

Secretary regarding the eligible applicant's progress in addressing the purposes of this subpart. Such report shall include, at a minimum, a description of—

- (1) the research-based instruction, materials, and activities being used in the programs funded under the grant;
- (2) the types of programs funded under the grant and the ages of children served by such programs;
- (3) the qualifications of the program staff who provide early literacy instruction under such programs and the type of ongoing professional development provided to such staff; and
- (4) the results of the evaluation described in section 6372(b)(9) of this title.

(Pub. L. 89-10, title I, §1225, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1554.)

PRIOR PROVISIONS

A prior section 1225 of Pub. L. 89-10 was classified to section 2795 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

§ 6376. Evaluation

(a) In general

From the total amount made available under section 6302(b)(2) of this title for the period beginning October 1, 2002, and ending September 30, 2006, the Secretary shall reserve not more than \$3,000,000 to conduct an independent evaluation of the effectiveness of this subpart.

(b) Reports

(1) Interim report

Not later than October 1, 2004, the Secretary shall submit an interim report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

(2) Final report

Not later than September 30, 2006, the Secretary shall submit a final report to the committees described in paragraph (1).

(c) Contents

The reports submitted under subsection (b) of this section shall include information on the following:

- (1) How the grant recipients under this subpart are improving the prereading skills of preschool children.
- (2) The effectiveness of the professional development program assisted under this subpart.
- (3) How early childhood teachers are being prepared with scientifically based reading research on early reading development.
- (4) What activities and instructional practices are most effective.
- (5) How prereading instructional materials and literacy activities based on scientifically based reading research are being integrated into preschools, child care agencies and programs, programs carried out under the Head Start Act [42 U.S.C. 9831 et seq.], and family literacy programs.
- (6) Any recommendations on strengthening or modifying this subpart.

(Pub. L. 89-10, title I, §1226, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1555.)

REFERENCES IN TEXT

The Head Start Act, referred to in subsec. (c)(5), 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.

PRIOR PROVISIONS

A prior section 1226 of Pub. L. 89-10 was classified to section 2796 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

SUBPART 3—WILLIAM F. GOODLING EVEN START FAMILY LITERACY PROGRAMS

§ 6381. Statement of purpose

It is the purpose of this subpart to help break the cycle of poverty and illiteracy by—

- (1) improving the educational opportunities of the Nation's low-income families by integrating early childhood education, adult literacy or adult basic education, and parenting education into a unified family literacy program, to be referred to as "Even Start"; and
- (2) establishing a program that shall—

(A) be implemented through cooperative projects that build on high-quality existing community resources to create a new range of services;

(B) promote the academic achievement of children and adults;

(C) assist children and adults from low-income families to achieve to challenging State content standards and challenging State student achievement standards; and

(D) use instructional programs based on scientifically based reading research and addressing the prevention of reading difficulties for children and adults, to the extent such research is available.

(Pub. L. 89-10, title I, §1231, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1555.)

§ 6381a. Program authorized

(a) Reservation for migrant programs, outlying areas, and Indian tribes

(1) In general

For each fiscal year, the Secretary shall reserve 5 percent of the amount appropriated under section 6302(b)(3) of this title (or, if such appropriated amount exceeds \$200,000,000, 6 percent of such amount) for programs, under such terms and conditions as the Secretary shall establish, that are consistent with the purpose of this subpart, and according to their relative needs, for—

(A) children of migratory workers;

(B) the outlying areas; and

(C) Indian tribes and tribal organizations.

(2) Special rule

After December 21, 2000, the Secretary shall award a grant, on a competitive basis, of sufficient size and for a period of sufficient duration to demonstrate the effectiveness of a fam-

ily literacy program in a prison that houses women and their preschool age children and that has the capability of developing a program of high quality.

(3) Coordination of programs for American Indians

The Secretary shall ensure that programs under paragraph (1)(C) are coordinated with family literacy programs operated by the Bureau of Indian Affairs in order to avoid duplication and to encourage the dissemination of information on high-quality family literacy programs serving American Indians.

