

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 250 Session of
2001

INTRODUCED BY FLICK, STAIRS, COLAFELLA, ADOLPH, BARD, BELFANTI, BENNINGHOFF, CAPPELLI, CLYMER, L. I. COHEN, DALEY, DeLUCA, DeWEESE, FAIRCHILD, FICHTER, FLEAGLE, FRANKEL, TIGUE, TRELLO, WALKO, WASHINGTON, C. WILLIAMS, WILT, WOJNAROSKI, YOUNGBLOOD, YUDICHAK, FREEMAN, GEORGE, HENNESSEY, HERMAN, HERSHEY, HESS, HORSEY, LAUGHLIN, MAJOR, MANDERINO, McCALL, R. MILLER, S. MILLER, ORIE, PETRARCA, PHILLIPS, READSHAW, RUBLEY, SATHER, SAYLOR, SCHULER, SHANER, SOLOBAY, STEELMAN, STERN, STRITTMATTER, E. Z. TAYLOR, THOMAS, ZIMMERMAN AND CIVERA, FEBRUARY 8, 2001

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 8, 2001

AN ACT

1 Amending the act of October 22, 1986 (P.L.1452, No.143),
2 entitled "An act expanding the available adult basic
3 education programs and the duties of the Department of
4 Education; making an appropriation; and making a partial
5 repeal," further providing for short title, for findings and
6 purpose, for definitions, for grant program, for limitations
7 on funding, for interagency coordinating council, for audits
8 and records and for monitoring and reporting.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Sections 1, 2, 3, 4 and 4.1 of the act of October
12 22, 1986 (P.L.1452, No.143), known as the Pennsylvania Adult
13 Basic and Literacy Education Act, amended May 16, 1996 (P.L.227,
14 No.42), are amended to read:

15 Section 1. Short title.

16 This act shall be known and may be cited as the Pennsylvania
17 Adult [Basic] and Family Literacy Education Act.

1 Section 2. Findings and purpose.

2 (a) Findings.--The General Assembly finds and declares:

3 (1) This Commonwealth has 1,500,000 adults over 18 years
4 of age who have not completed their high school education,
5 which places Pennsylvania fifth in the nation with the
6 greatest number of people without high school diplomas.

7 (2) This Commonwealth has 4,000,000 adults in need of
8 adult literacy services, based on the State Adult Literacy
9 Survey, demonstrating they lack the skills and knowledge
10 essential to cope with daily demands and without the
11 educational background to participate in occupational
12 training or employment.

13 (3) Less than 2% of these 4,000,000 adults participate
14 in adult [basic and] literacy education programs.

15 (4) In this Commonwealth, a system needs to exist to
16 coordinate the hundreds of existing adult [basic] and family
17 literacy education programs, State agencies funding programs
18 with adult [basic] and family literacy education components,
19 independent adult [basic] and family literacy data systems
20 for each funding stream and training, technical assistance
21 and information/research dissemination.

22 (5) If adult [basic] education needs are not more fully
23 met, the Commonwealth could be forced to increase its support
24 of these individuals through unemployment compensation,
25 welfare payments and correctional institutions. A general
26 decline of Statewide productivity may ensue. [Since the
27 parental educational level is the number one indicator of how
28 well children perform in school, intergenerational illiteracy
29 may result if parents have low literacy levels. Children may
30 not be ready for school.]

1 (6) Family literacy education is an opportunity for
2 undereducated adults and their children to increase the
3 child's readiness for school and chances for academic
4 success, the parent's involvement in the child's education
5 and the parent's basic skills.

6 (b) Purpose.--It is the intent of this act to provide [for
7 the] coordination and [to] broaden the scope of educational
8 activities to [the] uneducated and undereducated adults in this
9 Commonwealth and their families, including those who speak other
10 languages, and to provide programs to those individuals who have
11 previously been unserved. By providing for the coordination of
12 funding streams and programs across State departments, increased
13 and improved services will be provided to adult learners and
14 their families. By encouraging and expanding the availability of
15 [basic] adult and family literacy education programs [to adults]
16 in this Commonwealth, [it is hoped] these adults and their
17 families will be able to function more effectively in their
18 personal lives and as citizens and be better prepared for work
19 force training and employment that they may become more
20 responsible and productive members of society.

21 Section 3. Definitions.

22 The following words and phrases when used in this act shall
23 have the meanings given to them in this section unless the
24 context clearly indicates otherwise:

25 "Adult literacy education." An educational program designed
26 to provide basic skills training in mathematics, reading and
27 English, including English as a secondary language.

