

PRIOR PROVISIONS

A prior section 6365, Pub. L. 89-10, title I, §1205, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3580; amended Pub. L. 104-134, title I, §101(b) [title II, §2755(b)], Apr. 26, 1996, 110 Stat. 1321-77, 1321-151; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327; Pub. L. 105-220, title II, §251(b)(2)(B), Aug. 7, 1998, 112 Stat. 1079; Pub. L. 105-277, div. A, §101(f) [title VIII, §405(d)(18)(A), (f)(13)(A)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-422, 2681-431; Pub. L. 106-554, §1(a)(4) [div. B, title XVI, §1604(i)], Dec. 21, 2000, 114 Stat. 2763, 2763A-331, related to Even Start program elements, prior to the general amendment of this subchapter by Pub. L. 107-110. See section 6381d of this title.

§ 6366. National activities

From funds reserved under section 6362(b)(1)(C) of this title, the Secretary—

(1) may provide technical assistance in achieving the purposes of this subpart to State educational agencies, local educational agencies, and schools requesting such assistance;

(2) shall, at a minimum, evaluate the impact of services provided to children under this subpart with respect to their referral to, and eligibility for, special education services under the Individuals with Disabilities Education Act [20 U.S.C. 1400 et seq.] (based on their difficulties learning to read); and

(3) shall carry out the external evaluation as described in section 6365 of this title.

(Pub. L. 89-10, title I, §1206, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1548.)

REFERENCES IN TEXT

The Individuals with Disabilities Education Act, referred to in par. (2), is title VI of Pub. L. 91-230, Apr. 13, 1970, 84 Stat. 175, as amended, which is classified generally to chapter 33 (§1400 et seq.) of this title. For complete classification of this Act to the Code, see section 1400 of this title and Tables.

PRIOR PROVISIONS

A prior section 6366, Pub. L. 89-10, title I, §1206, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3581; amended Pub. L. 105-220, title II, §251(b)(2)(C), Aug. 7, 1998, 112 Stat. 1079; Pub. L. 106-554, §1(a)(4) [div. B, title XVI, §1604(j)], Dec. 21, 2000, 114 Stat. 2763, 2763A-332, related to eligible participants in an Even Start program, prior to the general amendment of this subchapter by Pub. L. 107-110. See section 6381e of this title.

§ 6367. Information dissemination**(a) In general**

From funds reserved under section 6362(b)(1)(D) of this title, the National Institute for Literacy, in collaboration with the Secretary of Education, the Secretary of Health and Human Services, and the Director of the Eunice Kennedy Shriver National Institute of Child Health and Human Development shall—

(1) disseminate information on scientifically based reading research pertaining to children, youth, and adults;

(2) identify and disseminate information about schools, local educational agencies, and State educational agencies that have effectively developed and implemented classroom reading programs that meet the requirements of this subpart, including those State educational agencies, local educational agencies,

and schools that have been identified as effective through the evaluation and peer review provisions of this subpart; and

(3) support the continued identification and dissemination of information on reading programs that contain the essential components of reading instruction as supported by scientifically based reading research, that can lead to improved reading outcomes for children, youth, and adults.

(b) Dissemination and coordination

At a minimum, the National Institute for Literacy shall disseminate the information described in subsection (a) of this section to—

(1) recipients of Federal financial assistance under this subchapter, subchapter III of this chapter, 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 the Adult Education and Family Literacy Act [20 U.S.C. 9201 et seq.]; and

(2) each Bureau funded school (as defined in section 2021 of title 25).

(c) Use of existing networks

In carrying out this section, the National Institute for Literacy shall, to the extent practicable, use existing information and dissemination networks developed and maintained through other public and private entities including through the Department and the National Center for Family Literacy.

(d) National Institute for Literacy

For purposes of funds reserved under section 6362(b)(1)(D) of this title to carry out this section, the National Institute for Literacy shall administer such funds in accordance with section 9252(b) of this title (relating to the establishment and administration of the National Institute for Literacy).

(Pub. L. 89-10, title I, §1207, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1549; amended Pub. L. 110-154, §1(c)(3), Dec. 21, 2007, 121 Stat. 1828.)

REFERENCES IN TEXT

The Head Start Act, referred to in subsec. (b)(1), is subchapter B (§§635-657) of chapter 8 of subtitle A of title VI of Pub. L. 97-35, Aug. 13, 1981, 95 Stat. 499, as amended, which is classified generally to subchapter II (§9831 et seq.) of chapter 105 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 9801 of Title 42 and Tables.

