

118TH CONGRESS  
2D SESSION

# S. 3907

To authorize the Secretary of Education to carry out a grant program to assist local educational agencies with ensuring that each elementary school and secondary school has at least one reading, literacy, or biliteracy specialist on staff.

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## IN THE SENATE OF THE UNITED STATES

MARCH 12, 2024

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

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## A BILL

To authorize the Secretary of Education to carry out a grant program to assist local educational agencies with ensuring that each elementary school and secondary school has at least one reading, literacy, or biliteracy specialist on staff.

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 “Literacy Improvement  
5 for Transformation Act of 2024”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1           (1) ESEA TERMS.—The terms “elementary  
2 school”, “English learner”, “institution of higher  
3 education”, “local educational agency”, “multi-tier  
4 system of supports”, “secondary school”, and “State  
5 educational agency” have the meanings given those  
6 terms in section 8101 of the Elementary and Sec-  
7 ondary Education Act of 1965 (20 U.S.C. 7801).

8           (2) IDEA TERMS.—The terms “child with a  
9 disability”, “individualized education program” or  
10 “IEP”, “special education”, and “specific learning  
11 disability” have the meanings given those terms in  
12 section 602 of the Individuals with Disabilities Edu-  
13 cation Act (20 U.S.C. 1401).

14           (3) BILINGUAL.—The term “bilingual” means a  
15 program that makes instructional use of both  
16 English and a child’s native language.

17           (4) BILITERACY.—The term “biliteracy” means  
18 the ability to read and write with high levels of pro-  
19 ficiency in 2 languages through the appropriate and  
20 effective use of grammatical, syntactic,  
21 graphophonic, semantic, and pragmatic systems of  
22 the 2 languages.

23           (5) ELIGIBLE ENTITY.—The term “eligible enti-  
24 ty” means—

25                   (A) a local educational agency;

1 (B) a partnership between a State edu-  
2 cational agency and one or more local edu-  
3 cational agencies in the State, entered into for  
4 the purposes of a grant under this section;

5 (C) a nonprofit entity with expertise in  
6 reading intervention or specific learning disabil-  
7 ities, in partnership with a State educational  
8 agency or one or more local educational agen-  
9 cies;

10 (D) a school operated by the Bureau of In-  
11 dian Education or operated by an Indian tribe,  
12 or an organization controlled or sanctioned by  
13 an Indian tribal government, for the children of  
14 that tribe under a contract with, or grant from,  
15 the Department of the Interior under the In-  
16 dian Self-Determination Act (25 U.S.C. 5321 et  
17 seq.) or the Tribally Controlled Schools Act of  
18 1988 (25 U.S.C. 2501 et seq.); or

19 (E) an institution of higher education (in-  
20 cluding a Tribal College or University (as de-  
21 fined in section 316 of the Higher Education  
22 Act of 1965 (20 U.S.C. 1059c)).

23 (6) ENGLISH LANGUAGE DEVELOPMENT.—The  
24 term “English language development” means in-  
25 struction designed specifically for English language

1 learners to develop their listening, speaking, reading,  
2 and writing skills in English. English language de-  
3 velopment instruction may include English as a Sec-  
4 ond Language, English for Speakers of Other Lan-  
5 guages, English as a New Language, English Lan-  
6 guage Learner instruction, and English Learner in-  
7 struction.

8 (7) HIGH-NEED LOCAL EDUCATIONAL AGEN-  
9 CY.—The term “high-need local educational agency”  
10 has the meaning given such term in section 200 of  
11 the Higher Education Act of 1965 (20 U.S.C.  
12 1021).

13 (8) READING, LITERACY, OR BILITERACY SPE-  
14 CIALIST.—The term “reading, literacy, or biliteracy  
15 specialist” means a certified professional—

16 (A) whose primary responsibility is work-  
17 ing with students who struggle with reading  
18 and writing;

19 (B) who has completed additional certifi-  
20 cations or course of study and is able to dem-  
21 onstrate the ability to implement intervention  
22 strategies for the building of reading and lit-  
23 eracy or biliteracy skills; and

1 (C) who may also be referred to as an  
2 interventionist, reading teacher, or by an alter-  
3 native title.

4 (9) SECTION 504 PLAN.—The term “section 504  
5 plan” means a reasonable accommodation developed  
6 for students with disabilities to receive the appro-  
7 priate educational support services to fully partici-  
8 pate in school activities and have equal access to  
9 educational opportunities, in accordance with section  
10 504 of the Rehabilitation Act of 1973 (29 U.S.C.  
11 794).

12 (10) SECRETARY.—The term “Secretary”  
13 means the Secretary of Education.

14 (11) SUBGROUP OF STUDENTS.—The term  
15 “subgroup of students” means—

16 (A) each major racial and ethnic group;

17 (B) economically disadvantaged students  
18 as compared to students who are not economi-  
19 cally disadvantaged;

20 (C) children with disabilities as compared  
21 to children without disabilities;

22 (D) English proficiency status; and

23 (E) gender.

