	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
2	**SEC. 201. SHORT TITLE.**			
3		This title may be cited as the `Adult Education and Family Literacy Act'.	Retain current law	
4	**SEC. 202. PURPOSE.**			
5		It is the purpose of this title to create a partnership among the Federal Government, States, and localities to provide, on a voluntary basis, adult education and literacy services, in order to--	Adult literacy and basic education are fundamental human rights. It is the purpose of this title to create a partnership among the Federal Government, States and localities to provide, on a voluntary basis, a continuum of adult literacy and basic education services and instructional opportunities for adults seeking to improve their basic reading, writing, speaking, math, computer and English language skills through programs in their communities, in order to –	
6		(1) assist adults to become literate and obtain the knowledge and skills necessary for employment and self-sufficiency;	(1) assist adults, including the least educated most in need. to become literate and obtain the knowledge and skills necessary for employment and self-sufficiency;	Adult education programs should maintain provisions for the least educated adults in our country
7		(2) assist adults who are parents to obtain the educational skills necessary to become full partners in the educational development of their children; and	Retain current law	
8		(3) assist adults in the completion of a secondary school education.	Retain current law	
9			`(4) assist immigrants and other individuals with limited English proficiency in improving their reading, writing, speaking, and listening/comprehension skills in English, and mathematics skills and acquiring an understanding of the American system of government, individual freedom, and the responsibilities of citizenship.'	
10			(5) assist adults served under this Title to transition to postsecondary education and training	
11			(6) assist adults served under this Title to successfully participate in Career and College Pathway Services."	
12				
13	**SEC. 203. DEFINITIONS.**			
14		(1) **ADULT EDUCATION**- The term `adult education' means services or instruction below the postsecondary level for individuals--	(1) **ADULT EDUCATION**- The term `adult education' means services or instruction below the postsecondary level that *give priority to increasing* an individual's ability to read, write, perform mathematics and communicate in English, leading to a level of proficiency equivalent to at least a secondary school completion for individuals--	In order to address the vast variety of adult learning needs below the postsecondary level, States need to be given the flexibility to respond.
15		(A) who have attained 16 years of age;		
16		(B) who are not enrolled or required to be enrolled in secondary school under State law; and		

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
17		(C) who--		
18		(i) lack sufficient mastery of basic educational skills to enable the individuals to function effectively in society;		
19		(ii) do not have a secondary school diploma or its recognized equivalent, and have not achieved an equivalent level of education; or	(ii) do not have a secondary school diploma or its recognized equivalent, **OR** have not achieved an equivalent level of education; or	
20		(iii) are unable to speak, read, or write the English language.	(iii) are unable to speak, read, write or understand the English language.	
21			SPECIAL RULE: This definition does not preclude dual enrollments by students in adult education and postsecondary education, but does not allow use of funds provided under this Act for postsecondary educational services.	Collaboration on dual or concurrent programs is not be be interpreted as using adult education funds to provide technical or college training. This special rule clarifies that adult education funding can be used for the adult education portion only.
22				
23		(2) **ADULT EDUCATION AND LITERACY ACTIVITIES**- The term `adult education and literacy activities' means activities described in section 231(b).	Retains current law	
24				
25			"(3) Career and College Pathway Services: Career and College Pathway Services are defined as integrated adult education services and postsecondary education and training content or which dually or concurrently enroll students in adult education services and postsecondary education and training that lead to industry-based certification or institutionally-granted certification, diplomas, or degrees necessary for high demand jobs."	Many states have developed dual and concurrent enrollment programs with college and technical programs, enabling adult learners to progress quickly toward certifications. This definition acknowledges and encourages and encourages the expansion of those services.
26				
27		(3) **EDUCATIONAL SERVICE AGENCY**- The term `educational service agency' means a regional public multiservice agency authorized by State statute to develop and manage a service or program, and to provide the service or program to a local educational agency.	Retains current law	
28				
29		(4) **ELIGIBLE AGENCY**- The term `eligible agency' means the sole entity or agency in a State or an outlying area responsible for administering or supervising policy for adult education and literacy in the State or outlying area, respectively, consistent with the law of the State or outlying area, respectively.	Retains current law	
30				
31		5) **ELIGIBLE PROVIDER**- The term `eligible provider' means--	by inserting `an organization that has demonstrated effectiveness in providing adult education, that may include' after `means';	All providers should demonstrate effectiveness at providing services.
32		(A) a local educational agency;		

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
33		(B) a community-based organization of demonstrated effectiveness;	in subparagraph (B), by striking `of demonstrated effectiveness';	
34		(C) a volunteer literacy organization of demonstrated effectiveness;	in subparagraph (C), by striking `of demonstrated effectiveness'; and	
35		(D) an institution of higher education;		
36		(E) a public or private nonprofit agency;		
37		(F) a library;		
38		(G) a public housing authority;		
39		(H) a nonprofit institution that is not described in any of subparagraphs (A) through (G) and has the ability to provide literacy services to adults and families; and		
40		(I) a consortium of the agencies, organizations, institutions, libraries, or authorities described in any of subparagraphs (A) through (H).	in subparagraph (I), by inserting `or coalition' after `consortium';	
41				
42		(6) **ENGLISH LITERACY PROGRAM**- The term `English literacy program' means a program of instruction designed to help individuals of limited English proficiency achieve competence in the English language.	(6) ENGLISH LITERACY AND LANGUAGE ACQUISITION PROGRAM – The term 'English literacy and language acquisition program' means a program of instruction designed to help individuals of limited English proficiency improve their English language and literacy.	"Language Acquisition" is increasingly used as the most descriptive term for learning English.
43				
44			**EVIDENCE-BASED PRACTICE -** The term evidence-based practice means the integration of professional wisdom with most rigorous research available in making decisions about how to plan, deliver, support and evaluate instruction and program management.	The Institute of Education Sciences (IES) recommends using a blend of research findings with professional wisdom--i.e.., evidence based practice--when making instructional and management decisions.
45				
46		(7) **FAMILY LITERACY SERVICES**- The term `family literacy services' means services that are of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in a family, and that integrate all of the following activities:	Retains current law	
47		(A) Interactive literacy activities between parents and their children.		
48		(B) Training for parents regarding how to be the primary teacher for their children and full partners in the education of their children.		
49		(C) Parent literacy training that leads to economic self-sufficiency.		
50		(D) An age-appropriate education to prepare children for success in school and life experiences.		
51				
52		(8) **GOVERNOR**- The term `Governor' means the chief executive officer of a State or outlying area.	Retains current law	
53				
54		(9) **INDIVIDUAL WITH A DISABILITY**-	Retains current law	

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
55		(A) IN GENERAL- The term `individual with a disability' means an individual with any disability (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)).		
56		(B) INDIVIDUALS WITH DISABILITIES- The term `individuals with disabilities' means more than one individual with a disability.		
57				
58		(10) **INDIVIDUAL OF LIMITED ENGLISH PROFICIENCY**- The term `individual of limited English proficiency' means an adult or out-of-school youth who has limited ability in speaking, reading, writing, or understanding the English language, and--	Retains current law	
59		(A) whose native language is a language other than English; or		
60		(B) who lives in a family or community environment where a language other than English is the dominant language.		
61				
62		(11) **INSTITUTION OF HIGHER EDUCATION**- The term `institution of higher education' has the meaning given the term in section 1201 of the Higher Education Act of 1965 (20 U.S.C. 1141).	Retains current law	
63				
64		(12) **LITERACY**- The term `literacy' means an individual's ability to read, write, and speak in English, compute, and solve problems, at levels of proficiency necessary to function on the job, in the family of the individual, and in society.	Retains current law	
65				
66		(13) **LOCAL EDUCATIONAL AGENCY**- The term `local educational agency' has the meaning given the term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801)	Retains current law	
67				
68		14) **OUTLYING AREA**- The term `outlying area' has the meaning given the term in section 101.	Retains current law	
69				
70		(15) **POSTSECONDARY EDUCATIONAL INSTITUTION**- The term `postsecondary educational institution' means--	Retains current law	
71		(A) an institution of higher education that provides not less than a 2-year program of instruction that is acceptable for credit toward a bachelor's degree;		
72		(B) a tribally controlled community college; or		
73		(C) a nonprofit educational institution offering certificate or apprenticeship programs at the postsecondary level.		
74				

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
75			**PROFESSIONAL WISDOM** - the term "professional wisdom" means the judgment that individuals acquire through experience, consensus views, and the effective identification and incorporation of local circumstances into instruction.	This IES description is important to a field like adult education where there is limited research. According to IES, evidence-based practice is a blend of research findings and professional wisdom.
76				
77		(16) **SECRETARY**- The term `Secretary' means the Secretary of Education	Retains current law	
78				
79		(17) **STATE**- The term `State' means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.	Retains current law	
80				
81		(18) **WORKPLACE LITERACY SERVICES**- The term `workplace literacy services' means literacy services that are offered for the purpose of improving the productivity of the workforce through the improvement of literacy skills.	Retains current law	
82				
83	**SEC. 204. HOME SCHOOLS.**			
84		Nothing in this subtitle shall be construed to affect home schools, or to compel a parent engaged in home schooling to participate in an English literacy program, family literacy services, or adult education.	Retains current law	
85				
86	**SEC. 205. AUTHORIZATION OF APPROPRIATIONS**		The Coalition is working on a proposal to include an ESL factor for individuals with a high school diploma who do not speak English.	
87		There is authorized to be appropriated to carry out this subtitle such sums as may be necessary for each of the fiscal years 1999 through 2003.	There is authorized to be appropriated to carry out this subtitle $1 billion for 2010 and such sums as may be necessary for fiscal years 2011 through 2015.	Current financial supports enable 3 million of the 93 million adults with reading, writing, math, and/or English deficiencies to access adult education services. A recent survey indicates there are at least 93,000 on waiting lists nationwide. Authorizations in this bill will set the tone for significant, yet manageable expansion of that access.
88				
89			**SECTION 206 – ASSISTANT SECRETARY FOR ADULT EDUCATION**	
90				
91			The Adult Education and Family Literacy Act shall be administered by an Assistant Secretary for Adult Education.	
92				
93	**CHAPTER 1-- FEDERAL PROVISIONS**			
94				

