) Early screening and intervention will help to  
13          ensure that children, their families, and local schools  
14          have the best available resources to assess and ad-  
15          dress reading readiness in young children, even prior  
16          to entering elementary school.

17          (4) In order to hold local schools accountable in  
18          meeting clear, measurable goals focused on the de-  
19          velopment of basic literacy skills, parents and early  
20          childhood educators should work to devise local  
21          strategies to close the achievement gap.

22          (5) Local community partnerships should be  
23          given the flexibility to develop outcome goals once  
24          they have assessed the early literacy and learning

1 needs of young children as well as their community  
2 resources for addressing these learning needs.

3 (6) It is estimated that the number of children,  
4 who are typically identified as poor readers, could be  
5 reduced by at least 70 to 80 percent through the ap-  
6 plication of scientific research based early identifica-  
7 tion and prevention programs.

8 (7) To ensure that teachers have the training  
9 necessary to teach young children to be ready to  
10 read, methods based on the most current scientif-  
11 ically-based research should be made available to  
12 local communities, along with resources to improve  
13 teacher quality through classroom and practical ex-  
14 periences in addressing early literacy needs.

15 (8) Reading, writing, listening, and other lit-  
16 eracy skills are essential for success in school, in the  
17 workplace, and throughout life. Studies have shown  
18 that learning to read is a process that begins very  
19 early in a child's development, and that by providing  
20 young children with high quality emergent literacy  
21 and pre-reading experiences, children can be helped  
22 to become independent and skilled readers.

23 (9) Reading difficulties vary in severity. With  
24 early identification and effective instruction, less se-  
25 rious difficulties can be prevented from becoming se-

1 rious disabilities. Even more serious disabilities can  
2 be meliorated with early identification and appro-  
3 priate instruction.

4 (10) Enormous benefits derive to individuals  
5 and society as a whole when reading difficulties are  
6 prevented or lessened. Developing assessments and  
7 effective interventions depend on scientifically based  
8 reading research.

9 (11) Seventy-five percent of children with read-  
10 ing difficulties who are not identified by the age of  
11 9 will still have poor reading skills at the end of high  
12 school.

13 (b) PURPOSES.—It is the purpose of this Act to—

14 (1) provide assistance to State and local edu-  
15 cational agencies in establishing comprehensive re-  
16 search based reading programs in kindergarten  
17 through 2nd grade, to ensure that every student can  
18 read by the 3rd grade;

19 (2) provide assistance to State and local edu-  
20 cational agencies in selecting or developing a set of  
21 tools or protocols, based on reliable research on the  
22 early predictors of reading and literacy success in  
23 preschool children, to ensure that children have the  
24 necessary building blocks to reading readiness and  
25 the fundamental knowledge to begin to read.

1           (3) provide assistance to State and local edu-  
2           cational agencies to prepare teachers, through pro-  
3           fessional development and other support, to identify  
4           specific reading barriers with respect to their stu-  
5           dents, and to give such teachers instructional tools  
6           necessary to effectively help these students become  
7           competent readers;

8           (4) provide assistance to State and local edu-  
9           cational agencies in selecting or developing effective  
10          instructional materials, programs, and strategies  
11          which have been proven effective in preventing read-  
12          ing failure within a State and across States;

13          (5) hold State and local educational agencies  
14          that receive early literacy intervention funds under  
15          this Act accountable for making measurable yearly  
16          progress toward ensuring that all children are able  
17          to read by the 3rd grade and that less students re-  
18          quire special education intervention; and

19          (6) allow for the collection of evaluative data  
20          and its analysis and dissemination so that local com-  
21          munities, the States, and the United States can bet-  
22          ter understand the literacy skills and needs of early  
23          learners in the United States.

1 **SEC. 3. DEFINITIONS.**

2       The definitions contained in section 14101 of the Ele-  
3 mentary and Secondary Education Act of 1965 (20 U.S.C.  
4 8801) shall apply for purposes of this Act.

5 **SEC. 4. GRANTS TO STATES.**

6       (a) **FORMULA GRANTS.**—From the amount appro-  
7 priated under section 8(a) for a fiscal year, the Secretary  
8 shall allot to a State that submits an application under  
9 section 5 an amount that bears the same ratio to the  
10 amount appropriated for the fiscal year as the total num-  
11 ber of children in kindergarten through 2nd grade in the  
12 State in the school year involved bears to the total number  
13 of such children in all States that have submitted applica-  
14 tions under section 5 for such fiscal year.

15       (b) **COMPETITIVE GRANTS.**—

16           (1) **IN GENERAL.**—The Secretary shall use  
17 amounts appropriate under section 8(b) for each fis-  
18 cal year to award competitive grants to eligible  
19 States that have most effectively implemented early  
20 literacy intervention activities in the State.

