

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2859 Session of
2000

INTRODUCED BY TRUE, ADOLPH, BARD, BENNINGHOFF, CLYMER, DALEY,
FAIRCHILD, FICHTER, FLEAGLE, FRANKEL, GEORGE, HERSHEY, HESS,
HORSEY, R. MILLER, ORIE, PHILLIPS, READSHAW, RUBLEY, SAYLOR,
SCHULER, SHANER, STERN, STRITTMATTER, E. Z. TAYLOR, THOMAS,
TIGUE, WILLIAMS, WILT, WOJNAROSKI AND YUDICHAK,
OCTOBER 31, 2000

REFERRED TO COMMITTEE ON EDUCATION, OCTOBER 31, 2000

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.

18 Section 2. Findings and purpose.

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

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

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

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

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

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

29 (6) Family literacy education is an opportunity for
30 undereducated adults and their children to increase the

child's readiness for school and chances for academic success, the parent's involvement in the child's education and the parent's basic skills.

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

Section 3. Definitions.

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

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

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

- (1) Is at least 17 years of age.
- (2) Is a resident of this Commonwealth.
- (3) Is not currently enrolled in a public or private secondary or postsecondary school.

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

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

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

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

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

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

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

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

28 "Local education provider." An approved educational agency,
29 institution or organization making use of either professional or
30 voluntary personnel, which may be any of the following:

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

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

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

20 Section 4. Grant program.

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

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

29 (1.1) Family literacy education programs for eligible
30 parents and their children.

1 (2) Training for volunteer adult literacy education
2 instructors.

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

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

7 (5) Outreach activities to enroll eligible adults and to
8 recruit volunteer tutors and instructors.

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

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

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

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

28 (3) Percentage of eligible adults expected to be
29 enrolled who are members of minority groups.

30 (4) Percentage of eligible adults with less than a fifth

1 grade reading level to be served.

2 Section 4.1. Duty of Department of Education.

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

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

12 Section 5. Limitations on funding.

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

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

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

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

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

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

1 services for adult literacy education programs.

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

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

7 Section 6. Interagency Coordinating Council.

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

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

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

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

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

23 (4.1) The Secretary of Aging or a designee.

24 (4.2) The Physician General or a designee.

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

29 (6) Two representatives of the media, both print and
30 electronic.

1 (7) Three representatives of business, industry and
2 unions.

3 (8) One representative of a local coalition.

4 (9) One representative of the Statewide adult education
5 professional association.

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

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

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

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

27 (d) Purpose.--The Interagency Coordinating Council is
28 established to provide a broad-based Commonwealth council to
29 advise in coordinating a Statewide system of adult [basic] and
30 family literacy education services and to develop communications

1 strategies to promote public awareness of literacy challenges
2 and solutions.

3 Section 8. Audits and records.

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

10 Section 9. Monitoring and reporting.

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

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

30 Section 4. This act shall take effect immediately.