28 "Eligible adult." A person who meets the following criteria:

29 (1) Is at least 17 years of age.

30 (2) Is a resident of this Commonwealth.

(3) Is not currently enrolled in a public or private secondary or postsecondary school.

["Family literacy." An educational program designed to provide literacy training for adults, educational services for children and activities for parents and children together, at the same or at different sites.]

"Eligible parent." An eligible adult who has one or more children ages birth through third grade. The term includes a legal guardian, grandparent, stepparent, aunt, uncle, sibling or other person with whom the child lives or who has been designated by a parent, legal guardian or court to act in place of the parent.

"Family literacy education." Services that are of sufficient intensity and duration to make sustainable changes in a family and that integrate all of the following:

(1) Interactive literacy activities between parents and their children.

(2) Training of parents to be the primary teacher for their children and full partner in the education of their children.

(3) Parent literacy training that leads to economic self-sufficiency.

(4) Age appropriate education to prepare children for success in school.

"Literacy." An individual's ability to read, write and speak English and to compute and solve problems at levels of proficiency necessary to function on the job and in society in order to achieve one's goals and to develop one's knowledge and potential.

"Local education provider." An approved educational agency,

1 institution or organization making use of either professional or
2 voluntary personnel, which may be any of the following:

- 3 (1) School districts.
- 4 (2) Intermediate units.
- 5 (3) Area vocational-technical schools.
- 6 (4) Community colleges.
- 7 (5) Literacy councils.
- 8 (6) Local libraries.
- 9 (7) Community-based organizations which are private,
10 nonprofit organizations and are representative of communities
11 or significant parts of communities and which provide adult
12 [basic] or family literacy education programs.

- 13 (8) Any other educational entity recognized by the
14 Secretary of Education for providing appropriate and
15 effective adult [basic] or family literacy education
16 [curriculum] programs.

17 "Support services." Those services necessary to enable
18 eligible adults and their families to participate in and benefit
19 from [an] adult or family literacy education [program] programs,
20 including transportation, child care, counseling and referral
21 services.

22 Section 4. Grant program.

23 (a) Establishment.--There is hereby established within the
24 Department of Education an adult and family literacy education
25 grant program. Adult and family literacy education providers may
26 apply to the Department of Education for grants to provide the
27 following services:

- 28 (1) Adult literacy education programs for eligible
29 adults, including salaries, wages, fringe benefits, books and
30 other instructional materials.

1 (1.1) Family literacy education programs for eligible
2 parents and their children.

3 (2) Training for volunteer adult literacy education
4 instructors.

5 (3) Administration of adult and family literacy
6 education programs.

7 (4) Support services necessary to enable individuals to
8 participate in and benefit from the program.

9 (5) Outreach activities to enroll eligible adults and to
10 recruit volunteer tutors and instructors.

11 (b) Procedures, rules and forms.--The Secretary of Education
12 shall adopt such procedures, rules and forms as may be necessary
13 to implement this grant program. Applications shall be made to
14 the Department of Education in such form and at such time as the
15 Secretary of Education may prescribe. Funds received under this
16 program may be used in conjunction with funds received from any
17 other public or private source.

18 (c) Priorities for funding.--The Secretary of Education
19 shall consider, but not be limited to, the following factors
20 when evaluating proposals for adult and family literacy
21 education programs:

22 (1) Percentage of eligible adults expected to be
23 enrolled for instruction who are receiving either State or
24 Federal public assistance, or who are unemployed workers or
25 displaced homemakers.

26 (2) Percentage of eligible adults in any local area who
27 do not have certificates of graduation from a secondary
28 school and who are not currently enrolled in adult or family
29 literacy education programs.

30 (3) Percentage of eligible adults expected to be

enrolled who are members of minority groups.

(4) Percentage of eligible adults with less than a fifth grade reading level to be served.

Section 4.1. Duty of Department of Education.

The Department of Education shall provide client outreach and referral activities that are coordinated with other adult education and literacy programs, county assistance offices, social service agencies, offices of employment security, [Job Training Partnership Act] programs under the Workforce Investment Act of 1998 (Public Law 105-220, 112 Stat. 936) and other community groups or agencies that provide services and assistance to persons in need of basic literacy skills.

Section 2. Section 5 of the act is amended to read:

Section 5. Limitations on funding.

(a) Sectarian activities.--No funds provided by this act shall be used for programs, activities or services related to sectarian instruction or religious worship.

(b) Institutionalized adults.--No more than 20% of the annual appropriation shall be used to provide education to institutionalized adults.

(c) Graduation equivalency programs.--No more than 20% of the annual appropriation shall be used for programs of equivalency for certificate of graduation from a secondary school.