21           (2) **ELIGIBILITY.**—To be eligible to receive a  
22 grant under paragraph (1), a State shall—

23                   (A) prepare and submit to the Secretary  
24 an application under section 5; and

1 (B) have demonstrated that the State has  
 2 effectively implemented early literacy interven-  
 3 tion activities in the State and—

4 (i) made significant progress toward  
 5 ensuring that all students in the State are  
 6 able to read fluently and with comprehen-  
 7 sion by the 3rd grade; or

8 (ii) made significant progress toward  
 9 reducing the reading deficit among stu-  
 10 dents in low socioeconomic student popu-  
 11 lations in the State.

12 (3) DETERMINATIONS ON GRANT RECIPI-  
 13 ENTS.—

14 (A) PEER REVIEW.—The peer review panel  
 15 established under section 2253(c)(2) of the Ele-  
 16 mentary and Secondary Education Act of 1965  
 17 (20 U.S.C. 6661b(c)(2)) shall evaluate the  
 18 States that are eligible to receive grants under  
 19 this subsection in each fiscal year and make  
 20 recommendations to the Secretary based on  
 21 such evaluations.

22 (B) USE OF DATA.—In making determina-  
 23 tions on which States will receive grants under  
 24 this subsection, the Secretary and the peer re-  
 25 view panel under subparagraph (A) shall utilize

1 data from the State assessments submitted  
2 under part A of title I of the Elementary and  
3 Secondary Education Act of 1965 (20 U.S.C.  
4 6311 et seq.) relating to reading, as well as  
5 other information submitted by States that  
6 demonstrate success in ensuring that every stu-  
7 dent can read by the 3rd grade.

8 **SEC. 5. STATE APPLICATIONS.**

9 To be eligible to receive a formula grant under section  
10 4(a) or a competitive grant under section 4(b) a State  
11 shall prepare and submit to the Secretary an application  
12 at such time, in such manner, and containing such infor-  
13 mation as the Secretary may require including an assur-  
14 ance that—

15 (1) the State will—

16 (A) establish a reading partnership, or uti-  
17 lize the State partnership utilized for purposes  
18 of part C of title II of the Elementary and Sec-  
19 ondary Education Act of 1965 (20 U.S.C. 6661  
20 et seq.), to coordinate the development of the  
21 State plan for the use of funds awarded to the  
22 State under this Act; and

23 (B) participate in the oversight and evalua-  
24 tion of the activities funded in the State under  
25 this Act;

1           (2) the State will provide support for profes-  
2           sional development activities that provide instruction  
3           to teachers in all the major components of scientific  
4           research based reading, including—

5                   (A) the use of scientifically valid assess-  
6                   ment tools and procedures which effectively  
7                   identify students who are at-risk for reading  
8                   failure;

9                   (B) the use of early intervention and accel-  
10                  erated reading programs that are based on  
11                  valid scientific research as defined for purposes  
12                  of part C of title II of the Elementary and Sec-  
13                  ondary Education Act of 1965 (20 U.S.C. 6661  
14                  et seq.); and

15                  (C) the use of scientific research-based  
16                  reading instructional materials and practices;

17           (3) the State will utilize scientific research-  
18           based reading instructional practices that address  
19           the need for children with reading difficulties who—

20                   (A) based on valid reading assessments,  
21                   are at risk of being referred to special education  
22                   based on those difficulties or are assessed to be  
23                   significantly delayed in their early learning; or

24                   (B) based upon a research-based, early  
25                   intervention screening tool, lack the necessary

1 components of early literacy development (as  
2 defined by State benchmarks); and

3 (4) the State will provide the Secretary with an  
4 annual report on the implementation of the early lit-  
5 eracy intervention initiative under this Act that in-  
6 cludes evidence that the assurances described in this  
7 section are being achieved and an identification of  
8 local educational agencies that report the largest  
9 gains in reading achievement.

10 The information described in paragraph (4) shall be made  
11 available by the State to parents, shall be published in  
12 school profiles, and shall be published in a local journal  
13 of public record.

14 **SEC. 6. USE OF FUNDS.**

15 (a) STATE USE.—

16 (1) IN GENERAL.—A State that receives a  
17 grant (or grants) under subsection (a) or (b) of sec-  
18 tion 4 for a fiscal year shall use—

19 (A) not less than 80 percent of the amount  
20 received under the grant (or grants) to make  
21 grants to local educational agencies under sub-  
22 section (b); and

23 (B) not more than 20 percent of the  
24 amount received under the grant (or grants) to  
25 carry out State activities under paragraph (2).

