

5515

2013-2014 Regular Sessions

I N S E N A T E

May 16, 2013

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Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to establishing family literacy programs for economically disadvantaged families living in poverty areas or in areas served by low-performing public schools

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Legislative findings and declaration. It is the purpose of  
2 this act to help break the cycle of poverty and illiteracy by improving  
3 the educational opportunities for New York's low-income families by  
4 funding family literacy programs that integrate early childhood develop-  
5 ment, adult literacy or adult basic education, inter-generational learn-  
6 ing and parenting education. The legislature finds and declares that the  
7 provision of comprehensive family literacy programs will help many  
8 parents and children living in poverty to improve their lives. The  
9 legislature finds that, based on national and state surveys, persons  
10 with low literacy levels are most likely to live in poverty and be  
11 dependent on public assistance. The legislature finds that a compar-  
12 atively high percentage of students attending low-performing public  
13 schools live in poverty or have parents with limited English language  
14 proficiency or poor literacy skills. The legislature finds that there is  
15 inadequate funding to address the illiteracy problem in these communi-  
16 ties. Therefore, the legislature finds that it is necessary to fund  
17 family literacy programs targeted to economically disadvantaged families  
18 residing in poverty areas or in attendance zones served by low-perform-  
19 ing public schools to assist adults and children living in these commu-  
20 nities to obtain the skills they need to lead successful and productive  
21 lives.

22 S 2. Section 3641 of the education law is amended by adding a new  
23 subdivision 16 to read as follows:

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 16. FAMILY LITERACY GRANTS. WITHIN THE AMOUNT APPROPRIATED FOR SUCH  
2 PURPOSE, THE COMMISSIONER IS DIRECTED AND AUTHORIZED TO AWARD COMPET-  
3 ITIVE MATCHING GRANTS TO ELIGIBLE PROVIDERS TO SUPPORT THE ESTABLISHMENT  
4 OF COMPREHENSIVE FAMILY LITERACY PROGRAMS. IN ORDER TO BE ELIGIBLE FOR  
5 SUCH A GRANT, A GRANTEE SHALL PROVIDE AN APPROVED FAMILY LITERACY  
6 PROGRAM TO ELIGIBLE FAMILIES.

7 A. DEFINITIONS. AS USED IN THIS SECTION:

8 (1) "FAMILY LITERACY PROGRAM" MEANS SERVICES THAT ARE OF SUFFICIENT  
9 INTENSITY IN TERMS OF HOURS AND OF SUFFICIENT DURATION TO MAKE SUSTAINA-  
10 BLE CHANGES TO A FAMILY AND THAT INTEGRATE ALL OF THE FOLLOWING ACTIV-  
11 ITIES: INTERACTIVE LITERACY ACTIVITIES BETWEEN PARENTS AND THEIR CHIL-  
12 DREN; EDUCATION FOR PARENTS REGARDING HOW TO BE THE PRIMARY TEACHER FOR  
13 THEIR CHILDREN AND FULL PARTNERS IN THE EDUCATION OF THEIR CHILDREN;  
14 PARENT LITERACY PREPARATION THAT LEADS TO ECONOMIC SELF-SUFFICIENCY; AND  
15 AN AGE-APPROPRIATE EDUCATION TO PREPARE CHILDREN FOR SUCCESS IN SCHOOL  
16 AND LIFE EXPERIENCES.

17 (2) "ELIGIBLE PARENT" MEANS AN INDIVIDUAL WHO IS: (I) IN PARENTAL  
18 RELATION TO AN ELIGIBLE CHILD, AS DEFINED BY THE COMMISSIONER, AND (II)  
19 IN NEED OF ADULT BASIC EDUCATION, AS DEFINED IN THIS SECTION.

20 (3) "ELIGIBLE CHILD" MEANS A CHILD FROM BIRTH THROUGH AGE TWELVE WHO  
21 HAS ONE OR MORE ELIGIBLE PARENTS.

22 (4) "ELIGIBLE FAMILY" MEANS A FAMILY UNIT WHICH CONTAINS ONE OR MORE  
23 ELIGIBLE PARENTS AND ONE OR MORE ELIGIBLE CHILDREN AND WHOSE FAMILY  
24 INCOME IS AT OR BELOW THE POVERTY LEVEL AND WHO RESIDES IN AN AREA OF  
25 POVERTY OR IN AN ATTENDANCE ZONE SERVED BY A LOW-PERFORMING PUBLIC  
26 SCHOOL, BOTH AS DEFINED BY THE COMMISSIONER.

27 (5) "ELIGIBLE PROVIDER" MEANS A SCHOOL DISTRICT OR A BOARD OF COOPER-  
28 ATIVE EDUCATIONAL SERVICES IN PARTNERSHIP WITH A PUBLIC AGENCY OR A  
29 PRIVATE, NONSECTARIAN NOT-FOR-PROFIT AGENCY.

