



## Legislative Update

**November 10, 2009**

### **Introduction and Overview**

This update is a report on what is in process, with many of the elements to be finalized over the coming weeks. This includes the funding for the 2010-2011 school year, possible action on several proposals impacting literacy, finalizing regulations by the US Department of Education impacting use of stimulus funds, and discussions on the core standards.

Also, in the “next steps” section of this update see several items pertaining to IRA and sharing of information. We will be hosting a webinar on November 17<sup>th</sup> providing IRA state and local councils with information on the opportunities presented as a part of the Innovation Fund section of the stimulus. On February 4<sup>th</sup> and 5<sup>th</sup> is the next IRA Legislative Mini-Workshop. Plus, sign up for specialized distribution lists on Early Childhood and Literacy Policy, K-4 and Literacy Policy, Adolescent Literacy Policy, Adult Basic and Literacy Policy, and Teacher Education and Literacy Policy.

### **Introduction of the LEARN Act**

The House (H.R.4037) and Senate (S. 2740) have each introduced their own versions of the LEARN Act (Literacy Education for All, Results for the Nation). Summaries to these bills are attached. The core of the measures is to provide funds to high need schools (K-12) and to early childhood programs (for children age 0 – 5) to support professional development programs to improve literacy instruction. The initial sponsors in the House are Congressman Yarmouth (D-KY), Polis (D-CO), and Miller (D-CA and chair of the House Committee on Education and Labor). In the Senate the initial sponsor is Senator Murray (D-WA).

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The next step is to gather co-sponsors for each measure. You may wish to write your Senators and Member of Congress to ask them to contact the initial sponsors to co-sponsor the measure.

The outlook for the measures is positive. What we expect is that they will become part of the reauthorization of the Elementary and Secondary Education Act – now called No Child Left Behind. However, it is possible that the measure could move on its own. It just isn't likely.

### **Funding**

The Congress is actually working on two different funding measures. One is the emergency spending plan, the *Continuing Resolution* (CR). The current version is due to expire on December 18th. The odds are high that there will be one more – a long-term CR to carry the government through the balance of the fiscal year. The appropriations levels and spending decisions made in the year-long bill are very important. One of the items in the House passed measure is how the funds for the school improvement program should be spent in 2010. For the reading community this is of high interest. In the House committee passed version, the measure called for this fund to be split with one-half of the \$543 million going to reading. This is a placeholder until the Congress decides on a new reading measure.

The other measure is called *budget reconciliation*. In this procedure the Congress adjusts spending levels to bring budgetary targets into alignment. Over the years, this process has also provided the Congress with the opportunity to enact new programs and fund them. The House is expected to push an early childhood challenge grant. This has been reported in earlier updates. It is still in the proposal. In addition some observers think that the Senate may also try to add specific education measures. One area could be secondary school—and this would be along with student loans for college and a community college program. The student loan programs are being changed from the mixed bank-based system and college-based lending program to being completely administered through the colleges and universities.

### **New Stimulus Supported Programs**

The Congress passed and the President signed the American Recovery and Reinvestment Act in February 2009. In it were several distinct programs for education. The US Department of Education (USED) submitted draft rules and definitions for public comment. The comment period is over and now final rules and definitions are expected. These areas include the **Race to the Top program, the innovation fund, technology fund, and the teacher incentive fund**. The specifics of these topics have been covered in other updates. Join our webinar on November 17<sup>th</sup> to discuss how the Innovation Fund may be a source of opportunity for IRA state councils.



It is important to note that there are several intertwined ideas in the set of stimulus programs. First, USED is targeting low-functioning schools. USED wants to see them changed – either by changing them into charters, closing them, transforming them, or **instituting turnaround plans**. All have the requirement of impacting staff, removal/change of leadership, school staff and professional development activities, making use of technology for data collection and instructional change, changing assessments, and other tools.

### **Reauthorization**

The Secretary of Education has said that it is time to rewrite No Child Left Behind. The Department has begun a set of outreach meetings on specific subjects and there have been a series of internal meetings in the Department to draft a position on reauthorization. The IRA has established a task force to update its position.

The Congress seems to be moving towards holding hearings on subjects related to reauthorization but hasn't committed to it. One of the main reasons for the wait is that many of the members who are key to education are also involved in the debate on health care.

Reauthorization will focus on many of the core NCLB related issues, such as:

1. How AYP is determined,
2. How schools move into corrective action,
3. How is assessment conducted,
4. How will secondary schools be impacted,
5. and many other areas.

But there will be many new areas:

6. How will IDEA and ESEA be coordinated,
7. How will high need populations such as ELL and handicapped be a part of AYP,
8. How will teachers be measured for effectiveness, and
9. a wide range of other issues (including the base formulas).

### **Next steps....**

1. Think about participating in the upcoming webinar. (To register: [irawash@reading.org](mailto:irawash@reading.org).)
2. Keep checking the website for updates. Unlike the past few years there is a lot going on. The new part of the IRA website on advocacy will be up and running shortly ([www.reading.org/advocacy](http://www.reading.org/advocacy)).



3. State councils should think about participating in the February 4th & 5th legislative workshop. To register use the registration form attached or see [www.reading.org/advocacy](http://www.reading.org/advocacy).
4. Think about signing up for a specialized information program that IRA is supporting in the areas of: Early Childhood and Literacy Policy, K-4 and Literacy Policy, Adolescent Literacy Policy, Adult Basic and Literacy Policy, and Teacher Education and Literacy Policy. To register for any or all of these groups please contact [irawash@reading.org](mailto:irawash@reading.org).