(b) Reservation for Federal activities

(1) Evaluation, technical assistance, program improvement, and replication activities

Subject to paragraph (2), from amounts appropriated under section 6302(b)(3) of this title, the Secretary may reserve not more than 3 percent of such amounts for purposes of—

- (A) carrying out the evaluation required by section 6381h of this title; and
- (B) providing, through grants or contracts with eligible organizations, technical assistance, program improvement, and replication activities.

(2) Research

In any fiscal year, if the amount appropriated under section 6302(b)(3) of this title for such year—

- (A) is equal to or less than the amount appropriated for the preceding fiscal year, the Secretary may reserve from such amount only the amount necessary to continue multi-year activities carried out pursuant to section 6381j(b) of this title that began during or prior to the fiscal year preceding the fiscal year for which the determination is made; or
- (B) exceeds the amount appropriated for the preceding fiscal year, then the Secretary shall reserve from such excess amount \$2,000,000 or 50 percent, whichever is less, to carry out section 6381j(b) of this title.

(c) Reservation for grants

(1) Grants authorized

(A) In general

For any fiscal year for which at least one State educational agency applies and submits an application that meets the requirements and goals of this subsection and for which the amount appropriated under section 6302(b)(3) of this title exceeds the amount appropriated under that section for the preceding fiscal year, the Secretary shall reserve, from the amount of the excess remaining after the application of subsection (b)(2) of this section, the amount of the remainder or \$1,000,000, whichever is less, to award grants, on a competitive basis, to State educational agencies to enable them to plan and implement statewide family literacy initiatives to coordinate and, where appropriate, integrate existing Federal, State, and local literacy resources consistent with the purposes of this subpart.

(B) Coordination and integration

The coordination and integration described in subparagraph (A) shall include co-

ordination and integration of funds available under the Adult Education and Family Literacy Act [20 U.S.C. 9201 et seq.], the Head Start Act [42 U.S.C. 9831 et seq.], this subpart, part A of this subchapter, and part A of title IV of the Social Security Act [42 U.S.C. 601 et seq.].

(C) Restriction

No State educational agency may receive more than one grant under this subsection.

(2) Consortia

(A) Establishment

To receive a grant under this subsection, a State educational agency shall establish a consortium of State-level programs under the following provisions of laws:

- (i) This subchapter (other than part D).
- (ii) The Head Start Act [42 U.S.C. 9831 et seq.].
- (iii) The Adult Education and Family Literacy Act [20 U.S.C. 9201 et seq.].
- (iv) All other State-funded preschool programs and programs providing literacy services to adults.

(B) Plan

To receive a grant under this subsection, the consortium established by a State educational agency shall create a plan to use a portion of the State educational agency's resources, derived from the programs referred to in subparagraph (A), to strengthen and expand family literacy services in the State.

(C) Coordination with subpart 1

The consortium shall coordinate its activities under this paragraph with the activities of the reading and literacy partnership for the State educational agency established under section 6363(d) of this title, if the State educational agency receives a grant under section 6362 of this title.

(3) Reading instruction

Statewide family literacy initiatives implemented under this subsection shall base reading instruction on scientifically based reading research.

(4) Technical assistance

The Secretary shall provide, directly or through a grant or contract with an organization with experience in the development and operation of successful family literacy services, technical assistance to State educational agencies receiving a grant under this subsection.

(5) Matching requirement

The Secretary shall not make a grant to a State educational agency under this subsection unless the State educational agency agrees that, with respect to the costs to be incurred by the eligible consortium in carrying out the activities for which the grant was awarded, the State educational agency will make available non-Federal contributions in an amount equal to not less than the Federal funds provided under the grant.

(d) State educational agency allocation

(1) In general

From amounts appropriated under section 6302(b)(3) of this title and not reserved under

subsection (a), (b), or (c) of this section, the Secretary shall make grants to State educational agencies from allocations under paragraph (2).