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
95	**SEC. 211. RESERVATION OF FUNDS; GRANTS TO ELIGIBLE AGENCIES; ALLOTMENTS**			
96		(a) **RESERVATION OF FUNDS**- From the sum appropriated under section 205 for a fiscal year, the Secretary--		
97		(1) shall reserve 1.5 percent to carry out section 242, except that the amount so reserved shall not exceed $8,000,000;	(1) shall reserve 1.5 percent to carry out adult education activities under section 242, except that the amount so reserved shall not exceed $8,000,000;	This insures that funding from this Act is used to support projects and services authorized under this Act.
98		(2) shall reserve 1.5 percent to carry out section 243, except that the amount so reserved shall not exceed $8,000,000; and		
99		(3) shall make available, to the Secretary of Labor, 1.72 percent for incentive grants under section 503.	(3) shall make available, to the Secretary of Education, 1.72 percent for incentive grants under section 213.	Our preference is to eliminate incentive grants. This is our proposal if incentive grants are not eliminated.
100				
101		(b) **GRANTS TO ELIGIBLE AGENCIES-**		
102		(1) **IN GENERAL**- From the sum appropriated under section 205 and not reserved under subsection (a) for a fiscal year, the Secretary shall award a grant to each eligible agency having a State plan approved under section 224 in an amount equal to the sum of the initial allotment under subsection (c)(1) and the additional allotment under subsection (c)(2) for the eligible agency for the fiscal year, subject to subsections (f) and (g), to enable the eligible agency to carry out the activities assisted under this subtitle.	Retains current law	
103		(2) **PURPOSE OF GRANTS**- The Secretary may award a grant under paragraph (1) only if the eligible entity involved agrees to expend the grant for adult education and literacy activities in accordance with the provisions of this subtitle.	Retains current law	
104				
105		(c) **ALLOTMENTS**-		
106		(1) **INITIAL ALLOTMENTS**- From the sum appropriated under section 205 and not reserved under subsection (a) for a fiscal year, the Secretary shall allot to each eligible agency having a State plan approved under section 224(f)--	Retains current law	
107		(A) $100,000, in the case of an eligible agency serving an outlying area; and	Retains current law	
108		(B) $250,000, in the case of any other eligible agency.	Retains current law	
109				
110			Add a new (2) and renumber:	
111			(2) At such time as appropriations for section 211(b) exceed $570 million initial allotments shall be as follows:	

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
112			(A) $250,000, in the case of an eligible agency serving an outlying area; and	Base grants have not been increased in over a decade.
113			(B) $350,000, in the case of any other eligible agency.	Base grants have not been increased in over a decade.
114				
115		(2) **ADDITIONAL ALLOTMENTS**- From the sum appropriated under section 205, not reserved under subsection (a), and not allotted under paragraph (1), for a fiscal year, the Secretary shall allot to each eligible agency that receives an initial allotment under paragraph (1) an additional amount that bears the same relationship to such sum as the number of qualifying adults in the State or outlying area served by the eligible agency bears to the number of such adults in all States and outlying areas.	Retains current law	
116				
117		(d) **QUALIFYING ADULT**- For the purpose of subsection (c)(2), the term `qualifying adult' means an adult who--	Retains current law	
118		(1) is at least 16 years of age		
119		(2) is beyond the age of compulsory school attendance under the law of the State or outlying area;		
120		(3) does not have a secondary school diploma or its recognized equivalent; and		
121		(4) is not enrolled in secondary school.		
122				
123		(e) **SPECIAL RULE**-		
124		(1) **IN GENERAL**- From amounts made available under subsection (c) for the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau, the Secretary shall award grants to Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau to carry out activities described in this subtitle in accordance with the provisions of this subtitle that the Secretary determines are not inconsistent with this subsection.		
125		(2) **AWARD BASIS**- The Secretary shall award grants pursuant to paragraph (1) on a competitive basis and pursuant to recommendations from the Pacific Region Educational Laboratory in Honolulu, Hawaii.		
126		(3) **TERMINATION OF ELIGIBILITY**- Notwithstanding any other provision of law, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau shall not receive any funds under this subtitle for any fiscal year that begins after September 30, 2001.		

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
127		(4) **ADMINISTRATIVE COSTS**- The Secretary may provide not more than 5 percent of the funds made available for grants under this subsection to pay the administrative costs of the Pacific Region Educational Laboratory regarding activities assisted under this subsection.	Retains current law	
128				
129		f) **HOLD-HARMLESS**-		
130		(1) **IN GENERAL**- Notwithstanding subsection (c)--	1) IN GENERAL- Notwithstanding subsection (c) and subject to paragraph (2), for fiscal year 2007 and each succeeding fiscal year, no eligible agency shall receive an allotment under this section that is less than 90 percent of the allotment the eligible agency received for the preceding fiscal year under this section.	
131		(A) for fiscal year 1999, no eligible agency shall receive an allotment under this subtitle that is less than 90 percent of the payments made to the State or outlying area of the eligible agency for fiscal year 1998 for programs for which funds were authorized to be appropriated under section 313 of the Adult Education Act (as such Act was in effect on the day before the date of the enactment of the Workforce Investment Act of 1998); and	DELETE	
132		(B) for fiscal year 2000 and each succeeding fiscal year, no eligible agency shall receive an allotment under this subtitle that is less than 90 percent of the allotment the eligible agency received for the preceding fiscal year under this subtitle.	DELETE	
133			`(2) EXCEPTION- An eligible agency that receives for the preceding fiscal year only an initial allotment under subsection (c)(1) (and no additional allotment under subsection (c)(2)) shall receive an allotment equal to 100 percent of the initial allotment.	
134		(2) **RATABLE REDUCTION**- If for any fiscal year the amount available for allotment under this subtitle is insufficient to satisfy the provisions of paragraph (1), the Secretary shall ratably reduce the payments to all eligible agencies, as necessary.	Retains current law	
135				

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
136		(g) **REALLOTMENT**- The portion of any eligible agency's allotment under this subtitle for a fiscal year that the Secretary determines will not be required for the period such allotment is available for carrying out activities under this subtitle, shall be available for reallotment from time to time, on such dates during such period as the Secretary shall fix, to other eligible agencies in proportion to the original allotments to such agencies under this subtitle for such year.	Retains current law	
137				
138	**SEC. 212. PERFORMANCE ACCOUNTABILITY SYSTEM**			
139		(a) **PURPOSE**- The purpose of this section is to establish a comprehensive performance accountability system, comprised of the activities described in this section, to assess the effectiveness of eligible agencies in achieving continuous improvement of adult education and literacy activities funded under this subtitle, in order to optimize the return on investment of Federal funds in adult education and literacy activities.	Retains current law	
140			Retains current law	
141		(b) **ELIGIBLE AGENCY PERFORMANCE MEASURES**-		
142		(1) **IN GENERAL**- For each eligible agency, the eligible agency performance measures shall consist of--	Retains current law	
143		(A)(i) the core indicators of performance described in paragraph (2)(A); and	Retains current law	
144			(ii) employment performance indicator	
145		(ii) additional indicators of performance (if any) identified by the eligible agency under paragraph (2)(B); and	(ii) additional indicators of performance (if any) identified by the eligible agency under paragraph (2)(B); and	
146		(B) an eligible agency adjusted level of performance for each indicator described in subparagraph (A).	Retains current law	
147				
148		(2) **INDICATORS OF PERFORMANCE**-		
149		(A) **CORE INDICATORS OF PERFORMANCE**- The core indicators of performance shall include the following:	Retains current law	
150		(i) Demonstrated improvements in literacy skill levels in reading, writing, and speaking the English language, numeracy, problem solving, English language acquisition, and other literacy skills.	(i) Measurable improvements in literacy skills in reading, writing, and speaking the English language, numeracy, English language acquisition, and other literacy skills.	

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
151		(ii) Placement in, retention in, or completion of, postsecondary education, training, unsubsidized employment or career advancement.	`(ii) Placement in postsecondary education programs or job training programs.	Adult education programs should be held responsible for preparing adults for enrolling in postsecondary programs or obtaining unsubsidized employment but not for retention or completion of those programs. Too many other factors contribute to retention and completion.
152		(iii) Receipt of a secondary school diploma or its recognized equivalent.	`(iii) Receipt of a secondary school diploma, General Educational Development credential (GED), or other State-recognized equivalent.	
153			(B) EMPLOYMENT PERFORMANCE INDICATOR - Consistent with applicable Federal and State privacy laws, an eligible agency shall identify in the State plan the following individual participant employment performance indicators:	
154			(i) Entry into employment.	
155				
156			`(ii) DATA COLLECTION- The State agency responsible for maintaining and analyzing these data will assist the eligible agency in obtaining and using quarterly wage records to collect data for each of the indicators described in clause (i), consistent with applicable Federal and State privacy laws.	Due to interpretations of FERPA regulations, some state education agencies have difficulty accessing wage records. This provision would instruct the state agency responsible for those data to assist in data match access. This provision may help a few states compile data under the entered employment indicator.
157				
158		(B) **ADDITIONAL INDICATORS**- An eligible agency may identify in the State plan additional indicators for adult education and literacy activities authorized under this subtitle.	(C) **ADDITIONAL INDICATORS**- An eligible agency may identify in the State plan additional indicators for adult education and literacy activities authorized under this subtitle.	
159				
160				
161			`(D) INDICATORS FOR WORKPLACE LITERACY PROGRAMS- Special accountability measures may be negotiated for workplace literacy programs.';	
162				
163		(3) **LEVELS OF PERFORMANCE**-		
164		(A) **ELIGIBLE AGENCY ADJUSTED LEVELS OF PERFORMANCE FOR CORE INDICATORS**-		
165		(i) **IN GENERAL**- For each eligible agency submitting a State plan, there shall be established, in accordance with this subparagraph, levels of performance for each of the core indicators of performance described in paragraph (2)(A) for adult education and literacy activities authorized under this subtitle. The levels of performance established under this subparagraph shall, at a minimum--	Retains current law	
166		(I) be expressed in an objective, quantifiable, and measurable form; and	Retains current law	

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
167		(II) show the progress of the eligible agency toward continuously improving in performance.	(I) in clause (i)(II), by striking `in performance' and inserting `the agency's performance outcomes in an objective, quantifiable, and measurable form';	
168		(ii) **IDENTIFICATION IN STATE PLAN**- Each eligible agency shall identify, in the State plan submitted under section 224, expected levels of performance for each of the core indicators of performance for the first 3 program years covered by the State plan.	II) in clause (ii), by striking `3 program years' and inserting `2 program years' Insert after "State plan" the following "or sooner should the state unemployment rate increase by 5% or greater or if other unforeseen circumstances negatively impact the State's ability to meet agreed upon performance outcomes.	When a State's economic forecast changes significantly or when natural disasters or other unforeseen events occur, a State should be allowed to renegotiate performance expectations.
169		(iii) **AGREEMENT ON ELIGIBLE AGENCY ADJUSTED LEVELS OF PERFORMANCE FOR FIRST 3 YEARS**- In order to ensure an optimal return on the investment of Federal funds in adult education and literacy activities authorized under this subtitle, the Secretary and each eligible agency shall reach agreement on levels of performance for each of the core indicators of performance, for the first 3 program years covered by the State plan, taking into account the levels identified in the State plan under clause (ii) and the factors described in clause (iv). The levels agreed to under this clause shall be considered to be the eligible agency adjusted levels of performance for the eligible agency for such years and shall be incorporated into the State plan prior to the approval of such plan.	(III) in clause (iii), by striking `FIRST 3 YEARS' and inserting `FIRST 2 YEARS'; (IV) in clause (iii), by striking `first 3 program years' and inserting `first 2 program years';	
170		(iv) **FACTORS**- The agreement described in clause (iii) or (v) shall take into account--	Retains current law	
171		(I) how the levels involved compare with the eligible agency adjusted levels of performance established for other eligible agencies, taking into account factors including the characteristics of participants when the participants entered the program, and the services or instruction to be provided; and	Retains current law	
172		(II) the extent to which such levels involved promote continuous improvement in performance on the performance measures by such eligible agency and ensure optimal return on the investment of Federal funds.	Retains current law	