### **Attachments:**

LEARN Act Summaries

Registration for IRA mini-Legislative Workshop Feb 4 & 5

### **House Summary:**

## **Literacy Education for All, Results for the Nation (LEARN) Act**

The LEARN Act will support comprehensive State and local literacy initiatives to ensure that children from birth through 12th grade have the reading and writing skills necessary for success in school and beyond. Specifically, the bill will:

### **I. Provide federal support for literacy initiatives by:**

- Authorizing \$2.35 billion each year for comprehensive, high-quality State and local literacy initiatives that span birth through 12th grade;
- Enabling States to design a comprehensive literacy plan and make subgrants to early learning providers and school districts to develop and implement high-quality literacy initiatives that will improve the reading and writing skills of all children and students;
- Designating that funds must be allocated as follows:
  - 15% for children birth through kindergarten entry
  - 40% for kindergarten through grade 5
  - 40% for grades 6 through 12;
- Targeting funding to high-need student populations and schools;
- Requiring a rigorous national evaluation of the programs; and
- Including stringent conflict of interest restrictions for the programs' peer review process.

### **II. Enhance each State's role in improving literacy instruction by:**

- Supporting the formation of a State Literacy Leadership Team made up of literacy experts and key stakeholders to assist in the development of a comprehensive State literacy plan that includes a needs assessment, a capacity survey, and an implementation plan to ensure high-quality instruction in reading and writing;
- Requiring States to provide technical assistance to early learning providers and local educational agencies on implementing high-quality professional development programs for literacy instruction; and



- Requiring each State to review pre-service coursework as well as State licensure and certification requirements and make recommendations to improve training in high-quality literacy instruction.

### **III. Support the creation of local high-quality literacy initiatives by:**

- Providing high-quality professional development for instructional staff that is jobembedded, ongoing, and research-based, and supporting teachers in analyzing assessment data to improve student learning;
- Providing children and students with high-quality early literacy instruction and reading and writing instruction;
- Utilizing assessment systems to inform and improve instruction and student learning at all age and grade levels; and
- Supporting school-wide literacy initiatives and additional literacy supports to address the specific learning needs of English language learners, students with disabilities, and struggling readers and writers.

Senate Summary:

### **Literacy Education for All, Results for the Nation (LEARN) Act**

The LEARN Act would support comprehensive state and local literacy programs to ensure that children from birth to grade twelve have the reading and writing skills necessary for success in school and beyond. Specifically, the bill would:

#### **I. Provide federal support for literacy programs by:**

- a) authorizing \$2.35 billion for comprehensive literacy programs, providing funds for both existing and new high-quality state and local school-based literacy programs that span birth to grade twelve, through the use of a state formula grant;
- b) allocating not less than 10 percent of the \$2.35 billion for children from birth to age five, not less than 40 percent for students in kindergarten to grade five, and not less than 40 percent for students grades six through twelve; and
- c) requiring a rigorous national evaluation of the programs that includes stringent conflict of interest restrictions for the programs' peer review process.

#### **II. Enhance each state's role in improving literacy instruction by:**

- a) supporting the formation of a state literacy leadership team made up of literacy experts and relevant stakeholders;
- b) supporting the development of a comprehensive state literacy plan, including a needs assessment and an implementation plan to ensure high-quality instruction in reading and writing from early childhood education through grade twelve;
- c) requiring each state to provide competitive subgrants to local educational agencies;
- d) targeting funding to schools with the greatest need (as defined by poverty or low student literacy achievement);
- e) requiring each state to provide technical assistance to local educational agencies on how to implement high-quality professional development programs for literacy instruction;



- f) requiring each state to review pre-service course work as well as state licensure and certification requirements, and make recommendations to improve training in high-quality literacy instruction; and
- g) allowing states with effective literacy instruction programs to keep and enhance their existing program structure;

**III. Support the creation of local high-quality literacy programs in schools by:**

a) providing high-quality professional development for instructional staff that is job-embedded, ongoing, and research-based, providing teachers with expertise in literacy instruction appropriate to specific grade levels, analyzing data to improve student learning, and effective implementation of literacy instruction strategies;

b) providing students with explicit, systematic, and developmentally appropriate instruction in reading and writing, including but not limited to vocabulary development, phonemic awareness,

reading comprehension, and the use of diverse texts;

c) utilizing diagnostic, formative, and summative assessments to inform and improve instruction and student learning at all age levels; and

d) supporting schoolwide literacy programs and additional literacy supports to address the specific learning needs of struggling readers and writers, including English language learners and students with disabilities.



**2010 Governmental Relations Workshop Registration Form  
February 4 -5, 2010  
Washington, DC**

**Strengthen your and your council's ability to impact legislation  
by providing the best training and information!**

The 2010 Legislative Workshop features new initiatives and programs for educators. Learn from sessions for those new to the advocacy effort — and those with years of experience. We will train workshop participants to be effective advocates on both federal and state issues. Participants will have the opportunity to meet with their Members of Congress and/or their staffs on Capitol Hill.

This is a *no-cost workshop* hosted by IRA's Washington Office and the Government Relations Committee.

*We would like to limit registration to 25-30 attendees.*

**REGISTRATION (PLEASE PRINT)**

*(To register, please email, mail or fax to the IRA Washington Office at 444 N. Capitol St. NW, Suite 523, Washington, DC 20001; Fax: 202 624-8826; email: [irawash@reading.org](mailto:irawash@reading.org))*

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_  
\_\_\_\_\_

**Phone:** (H) \_\_\_\_\_ (B) \_\_\_\_\_

**Fax:** \_\_\_\_\_

**E-mail:** \_\_\_\_\_

**Required: Your representative in the House of Representatives:**

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**Your occupation or former occupation:**



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Circle the days you will attend:    **Full Workshop**    **Thurs. only**    **Fri.**  
**only**