1           (2) PERMISSIBLE ACTIVITIES.—From amounts  
2           made available under paragraph (1)(B) for State ac-  
3           tivities, a State may carry out activities to assist  
4           local educational agencies in designing and imple-  
5           menting early literacy intervention initiatives such  
6           as—

7                   (A) selecting and implementing scientific  
8                   research-based screening tools and reading in-  
9                   structional materials that use the guidelines de-  
10                  veloped under part C of title II of the Elemen-  
11                  tary and Secondary Education Act of 1965 (20  
12                  U.S.C. 6661 et seq.);

13                  (B) the implementation of local grant com-  
14                  petitions; and

15                  (C) collecting and summarizing data from  
16                  scientifically-based assessments to document the  
17                  effectiveness of early literacy intervention in  
18                  school districts as well as the State as a whole,  
19                  and to spur improvement by reporting on local  
20                  educational agencies that produce large gains in  
21                  achievement.

22           (3) ADMINISTRATION.—A State may use not  
23           more than 5 percent of the amount available under  
24           paragraph (1)(B) for a fiscal year to pay the costs

1 related to the administration of the activities carried  
2 out in the State under this Act.

3 (b) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—

4 (1) FORMULA GRANTS.—

5 (A) IN GENERAL.—From amounts made  
6 available under subsection (a)(1)(A) for grant  
7 activities, a State shall award formula grants to  
8 local educational agencies that submit applica-  
9 tions under subsection (c) to enable such agen-  
10 cies to carry out activities to ensure that all  
11 children are able to read by 3rd grade.

12 (B) FISCAL YEAR 2000.—From amounts  
13 made available under subsection (a)(1)(A) for  
14 fiscal year 2002, the State shall allot to a local  
15 educational agency that submits an application  
16 under subsection (c) an amount that is based  
17 equally on—

18 (i) the poverty level of the local edu-  
19 cational agency;

20 (ii) the number of students in kinder-  
21 garten through 2nd grade in the local edu-  
22 cational agency; and

23 (iii) the percentage of 3rd graders in  
24 the local educational agency who do not  
25 read at 3rd grade level (or a State defined

1 proxy that reflects the relative proportion  
2 of children in the early grades, within each  
3 local educational agency, not reading at a  
4 basic level);

5 relative to all other local educational agencies  
6 that submit applications under such subsection  
7 in the State.

8 (C) SUBSEQUENT FISCAL YEARS.—Except  
9 as provided in paragraph (2), from amounts  
10 made available under subsection (a)(1)(A) for  
11 each of fiscal years 2003 through 2006, the  
12 State shall allot to a local educational agency  
13 that submits an application under subsection  
14 (c) an amount for each such fiscal year that is  
15 based on the relative success of the local edu-  
16 cational agency in increasing the percentage of  
17 students reading at grade level by the 3rd grade  
18 as determined by testing instruments that meet  
19 established standards of reliability and validity.

20 (2) COMPETITIVE GRANTS.—From amounts  
21 made available under subsection (a)(1)(A) for each  
22 of fiscal years 2003 through 2006, the State shall  
23 utilize 25 percent of such amount in each such fiscal  
24 year to award competitive grants to local educational  
25 agencies that submit applications under subsection

1 (c) to enable such agencies to carry out activities to  
2 ensure that all children are able to read by 3rd  
3 grade. The State shall award such grants based on  
4 the relative success of a local educational agency in  
5 increasing the percentage of students who are read-  
6 ing at grade level by the 3rd grade, or to those local  
7 educational agencies that are making progress to-  
8 ward reducing the reading deficit among students in  
9 diverse populations.

10 (c) LOCAL EDUCATIONAL AGENCY APPLICATION.—

11 To be eligible to receive a formula grant under subsection  
12 (b)(1) or a competitive grant under subsection (b)(2) a  
13 local educational agency shall prepare and submit to the  
14 State an application at such time, in such manner, and  
15 containing such information as the State may require.  
16 Such application shall including the following assurance:

17 (1) An assurance that the local educational  
18 agency will implement an early literacy intervention  
19 initiative in each school that receives funds under  
20 this Act. Such initiative shall include—

21 (A) a rigorous, scientifically-based account-  
22 ability and intervention capability;

23 (B) a reading assessment program in kin-  
24 dergarten through 2nd grade that, at a min-  
25 imum, includes scientifically-based research, to

1 determine which students may be at risk for  
2 reading failure or having difficulties with read-  
3 ing;

4 (C) a comprehensive diagnostic assessment  
5 of those students identified under subparagraph  
6 (B), to determine the specific reading difficul-  
7 ties in order to focus early intervention and  
8 classroom individualized instruction in areas  
9 where students need assistance; and

10 (D) the provision of early intervention  
11 reading assistance, classroom instruction and  
12 reading curriculum materials, appropriate to  
13 the needs of each student identified under sub-  
14 paragraph (B), including added interventions  
15 for targeted students who continue to experi-  
16 ence difficulty in reading.