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
173		(v) **AGREEMENT ON ELIGIBLE AGENCY ADJUSTED LEVELS OF PERFORMANCE FOR 4TH AND 5TH YEARS**- Prior to the fourth program year covered by the State plan, the Secretary and each eligible agency shall reach agreement on levels of performance for each of the core indicators of performance for the fourth and fifth program years covered by the State plan, taking into account the factors described in clause (iv). The levels agreed to under this clause shall be considered to be the eligible agency adjusted levels of performance for the eligible agency for such years and shall be incorporated into the State plan.	(V) in clause (v), by striking `4TH AND 5TH' and inserting `3RD AND 4TH'; (VI) in clause (v), by striking `to the fourth' and inserting `to the third'; (VII) in clause (v), by striking `fourth and fifth' and inserting `third and fourth';	
174		(vi) **REVISIONS**- If unanticipated circumstances arise in a State resulting in a significant change in the factors described in clause (iv)(II), the eligible agency may request that the eligible agency adjusted levels of performance agreed to under clause (iii) or (v) be revised. The Secretary, after collaboration with the representatives described in section 136(j), shall issue objective criteria and methods for making such revisions.	(VIII) in clause (vi), by striking `(II)' and inserting `(I)	
175			`(B) LEVEL OF EMPLOYMENT PERFORMANCE- The eligible agency shall identify, in the State plan, eligible agency level of performance for the employment performance indicator described in paragraph (2)(B). Such level shall be considered to be eligible agency adjusted level of performance for purposes of this title.	
176		(B) **LEVELS OF PERFORMANCE FOR ADDITIONAL INDICATORS**- The eligible agency may identify, in the State plan, eligible agency levels of performance for each of the additional indicators described in paragraph (2)(B). Such levels shall be considered to be eligible agency adjusted levels of performance for purposes of this subtitle.	(C) **LEVELS OF PERFORMANCE FOR ADDITIONAL INDICATORS**- The eligible agency may identify, in the State plan, eligible agency levels of performance for each of the additional indicators described in paragraph (2)(B). Such levels shall be considered to be eligible agency adjusted levels of performance for purposes of this subtitle.	
177				
178		(c) **REPORT**-		
179		(1) **IN GENERAL**- Each eligible agency that receives a grant under section 211(b) shall annually prepare and submit to the Secretary a report on the progress of the eligible agency in achieving eligible agency performance measures, including information on the levels of performance achieved by the eligible agency with respect to the core indicators of performance.	`(1) IN GENERAL- Each eligible agency that receives a grant under section 211(b) shall annually prepare and submit to the Secretary, the Governor, and the State legislature a report on the progress of the eligible agency in achieving eligible agency performance measures, including the following:	

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
180			`(A) Information on the levels of performance achieved by the eligible agency with respect to the core indicators of performance and employment performance indicators.	
181				
182		(2) **INFORMATION DISSEMINATION**- The Secretary--	Retains current law	
183		(A) shall make the information contained in such reports available to the general public through publication and other appropriate methods;		
184		(B) shall disseminate State-by-State comparisons of the information; and	(B) shall address the level of accuracy and quality of data and disseminate State-by-State comparisons of states with comparable data.	A number of states are prohibited by State law or State policy from using Social Security numbers to track education, training and work outcomes. Their follow-up survey data cannot be compared with States that can use SSNs to do data match. Thus data match states' results should only be used for comparison with other data match states. Likewise, States that use student follow-up surveys should only be compared to States that use that same methodology.
185		(C) shall provide the appropriate committees of Congress with copies of such reports.		
186				
187			`(3) DATA ACCESS- The report made available under paragraph (2) shall indicate which eligible agencies did not have access to State unemployment insurance wage data in measuring employment performance indicators.';	
188				
189			`(d) PROGRAM IMPROVEMENT-	
190			`(1) IN GENERAL- If the Secretary determines that an eligible agency did not meet its adjusted levels of performance for the core indicators of performance described in subsection (b)(2)(A) for any program year, the eligible agency shall--	
191			`(A) work with the Secretary and a professional development organization for state directors of adult education **to m**ake available technical assistance to assist the State to develop and implement a program improvement plan for the 2 program years succeeding the program year in which the eligible agency did not meet its adjusted levels of performance; and	When a state cannot meet performance expectations, they need to have available technical assistance from experienced colleagues who can help them identify possible problems, identify promising alternatives, and pilot test and integrate those alternatives.
192			`(B) revise its State plan under section 224, if necessary, to reflect the changes agreed to in the program improvement plan.	

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
193			`(2) FURTHER ASSISTANCE- If, after the period described in paragraph (1)(A), the Secretary has made available technical assistance to the eligible agency but determines that the eligible agency did not meet its adjusted levels of performance for the core indicators of performance described in subsection (b)(2)(A), the Secretary may require the eligible agency to make further revisions to the program improvement plan described in paragraph (1) and provide additional funding needed to enable the state to make the needed program improvements. Such further revisions shall be accompanied by further technical assistance from the Secretary and a professional development organization for state directors of adult education with experience in effectively achieving performance measures.'.	Some states have few resources to make significant changes in their program operations in order to improve performance. When such states are unable to make the necessary improvements with current resources, the Secretary should have available program improvement grants that would enable them to do so.
194				
195			(e) The National Academy of Sciences shall convene an independent panel of researchers, policymakers and practitioners with relevant experience from among the adult education, postsecondary education and workforce development fields to review the effectiveness of the National Reporting System in incentivizing programs to document adult learning and continuous program improvement, especially toward more effective practices for helping students a) most in need of literacy services (including those with minimal literacy skills) and b) achieve their college and career goals quickly.	**This proposal is currently being revisited by the Coalition.**
196				
197	**SEC. 213.INCENTIVE GRANTS FOR STATES**			
198				
199			DELETE THIS PROVISION FROM TITLE 1 or move to Title II as follows:	

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
200			a) In General- From funds appropriated under section 211(a)(1), the Secretary may award grants to States for exemplary performance in carrying out programs under this title. Such awards shall be based on States exceeding the core indicators of performance established under section 212(b)(2)(A) and may be based on the performance of the State in serving populations, such as those described in section 224(b)(10), including the levels of service provided and the performance outcomes, and such other factors relating to the performance of the State under this title as the Secretary determines appropriate.	A large number of State adult education programs have met or exceeded their performance standards to qualify for incentive grants but were unable to do so because one or more of their partner agencies did not meet theirs. In other states, all three partners met or exceeded their performance measures but the incentive grant went to one of the other agencies. On the national level, the Department of Labor has made no contribution to the incentive grants while adult education has made significant contributions. It is only fair that Education control its incentive grants and apply those funds to the State adult education programs that are successful.
201			`(b) Use of Funds- The funds awarded to a State under this paragraph may be used to carry out any activities authorized under this title, including demonstrations and innovative programs for hard-to-serve populations.	
202				
203	**CHAPTER 2--STATE PROVISIONS**			
204				
205	**SEC. 221. STATE ADMINISTRATION**			
206				
207		Each eligible agency shall be responsible for the State or outlying area administration of activities under this subtitle, including--	Retains current law	
208		(1) the development, submission, and implementation of the State plan;	`(1) The development, submission, implementation, and monitoring of the State plan.	
209		(2) consultation with other appropriate agencies, groups, and individuals that are involved in, or interested in, the development and implementation of activities assisted under this subtitle; and	Retains current law	
210		(3) coordination and nonduplication with other Federal and State education, training, corrections, public housing, and social service programs.	Retains current law	
211				
212	**SEC. 222. STATE DISTRIBUTION OF FUNDS; MATCHING REQUIREMENT**			
213				
214		(a) **STATE DISTRIBUTION OF FUNDS**- Each eligible agency receiving a grant under this subtitle for a fiscal year--	Retains current law	

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
215		(1) shall use not less than 82.5 percent of the grant funds to award grants and contracts under section 231 and to carry out section 225, of which not more than 10 percent of the 82.5 percent shall be available to carry out section 225;	A) in paragraph (1)--(i) by striking `82.5' the first place such term appears and inserting `80'; and (ii) by striking `the 82.5 percent' and inserting `such amount'; and (iii) by striking everything after section 225 the first time it appears.	We are eliminating the cap on the amount of funds which can be set aside for corrections education.
216		(2) shall use not more than 12.5 percent of the grant funds to carry out State leadership activities under section 223; and	(B) in paragraph (2), by striking `not more than 12.5 percent' and inserting `a minimum of 15 percent';	Prior to the implementation of WIA in 1998, adult education was required to spend a minimum of 15% of state grants to prepare and support teachers and provide other program improvement activities. In 1998, WIA incorporated performance measures, increased accountability, and added program improvement requirements while reducing funds available for professional development and program improvement initiatives that are needed to incorporate those changes. WIA reduced state leadership funds to a maximum of 12.5%--fewer dollars with greater demand for professional development. States need the resources to comply with program requirements and improve the quality of services.
217		(3) shall use not more than 5 percent of the grant funds, or $65,000, whichever is greater, for the administrative expenses of the eligible agency.	(C) in paragraph (3), by striking `$65,000' and inserting `$100,000';	The base grant for small states has not been increased in over a decade. It is difficult for them to respond to the requirements of the Act with an administrative grant of $65,000. Thus, the recommendation is to increase that threshold to $100,000.
218				
219		(b) **MATCHING REQUIREMENT**-		
220		(1) **IN GENERAL**- In order to receive a grant from the Secretary under section 211(b) each eligible agency shall provide, for the costs to be incurred by the eligible agency in carrying out the adult education and literacy activities for which the grant is awarded, a non-Federal contribution in an amount equal to--	2) in subsection (b)(1), by striking `equal to' and inserting `that is not less than'.	
221		(A) in the case of an eligible agency serving an outlying area, 12 percent of the total amount of funds expended for adult education and literacy activities in the outlying area, except that the Secretary may decrease the amount of funds required under this subparagraph for an eligible agency; and	Retains current law	
222		(B) in the case of an eligible agency serving a State, 25 percent of the total amount of funds expended for adult education and literacy activities in the State.	Retains current law	