1 **SEC. 3. PURPOSE.**

2       The purpose of this Act is to assist State educational  
3 agencies and local educational agencies with ensuring that  
4 every elementary school and secondary school has at least  
5 one full-time certified reading, literacy, or biliteracy spe-  
6 cialist on staff, and to support the recruitment, hiring, re-  
7 tention, and development of certified reading, literacy, or  
8 biliteracy specialists.

9 **SEC. 4. FINDINGS.**

10       Congress finds the following:

11           (1) According to the Annie E. Casey Founda-  
12 tion, children who struggle to read proficiently by  
13 fourth grade are 4 times more likely to not graduate  
14 from high school than their peers with grade-level  
15 reading skills.

16           (2) According to the 2022 National Assessment  
17 of Educational Progress, 33 percent of fourth grad-  
18 ers and 31 percent of eighth graders scored at or  
19 above proficient in English reading. In 2019, 37 per-  
20 cent of twelfth graders scored at or above proficient  
21 in English reading.

22           (3) In 2022, 66 percent of fourth graders and  
23 69 percent of eighth graders scored at or below the  
24 National Assessment of Educational Progress Basic  
25 English reading level.

1           (4) According to leading researchers Thomas  
 2           and Collier, students that have access to high-quality  
 3           bilingual instruction tend to exhibit higher edu-  
 4           cational outcomes long-term, as demonstrated by  
 5           academic performance and engagement, than their  
 6           peers who are not enrolled in bilingual programs.

7   **SEC. 5. LITERACY IMPROVEMENT AND TRANSFORMATION**  
 8           **GRANT PROGRAM.**

9           (a) GRANT PROGRAM AUTHORIZED.—

10           (1) IN GENERAL.—The Secretary shall establish  
 11           a program to award grants, on a competitive basis,  
 12           to eligible entities to carry out the activities de-  
 13           scribed under subsection (d).

14           (2) DURATION.—Grants awarded under this  
 15           section shall be for a period of 5 years.

16           (b) APPLICATION.—An eligible entity desiring a grant  
 17           under this section shall submit an application to the Sec-  
 18           retary at such time, in such manner, and containing such  
 19           information as the Secretary may require, including—

20           (1) a needs assessment of the eligible entity  
 21           that demonstrates the existence of persistent short-  
 22           ages of reading, literacy, or biliteracy specialists or  
 23           persistent shortages of full-time reading, literacy, or  
 24           biliteracy specialists;

1           (2) demographic information about the student  
2 population served by the eligible entity,  
3 disaggregated (to the extent that such information  
4 complies with applicable privacy law and protects  
5 personally identifiable information), by—

6           (A) subgroups of students and grade level;

7           and

8           (B) status as a student that—

9                 (i) has a section 504 plan;

10                (ii) has an IEP; and

11                (iii) is an English learner;

12           (3) a description of the relevant academic needs  
13 of the student population served by the eligible enti-  
14 ty, including—

15           (A) the ratio of reading and literacy spe-  
16 cialists to whole student population; and

17           (B) an overview of student performance re-  
18 lated to reading, literacy, and comprehension on  
19 formative and summative reading assessments,  
20 standardized tests, and district and State  
21 benchmarks, including such information  
22 disaggregated (to the extent that such informa-  
23 tion complies with applicable privacy law and  
24 protects personally identifiable information),  
25 by—



1 (i) subgroups of students and grade  
2 level; and

3 (ii) status as a student that—

4 (I) has a section 504 plan;

5 (II) has an IEP; and

6 (III) is an English learner;

7 (4) graduation rates, attendance data, and dis-  
8 ciplinary data (as determined by the Secretary),  
9 disaggregated (to the extent that such information  
10 complies with applicable privacy law and protects  
11 personally identifiable information) by—

12 (A) subgroups of students and grade level;

13 and

14 (B) status as a student that—

15 (i) has a section 504 plan;

16 (ii) has an IEP; and

17 (iii) is an English learner;

18 (5) a comprehensive plan for the use of grant  
19 funds to address persistent shortages described in  
20 the needs assessment under paragraph (1), including  
21 a description of—

22 (A) how grant funds will be used in ac-  
23 cordance with subsection (d);

24 (B) how such activities will improve or  
25 strengthen intervention strategies; and

1 (C) how such funds will be used to ensure  
2 that the eligible entity will continue to employ  
3 and retain reading, literacy, or biliteracy special-  
4 ists after the completion of the grant period;

5 (6) a description of how the eligible entity will  
6 prioritize recruiting individuals from the commu-  
7 nities served by the eligible entity and from under-  
8 represented populations in the field of education (as  
9 determined by the Secretary by regulation) to serve  
10 as full-time reading, literacy, or biliteracy specialists,  
11 and how the eligible entity will track progress in  
12 meeting any specified hiring goals;