(2) Allocations

Except as provided in paragraph (3), from the total amount available under paragraph (1) for allocation to State educational agencies in any fiscal year, each State educational agency shall be eligible to receive a grant under paragraph (1) in an amount that bears the same ratio to the total amount as the amount allocated under part A of this subchapter to that State educational agency bears to the total amount allocated under that part to all State educational agencies.

(3) Minimum

No State educational agency shall receive a grant under paragraph (1) in any fiscal year in an amount that is less than \$250,000, or one-half of 1 percent of the amount appropriated under section 6302(b)(3) of this title and not reserved under subsections (a), (b), and (c) of this section for such year, whichever is greater.

(e) Definitions

For the purpose of this subpart—

(1) the term “eligible entity” means a partnership composed of—

(A) a local educational agency; and

(B) a nonprofit community-based organization, a public agency other than a local educational agency, an institution of higher education, or a public or private nonprofit organization other than a local educational agency, of demonstrated quality;

(2) the term “eligible organization” means any public or private nonprofit organization with a record of providing effective services to family literacy providers, such as the National Center for Family Literacy, Parents as Teachers, Inc., the Home Instruction Program for Preschool Youngsters, and the Home and School Institute, Inc.;

(3) the terms “Indian tribe” and “tribal organization” have the meanings given those terms in section 450b of title 25;

(4) the term “scientifically based reading research” has the meaning given that term in section 6368 of this title; and

(5) the term “State” means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

(Pub. L. 89–10, title I, §1232, as added Pub. L. 107–110, title I, §101, Jan. 8, 2002, 115 Stat. 1556.)

REFERENCES IN TEXT

The Adult Education and Family Literacy Act, referred to in subsec. (c)(1)(B), (2)(A)(iii), 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.

The Head Start Act, referred to in subsec. (c)(1)(B), (2)(A)(ii), 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 Social Security Act, referred to in subsec. (c)(1)(B), is act Aug. 14, 1935, ch. 531, 49 Stat. 620, as amended. Part A of title IV of the Act is classified generally to part A (§601 et seq.) of subchapter IV of chapter 7 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

§ 6381b. State educational agency programs

(a) State educational agency level activities

Each State educational agency that receives a grant under section 6381a(d)(1) of this title may use not more than a total of 6 percent of the grant funds for the costs of—

(1) administration, which amount shall not exceed half of the total;

(2) providing, through one or more subgrants or contracts, technical assistance for program improvement and replication, to eligible entities that receive subgrants under subsection (b) of this section; and

(3) carrying out sections 6381i and 6381c(c) of this title.

(b) Subgrants for local programs

(1) In general

Each State educational agency shall use the grant funds received under section 6381a(d)(1) of this title and not reserved under subsection (a) of this section to award subgrants to eligible entities to carry out Even Start programs.

(2) Minimum subgrant amounts

(A) In general

Except as provided in subparagraphs (B) and (C), no State educational agency shall award a subgrant under paragraph (1) in an amount less than \$75,000.

(B) Subgrantees in ninth and succeeding years

No State educational agency shall award a subgrant under paragraph (1) in an amount less than \$52,500 to an eligible entity for a fiscal year to carry out an Even Start program that is receiving assistance under this subpart or its predecessor authority for the ninth (or any subsequent) fiscal year.

(C) Exception for single subgrant

A State educational agency may award one subgrant in each fiscal year of sufficient size, scope, and quality to be effective in an amount less than \$75,000 if, after awarding subgrants under paragraph (1) for that fiscal year in accordance with subparagraphs (A) and (B), less than \$75,000 is available to the State educational agency to award those subgrants.

(Pub. L. 89–10, title I, §1233, as added Pub. L. 107–110, title I, §101, Jan. 8, 2002, 115 Stat. 1558.)

§ 6381c. Uses of funds

(a) In general

In carrying out an Even Start program under this subpart, a recipient of funds under this subpart shall use those funds to pay the Federal share of the cost of providing intensive family