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
223		(2) **NON-FEDERAL CONTRIBUTION**- An eligible agency's non-Federal contribution required under paragraph (1) may be provided in cash or in kind, fairly evaluated, and shall include only non-Federal funds that are used for adult education and literacy activities in a manner that is consistent with the purpose of this subtitle.	Retains current law	
224				
225			**The Coalition proposal rewrites all of Sec. 223 (a)**	
226	**SEC. 223. STATE LEADERSHIP ACTIVITIES**			
227		(a) **IN GENERAL**- Each eligible agency shall use funds made available under section 222(a)(2) for one or more of the following adult education and literacy activities:	(a) IN GENERAL-Each eligible agency shall use funds made available under section 222(a)2 for activities in 223(1) and for one or more of the adult education and literacy activities in (2)(3) and (4).	
228		(1) The establishment or operation of professional development programs to improve the quality of instruction provided pursuant to local activities required under section 231(b), including instruction incorporating phonemic awareness, systematic phonics, fluency, and reading comprehension, and instruction provided by volunteers or by personnel of a State or outlying area.	(1) **Professional Quality and Career Advancement** The establishment or operation of a professional quality and career advancement system to improve the quality of instruction and program management provided pursuant to local activities required under section 231 (b) based on professional development quality standards, including evidence-based practice.	
229		(2) The provision of technical assistance to eligible providers of adult education and literacy activities.	A. Ensure participation professional development that is responsive to practitioner and learner needs for adult basic education, adult ESOL, adult secondary education practitioners that will help them be effective teachers, program administrators, tutors, learner leaders, counselors, and paraprofessionals, including one or more of the following activities:	
230		(3) The provision of technology assistance, including staff training, to eligible providers of adult education and literacy activities to enable the eligible providers to improve the quality of such activities.	i. Establishing pathways to careers through credentials, degrees, and career ladders that are linked to compensation commensurate with experience and qualifications.	
231		(4) The support of State or regional networks of literacy resource centers.	ii.Providing paid professional development release time for practitioners and allowances for hiring substitute teachers, where applicable, to provide release time for practitioners to attend professional development.	
232		(5) The monitoring and evaluation of the quality of, and the improvement in, adult education and literacy activities.	iii. Offering tuition stipends to attract college graduates who then get degrees in adult education and stay in the field for a period of 5 years.	
233		(6) Incentives for--	iv. Offering grants to eligible providers with an ability to deliver new practitioner induction, mentoring and coaching experiences.	

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
234		(A) program coordination and integration; and	v. Establishing career ladders for teachers who then become mentors of other teachers and who take leadership roles within the program to become a master teacher. Provide opportunities for diverse providers to become highly qualified in their roles.	
235		(B) performance awards.	B. To the extent possible such professional development should be technology-infused training so that practitioners can provide learners with the skills, knowledge, and access needed to use multiple media, including computers, the Internet, and mobile devices for learning, civic participation, and personal development.	
236			C. Collaborate with the National Center for Adult Education, Literacy, and Workforce Skills to conduct research in the participation of professional development and receipt of technical assistance for improving professional quality, career pathways and working conditions of/for practitioners.	
237			(2) **Development, Implementation, and Technical Assistance** Develop and implement programs and provide technical assistance to eligible providers of adult education and literacy activities, including one or more of the following:	
238		(7) Developing and disseminating curricula, including curricula incorporating phonemic awareness, systematic phonics, fluency, and reading comprehension.	A. Developing and disseminating evidence-based instructional and programmatic practices.	
239		(8) Other activities of statewide significance that promote the purpose of this title.	B. Providing technology assistance, including staff training, to eligible providers of adult education and literacy activities. This assistance includes but is not limited to: integrating technology in the classroom, distance learning, and using blends of classroom and distance learning.	
240		(9) Coordination with existing support services, such as transportation, child care, and other assistance designed to increase rates of enrollment in, and successful completion of, adult education and literacy activities, to adults enrolled in such activities.	C. Supporting state or regional networks of literacy resource centers and/or state or regional volunteer literacy offices.	
241		(10) Integration of literacy instruction and occupational skill training, and promoting linkages with employers.	D. Developing and disseminating curricula, including curricula incorporating the essential components of reading instruction as they relate to adults.	

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
242		(11) Linkages with postsecondary educational institutions.	E. Coordinating with existing support services, such as transportation, child care, and other assistance designed to increase rates of enrollment in, and successful completion of, adult education and literacy activities, to adults enrolled in such activities.	
243			F. Integrating literacy instruction and occupational skills training for those learners with job acquisition goals, and promoting linkages with employers.	
244			G. Developing and implementing a system to assist adults in transitioning from adult education to postsecondary education, including linkages with postsecondary educational institutions.	
245			H. Developing and implementing technology applications and distance learning, and models that blend classroom and distance learning, including (A) professional development to support the use of instructional technology and (B) the use of technology and distance learning to serve those on waiting lists, those who temporarily cannot attend classes, and those enrolled in classes who want to supplement or accelerate their learning	
246			I. Activities promoting workplace literacy programs.	
247			J. Activities promoting and complementing local outreach initiatives.	
248			K. Career and College Pathway Services that integrate adult education services and postsecondary education and training content or which dually or concurrently enroll students in adult education services and postsecondary education and training that lead to industry-based certification or institutionally-granted certification, diplomas, or degrees necessary for high demand jobs.	
249			L. In cooperation with efforts funded under sections 242 and 243, developing curriculum frameworks and rigorous content standards.	
250			M. Developing and implementing programs and services to meet the needs of adult learners with learning disabilities or limited English proficiency.	
251			N. Providing learner leadership activities, including, but not limited to, learner involvement in developing professional development policy, delivering professional development, and participating in learner leadership activities.	
252			O. Activities promoting health literacy partnerships and programs.	

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
253			P. Other activities of statewide significance that promote the purpose of this title.	
254			(3) **Monitoring and Evaluation** Provide for the monitoring and evaluation of the quality of, and the improvement in, adult education and literacy activities.	
255			(4) Provide Incentives for:	
256			A. Coordination and integration among eligible providers	
257			B. Program Performance	
258			C. Hiring full-time instructors	
259				
260		(b) **COLLABORATION**- In carrying out this section, eligible agencies shall collaborate where possible, and avoid duplicating efforts, in order to maximize the impact of the activities described in subsection (a).	Retains current law	
261		(c) **STATE-IMPOSED REQUIREMENTS**- Whenever a State or outlying area implements any rule or policy relating to the administration or operation of a program authorized under this subtitle that has the effect of imposing a requirement that is not imposed under Federal law (including any rule or policy based on a State or outlying area interpretation of a Federal statute, regulation, or guideline), the State or outlying area shall identify, to eligible providers, the rule or policy as being State- or outlying area-imposed.	Retains current law	
262				
263	**SEC. 224. STATE PLAN**			
264		(a) **5-YEAR PLANS**-	`(a) 6-Year Plans-	
265		(1) **IN GENERAL**- Each eligible agency desiring a grant under this subtitle for any fiscal year shall submit to, or have on file with, the Secretary a 5-year State plan.	`(1) IN GENERAL- Each eligible agency desiring a grant under this title for any fiscal year shall submit to, or have on file with, the Secretary a 6-year State plan.	
266		(2) **COMPREHENSIVE PLAN OR APPLICATION**- The eligible agency may submit the State plan as part of a comprehensive plan or application for Federal education assistance.	Retains current law	
267				
268		(b) **PLAN CONTENTS**- In developing the State plan, and any revisions to the State plan, the eligible agency shall include in the State plan or revisions--	Retains current law	
269		(1) an objective assessment of the needs of individuals in the State or outlying area for adult education and literacy activities, including individuals most in need or hardest to serve;	Retains current law	
270		(2) a description of the adult education and literacy activities that will be carried out with any funds received under this subtitle;	Retains current law	

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
271		(3) a description of how the eligible agency will evaluate annually the effectiveness of the adult education and literacy activities based on the performance measures described in section 212;	Retains current law	
272		(4) a description of the performance measures described in section 212 and how such performance measures will ensure the improvement of adult education and literacy activities in the State or outlying area;	Retains current law	
273		(5) an assurance that the eligible agency will award not less than one grant under this subtitle to an eligible provider who offers flexible schedules and necessary support services (such as child care and transportation) to enable individuals, including individuals with disabilities, or individuals with other special needs, to participate in adult education and literacy activities, which eligible provider shall attempt to coordinate with support services that are not provided under this subtitle prior to using funds for adult education and literacy activities provided under this subtitle for support services;	Retains current law	
274		(6) an assurance that the funds received under this subtitle will not be expended for any purpose other than for activities under this subtitle;	Retains current law	
275		(7) a description of how the eligible agency will fund local activities in accordance with the considerations described in section 231(e);	Retains current law	
276		(8) an assurance that the eligible agency will expend the funds under this subtitle only in a manner consistent with fiscal requirements in section 241;	Retains current law	

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
277		(9) a description of the process that will be used for public participation and comment with respect to the State plan;	(9) a description of the process that will be used to convene the following entities for the purpose of participation and comment with respect to the state plan, which process shall include: adult learners, the Governor, State officials representing public schools, eligible providers, community colleges, welfare agencies, agencies that provide services to individuals with disabilities, other State agencies that promote or operate adult education and literacy activities, direct providers of adult literacy services, the State agency for higher education, the State Workforce Investment Board, institutions responsible for professional development of adult education and literacy education program instructors, institutions of higher education, representatives of business and industry, immigrant and refugee assistance programs, health care stakeholders, community based organizations and other adult literacy stakeholders.	We made this section a "shall" because we want comments and visibility from the Governor and other state agency heads.
278				
279		(10) a description of how the eligible agency will develop program strategies for populations that include, at a minimum--		
280		(A) low-income students;		
281		(B) individuals with disabilities;		
282		(C) single parents and displaced homemakers; and		
283		(D) individuals with multiple barriers to educational enhancement, including individuals with limited English proficiency;		
284			`(C) the unemployed;	
285			`(D) the underemployed	
286		(11) a description of how the adult education and literacy activities that will be carried out with any funds received under this subtitle will be integrated with other adult education, career development, and employment and training activities in the State or outlying area served by the eligible agency; and	Retains current law	
287		(12) a description of the steps the eligible agency will take to ensure direct and equitable access, as required in section 231(c)(1).	12) a description of the steps the eligible agency will take to ensure direct and equitable access, as required in section 231(c)(1), including--	
288			`(A) how the State will build the capacity of organizations that provide adult education and literacy activities;	
289			`(13) a description of how the eligible agency will improve ***the quality of instruction and*** the professional development of eligible providers.	

