

119TH CONGRESS
2D SESSION

S. _____

To add requirements for certain literacy activities carried out under the
Elementary and Secondary Education Act of 1965.

IN THE SENATE OF THE UNITED STATES

Mr. CRUZ (for himself and Mr. SCHATZ) introduced the following bill; which
was read twice and referred to the Committee on _____

A BILL

To add requirements for certain literacy activities carried
out under the Elementary and Secondary Education Act
of 1965.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Improving America’s
5 Literacy Act”.

6 **SEC. 2. COMPREHENSIVE LITERACY STATE DEVELOPMENT**
7 **GRANTS.**

8 (a) DEFINITIONS.—Section 2221(b) of the Elemen-
9 tary and Secondary Education Act of 1965 (20 U.S.C.
10 6641(b)) is amended—

1 (1) in paragraph (1)—

2 (A) in subparagraph (K), by striking
3 “and” after the semicolon;

4 (B) in subparagraph (L), by striking the
5 period and inserting “; and”; and

6 (C) by adding at the end the following:

7 “(M) does not include the use of a three-
8 cueing model.”; and

9 (2) by adding at the end the following:

10 “(4) THREE-CUEING MODEL.—The term ‘three-
11 cueing model’ means an instructional approach or
12 model that—

13 “(A) uses meaning drawn from context,
14 pictures, or syntax as the primary basis for
15 teaching word recognition (commonly referred
16 to as ‘meaning, structure and syntax, and vis-
17 ual cues’ or ‘MSV’); or

18 “(B) teaches visual memory as the primary
19 basis for word recognition.”.

20 (b) GRANTS.—Section 2222 of the Elementary and
21 Secondary Education Act of 1965 (20 U.S.C. 6642) is
22 amended—

23 (1) by striking subsection (c) and inserting the
24 following:

25 “(c) DURATION; ANNUAL REVIEW; RENEWAL.—

1 “(1) DURATION.—A grant awarded under this
2 subpart shall be for a period of not more than 5
3 years total.

4 “(2) ANNUAL REVIEW.—

5 “(A) IN GENERAL.—The Secretary shall
6 conduct an annual review of each State edu-
7 cational agency receiving a grant under this
8 subpart, which shall include—

9 “(i) a review of the impacts of fund-
10 ing under this subpart on student literacy
11 outcomes;

12 “(ii) information about grant and
13 subgrant recipients by geographic location;
14 and

15 “(iii) a review of specific activities and
16 strategies employed by such recipients to
17 improve literacy outcomes.

18 “(B) PUBLIC AVAILABILITY.—The Sec-
19 retary, or the Secretary’s designee, shall issue
20 an annual report summarizing the annual re-
21 view described in subparagraph (A) that shall
22 be made publicly available on the website of the
23 Department of Education.

24 “(3) RENEWAL.—Such grant may be renewed
25 for an additional 2-year period upon the termination

1 of the initial period of the grant if the grant recipi-
2 ent demonstrates to the satisfaction of the Secretary
3 that—

4 “(A) the State has made adequate
5 progress; and

6 “(B) renewing the grant for an additional
7 2-year period is necessary to carry out the ob-
8 jectives of the grant described in subsection
9 (d).”;
10 (2) in subsection (d)(2)(E)—

11 (A) in clause (i), by striking “or” after the
12 semicolon;

13 (B) in clause (ii), by striking the period at
14 the end and inserting a semicolon;

15 (C) by adding at the end the following:

16 “(iii) demonstrates significant defi-
17 ciencies in reading or language arts, such
18 as through the results of the statewide aca-
19 demic assessments required under section
20 1111(b)(2); or”.

21 (D) by adding at the end the following:

22 “(F) An assurance that the State edu-
23 cational agency will use funds in accordance
24 with the limitations described in subsection
25 (e).”; and

1 (3) by striking subsection (e) and inserting the
2 following:

3 “(e) AWARD CRITERIA.—The Secretary shall award
4 grants under this section to State educational agencies
5 that—

6 “(1) will use the grant funds to carry out evi-
7 dence-based activities, or support eligible entities
8 that carry out evidence-based activities, defined for
9 the purpose of this subsection as activities meeting
10 the requirements of section 8101(21)(A)(i)(I);

“(2) will use the grant funds to implement, or support eligible entities that implement, instructional strategies and materials that focus on phonemic awareness, phonics, fluency, vocabulary, and comprehension; and

16 “(3) do not use a three-cueing model.”.