The Individuals with Disabilities Education Act, referred to in subsec. (b)(1), is title VI of Pub. L. 91-230, Apr. 13, 1970, 84 Stat. 175, as amended, which is classified generally to chapter 33 (§1400 et seq.) of this title. For complete classification of this Act to the Code, see section 1400 of this title and Tables.

The Adult Education and Family Literacy Act, referred to in subsec. (b)(1), is title II of Pub. L. 105-220, Aug. 7, 1998, 112 Stat. 1059, as amended, which is classified principally to subchapter I (§9201 et seq.) of chapter 73 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 9201 of this title and Tables.

PRIOR PROVISIONS

A prior section 6367, Pub. L. 89-10, title I, §1207, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3582; amended Pub. L. 106-554, §1(a)(4) [div. B, title XVI,

§ 1604(k)], Dec. 21, 2000, 114 Stat. 2763, 2763A–332, related to applications for Even Start subgrants, prior to the general amendment of this subchapter by Pub. L. 107–110. See section 6381f of this title.

AMENDMENTS

2007—Subsec. (a). Pub. L. 110–154 substituted “Eunice Kennedy Shriver National Institute of Child Health and Human Development” for “National Institute for Child Health and Human Development” in introductory provisions.

§ 6368. Definitions

In this subpart:

(1) Eligible local educational agency

The term “eligible local educational agency” means a local educational agency that—

(A) is among the local educational agencies in the State with the highest numbers or percentages of students in kindergarten through grade 3 reading below grade level, based on the most currently available data; and

(B) has—

(i) jurisdiction over a geographic area that includes an area designated as an empowerment zone, or an enterprise community, under part I of subchapter U of chapter 1 of title 26;

(ii) jurisdiction over a significant number or percentage of schools that are identified for school improvement under section 6316(b) of this title; or

(iii) the highest numbers or percentages of children who are counted under section 6333(c) of this title, in comparison to other local educational agencies in the State.

(2) Eligible professional development provider

The term “eligible professional development provider” means a provider of professional development in reading instruction to teachers, including special education teachers, that is based on scientifically based reading research.

(3) Essential components of reading instruction

The term “essential components of reading instruction” means explicit and systematic instruction in—

(A) phonemic awareness;

(B) phonics;

(C) vocabulary development;

(D) reading fluency, including oral reading skills; and

(E) reading comprehension strategies.

(4) Instructional staff

The term “instructional staff”—

(A) means individuals who have responsibility for teaching children to read; and

(B) includes principals, teachers, supervisors of instruction, librarians, library school media specialists, teachers of academic subjects other than reading, and other individuals who have responsibility for assisting children to learn to read.

(5) Reading

The term “reading” means a complex system of deriving meaning from print that requires all of the following:

(A) The skills and knowledge to understand how phonemes, or speech sounds, are connected to print.

(B) The ability to decode unfamiliar words.

(C) The ability to read fluently.

(D) Sufficient background information and vocabulary to foster reading comprehension.

(E) The development of appropriate active strategies to construct meaning from print.

(F) The development and maintenance of a motivation to read.

(6) Scientifically based reading research

The term “scientifically based reading research” means research that—

(A) applies rigorous, systematic, and objective procedures to obtain valid knowledge relevant to reading development, reading instruction, and reading difficulties; and

(B) includes research that—

(i) employs systematic, empirical methods that draw on observation or experiment;

(ii) involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn;

(iii) relies on measurements or observational methods that provide valid data across evaluators and observers and across multiple measurements and observations; and

(iv) has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective, and scientific review.

(7) Screening, diagnostic, and classroom-based instructional reading assessments

(A) In general

The term “screening, diagnostic, and classroom-based instructional reading assessments” means—

(i) screening reading assessments;

(ii) diagnostic reading assessments; and

(iii) classroom-based instructional reading assessments.

(B) Screening reading assessment

The term “screening reading assessment” means an assessment that is—

(i) valid, reliable, and based on scientifically based reading research; and

(ii) a brief procedure designed as a first step in identifying children who may be at high risk for delayed development or academic failure and in need of further diagnosis of their need for special services or additional reading instruction.

(C) Diagnostic reading assessment

The term “diagnostic reading assessment” means an assessment that is—

(i) valid, reliable, and based on scientifically based reading research; and

(ii) used for the purpose of—

(I) identifying a child’s specific areas of strengths and weaknesses so that the child has learned to read by the end of grade 3;

(II) determining any difficulties that a child may have in learning to read and the potential cause of such difficulties; and