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
290			14) a description of how the eligible agency will improve the professional development of eligible providers of adult education and literacy activities.	
291			`(15) a description of how the eligible agency will consult with any State agency responsible for postsecondary education to develop adult education programs and services (including academic skill development and support services) that prepare students to enter postsecondary education or occupational training without the need for remediation.	
292			`(16) a description of how the eligible agency will consult with the State agency responsible for workforce development to develop adult education programs and services that are designed to prepare students to enter the workforce;	
293			(17) a description of how the eligible agency will build upon the capacity of local programs to create integrated adult education and occupational skills training services for those learners with job acquisition goals.	
294				
295		(c) **PLAN REVISIONS**- When changes in conditions or other factors require substantial revisions to an approved State plan, the eligible agency shall submit the revisions to the State plan to the Secretary.	Retains current law	
296				
297		(d) **CONSULTATION**- The eligible agency shall--		
298		(1) submit the State plan, and any revisions to the State plan, to the Governor of the State or outlying area for review and comment; and	Retains current law	
299		(2) ensure that any comments by the Governor regarding the State plan, and any revision to the State plan, are submitted to the Secretary.	Retains current law	
300				
301		e) **PEER REVIEW**- The Secretary shall establish a peer review process to make recommendations regarding the approval of State plans.	DELETE	
302				
303		(f) **PLAN APPROVAL**- A State plan submitted to the Secretary shall be approved by the Secretary unless the Secretary makes a written determination, within 90 days after receiving the plan, that the plan is inconsistent with the specific provisions of this subtitle.	Retains current law	
304				

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
305	**SEC. 225. PROGRAMS FOR CORRECTIONS EDUCATION AND OTHER INSTITUTIONALIZED INDIVIDUALS**			
306		(a) **PROGRAM AUTHORIZED**- From funds made available under section 222(a)(1) for a fiscal year, each eligible agency shall carry out corrections education or education for other institutionalized individuals.	Retains current law	
307				
308		(b) **USES OF FUNDS**- The funds described in subsection (a) shall be used for the cost of educational programs for criminal offenders in correctional institutions and for other institutionalized individuals, including academic programs for--	Retains current law	
309		(1) basic education;	(A) in paragraph (1), by striking `basic education' and inserting `adult education and literacy activities';	
310		(2) special education programs as determined by the eligible agency;	Retains current law	
311		(3) English literacy programs; and	English literacy and language acquisition programs; and	
312		(4) secondary school credit programs.	`(4) secondary school credit or diploma programs or their recognized equivalent.	
313				
314		(c) **PRIORITY**- Each eligible agency that is using assistance provided under this section to carry out a program for criminal offenders in a correctional institution shall give priority to serving individuals who are likely to leave the correctional institution with 5 years of participation in the program.	Retains current law	
315				
316		(d) **DEFINITION OF CRIMINAL OFFENDER**-	in subsection (d), by striking `DEFINITION OF CRIMINAL OFFENDER- ' and inserting `DEFINITIONS- In this section:'.	
317		(1) **CRIMINAL OFFENDER**- The term `criminal offender' means any individual who is charged with or convicted of any criminal offense.	Retains current law	
318		(2) **CORRECTIONAL INSTITUTION**- The term `correctional institution' means any--	Retains current law	
319		(A) prison;		
320		(B) jail;		
321		(C) reformatory;		
322		(D) work farm;		
323		(E) detention center; or		
324		(F) halfway house, community-based rehabilitation center, or any other similar institution designed for the confinement or rehabilitation of criminal offenders.		
325				

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
326	**CHAPTER 3--LOCAL PROVISIONS**			
327				
328	**SEC. 231. GRANTS AND CONTRACTS FOR ELIGIBLE PROVIDERS.**			
329				
330		(a) **GRANTS AND CONTRACTS**- From grant funds made available under section 211(b), each eligible agency shall award multiyear grants or contracts, on a competitive basis, to eligible providers within the State or outlying area to enable the eligible providers to develop, implement, and improve adult education and literacy activities within the State.	Retains current law	
331				
332		(b) **REQUIRED LOCAL ACTIVITIES**- The eligible agency shall require that each eligible provider receiving a grant or contract under subsection (a) use the grant or contract to establish or operate one or more programs that provide services or instruction in one or more of the following categories:	Retains current law	
333		(1) Adult education and literacy services, including workplace literacy services.	(1) Adult education and literacy services, including workplace literacy services and career and college pathway services.	
334		(2) Family literacy services.	Retain current law	
335		(3) English literacy programs	`(3) English literacy and language acquisition programs.	
336				
337		(c) **DIRECT AND EQUITABLE ACCESS; SAME PROCESS**- Each eligible agency receiving funds under this subtitle shall ensure that--	Retains current law	
338		(1) all eligible providers have direct and equitable access to apply for grants or contracts under this section; and	(1) all eligible providers have direct and equitable access to apply and compete for grants and contracts under this section"	
339		(2) the same grant or contract announcement process and application process is used for all eligible providers in the State or outlying area.	Retains current law	
340				

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
341		d) **SPECIAL RULE**- Each eligible agency awarding a grant or contract under this section shall not use any funds made available under this subtitle for adult education and literacy activities for the purpose of supporting or providing programs, services, or activities for individuals who are not individuals described in subparagraphs (A) and (B) of section 203(1), except that such agency may use such funds for such purpose if such programs, services, or activities are related to family literacy services. In providing family literacy services under this subtitle, an eligible provider shall attempt to coordinate with programs and services that are not assisted under this subtitle prior to using funds for adult education and literacy activities under this subtitle for activities other than adult education activities.	Retains current law	
342				
343		(e) **CONSIDERATIONS**- In awarding grants or contracts under this section, the eligible agency shall consider--	After "shall consider", insert "combinations of the following considerations that are appropriate to the specialties of the applying eligible provider--	Under open and competitive bidding, a program can propose to use its talents to address one segment of the target population. For example, a program may wish to respond to the needs of business by focusing on the GED population with emphasis on transition to postsecondary. As a result, its commitment to consideration #3 regarding low level learners or #12, a demonstration for English literacy needs, may not be appropriate. There may be other providers in the community that respond to those needs in an open and competitive environment. Likewise, a community based Hispanic organization may focus its talents on beginning English literacy instruction. As a result, its application should be judged only on the considerations that apply to its application.
344		(1) the degree to which the eligible provider will establish measurable goals for participant outcomes;	Retains current law	
345		(2) the past effectiveness of an eligible provider in improving the literacy skills of adults and families, and, after the 1-year period beginning with the adoption of an eligible agency's performance measures under section 212, the success of an eligible provider receiving funding under this subtitle in meeting or exceeding such performance measures, especially with respect to those adults with the lowest levels of literacy;	Retains current law	

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
346		(3) the commitment of the eligible provider to serve individuals in the community who are most in need of literacy services, including individuals who are low-income or have minimal literacy skills;	`(3) the commitment of the eligible provider to be responsive to local needs and to serve individuals in the community who were identified by the assessment as most in need of adult literacy services, including individuals who are low-income, have minimal literacy skills, have learning disabilities, or have limited English proficiency;';	
347		(4) whether or not the program--		
348		(A) is of sufficient intensity and duration for participants to achieve substantial learning gains; and	insert after “gains”, “recognizing that programs providing individual instruction may provide fewer hours than programs employing group instruction; and”	
349		(B) uses instructional practices, such as phonemic awareness, systematic phonics, fluency, and reading comprehension that research has proven to be effective in teaching individuals to read;	by striking `, such as' and all that follows through the semicolon and inserting `that include the essential components of reading instruction;'	
350		(5) whether the activities are built on a strong foundation of research and effective educational practice;	by striking `research' and inserting `evidence-based practice."	
351		(6) whether the activities effectively employ advances in technology, as appropriate, including the use of computers;	Insert at the end "and basic computer literacy."	
352		(7) whether the activities provide learning in real life contexts to ensure that an individual has the skills needed to compete in the workplace and exercise the rights and responsibilities of citizenship;	Retains current law	
353		(8) whether the activities are staffed by well-trained instructors, counselors, and administrators;	Retains current law	
354		(9) whether the activities coordinate with other available resources in the community, such as by establishing strong links with elementary schools and secondary schools, postsecondary educational institutions, one-stop centers, job training programs, and social service agencies;	by inserting `education, job training, and social service' after `other available'	
355		(10) whether the activities offer flexible schedules and support services (such as child care and transportation) that are necessary to enable individuals, including individuals with disabilities or other special needs, to attend and complete programs;	Retains current law	
356		(11) whether the activities maintain a high-quality information management system that has the capacity to report participant outcomes and to monitor program performance against the eligible agency performance measures; and	`(11) the activities include a high-quality information management system that has the capacity to report measurable participant outcomes and to monitor program performance against the performance measures established by the eligible agency;	

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
357		(12) whether the local communities have a demonstrated need for additional English literacy programs.	ˆ(12) whether the local communities have a demonstrated need for additional English language acquisition programs;	
358				
359			(13) whether the program will create integrated adult education and occupational skills training services for those learners with job acquisition goals.	
360			(14) whether the program has established special programs and plans to increase the transition of students to postsecondary education without the need for remediation.	
361			15) whether the program demonstrates provisions for co-enrollment with Title I programs that provide for career counseling, job placement and support services.	
362			(16) whether the program provides learner-centered curricula and instruction designed to meet the individual learning styles, challenges, abilities and learning goals of each individual adult learner from those adults with the lowest levels of literacy to individuals preparing to transition to postsecondary education.	
363				
364	**SEC. 232. LOCAL APPLICATION**			
365		Each eligible provider desiring a grant or contract under this subtitle shall submit an application to the eligible agency containing such information and assurances as the eligible agency may require, including--	Retains current law	
366		(1) a description of how funds awarded under this subtitle will be spent; and		
367		(2) a description of any cooperative arrangements the eligible provider has with other agencies, institutions, or organizations for the delivery of adult education and literacy activities.		
368				
369	**SEC. 233. LOCAL ADMINISTRATIVE COST LIMITS**			
370		(a) **IN GENERAL**- Subject to subsection (b), of the amount that is made available under this subtitle to an eligible provider--	Retains current law	
371		(1) not less than 95 percent shall be expended for carrying out adult education and literacy activities; and		
372		(2) the remaining amount, not to exceed 5 percent, shall be used for planning, administration, personnel development, and interagency coordination.		
373				

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
374		(b) **SPECIAL RULE**- In cases where the cost limits described in subsection (a) are too restrictive to allow for adequate planning, administration, personnel development, and interagency coordination, the eligible provider shall negotiate with the eligible agency in order to determine an adequate level of funds to be used for noninstructional purposes.	Retains current law	
375				
376	**CHAPTER 4--GENERAL PROVISIONS**			
377				
378	**SEC. 241. ADMINISTRATIVE PROVISIONS.**			
379		(a) **SUPPLEMENT NOT SUPPLANT**- Funds made available for adult education and literacy activities under this subtitle shall supplement and not supplant other State or local public funds expended for adult education and literacy activities.	Retains current law	
380				
381		(b) **MAINTENANCE OF EFFORT**-	Retains current law for all provisions	
382		(1) **IN GENERAL**-		
383		(A) **DETERMINATION**- An eligible agency may receive funds under this subtitle for any fiscal year if the Secretary finds that the fiscal effort per student or the aggregate expenditures of such eligible agency for adult education and literacy activities, in the second preceding fiscal year, was not less than 90 percent of the fiscal effort per student or the aggregate expenditures of such eligible agency for adult education and literacy activities, in the third preceding fiscal year.	Delete "fiscal effort per student."	The purpose of the maintenance of effort provision is to ensure that states do not withdraw their financial support for adult education and literacy activities. The "fiscal effort per student" provisions allows states to withdraw that support without any penalty and should be deleted. Applying this K-12 provision to adult education does not work. There is no enrollment requirement in adult education, hence, a state that spent $1,000 per student for 50,000 students could meet the "fiscal effort per student" requirement by serving just one student as long as they spent $1,000 on that student.
384		(B) **PROPORTIONATE REDUCTION**- Subject to paragraphs (2), (3), and (4), for any fiscal year with respect to which the Secretary determines under subparagraph (A) that the fiscal effort or the aggregate expenditures of an eligible agency for the preceding program year were less than such effort or expenditures for the second preceding program year, the Secretary--		
385		(i) shall determine the percentage decreases in such effort or in such expenditures; and		
386		(ii) shall decrease the payment made under this subtitle for such program year to the agency for adult education and literacy activities by the lesser of such percentages.		