17 (2) An assurance that the local educational  
18 agency will provide professional development for  
19 teachers in kindergarten through 2nd grade that will  
20 prepare such teachers in all the major components  
21 of reading instruction, as defined by State bench-  
22 marks. Such activities shall include familiarizing  
23 such teachers with—

24 (A) assessment instruments that meet es-  
25 tablished standards of reliability and validity;

1 (B) procedures that effectively identify stu-  
2 dents at-risk for reading failure; and

3 (C) interventions, and instructional mate-  
4 rials, programs, and approaches that are based  
5 on the findings of scientific research on reading  
6 as determined under part C of title II of the El-  
7 elementary and Secondary Education Act of 1965  
8 (20 U.S.C. 6661 et seq.).

9 (3) An assurance that the local educational  
10 agency will ensure that scientific research-based  
11 reading instruction is provided to children with read-  
12 ing difficulties who—

13 (A) based upon reading assessments, are  
14 at risk of being referred to special education  
15 based on those difficulties; or

16 (B) based upon a research-based, early  
17 intervention screening tools, are determined to  
18 lack the necessary components of early literacy  
19 development, as defined by State benchmarks.

20 (d) LOCAL USE OF FUNDS.—

21 (1) IN GENERAL.—A local educational agency  
22 that receives a grant (or grants) under paragraph  
23 (1) or (2) of subsection (b) for a fiscal year shall use  
24 amounts received under such grant (or grants) to  
25 conduct activities that will contribute toward the

1 goal of ensuring that all children are able to read by  
2 the 3rd grade and otherwise carry out the purposes  
3 of this Act, including—

4 (A) the establishment and implementation  
5 of professional development programs for teach-  
6 ers as described in the application of the agen-  
7 cy;

8 (B) the selection and distribution of sci-  
9 entific research-based reading instructional ma-  
10 terials, as determined under part C of title II  
11 of the Elementary and Secondary Education  
12 Act of 1965 (20 U.S.C. 6661 et seq.);

13 (C) the selection or development of assess-  
14 ment tools that meet established standards of  
15 reliability and validity which shall measure ele-  
16 ments of early reading skills at the end of kin-  
17 dergarten and 1st and 2nd grades;

18 (D) the selection of pre- and post-assess-  
19 ment inventories to measure student progress in  
20 the acquisition of reading skills at the begin-  
21 ning and end of each school year; and

22 (E) the collection and summarization of  
23 data from scientifically-based assessments to  
24 document the effectiveness of early literacy  
25 intervention in schools as well as the school dis-

1           trict served by the local educational agency as  
2           a whole, and to spur improvement in literacy by  
3           reporting on schools that produce large gains in  
4           achievement.

5           (2) REQUIREMENT.—A local educational agency  
6           shall use not less than 50 percent of the amount re-  
7           ceived under a grant (or grants) under paragraph  
8           (1) or (2) of subsection (b) as provided for in para-  
9           graph (1)(A).

10          (3) PERMISSIBLE USE.—A local educational  
11          agency may use amounts received under a grant (or  
12          grants) under paragraph (1) or (2) of subsection (b)  
13          for the development of collaborative teams that in-  
14          clude school principals, to modify instruction that  
15          has not produced the necessary gains in student lit-  
16          eracy.

17 **SEC. 7. NATIONAL ACTIVITIES.**

18          The Secretary may use not more than 1 percent of  
19          the amount appropriated for each fiscal year under section  
20          8 to carry out the following activities:

21               (1) Activities to evaluate the early literacy  
22               intervention initiative that are conducted under this  
23               Act.

24               (2) Providing resources at the national level,  
25               that are accessible to local communities, in the form

1 of training and technical assistance to teachers, par-  
2 ents, and early childhood care providers in the use  
3 of the early intervention screening tools, materials,  
4 and activities.

5 (3) Providing training and technical assistance  
6 with respect to the use of scientifically-based teach-  
7 ing methods and activities to address the early read-  
8 ing needs of young children at the pre-kindergarten,  
9 kindergarten, and 1st grade levels.

10 (4) Providing the infrastructure for the dissemi-  
11 nation of different elements of the early literacy  
12 intervention initiative through a variety of media in-  
13 cluding the Internet, and other distance-learning  
14 mechanisms.

15 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

16 (a) **FORMULA GRANTS.**—There is authorized to be  
17 appropriated to carry out section 4(a), \$500,000,000 for  
18 each of fiscal years 2002 through 2006.

19 (b) **COMPETITIVE GRANTS.**—There is authorized to  
20 be appropriated to carry out section 4(b), \$500,000,000  
21 for each of fiscal years 2002 through 2006.

○