30 (6) "AUTHORIZED EXPENDITURES" MEANS THOSE EXPENSES RELATED TO INSTRU-  
31 CTION, ASSESSMENT, COUNSELING, ADMINISTRATION, PURCHASE OF INSTRUCTIONAL  
32 MATERIALS, PURCHASE OR LEASE OF APPROVED EQUIPMENT, COST OF IN-SERVICE  
33 TRAINING FOR PARTICIPATING INSTRUCTORS AND COUNSELORS, DESIGNED TO SERVE  
34 ELIGIBLE FAMILIES AND OTHER ADMINISTRATIVE AND PROGRAM COSTS AS APPROVED  
35 BY THE COMMISSIONER, OR FOR THE STATEWIDE EVALUATION OF FAMILY LITERACY  
36 PROGRAMS.

37 (7) "ADULT EDUCATION" MEANS SERVICES OR INSTRUCTION BELOW THE POSTSE-  
38 CONDARY LEVEL FOR INDIVIDUALS:

39 (A) WHO HAVE ATTAINED SIXTEEN YEARS OF AGE;

40 (B) WHO ARE NOT ENROLLED OR REQUIRED TO BE ENROLLED IN SECONDARY  
41 SCHOOL UNDER LAW; AND

42 (C) WHO (I) LACK SUFFICIENT MASTERY OF BASIC EDUCATIONAL SKILLS TO  
43 ENABLE THE INDIVIDUALS TO FUNCTION EFFECTIVELY IN SOCIETY;

44 (II) DO NOT HAVE A SECONDARY SCHOOL DIPLOMA OR ITS RECOGNIZED EQUIV-  
45 ALENT, AND HAVE NOT ACHIEVED AN EQUIVALENT LEVEL OF EDUCATION; OR

46 (III) ARE UNABLE TO SPEAK, READ, OR WRITE THE ENGLISH LANGUAGE.

47 B. AWARD OF GRANTS. (1) ELIGIBLE PROVIDERS SHALL SUBMIT PROPOSALS TO  
48 THE COMMISSIONER, INCLUDING PROGRAM BUDGETS, TO FUND AUTHORIZED EXPENDI-  
49 TURES IN SUPPORT OF FAMILY LITERACY PROGRAMS DESIGNED TO SERVE ELIGIBLE  
50 FAMILIES. SUCH PROPOSALS SHALL BE IN A FORM AND SHALL BE SUBMITTED ON A  
51 SCHEDULE PRESCRIBED BY THE COMMISSIONER.

52 (2) THE COMMISSIONER SHALL ADOPT REGULATIONS TO ESTABLISH ELIGIBILITY  
53 CRITERIA AND PROCEDURES FOR THE AWARD OF SUCH GRANTS AND TO OTHERWISE  
54 IMPLEMENT THE PROVISIONS OF THIS SECTION, PROVIDED THAT A  
55 DOLLAR-FOR-DOLLAR MATCH SHALL BE REQUIRED OF ANY ELIGIBLE PROVIDER  
56 APPLYING FOR SUCH GRANTS.

1 (3) THE COMMISSIONER SHALL AWARD GRANTS ON A COMPETITIVE BASIS USING  
2 THE ELIGIBILITY CRITERIA ESTABLISHED IN REGULATION AND SHALL DETERMINE  
3 THE AMOUNT OF EACH GRANT AWARD, PROVIDED THAT A STATEWIDE EVALUATION  
4 GRANT SHALL NOT EXCEED FIFTY THOUSAND DOLLARS.

5 C. PAYMENT SCHEDULE. SUBJECT TO THE AVAILABILITY OF FUNDS FOR SUCH  
6 PURPOSE, UPON APPROVAL OF A PROPOSAL BY THE COMMISSIONER, THE COMMIS-  
7 SIONER SHALL PROVIDE FOR THE ADVANCE OF TWENTY-FIVE PERCENT OF THE GRANT  
8 AMOUNT. THE REMAINING PORTION OF THE GRANT ALLOCATION SHALL BE DISTRIB-  
9 UTED ACCORDING TO A SCHEDULE PRESCRIBED BY THE COMMISSIONER, UPON  
10 SUBMISSION BY THE ELIGIBLE PROVIDER AND APPROVAL BY THE COMMISSIONER OF  
11 PROGRESS REPORTS AND A FINAL REPORT.

12 D. ANNUAL REPORT. ON OR BEFORE MARCH FIFTEENTH, TWO THOUSAND SIXTEEN  
13 AND BY MARCH FIRST OF EACH YEAR THEREAFTER, THE COMMISSIONER SHALL  
14 SUBMIT TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE, AND THE  
15 SPEAKER OF THE ASSEMBLY A REPORT DESCRIBING AND EVALUATING THE FAMILY  
16 LITERACY PROGRAMS FUNDED PURSUANT TO THIS SECTION.

17 S 3. This act shall take effect July 1, 2015.