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
387		(2) **COMPUTATION**- In computing the fiscal effort and aggregate expenditures under paragraph (1), the Secretary shall exclude capital expenditures and special one-time project costs.		
388		(3) **DECREASE IN FEDERAL SUPPORT**- If the amount made available for adult education and literacy activities under this subtitle for a fiscal year is less than the amount made available for adult education and literacy activities under this subtitle for the preceding fiscal year, then the fiscal effort per student and the aggregate expenditures of an eligible agency required in order to avoid a reduction under paragraph (1)(B) shall be decreased by the same percentage as the percentage decrease in the amount so made available.		
389		(4) **WAIVER**- The Secretary may waive the requirements of this subsection for 1 fiscal year only, if the Secretary determines that a waiver would be equitable due to exceptional or uncontrollable circumstances, such as a natural disaster or an unforeseen and precipitous decline in the financial resources of the State or outlying area of the eligible agency. If the Secretary grants a waiver under the preceding sentence for a fiscal year, the level of effort required under paragraph (1) shall not be reduced in the subsequent fiscal year because of the waiver.		
390				

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
391			The National Institute for Literacy is a major resource for adult education and was created to fill a void. In order to preserve this valuable resource, we propose to replace the National Institute for Literacy with a National Center for Adult Education, Literacy, and Workforce Skills (the Center) to better serve the needs of the adult education and family literacy community.	The National Coalition for Literacy proposes to eliminate Section 242 of current law, authorizing the National Institute for LIteracy. In order to effectively fill this void and meet the unique need that the NIFL served, we propose to create the National Center for Adult Education, Literacy, and Workforce Skills.
392				
393	**SEC. 242. NATIONAL INSTITUTE FOR LITERACY**		Amend to read: "National Center for Adult Education, Literacy, and Workforce Skills"	
394				
395			**Strike everything in (a) and replace with the following:**	
396				
397		(a) **PURPOSE**- The purpose of this section is to establish a National Institute for Literacy that--	(a) Purpose. The purpose of the National Center for Adult Education, Literacy, and Workforce Skills is to provide national leadership with the goals of improving the skills and knowledge of adults in the United States and preparing them for transition to postsecondary education, training, and the 21st century workforce by:	
398				
399		(1) provides national leadership regarding literacy;		
400				
401		(2) coordinates literacy services and policy; and	(1) coordinating efforts to address current and future critical issues such as health literacy, immigration, financial literacy, and career pathways by:	
402				

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
403			(A) collaborating with federal, state, and local government agencies, including but not limited to the Departments of Labor, Education, HHS, Justice, Homeland Security, Interior, Commerce and Agriculture;	
404				
405			(B) collaborating with other national organizations with a vested interest in issues related to adult education, literacy, and workforce skills; and	
406				
407			(C) building partnerships with the private sector and initiating policies and plans that will increase public and private support for adult education, literacy, and workforce skills.	
408				
409		(3) serves as a national resource for adult education and literacy programs by--	(2) supporting, identifying, disseminating and providing national leadership for professional development focused on effective, innovative practices that draw on a range of research and professional wisdom.	
410				
411		(A) providing the best and most current information available, including the work of the National Institute of Child Health and Human Development in the area of phonemic awareness, systematic phonics, fluency, and reading comprehension, to all recipients of Federal assistance that focuses on reading, including programs under titles I and VII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq. and 7401 et seq.), the Head Start Act (42 U.S.C. 9831 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), and this Act; and		
412				
413		(B) supporting the creation of new ways to offer services of proven effectiveness		
414			(3) advancing technology in order to provide tools and resources for practitioners and professional development; and	
415				
416			(4) promoting initiatives that increase the professional quality of the field.	
417				

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
418		(b) **ESTABLISHMENT**-		
419				
420		(1) **IN GENERAL**- There is established the National Institute for Literacy (in this section referred to as the `Institute'). The Institute shall be administered under the terms of an interagency agreement entered into by the Secretary of Education with the Secretary of Labor and the Secretary of Health and Human Services (in this section referred to as the `Interagency Group'). The Interagency Group may include in the Institute any research and development center, institute, or clearinghouse established within the Department of Education, the Department of Labor, or the Department of Health and Human Services the purpose of which is determined by the Interagency Group to be related to the purpose of the Institute.	Amend to read: (1) (A) IN GENERAL - There is established within the Executive Branch the National Center for Adult Education, Literacy and Workforce Skills. The Center shall be administered by a Director, who is responsible for carrying out all functions under this title. The Director shall work with the Secretaries of the Departments of Education, Labor, and Health and Human Services to coordinate efforts to address the adult education, literacy, and workforce skills needs of adults.	
421				
422			(B) The Center Director shall work with the Secretaries of Education, Labor, and Health and Human Services to align any research and development center, institute or clearinghouse established within the Department of Education, the Department of Labor, or the Department of Health and Human Services the purposes of which are determined to be necessary to carrying out the work of the Center with Center initiatives.	We're advocating for one center or institute (NCALL) with a research center under the purvue of the Center, not necessarily at the same physical location.
423				
424		(2) **OFFICES**- The Institute shall have offices separate from the offices of the Department of Education, the Department of Labor, and the Department of Health and Human Services.	Support AEEG language to strike "separate" and insert "independent."	
425				
426		(3) **RECOMMENDATIONS**- The Interagency Group shall consider the recommendations of the National Institute for Literacy Advisory Board (in this section referred to as the `Board') established under subsection (e) in planning the goals of the Institute and in the implementation of any programs to achieve the goals. If the Board's recommendations are not followed, the Interagency Group shall provide a written explanation to the Board concerning actions the Interagency Group takes that are inconsistent with the Board's recommendations, including the reasons for not following the Board's recommendations with respect to the actions. The Board may also request a meeting of the Interagency Group to discuss the Board's recommendations.	(3) RECOMMENDATIONS – the National Center for Adult Education, Literacy and Workforce Skills Advisory Board (in this section referred to as the 'Board") established under subsection (e) shall work with the Center Director to recommend and develop strategic goals for the Center. Based on such goals the Director shall create a plan of work for the Center and share such plan with the Departments of Education, Labor, Health and Human Services and other federal agencies, as appropriate, in order to ensure that the work of the Center and such federal departments or agencies is coordinated and mutually complimentary. The Director shall carry out the plan and any programs necessary to achieve the goals of Center.	

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
427				
428		(4) **DAILY OPERATIONS**- The daily operations of the Institute shall be administered by the Director of the Institute.		
429				
430		(c) **DUTIES**-	(c) DUTIES	
431				
432			Strike everything in (1) and replace with the following:	
433				
434		(1) **IN GENERAL**- In order to provide leadership for the improvement and expansion of the system for delivery of literacy services, the Institute is authorized--	(1) **IN GENERAL** - in order to carry out its stated purposes, the Center is authorized to:	
435				
436			(A) be an objective, nonpartisan resource to Congress and the Administration;	
437				
438			(B) advise Congress and Federal departments and agencies regarding the development of policy with respect to adult education, literacy, and workforce skills;	
439				
440		(A) to establish a national electronic data base of information that disseminates information to the broadest possible audience within the literacy and basic skills field, and that includes--	(C) establish a comprehensive information and communications system that will:	
441				
442		(i) effective practices in the provision of literacy and basic skills instruction, including instruction in phonemic awareness, systematic phonics, fluency, and reading comprehension, and the integration of literacy and basic skills instruction with occupational skills training;		
443				
444			(i) foster information sharing and opportunities for disdcussion and networking among practitioners and provide technical assistance;	
445				
446			(ii) link research findings to practice and inform research through practice, and	
447				
448			(iii) update the field of developments from the public and private sectors relevant to the adult education community.	
449				
450			(D) establish and maintain a research center that will:	
451				
452			(i) develop a comprehensive, national research agenda to move the field forward;	
453				

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
454			(ii) engage institutions of higher learning in adult education research initiatives;	
455				
456			(iii) create a central repository to collect and disseminate adult education research findings and effective and innovative practices.	
457				
458		(ii) public and private literacy and basic skills programs, and Federal, State, and local policies, affecting the provision of literacy services at the national, State, and local levels;	Delete	
459				
460			(E) establish and maintain a technology center that will:	
461				
462			(i) expand access to adult education services through the use of technology;	
463				
464			(ii) provide professional development for providers of adult education, literacy, and workforce skills services so they are able to:	
465				
466			…..effectively use technology in the delivery of adult education, literacy and workforce skills services; and	
467				
468			….improve the quality of instruction and accelerate the achievement of basic educational skills, English language literacy, and secondary school equivalency of postsecondary educational and training readiness for adult learners.	
469				
470			(iii) assist states in developing a 21st Century delivery system for adult education, literacy and workforce skills services.	
471				
472			(iv) assist adults in developing technology literacy.	
473				
474			(F) establish an initiative to promote increasing the professional quality of the field that will:	
475				
476			(i) provide professional development and technical assistance for improving professional quality, career advancement and working conditions of/for practitioners;	
477				
478			(ii) undertake other activities that result in the improvement of adult education separately or in partnership with other government, public and private entitites.	
479				