13 (7) an assurance that the eligible entity will en-  
14 sure compliance with the requirement described in  
15 subsection (e);

16 (8) a description of how the eligible entity is  
17 meeting the literacy and second language acquisition  
18 needs of English learners through English language  
19 development, English as a Second Language, or bi-  
20 lingual program offerings;

21 (9) an assurance that the second language de-  
22 velopment needs of English learners will not result  
23 in English learners being placed in remedial reading  
24 courses; and

1           (10) an assurance that Native American  
2 English learners whose home language is orally  
3 based are not disadvantaged when those English  
4 learners begin to learn English, especially by pro-  
5 viding an assurance of culturally and linguistically  
6 responsive, engaging, and evidence-based strategies  
7 that promote student success.

8           (c) SELECTION AND PRIORITY.—In awarding grants  
9 under this section, the Secretary shall—

10           (1) give a first priority to eligible entities that  
11 are located in a State that is in the lowest quartile  
12 of States, in a ranking of all States, ranked in de-  
13 scending order by the percentage of students in  
14 grades 4 and 8 in the State who score at or above  
15 a level of Proficient on the National Assessment of  
16 Educational Progress reading assessments for stu-  
17 dents in grades 4 and 8; and

18           (2) if the priority in paragraph (1) has been  
19 satisfied, or if no applicants described in paragraph  
20 (1) apply, then the Secretary shall give priority to  
21 applicants that—

22           (A) are a high-need local educational agen-  
23 cy, or are a partnership between a State edu-  
24 cational agency and a consortium of high-need  
25 local educational agencies; and

1 (B) describe and set specific hiring goals  
2 towards increasing the share of reading, lit-  
3 eracy, or biliteracy specialists who are from  
4 underrepresented populations in the field of  
5 education.

6 (d) ACTIVITIES.—Grant funds awarded under this  
7 section shall be used by an eligible entity to carry out one  
8 or more of the following activities:

9 (1) Recruiting, hiring, and developing full-time  
10 reading, literacy, or biliteracy specialists.

11 (2) Providing resources necessary to support  
12 the development of reading, literacy, or biliteracy  
13 specialists from a part-time to full-time capacity at  
14 elementary schools or secondary schools served by  
15 the eligible entity, including through full funding for  
16 teachers who are employed by the eligible entity at  
17 the time of the grant to earn an evidence-based  
18 reading, literacy, or biliteracy specialist certification  
19 from an accredited institution of higher education.

20 (3) Supporting the retention of reading, lit-  
21 eracy, or biliteracy specialists, including by increas-  
22 ing salaries.

23 (4) Ensuring that at least 1 full-time reading,  
24 literacy, or biliteracy specialist is on staff at each el-

1 elementary school and secondary school served by the  
2 eligible entity.

3 (5) Supporting biliteracy development, teaching,  
4 and assessment strategies.

5 (6) Providing continual professional develop-  
6 ment opportunities regarding reading difficulties in  
7 students with disabilities, including how to identify  
8 reading disabilities in students with other diagnoses.

9 (e) REQUIREMENT; RULE OF CONSTRUCTION.—

10 (1) REQUIREMENT.—Each grant recipient shall  
11 ensure that any reading, literacy, or biliteracy spe-  
12 cialist whose position is partially or fully funded by  
13 grant funds spends not less than 80 percent of their  
14 time in that position working with teachers and stu-  
15 dents to improve student outcomes.

16 (2) RULE OF CONSTRUCTION.—Nothing in this  
17 Act shall be construed to limit the preservation or  
18 use of Native American languages.

19 (f) REPORT.—Each eligible entity awarded a grant  
20 under this section shall submit to the Secretary an annual  
21 report for each year of the grant award. Such report shall  
22 include—

23 (1) a summary of the eligible entity's progress  
24 in employing at least 1 full-time reading, literacy, or

1 biliteracy specialist at each elementary school and  
2 secondary school served by the eligible entity;

3 (2) data on the number of full-time and part-  
4 time reading, literacy, or biliteracy specialists,  
5 disaggregated by major racial and ethnic groups and  
6 gender, employed at each elementary school and sec-  
7 ondary school served by the eligible entity, and data  
8 on the ratio of students to reading, literacy, or  
9 biliteracy specialists at each such school;

10 (3) a summary of any progress made by the eli-  
11 gible entity in addressing reading, literacy, and com-  
12 prehension, as identified in the needs assessment re-  
13 quired under subsection (b)(2), as a result of the ac-  
14 tivities carried out with a grant under this section;  
15 and

16 (4) a summary of the number of students in  
17 each subgroup of students who were served by the  
18 reading, literacy, or biliteracy specialist (to the ex-  
19 tent that such information complies with applicable  
20 privacy law and protects personally identifiable in-  
21 formation).

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