17 SEC. 3. SCHOOL IMPROVEMENT GRANTS.

18 Section 1003 of the Elementary and Secondary Edu-
19 cation Act of 1965 (20 U.S.C. 6303) is amended—

20 (1) in subsection (e)—

21 (A) in paragraph (1)(F), by striking
22 “and” after the semicolon;

(B) in paragraph (2), by striking the period and inserting “; and”; and

25 (C) by adding at the end the following:

1 “(3) an assurance that the local educational
2 agency will comply with the requirements regarding
3 literacy under subsection (j).”; and

4 (2) by adding at the end the following:

5 “(j) ADDITIONAL REQUIREMENTS REGARDING LIT-
6 ERACY.—

7 “(1) IN GENERAL.—Notwithstanding any other
8 provision of this section, a State educational agency,
9 in allocating funds to local educational agencies
10 under this section, shall only allocate funds to local
11 educational agencies that will ensure that literacy
12 activities that are carried out using such funds
13 are—

14 “(A) evidence-based, defined for the pur-
15 pose of this subsection as activities meeting the
16 requirements of section 8101(21)(A)(i)(I); and

17 “(B) implemented using instructional
18 strategies and materials that focus on phonemic
19 awareness, phonics, fluency, vocabulary, and
20 comprehension.”.

21 **SEC. 4. RESEARCH ON LITERACY.**

22 (a) RESEARCH ON BROADER EVIDENCE IMPLEMEN-
23 TATION.—The Director of the Institute of Education
24 Sciences (referred to in this section as the “Director”)
25 shall conduct research to identify and evaluate State and

1 local strategies associated with significant improvements
2 in student literacy outcomes. Such research shall—

3 (1) examine State educational agencies and
4 local educational agencies that have demonstrated
5 sustained increases in literacy achievement, includ-
6 ing improvements on State assessments and the Na-
7 tional Assessment of Educational Progress;

8 (2) identify the instructional practices, cur-
9 ricular materials, professional development ap-
10 proaches, and policy supports implemented by such
11 agencies, such as family and community engage-
12 ment, student and teacher coaching, individualized
13 reading plans, teacher training, integration of cur-
14 riculum specialists, literacy instruction for English
15 learners, and early grade retention policies; and

16 (3) assess the extent to which such strategies
17 meet the definition of evidence-based under section
18 8101(21) of the Elementary and Secondary Edu-
19 cation Act of 1965 (20 U.S.C. 7801(21)).

20 (b) REPORT TO CONGRESS.—Not later than 5 years
21 after the date of enactment of this Act, the Director
22 shall—

23 (1) submit to the Committee on Health, Edu-
24 cation, Labor, and Pensions of the Senate and the
25 Committee on Education and the Workforce of the

1 House of Representatives a report containing the
2 findings of the evaluation carried out under this sec-
3 tion;

4 (2) disseminate findings regarding practices as-
5 sociated with improved literacy outcomes, including
6 through regional educational laboratories awarded
7 contracts under section 174 of the Education
8 Sciences Reform Act of 2002 (20 U.S.C. 9564); and

9 (3) make such report and findings publicly
10 available on the website of the Department of Edu-
11 cation.

12 **SEC. 5. RULES OF CONSTRUCTION.**

13 Nothing in this Act, or the amendments made by this
14 Act, shall be construed to—

15 (1) limit or alter the rights, protections, and in-
16 dividualized instructional requirements under the In-
17 dividuals with Disabilities Education Act (20 U.S.C.
18 1400 et seq.), section 504 of the Rehabilitation Act
19 of 1973 (29 U.S.C. 794), or the Americans with
20 Disabilities Act (42 U.S.C. 12101 et seq.); or

21 (2) authorize any officer or employee of the
22 Federal Government to mandate, direct, or control a
23 State, local educational agency, or school's specific
24 instructional content, academic standards and as-
25 sessments, curricula, or program of instruction.