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
480		(iii) opportunities for technical assistance, meetings, conferences, and other opportunities that lead to the improvement of literacy and basic skills services; and	Delete	
481				
482		(iv) a communication network for literacy programs, providers, social service agencies, and students;	Delete	
483				
484		(C) to coordinate the support of reliable and replicable research and development on literacy and basic skills in families and adults across Federal agencies, especially with the Office of Educational Research and Improvement in the Department of Education, and to carry out basic and applied research and development on topics that are not being investigated by other organizations or agencies, such as the special literacy needs of individuals with learning disabilities;	Amend to read: (C) to coordinate the support of reliable and replicable research and development on adult education, literacy, and workforce skills in families and adults across Federal agencies, especially with the Office of Educational Research and Improvement in the Department of Education, and to carry out basic and applied research and development on topics that are not being investigated by other organizations or agencies, such as the special literacy needs of individuals with learning disabilities;	
485				
486		(D) to collect and disseminate information on methods of advancing literacy that show great promise, including phonemic awareness, systematic phonics, fluency, and reading comprehension based on the work of the National Institute of Child Health and Human Development;	(G) collect and disseminate information on methods of advancing literacy that show great promise;	
487				
488		(E) to provide policy and technical assistance to Federal, State, and local entities for the improvement of policy and programs relating to literacy;	(H) provide technical assistance to Federal, State, and local entities for the improvement of policy and programs relating to literacy and alignment of policies and regulations across agencies.	
489				
490		(F) to fund a network of State or regional adult literacy resource centers to assist State and local public and private nonprofit efforts to improve literacy by--	(I) network with State or regional, public and private nonprofit adult literacy resource centers to assist State and local efforts to improve literacy by enhancing the capacity of State and local organizations to provide adult education services.	Justification: this should not be limited only to state funded literacy resource centers. We feel it should be broader in order to support more than just state centers.
491				
492		(i) encouraging the coordination of literacy services;	amend to read: (i) encouraging the coordination of adult education, literacy, and workforce skills services;	
493				
494		(ii) enhancing the capacity of State and local organizations to provide literacy services; and	Delete	
495				
496		(iii) serving as a link between the Institute and providers of adult education and literacy activities for the purpose of sharing information, data, research, expertise, and literacy resources;		

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
497				
498		(G) to coordinate and share information with national organizations and associations that are interested in literacy and workforce investment activities;	(J) coordinate and share information with national organizations and associations that are interested in adult education, literacy, and workforce skills.	Justification: Do not limit it to only workforce investment; must have a balance of activities for all three Interagency partners.
499				
500		(H) to advise Congress and Federal departments and agencies regarding the development of policy with respect to literacy and basic skills; and		
501				
502		(I) to undertake other activities that lead to the improvement of the Nation's literacy delivery system and that complement other such efforts being undertaken by public and private agencies and organizations.		
503				
504		(2) **GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS**- The Institute may award grants to, or enter into contracts or cooperative agreements with, individuals, public or private institutions, agencies, organizations, or consortia of such institutions, agencies, or organizations to carry out the activities of the Institute.	Strike "Institute" and insert "Center" in each instance it appears.	
505				
506			Add a new (d) and re-letter. (d) **RESEARCH**	
507				
508			(1) **IN GENERAL** – In order to provide rigorous research utilizing appropriate scientifically-based research standards as defined in Section 102(18) of the Education Sciences Reform Act of 2002, to inform the field and improve practice, the National Center for Adult Education, Literacy and Workforce Skills shall administer, through a research center, a program of research in adult education, literacy, and workforce skills.	
509				
510			**(2) Funding** - Such research shall be funded through contributions totaling $5 million annually from the Interagency Group, equally divided.	
511				
512			**(3) Independent Panel** - The Center shall create an independent panel to:	
513				
514			(A) set the research agenda,	
515				
516			(B) review applications for a research center and, in consultation with the director of the Center, select a grantee	
517				

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
518			**(4) Research Agenda** - The Independent panel shall develop adult education priorities and a five-year research agenda.	
519				
520			(A) Prior to establishing a research agenda, such panel shall compile a list of adult education, literacy, and workforce skills research needs in consultation with members of the adult education, literacy, and workforce skills community, including, but not limited to the members of the National Coalition for Literacy.	
521				
522			(B) The research agenda shall be reviewed annually and modified when appropriate or to address new information related to the needs of the field.	
523				
524			**(5) Independent Panel Membership:** The panel consist of 12 members and shall be appointed by the Director of the Center in consultation with the Departments of Education, Health and Human Services and Labor and shall consist of at least one representative each from the Departments of Education, Health and Human Services, and Labor, and each of the groups listed in (A)-(I). Nine members of the panel shall be state and local practitioner representatives of:	
525				
526			(A) state adult education directors,	
527				
528			(B) adult education researchers	
529				
530			(C) adult education and family literacy program managers	
531				
532			(D) adult education and family literacy teachers	
533				
534			(E) adult education volunteer organizations	
535				
536			(F) libraries administering adult education programs	
537				
538			(G) workplace education	

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
539				
540			(H) corrections education	
541				
542			(I) adult students	
543				
544			**(6) Distribution of Panel Members** – Panel members shall be representative of a cross-section of adult education, including adult basic education, English language acquisition, adult secondary education, family literacy, workplace education, and health literacy.	
545				
546			**(7) Research Center** – The Center, based on recommendations of the Independent Panel, shall award one five-year grant, on a competitive basis, to carry out the research agenda of the Center.	
547				
548			**(8) Grant Period** – The grant shall be for a period of 5 years and shall be re-competed prior to end of the grant period	
549				
550			**(9) Eligible entities:** The research and development center is to be housed at a university. Such university:	
551				
552			(A) Shall have experience in conducting research on improving adult education, as defined in Section 203 (1).	
553				
554			(B) conduct research, in collaboration with states, on improving professional quality, practitioner career pathways, and working conditions of/for practitioners.	
555				
556			(C) May include a network of universities and/or other research entities around the country.	
557				
558			**(10) Responsibilities:** The center shall be responsible for carrying out high quality research, submitting such research to peer review journals, developing a web-based source of information and professional training materials, training new researchers, and other appropriate activities.	
559				

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
560			**(11): Report:** The research center shall provide to the independent panel, the advisory board, and the director an annual report on its activities.	
561				
562			**(12) Dissemination:** (A) The grantee shall prepare the research for dissemination to the adult education field, teachers and tutors, program managers, state directors of adult education, policymakers, researchers and others in the adult education field.	
563				
564			(B) The Center and the research center shall disseminate the findings in a manner that assists education stakeholders, including but not limited to programs operated through the Departments of Education, Labor and Health and Human Services, to understand, judge, and utilize the research.	
565				
566		(d) **LITERACY LEADERSHIP**-		
567				
568		(1) **IN GENERAL**- The Institute, in consultation with the Board, may award fellowships, with such stipends and allowances that the Director considers necessary, to outstanding individuals pursuing careers in adult education or literacy in the areas of instruction, management, research, or innovation.	Strike "Institute" and insert "Center"	
569				
570		(2) **FELLOWSHIPS**- Fellowships awarded under this subsection shall be used, under the auspices of the Institute, to engage in research, education, training, technical assistance, or other activities to advance the field of adult education or literacy, including the training of volunteer literacy providers at the national, State, or local level.	Strike "Institute" and insert "Center";	
571				
572		(3) **INTERNS AND VOLUNTEERS**- The Institute, in consultation with the Board, may award paid and unpaid internships to individuals seeking to assist the Institute in carrying out its mission. Notwithstanding section 1342 of title 31, United States Code, the Institute may accept and use voluntary and uncompensated services as the Institute determines necessary.	Strike "Institute" in each instance that it appears and insert "Center."	
573				
574		(e) **NATIONAL INSTITUTE FOR LITERACY ADVISORY BOARD**-	Amend to read: (e) NATIONAL CENTER FOR ADULT EDUCATION, LITERACY AND WORKFORCE SKILLS ADVISORY BOARD-	
575				

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
576		(1) **ESTABLISHMENT**-		
577				
578		(A) **IN GENERAL**- There shall be a National Institute for Literacy Advisory Board (in this section referred to as the `Board'), which shall consist of 10 individuals appointed by the President with the advice and consent of the Senate.	(A) IN GENERAL- There shall be a Center Advisory Board (in this section referred to as the `Board'), which shall consist of 10 individuals, all of whom shall have expertise and experience in adult education, including family literacy. The Board shall be appointed by the President with the advice and consent of the Senate.	
579				
580		(B) **COMPOSITION**- The Board shall be comprised of individuals who are not otherwise officers or employees of the Federal Government and who are representative of entities such as--	Strike "such as" and insert "from each group in the list below --"	
581				
582		(i) literacy organizations and providers of literacy services, including nonprofit providers, providers of English literacy programs and services, social service organizations, and eligible providers receiving assistance under this subtitle;	Strike "literacy" and insert "adult education"	
583				
584		(ii) businesses that have demonstrated interest in literacy programs;	Strike "literacy" and insert "adult education, literacy and workforce skills."	
585				
586		(iii) literacy students, including literacy students with disabilities;	Strike "literacy" and insert "adult education, literacy and workforce skills."	
587				
588		(iv) experts in the area of literacy research;	Strike "literacy" and insert "adult education, literacy and workforce skills."	
589				
590		(v) State and local governments;		
591				
592		(vi) State Directors of adult education; and		
593				
594		(vii) representatives of employees, including representatives of labor organizations.		
595				
596			Add a new (viii) representatives with expertise in health literacy as it relates to adult education.	
597				
598		(2) **DUTIES**- The Board shall--		
599				
600		(A) make recommendations concerning the appointment of the Director and staff of the Institute;		
601				
602		(B) provide independent advice on the operation of the Institute; and	(B) provide independent advice on the operation of the Institute and make recommendations to the Center's Director.	
603				
604		(C) receive reports from the Interagency Group and the Director.	Amend to read: (C) receive written reports from the Director.	

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
605				
606		(3) **FEDERAL ADVISORY COMMITTEE ACT**- Except as otherwise provided, the Board established by this subsection shall be subject to the provisions of the Federal Advisory Committee Act (5 U.S.C. App.).		
607				
608		(4) **APPOINTMENTS**-		
609				
610		(A) **IN GENERAL**- Each member of the Board shall be appointed for a term of 3 years, except that the initial terms for members may be 1, 2, or 3 years in order to establish a rotation in which one-third of the members are selected each year. Any such member may be appointed for not more than 2 consecutive terms.	Amend to read: (A) **IN GENERAL** - Each member of the Board shall be appointed for a term of three years. Any such member may be appointed for not more than 2 consecutive terms or a total of six years.	
611				
612		(B) **VACANCIES**- Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office.		
613				
614		(5) **QUORUM**- A majority of the members of the Board shall constitute a quorum but a lesser number may hold hearings. Any recommendation of the Board may be passed only by a majority of the Board's members present.		
615				
616		(6) **ELECTION OF OFFICERS**- The Chairperson and Vice Chairperson of the Board shall be elected by the members of the Board. The term of office of the Chairperson and Vice Chairperson shall be 2 years.	Amend to read: (6) **ELECTION OF OFFICERS**- The Chairperson and Vice Chairperson of the Board shall be elected by the members of the Board. The term of office of the Chairperson and Vice Chairperson shall be 2 years. *The Chairperson and Vice Chairperson may not serve for more than one term.*	
617				
618		(7) **MEETINGS**- The Board shall meet at the call of the Chairperson or a majority of the members of the Board.	Amend to read: (7) **MEETINGS** - The board shall meet semi-annually or at the call of a majority of the Board.	
619				
620		f) **GIFTS, BEQUESTS, AND DEVISES**-		
621				
622		(1) **IN GENERAL**- The Institute may accept, administer, and use gifts or donations of services, money, or property, whether real or personal, tangible or intangible.		
623				