(d) Volunteer education instructors.--At least 20% of the annual appropriation shall be used for training volunteer adult literacy education instructors.

(d.1) Family literacy education.--At least 25% of the annual appropriation shall be used for family literacy education programs.

1 (e) Support services for adult literacy education
2 programs.--No more than 10% of any grant may be used for support
3 services for adult literacy education programs.

4 (f) Administrative costs.--No more than 10% of a grant may
5 be used for administrative costs incurred by [the] an adult or
6 family literacy education provider.

7 Section 3. Sections 6, 8 and 9 of the act, added or amended
8 May 16, 1996 (P.L.227, No.42), are amended to read:

9 Section 6. Interagency Coordinating Council.

10 (a) Membership.--The Interagency Coordinating Council is
11 hereby established and shall be composed of, at a minimum, [21]
12 23 voting members but shall not exceed 35 voting members
13 appointed by the Governor, except for the four members of the
14 General Assembly who shall be appointed and replaced under the
15 provisions of subsection (b). The term of office of the voting
16 members shall be three years, except for the cabinet officers or
17 their designees, who shall serve as long as they are in office.
18 The membership of the Interagency Coordinating Council shall
19 consist of the following:

20 (1) The Secretary of [Commerce] Community and Economic
21 Development or a designee.

22 (2) The Secretary of Education or a designee.

23 (3) The Secretary of Labor and Industry or a designee.

24 (4) The Secretary of Public Welfare or a designee.

25 (4.1) The Secretary of Aging or a designee.

26 (4.2) The Physician General or a designee.

27 (5) Five providers of adult literacy services
28 representing school districts, intermediate units, area
29 vocational-technical schools, colleges, literacy councils,
30 local libraries and community-based organizations.

1 (6) Two representatives of the media, both print and
2 electronic.

3 (7) Three representatives of business, industry and
4 unions.

5 (8) One representative of a local coalition.

6 (9) One representative of the Statewide adult education
7 professional association.

8 (10) Members at large, not to exceed four, chosen to
9 represent diverse interests, who have knowledge of or
10 experience with the establishment, funding or operation of
11 adult basic education programs, including a Statewide
12 association.

13 The designees of the cabinet officers must be deputy
14 secretaries, commissioners or bureau directors.

15 (b) Legislative members of the council.--There shall be four
16 members of the General Assembly appointed to the council. The
17 President pro tempore and the Minority Leader of the Senate
18 shall each appoint one member. The Speaker and the Minority
19 Leader of the House of Representatives shall each appoint one
20 member. A legislative member's term on the council shall be at
21 the discretion of the appointing leadership officer and
22 replacement shall be at the discretion of the appointing
23 leadership officer.

24 (c) Officers.--The chair of the council shall be appointed
25 by the Governor from among the members who are neither
26 Commonwealth employees nor elected officials. The offices of
27 vice chair, secretary and treasurer shall be elected by the
28 membership.

29 (d) Purpose.--The Interagency Coordinating Council is
30 established to provide a broad-based Commonwealth council to

1 advise in coordinating a Statewide system of adult [basic] and
2 family literacy education services and to develop communications
3 strategies to promote public awareness of literacy challenges
4 and solutions.

5 Section 8. Audits and records.

6 The Department of Education may audit the records and
7 accounts of [an] adult and family literacy education [provider]
8 providers relating to a grant award pursuant to this act. [The
9 adult literacy education] Each provider shall make the records
10 and accounts available to the Department of Education upon its
11 request.

12 Section 9. Monitoring and reporting.

13 (a) Report by adult and family literacy education [provider]
14 providers.--Upon completion of the educational program funded,
15 wholly or in part, by a grant awarded under this act, each
16 [adult literacy education] provider shall report to the
17 Department of Education [the same information on the State-
18 funded program as is required to be reported by the Adult
19 Education Act (Public Law 89-750, 20 U.S.C. § 1201 et seq.) for
20 federally funded programs and] any [other] information that may
21 be requested by the Secretary of Education.

22 (b) Annual report.--The Secretary of Education shall provide
23 an annual report to the General Assembly, no later than January
24 1 of each year, which describes State-administered adult [basic]
25 and family literacy education [and literacy] activities for the
26 prior fiscal year. Departments with programs with adult [basic
27 and] and family literacy education components shall assist the
28 Department of Education in the development of the report. The
29 report shall address the responsibilities of State and local
30 agencies and shall describe measures taken to provide a

1 coordinated and comprehensive service delivery system.

2 Section 4. This act shall take effect immediately.