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
624		(2) **RULES**- The Board shall establish written rules setting forth the criteria to be used by the Institute in determining whether the acceptance of contributions of services, money, or property whether real or personal, tangible or intangible, would reflect unfavorably upon the ability of the Institute or any employee to carry out the responsibilities of the Institute or employee, or official duties, in a fair and objective manner, or would compromise the integrity or the appearance of the integrity of the Institute's programs or any official involved in those programs.		
625				
626		(g) **MAILS**- The Board and the Institute may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.		
627				
628		(h) **STAFF**- The Interagency Group, after considering recommendations made by the Board, shall appoint and fix the pay of a Director.	Amend to read: The White House shall appoint and fix the pay of the Director. Such pay shall be consistent with that provided to the Assistant Secretary of Vocational and Adult Education.	The pay and reporting structure for this position should be commensurate with other federal agencies with similar scope and responsibilities.
629				
630			**(1) DIRECTOR QUALIFICATIONS**: The Director shall have:	
631				
632			(A)experience and expertise in the field of adult education; and	
633				
634			(B) managerial experience consistent carrying out the duties of the Center.	
635				
636			(2) Term - (A) the Director shall be appointed to serve for a period of 6 years, beginning on the date of the reappointment. (B) the Director shall undergo an evaluation every two years. If evaluation demonstrates that the Director's performance is not consistent with the requirements of the position, a new Director can be appointed. (C) If the evaluation finds that the Director's performance is consistent with the requirements of the position, the Director can be appointed for another 6 year term.	
637				
638			(3) Administration - the Director shall -	
639				
640			(A) administer, oversee, and coordinate the activities carried out under the Center.	
641				
642			(B) guide strategic planning for the Center.	
643				
644			(C) propose to the Board priorities for the Center.	
645				

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
646			(D) coordinate with Departments of Education, Labor, Health and Human Services and other appropriate agencies to align adult education policy and services among federal agencies.	
647				
648			(E) solicit and consider recommendations of adult education stakeholders, in order to ensure there is a broad and regular public and professional input from the adult education field in planning and carrying out of the Center's activities.	
649				
650			(F) to carry out and support other activities consistent with the priorities and mission of the Center.	
651				
652		(i) **APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS**- The Director and staff of the Institute may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of the annual rate of basic pay payable for level IV of the Executive Schedule.		
653				
654		(j) **EXPERTS AND CONSULTANTS**- The Institute may procure temporary and intermittent services under section 3109(b) of title 5, United States Code		
655				
656		(k) **REPORT**- The Institute shall submit a report biennially to the Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate. Each report submitted under this subsection shall include--		
657				
658		(1) a comprehensive and detailed description of the Institute's operations, activities, financial condition, and accomplishments in the field of literacy for the period covered by the report;		
659				
660		(2) a description of how plans for the operation of the Institute for the succeeding 2 fiscal years will facilitate achievement of the goals of the Institute and the goals of the literacy programs within the Department of Education, the Department of Labor, and the Department of Health and Human Services; and		

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
661				
662		(3) any additional minority, or dissenting views submitted by members of the Board.		
663				
664		(l) **FUNDING-** Any amounts appropriated to the Secretary, the Secretary of Labor, the Secretary of Health and Human Services, or any other department that participates in the Institute for purposes that the Institute is authorized to perform under this section may be provided to the Institute for such purposes.		
665				
666	**SEC. 243. NATIONAL LEADERSHIP ACTIVITIES.**			
667		The Secretary shall establish and carry out a program of national leadership activities to enhance the quality of adult education and literacy programs nationwide. Such activities may include the following:	"The Secretary shall establish and carry out a program of national leadership activities to enhance the quality of adult education and literacy programs nationwide. The Secretary shall appoint an advisory board of practitioners to make recommendations regarding the use of these funds. Such activities may include the following."	
668				
669		(1) Technical assistance, including--		
670		(A) assistance provided to eligible providers in developing and using performance measures for the improvement of adult education and literacy activities, including family literacy services;		
671		(B) assistance related to professional development activities, and assistance for the purposes of developing, improving, identifying, and disseminating the most successful methods and techniques for providing adult education and literacy activities, including family literacy services, based on scientific evidence where available; and	(B) assistance related to professional development activities, and assistance for the purpose of developing, improving, identifying and disseminating the most successful methods and techniques for providing adult education and literacy activities, including family literacy services, based on evidence-based practice. Such assistance shall be targeted to individuals who a) administer programs providing adult literacy, basic education, and English-as-a-second language services; and b) provide direct instruction to adults in literacy, basic education, and English-as-a-second language programs, including certified teachers and volunteer tutors.	
672		(C) assistance in distance learning and promoting and improving the use of technology in the classroom.	Amend to read "assistance in distance learning, promoting and improving the use of technology in the classroom, and models which blend face-to-face and distance learning.	

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
673			(D) assistance in designing, implementing and evaluating career and college pathway services that integrate adult education services and postsecondary education and training content or which dually or concurrently enroll students in adult education services and postsecondary education and training that lead to industry-based certification or institutionally-granted certification, diplomas, or degrees necessary for high demand jobs."	
674			(2) Supporting, in collaboration with the National Center for Education Statistics, a regularly recurring survey of adults aged 16 and older in the United States in order to provide a nationally representative assessment of English literacy among American adults. Such survey should be conducted at a minimum of once every ten years, and results disseminated, in a timely manner and should be funded by the National Center for Education Statistics.	
675		(2) Funding national leadership activities that are not described in paragraph (1), either directly or through grants, contracts, or cooperative agreements awarded on a competitive basis to or with postsecondary educational institutions, public or private organizations or agencies, or consortia of such institutions, organizations, or agencies, such as--	Becomes (3)	
676		(A) developing, improving, and identifying the most successful methods and techniques for addressing the education needs of adults, including instructional practices using phonemic awareness, systematic phonics, fluency, and reading comprehension, based on the work of the National Institute of Child Health and Human Development;	A) developing, improving, and identifying the most successful methods and techniques for addressing the education needs of adults, including the use of innovative media, innovative delivery methods such as distance and blended learning models, using Internet-accessible computers as well as devices such as mobile telephones or web-accessible handhelds, and instructional practices using phonemic awareness, systematic phonics, fluency, and reading comprehension, based on the work of the National Institute of Child Health and Human Development;	
677		(B) increasing the effectiveness of, and improving the qualify of, adult education and literacy activities, including family literacy services;		
678		(C) carrying out research, such as estimating the number of adults functioning at the lowest levels of literacy proficiency;	Revise to read, "carrying out research on a regularly recurring schedule on the number of adults functioning at varying levels of literacy proficiency."	

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
679		(D)(i) carrying out demonstration programs;	(D)(i) carrying out demonstration programs, specifically a demonstration program on how to use state-of-the-art computer and Internet technologies that were designed for those who have physical or learning disabilities to help other adults get information from text and improve their reading and writing skills;	
680		(ii) developing and replicating model and innovative programs, such as the development of models for basic skill certificates, identification of effective strategies for working with adults with learning disabilities and with individuals with limited English proficiency who are adults, and workplace literacy programs; and	(ii) developing and replicating model and innovative programs, such as the development of models for television, online learning, and other media and distance learning that support self-study or learning supplemental to classroom learning, basic skill certificates, identification of effective strategies for working with adults with learning disabilities and with individuals with limited English proficiency who are adults, and workplace literacy programs; and	
681		(iii) disseminating best practices information, including information regarding promising practices resulting from federally funded demonstration programs;		
682		(E) providing for the conduct of an independent evaluation and assessment of adult education and literacy activities through studies and analyses conducted independently through grants and contracts awarded on a competitive basis, which evaluation and assessment shall include descriptions of--		
683		(i) the effect of performance measures and other measures of accountability on the delivery of adult education and literacy activities, including family literacy services;		
684		(ii) the extent to which the adult education and literacy activities, including family literacy services, increase the literacy skills of adults (and of children, in the case of family literacy services), lead the participants in such activities to involvement in further education and training, enhance the employment and earnings of such participants, and, if applicable, lead to other positive outcomes, such as reductions in recidivism in the case of prison-based adult education and literacy activities;		
685		(iii) the extent to which the provision of support services to adults enrolled in adult education and family literacy programs increase the rate of enrollment in, and successful completion of, such programs; and		

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
686		(iv) the extent to which eligible agencies have distributed funds under section 231 to meet the needs of adults through community-based organizations;		
687		(F) supporting efforts aimed at capacity building at the State and local levels, such as technical assistance in program planning, assessment, evaluation, and monitoring of activities carried out under this subtitle;	(F) supporting efforts aimed at capacity building at the state and local levels, such as technical assistance in program planning, assessment, evaluation, the incorporation of technology into instruction, professional development and program management, and monitoring of activities carried out under this subtitle;	
688		(G) collecting data, such as data regarding the improvement of both local and State data systems, through technical assistance and development of model performance data collection systems; and		
689			(H) "carrying out activities related to the health literacy of adults."	
690			(I) Make funding available for the implementation of accountability requirements, pilot testing of innovations that involve development of new program designs, models and curricula for adult English language learners.	
691			(J) providing three-year grants to states to improve the quality of the adult literacy and language learning workforce by establishing State Adult Literacy Professional Development and Career System Task Forces and supporting the activities of such task forces.	
692		(H) other activities designed to enhance the quality of adult education and literacy activities nationwide.	Becomes (K)	
693				
694	**SEC. 218. INTEGRATED ENGLISH LITERACY AND CIVICS EDUCATION.**			We support making permanent the provisions the current ESL/Civics program authorized each year through the appropriations process.
695			Chapter 4 of subtitle A of title II (29 U.S.C. 9251 et seq.) is amended by adding at the end the following:	
696				
697			SEC. 244. INTEGRATED ENGLISH LITERACY AND CIVICS EDUCATION.	
698				
699			`(a) IN GENERAL- From funds made available under section 211(a)(4) for each fiscal year, the Secretary shall award grants to States, from allotments under subsection (b), for integrated English literacy and civics education.	
700				
701			`(b) ALLOTMENT-	
702				

	A	B	C	D
1	**Section Number**	**Current Law**	**Coalition Proposal**	**Justification**
703			`(1) IN GENERAL- Subject to paragraph (2), from amounts made available under section 211(a)(4) for a fiscal year, the Secretary shall allocate--	
704			`(A) 65 percent to the States on the basis of a State's need for integrated English literacy and civics education, as determined by calculating each State's share of a 10-year average of the data of the Office of Immigration Statistics of the Department of Homeland Security for immigrants admitted for legal permanent residence for the 10 most recent years; and	
705			`(B) 35 percent to the States on the basis of whether the State experienced growth, as measured by the average of the 3 most recent years for which the data of the Office of Immigration Statistics of the Department of Homeland Security for immigrants admitted for legal permanent residence are available.	
706			`(2) MINIMUM- No State shall receive an allotment under paragraph (1) in an amount that is less than $60,000.'.	